

# Jury Proceeding Addendum to COVID-19 Operating Plan for the Dimmit 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 **Dimmit County, Texas** 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 and constitutional county court 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:

***Notify Judge Amado Abascal, III, in writing of the interest in conducting a jury proceeding. The notice should include the style of the case, the nature of the case, the number of parties in the case, the estimated length of the trial, and the proposed date and time and venue for jury selection.***

2. Courts shall request detailed guidance from the Office of Court Administration, including the presentation of a training video to assist the jurors in their preparation for remote participation.
3. Courts shall ensure access to technology, including OCA provided iPads with cell service, for any potential jurors who need that access to permit them to effectively participate.
4. Inailable criminal trials, virtual jury proceedings may only occur with appropriate waivers and consent of the defendant and prosecutor made on the record.
5. Courts shall consider on the record any objection or motion related to proceeding with the remote jury proceeding at least 7 days before the proceeding or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding.

I have attempted to confer with all judges of courts with courtrooms in the court buildings 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 buildings covered by this Operating Plan conduct proceedings consistent with the plan.

Date: December 29, 2020



Amado J. Abascal, III  
Local Administrative District Judge

Approved:

\_\_\_\_\_  
Sid Harle  
Presiding Judge,  
Fourth Administrative Judicial Region

Date: \_\_\_\_\_, 2020

## OFFICIAL JURY SUMMONS ADDENDUM

I want to thank you for responding to your jury summons. Your safety and health are of the utmost concern to the Court.

1. Upon entering the Courthouse, or auxiliary location, you will be screened by Court Security. If you have a temperature of 100 degrees F. or higher, you will not be allowed entry into the Courthouse or auxiliary location. You will also be refused entry into the Courthouse, or auxiliary location, if you have any of the following symptoms:
  - Fever (100.0°F or above)
  - Cough
  - Nausea or Vomiting
  - Sore Throat
  - Muscle Pain or Body Aches
  - Chills
  - Congestion or Runny Nose
  - Malaise
  - Diarrhea
  - Shortness of Breath/Difficulty Breathing
  - Change in Taste or Smell
  - Headache
  - Fatigue
2. If any of the following applies to you, please call the \_\_\_\_\_ at \_\_\_\_\_ prior to coming to the Courthouse or auxiliary location:
  - If you are sick or not feeling well.
  - If you are under quarantine for COVID-19.
  - If you have tested positive for COVID-19.
  - If you have had contact with someone who has tested positive for COVID-19.
3. You must wear a face mask at all times while you are in the Courthouse or any other location being used for court proceedings.
4. You must maintain 6 feet social distancing at all times while you are in the Courthouse or auxiliary location.
5. You should report to the \_\_\_\_\_. Once you arrive, you will be greeted by a Jury Bailiff, who will then take you to your assigned seat. During recesses, you will be allowed to leave your seat to go outside, go to the restroom, get a drink, etc. When you come back to the Courthouse, or auxiliary location, you must return to your assigned seat.
6. The Courthouse, or auxiliary location, will be disinfected prior to your arrival. The Courthouse, or auxiliary location, will have several sanitizing stations available. One will be located at the entrance to the venue.
7. If you wish to speak to the Judge regarding an exemption or excuse prior to your service, including being part of a vulnerable population such as individuals who are 65 years or older, and persons 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, you may do so by calling at \_\_\_\_\_.

\_\_\_\_\_  
Judge \_\_\_\_\_, \_\_\_\_\_ District Court

# 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 \_\_\_\_\_, 202\_\_. **Except as instructed below**, bring this completed questionnaire with you when you report for Jury Service, or promptly mail it to the \_\_\_\_\_ at \_\_\_\_\_ or email it to \_\_\_\_\_@\_\_\_\_\_. BEFORE \_\_\_\_\_, 202\_\_:

**1. SYMPTOMS NOW OR BETWEEN \_\_\_\_\_, 202\_\_ AND \_\_\_\_\_, 202\_\_:** check any that apply to YOU or A MEMBER OF YOUR HOUSEHOLD

\_\_\_\_ Fever (100.0°F or above)    \_\_\_\_ 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 \_\_\_\_\_, 202\_\_ and \_\_\_\_\_, 202\_\_.

**IF YOU ARE EXPERIENCING ANY OF THE ABOVE SYMPTOMS, CALL THE \_\_\_\_\_ at \_\_\_\_\_ BEFORE REPORTING ON \_\_\_\_\_, 202\_\_.**

**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 \_\_\_\_\_ at \_\_\_\_\_ BEFORE REPORTING ON \_\_\_\_\_, 202\_\_.**

**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.*

*I certify that I am the primary caretaker of someone in a vulnerable population and I am requesting to be excused from jury service or desire to have my service date postponed because of this reason.*

**IF YOU ARE REQUESTING TO BE EXCUSED OR YOUR SERVICE DATE BE POSTPONED DUE TO A COVID-19 RELATED REASON, CALL THE \_\_\_\_\_ at \_\_\_\_\_ BEFORE REPORTING ON \_\_\_\_\_, 202\_\_.**

**4. FACE COVERINGS:** Prospective jurors are required to wear a face mask while they are in the courthouse or any other location being used for court proceedings. Individuals are encouraged to bring a cloth face mask with them. If an individual does not have a cloth face mask, a disposable face mask will be provided.

**5. COVID-19 MEASURES:** Hand sanitizers will be provided and measures will be taken to observe social distancing during your jury service.

I certify the above is true and correct:

\_\_\_\_\_  
Signature

Juror No. \_\_\_\_\_  
(may be found on juror summons)

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Telephone or cell phone number: (    ) \_\_\_\_\_ - \_\_\_\_\_

## REMOTE JUROR 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 \_\_\_\_\_, 202\_\_.

**Check any below that apply to YOU:**

### 1. ACCESS TO TECHNOLOGY

\_\_\_ I **do** have access to the internet.

\_\_\_ I **do** have access to a computer, laptop, iPad, tablet, or smartphone.

\_\_\_ I do not have access to technology, but I **can** appear at a location where the technology is provided for me.

### 2. PRIVACY

\_\_\_ I **do** have a private place to meet remotely.

### 3. IN PERSON JURY SERVICE

\_\_\_ I **can** appear for jury service in person.

Please fill out the Remote Juror Questionnaire completely and return by \_\_\_\_\_, 202\_\_.

### RETURN VIA:

1. **TEXT:** Text a picture of your completed form to ( ) \_\_\_\_\_ - \_\_\_\_\_
2. **EMAIL:** Scan/Email a copy of your completed form to \_\_\_\_\_ @ \_\_\_\_\_
3. **FAX:** Fax a copy of your completed form to ( ) \_\_\_\_\_ - \_\_\_\_\_
4. **DROP OFF:** Bring your completed form to the District Clerk's Office, 103 N. 5<sup>th</sup> Street, Carrizo Springs, Texas 78834.

I certify the above is true and correct:

\_\_\_\_\_  
Signature

Juror No. \_\_\_\_\_  
(may be found on juror summons)

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

Telephone or cell phone