

**Jury Proceeding Addendum to COVID-19 Operating Plan for the  
Bosque County Judiciary**  
*Effective on and after October 1, 2020*

Recognizing the need to ensure the health and safety of jurors, litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, the courts of Bosque County will implement, in addition to the procedures and protocols in the previously submitted COVID-19 Operating Plan, the following protective measures for jury proceedings:

**General**

1. All judges will comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals, including conducting in-person jury proceedings according to the guidance issued by the Office of Court Administration.
2. The justice courts will not conduct an in-person jury proceeding until the Supreme Court permits such proceedings.
3. Judges of the district courts, constitutional and statutory county courts, and statutory probate courts will conduct in-person jury proceedings in accordance with the previously approved Operating Plan and this addendum only after this jury proceeding addendum is submitted and accepted by the Regional Presiding Judge.
4. Not more than five days before an approved in-person jury proceeding is scheduled to occur, the local administrative district judge or designee will consult with the local public health authority to verify that local health conditions and plan precautions are appropriate for the jury proceeding to proceed.
5. Except for criminal cases where confinement in jail or prison is a potential punishment, judges may conduct remote jury proceedings if the court follows the requirements of the hearings on objections or motions section below and ensures that all potential and selected petit jurors have access to technology to participate remotely. Judges may conduct remote jury proceedings in a criminal case where confinement in jail or prison is a potential punishment only with appropriate waivers and consent obtained on the record from the defendant and the prosecutor.

**Jury Proceeding Approval Process**

1. Judges wishing to conduct a jury proceeding will follow the procedure detailed below to obtain approval to proceed with the jury proceeding from the local administrative district judge and Regional Presiding Judge:

Judges will submit a scheduling notice form (see Attachment 1) advising the local administrative district judge and Regional Presiding Judge of the need for a jury panel with specific details related to the case and the litigants.

2. The local administrative district judge will, not more than five days before the jury proceeding, consult with the local public health authority to verify that the local health conditions and plan precautions are appropriate for the jury proceeding to proceed with the following procedure:

As the local administrative district judge, I will contact the local health authority by email or phone within the recommended five (5) days before the jury proceeding date to verify that the

local health conditions and our plan precautions are appropriate for the jury to proceed. This will also allow sufficient time for the clerk to notify the panel members of the status of their jury service.

### **Hearings on Objections or Motions Related to Proceeding**

1. Parties who are scheduled for a jury proceeding are encouraged to make any objections or motions related to proceedings at least 10 days prior to the trial setting.
2. Any objections or motions related to proceeding with a jury proceeding will be heard by the judge presiding over the case at least seven days prior to the jury proceeding or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding.

### **Communication Protocols**

1. Each judge with an approved in-person jury proceeding will require the parties to communicate with the court if any participant in the jury proceeding, including attorneys, parties, attorney support staff, or witnesses, has tested positive for COVID-19 within the previous 30 days prior to any portion of the jury proceeding, currently has symptoms of COVID-19, or has had recent known exposure to COVID-19.
2. If the approved in-person jury proceeding involves an incarcerated participant, the judge will require the sheriff to report any positive COVID-19 test of the incarcerated participant within the previous 30 days prior to any portion of the jury proceeding, any current symptoms of COVID-19, or any recent known exposure to COVID-19.

### **Scheduling**

1. A judge who obtains approval for an in-person jury proceeding will schedule no more than ten cases for that jury trial setting, unless pre-approval for larger dockets is obtained from the Regional Presiding Judge.
2. Judges should attempt to alert parties who will not be proceeding prior to the day of trial to reduce attendance at the court facility.

### **Summoning Jurors**

1. The jury clerk must include with in-person juror summonses information regarding precautions that have been taken to protect the health and safety of prospective jurors (see **Attachment 2**)<sup>1</sup> and COVID questionnaires (see **Attachment 3**)<sup>2</sup> that elicit from prospective jurors information about their exposure or vulnerability to COVID-19.
2. Judges will consider using juror questionnaires for voir dire to assist in shortening the length of voir dire or the number of venirepersons.
3. Excuses or requests to reschedule from in-person prospective jurors who have been potentially exposed, who are symptomatic, and who are vulnerable or live with someone vulnerable to COVID-19 will be liberally granted.

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<sup>1</sup> Include as Attachment A the information that the court will include with summonses.

<sup>2</sup> Include as Attachment B the COVID questionnaire that the court will include with summonses. A sample COVID questionnaire is available at <https://txcourts.gov/media/1449739/petit-juror-questionnaire-addendum-covid-19-pre-screening.pdf>.

## **Location for Jury Selection, Trial, and Deliberation**

1. The following locations have sufficient space to permit adequate social distancing and will be used for in-person jury proceedings:<sup>3</sup>
  - a. Jury Qualification: **Meridian Civic Center**
  - b. Voir Dire: **Meridian Civic Center**
  - c. Trial: **Bosque County Courtroom**
  - d. Jury Deliberation: **Bosque County Courtroom**
2. Security protocols at the locations for jury proceedings have been reviewed with the appropriate courthouse security personnel and are adequate for the proceeding.

## **Screening**

1. In addition to the requirements of the previously submitted in-person Operating Plan, all court participants and observers attending an in-person jury proceeding will be screened for elevated temperatures and will be questioned to determine if the individual has recently had symptoms of COVID-19 or been exposed to COVID-19.
2. All participants in a trial who are incarcerated will be screened by the jail/prison prior to transport to the courtroom and any known exposure, symptoms, or COVID-19 positive test results within the past 30 days will be reported to the judge presiding over the jury trial prior to the transport of the participant to the courtroom.

## **Face Coverings**

1. In addition to the requirements of the previously submitted in-person Operating Plan, all persons entering the common areas of a courthouse, including a courtroom or any other location being used to conduct a jury trial, will be required to wear a face covering at all times unless the person is an individual that is not recommended to wear a mask by the Centers for Disease Control or the Texas Department of State Health Services.
2. All court participants will be required to wear face coverings from jury qualification through the end of trial.
3. Court participants who may need to lower their face mask to speak or for a short period of time will be required to wear a **face shield**. When speaking, judges will permit a court participant to lower his or her mask so long as a face shield is worn, and the person speaking is immobile.

## **Social Distancing**

1. Social distancing of all court participants and observers will be maintained at all times during the jury proceeding, including during the trial and deliberation.
2. Special attention will be paid by courts to ensure adequate social distancing and managed exits of individuals during breaks, especially when dismissing large groups of people for a break.

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<sup>3</sup> Court who may need to hold a proceeding outside of the courthouse should review Chapter 292 of the Local Government Code (related to having an auxiliary facility designated as a courthouse) and Government Code Sections 24.033(b) (district courts), 25.0019(b) (statutory county courts), 25.0032(b) (statutory probate courts), 26.009(b) (constitutional county courts), 27.0515 (justice courts), 29.015 (municipal courts), and 30.000123 (municipal courts of record)—relating to designating alternative locations for proceedings.

### **Alternate Jurors**

1. Each judge with an approved in-person jury proceeding will be encouraged to consider selecting alternate jurors to permit the trial to continue in the event of a juror becoming ineligible to serve for a reason unrelated to that person's exposure to or contraction of COVID-19.

### **Arrangement of Courtroom**

1. The following description or attached drawing (see Attachment 4) details how each of the courtrooms or facilities will be arranged during the jury proceeding.<sup>4</sup>

### **Microphone Protection Protocols**

1. Judges will limit, to the degree possible, the shared use of microphones during the jury proceeding.
2. If a microphone must be shared, judges will limit the passing of the microphone unless the microphone is cleaned between each user.
3. Disposable microphone covers will be placed on shared microphones and changed between each user.

### **Exhibit/Evidence Management**

1. Judges will limit, to the degree possible, the use of physical or paper exhibits/evidence where feasible or appropriate by converting the exhibit/evidence to a digital form.
2. When physical or paper exhibits/evidence is required, judges will reduce the exchange of that exhibit/evidence to the number of persons necessary and will limit passing the exhibit/evidence to the individual members of the jury.
3. If an exhibit/evidence is required to be transferred from person-to-person, single use gloves will be provided, worn, and discarded immediately after handling the exhibit/evidence.
4. During jury deliberations, judges will make efforts to provide the jury with access to digital exhibits/evidence that would normally be shared with the jury during deliberation. Where digital exhibits/evidence is not feasible, judges will consider limiting the transfer of the exhibits/evidence from juror-to-juror by spreading the exhibits/evidence on a table for inspection from the table in the jury deliberation room.

### **Witnesses**

1. Judges will inquire whether witnesses to the proceedings have COVID-related issues.
2. To the degree constitutionally permissible or with the consent of the parties, judges will permit witnesses to testify remotely via videoconference, especially if that witness has symptoms of or a recent positive test for COVID-19, has been recently exposed, or is vulnerable to contracting COVID-19.

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<sup>4</sup> Include where the judge, parties/counsel, jurors, witnesses, court reporter, and bailiff will be arranged in each courtroom or facility during each phase of the trial.

### Food Precautions

1. Courts that provide food to jurors or other participants during a jury proceeding will ensure individual food portions, such as individually boxed meals, are provided.

### Cleaning

1. In addition to the requirements of the previously submitted in-person Operating Plan, frequent cleaning protocols in the courtrooms and facilities will be maintained throughout the jury proceeding as appropriate.
2. Shared spaces such as witness stands, seating in the gallery, and seating during qualification/voir dire will be cleaned during transitions of those spaces.
3. Seats for members of the jury panel and selected jurors will be assigned to reduce potential transmission and the need for more frequent cleaning.

I have attempted to confer with all judges of courts with courtrooms in the court building regarding the Jury Proceeding Addendum to the Operating Plan. In developing the plan, I consulted with the local health authority and county judge, documentation of which is attached to this plan. I will ensure that the judges of courts with courtrooms in the court building covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 10/5/2020

  
\_\_\_\_\_  
Shaun Carpenter  
Local Administrative District Judge

**EXHIBIT 1**

**Scheduling Notice**

## Scheduling Notice for Jury Proceeding COVID-19 Operating Plan

In accordance with jury proceeding approval process, Judge \_\_\_\_\_ requests approval to proceed with the jury proceeding from the local administrative district judge and Regional Presiding Judge

(1) Cause: \_\_\_\_\_ Parties: \_\_\_\_\_ VS \_\_\_\_\_  
Type of Cause: (Criminal/Civil/Family/CPS) Charges/Relief: \_\_\_\_\_  
Qualified Panel Size: \_\_\_\_\_ Length of Trial: \_\_\_\_\_ Days in jail: \_\_\_\_\_  
Circumstances: \_\_\_\_\_  
\_\_\_\_\_

(2) Cause: \_\_\_\_\_ Parties: \_\_\_\_\_ VS \_\_\_\_\_  
Type of Cause: (Criminal/Civil/Family/CPS) Charges/Relief: \_\_\_\_\_  
Qualified Panel Size: \_\_\_\_\_ Length of Trial: \_\_\_\_\_ Days in jail: \_\_\_\_\_  
Circumstances: \_\_\_\_\_  
\_\_\_\_\_

(3) Cause: \_\_\_\_\_ Parties: \_\_\_\_\_ VS \_\_\_\_\_  
Type of Cause: (Criminal/Civil/Family/CPS) Charges/Relief: \_\_\_\_\_  
Qualified Panel Size: \_\_\_\_\_ Length of Trial: \_\_\_\_\_ Days in jail: \_\_\_\_\_  
Circumstances: \_\_\_\_\_  
\_\_\_\_\_

(4) Cause: \_\_\_\_\_ Parties: \_\_\_\_\_ VS \_\_\_\_\_  
Type of Cause: (Criminal/Civil/Family/CPS) Charges/Relief: \_\_\_\_\_  
Qualified Panel Size: \_\_\_\_\_ Length of Trial: \_\_\_\_\_ Days in jail: \_\_\_\_\_  
Circumstances: \_\_\_\_\_  
\_\_\_\_\_

(5) Cause: \_\_\_\_\_ Parties: \_\_\_\_\_ VS \_\_\_\_\_  
Type of Cause: (Criminal/Civil/Family/CPS) Charges/Relief: \_\_\_\_\_  
Qualified Panel Size: \_\_\_\_\_ Length of Trial: \_\_\_\_\_ Days in jail: \_\_\_\_\_  
Circumstances: \_\_\_\_\_  
\_\_\_\_\_

EXHIBIT 2  
Informational Letter





**Shaun Carpenter, Judge  
220<sup>th</sup> Judicial District Court  
Bosque, Comanche & Hamilton Counties  
State of Texas**

110 South Main, P. O. Box 529  
Meridian, Texas 76665  
Telephone: 254-435-6626

Linda Meinkowsky, Criminal Court Coordinator  
[crtadm220@bosquecounty.us](mailto:crtadm220@bosquecounty.us)

Carla Broome, Civil Court Coordinator  
[district220admin@bosquecounty.us](mailto:district220admin@bosquecounty.us)

Dear Prospective Juror:

Jury service is one of the highest duties of citizenship, and although I know this responsibility can sometimes be inconvenient, your willingness to serve will assist in the impartial administration of justice in Bosque County.

In preparation for your service, the courts of Bosque County have adopted certain procedures and protocols as part of the ongoing measures to protect citizens from the spread of COVID-19. General descriptions of the protective measures are below.

1. Potential jurors will complete a "Jury Service COVID-19 Pre-Screening Questionnaire."
2. Potential jurors will report with their designated group, at either 9:00 a.m. or 10:30 a.m.
3. Everyone will be screened for COVID-19 symptoms before entering the building.
4. Everyone is required to wear a facemask and face shield. If you do not have your own, the court will provide one.
5. Extra hygiene and sanitation measures will be available.
6. Individuals who consider themselves in the vulnerable population must contact the District Clerk at (254) 435-2334 and identify themselves by name, address, and summons number.

*Vulnerable Population*

*Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised, such as by chemotherapy for cancer or other conditions requiring such therapy, are considered to be vulnerable populations.*

The courts are dedicated to protecting the health and safety of jurors, litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts. Thank you for your dedication to the preservation of freedom under the law by virtue of your service.

Sincerely,

A handwritten signature in black ink that reads "Shaun Carpenter".

Shaun Carpenter

If you have received a jury summons, you will report to the Meridian Civic Center on the day and time indicated. DO NOT REPORT TO THE COURT HOUSE.

MERIDIAN CIVIC CENTER  
309 WEST RIVER STREET  
MERIDIAN, TEXAS 76665.

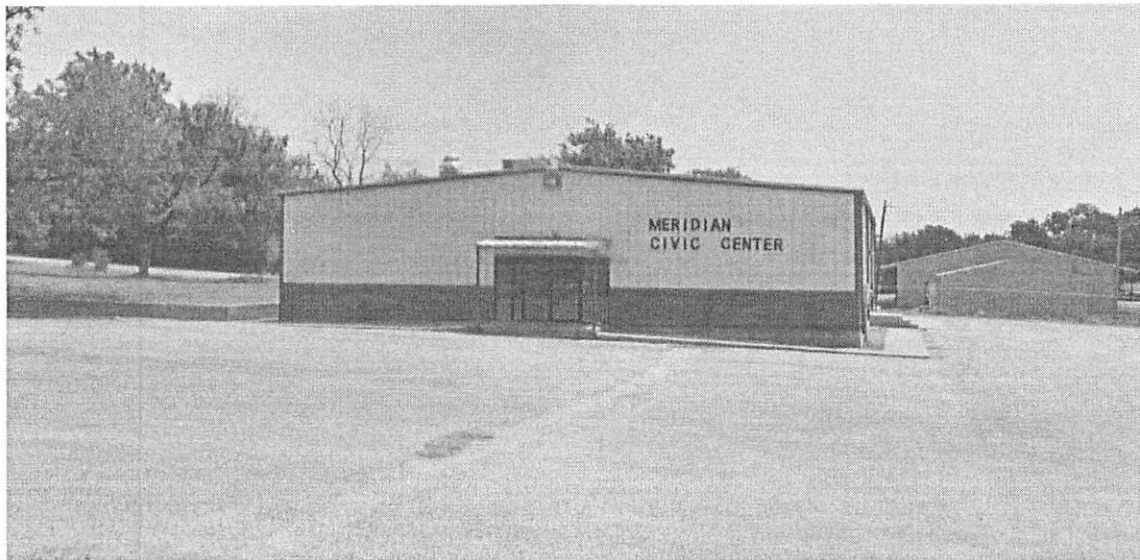
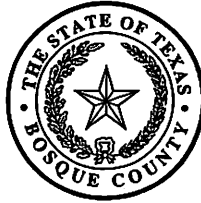


EXHIBIT 3

Jury Service COVID-19 Pre-Screening Questionnaire

If undeliverable, please return to  
 Bosque County Sheriff  
 P.O. Box 741  
 Meridian, Texas 76665



**JURY SUMMONS NO.**  
 Dear Prospective Juror:

You are hereby summoned for  
 jury service as set out below:

Time: 9:00 AM  
 Date: 10-26-20  
 Place: 220th District Court

**Forwarding Service Requested**

DISTRICT CLERK'S OFFICE  
 CALL 254-435-6608  
**THE DAY BEFORE & SUNDAY**  
 TO CONFIRM APPEARANCE DATE

**MERIDIAN CIVIC CENTER**  
**309 E.RIVER ST.**  
**MERIDIAN, TX 76665**

**ENCLOSED COVID-19  
 QUESTIONNAIRE-YOU MUST  
 BRING WITH YOU FILLED OUT  
 IF YOU HAVE QUESTIONS  
 PLEASE CONTACT 254-435-2334**

<b>THE FOLLOWING "JUROR QUESTIONNAIRE" IS MANDATED BY GOVERNMENT CODE, SECTION 62.0132.</b> Your answers are CONFIDENTIAL and may be disclosed only to the judge, court personnel, the litigant, and the litigant's attorney.					
PLEASE TYPE OR PRINT WITH INK ONLY      JUROR QUESTIONNAIRE					
<input type="checkbox"/> Male <input type="checkbox"/> Female	Race (required by State Law):	Age:	Date of Birth:	Are you a U.S. Citizen? <input type="checkbox"/> Y <input type="checkbox"/> N (Please see "Note" below.)	
Your Name: (Last) (First) (MI)			<b>Please check highest level of education completed:</b> <input type="checkbox"/> Did not receive H.S. Diploma <input type="checkbox"/> H.S. Diploma <input type="checkbox"/> GED <input type="checkbox"/> 2yr College <input type="checkbox"/> 4yr College/University <input type="checkbox"/> Post-Graduate <input type="checkbox"/> Other _____		
Home Address:		City:			
Mailing Address (if different from home):					
Home Phone:		Alternate Number:			
Your Occupation:		County of Residence			
Your Employer:		How Long?		Current Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced	
Spouse's Name:		Spouse's Occupation:			
Spouse's Employer:		How Long?			
Have you ever served on a civil jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Have you ever served on a criminal jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Number of Children: _____ Ranges of Age: from _____ years to _____ years	
<b>I CERTIFY THAT ALL ANSWERS ARE TRUE AND CORRECT.</b> Please sign here: _____					
<b>NOTE: If you state that you are not a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S. citizenship to your county voter registrar.</b>					

## JURY SERVICE COVID-19 PRE-SCREENING QUESTIONNAIRE

Dear Prospective Juror:

As part of the court's ongoing measures to protect against the spread of the COVID-19 disease, we ask that you complete the following before reporting for Jury Service on October 26, 2020. Bring this completed questionnaire with you or email it to [d\\_clerk@bosquecounty.us](mailto:d_clerk@bosquecounty.us) BEFORE October 26, 2020:

**1. SYMPTOMS NOW OR BETWEEN October 12, 2020 AND October 26, 2020:** check any that apply to YOU or A MEMBER OF YOUR HOUSEHOLD

Fever (above 100.0)  Change in taste or smell  Cough  Nausea or Vomiting

Headache  Shortness of Breath/Difficulty Breathing  Diarrhea  Chills

Muscle pain or body aches  Sore throat  Fatigue  Congestion or Runny Nose

I certify that NONE of the symptoms above have been experienced by me or a member of my household between October 12, 2020 and October 26, 2020.

**IF YOU ARE EXPERIENCING ANY OF THE ABOVE SYMPTOMS, CALL THE DISTRICT CLERK'S OFFICE at (254) 435-2334 BEFORE REPORTING ON OCTOBER 26, 2020.**

**2. CONTACT HISTORY - check any that apply to YOU or A MEMBER OF YOUR HOUSEHOLD:**

I or a member of my household has been diagnosed with COVID-19 within the past 30 days;

I or a member of my household has been in close contact with someone exposed to or infected with COVID-19 in the last 14 days;

I or a member of my household are currently on a watch list or self-quarantining because of possible COVID-19 exposure;

NONE of the above apply.

**IF ANY OF THE ABOVE APPLY, CALL THE DISTRICT CLERK'S OFFICE at (254) 435-2334 BEFORE REPORTING ON OCTOBER 26, 2020.**

**3. COVID-19 RELATED EXCUSE OR POSTPONEMENT** - Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised, such as by chemotherapy for cancer or other conditions requiring such therapy, are considered to be vulnerable populations and may request to postpone or be excused from jury service at this time. If you wish to be excused or request that your jury service be postponed, check the box below.

*I certify that I meet the above-described conditions and I am requesting to be excused from jury service or desire to have my service date postponed because of those conditions.*

**IF YOU ARE REQUESTING TO BE EXCUSED OR YOUR SERVICE DATE BE POSTPONED DUE TO A COVID-19 RELATED REASON, CALL THE DISTRICT CLERK'S OFFICE at (254) 435-2334 BEFORE REPORTING ON October 26, 2020.**

**4. FACE COVERINGS:** Prospective jurors are required to wear a face covering while they are in the courthouse. Individuals are encouraged to bring a cloth face covering with them. If an individual does not have a cloth face covering, a disposable face mask will be provided.

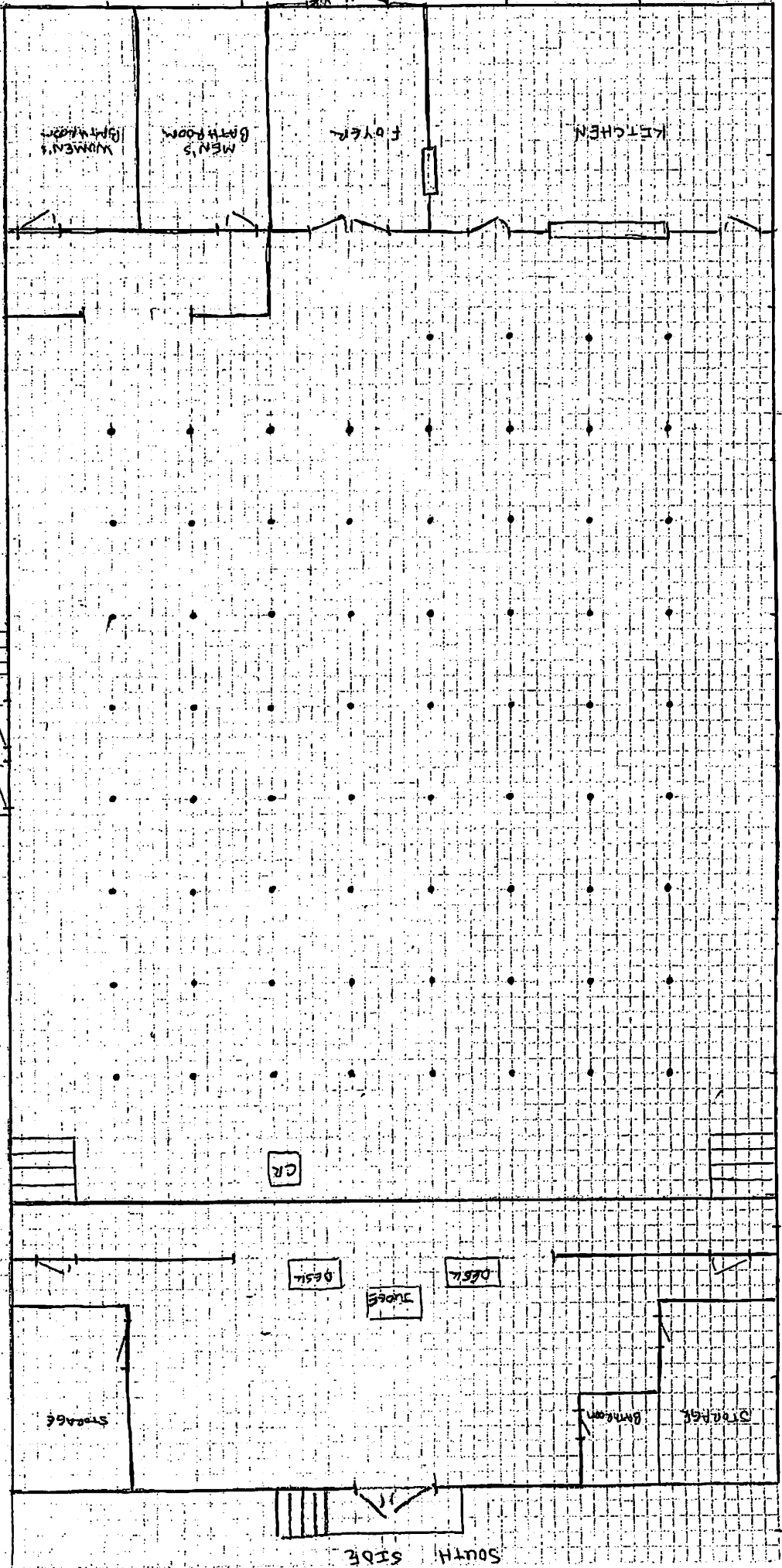
I certify the above is true and correct: \_\_\_\_\_  
Signature Printed Name

**EXHIBIT 4**

**Floor Plans**

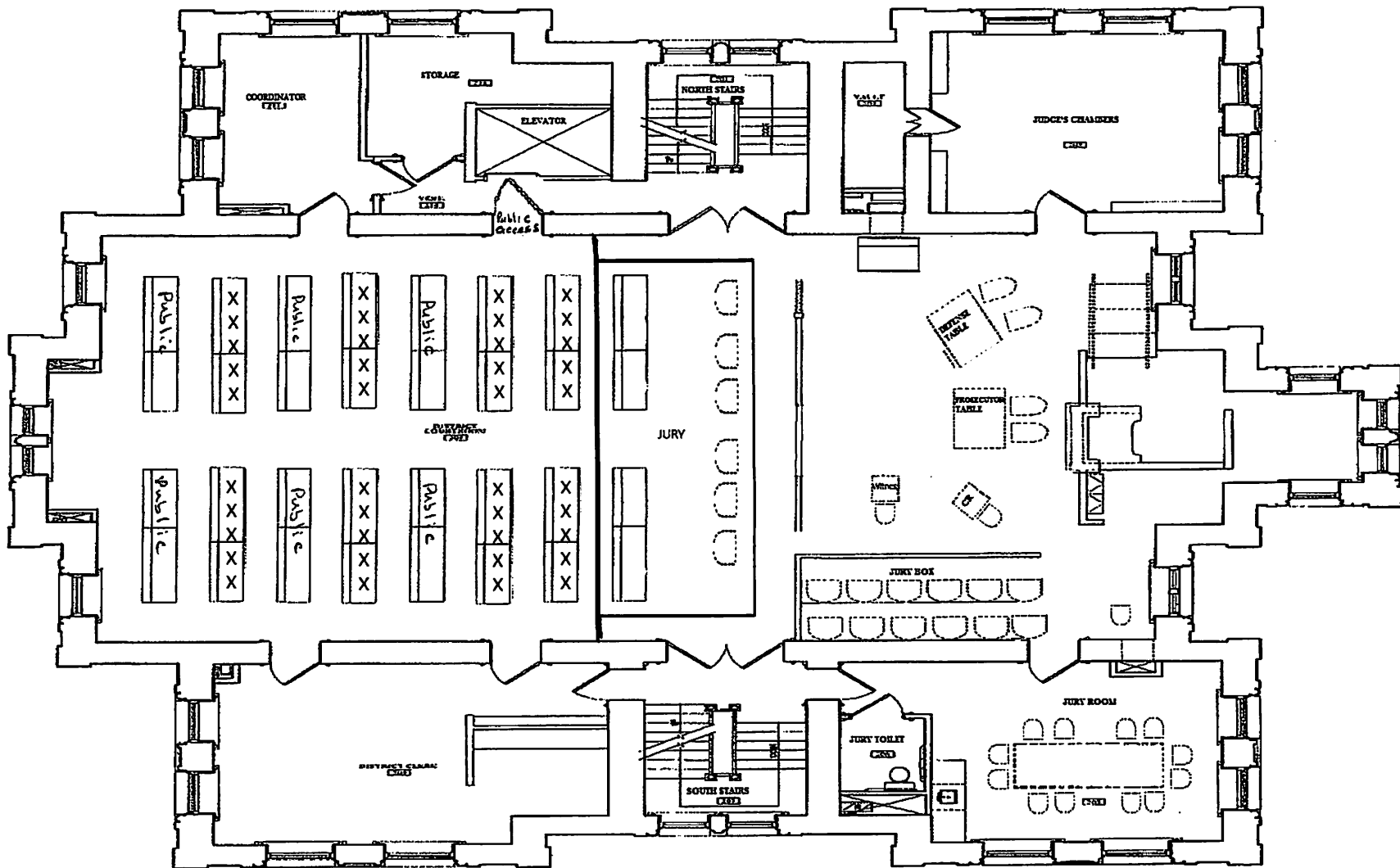


1/4" = 1' 0"



68 person capacity  
w/ 6' spacing  
0.5' square

MERIDIAN CIVIC LEUZE



② Bosque County Courthouse  
Second Floor Plan

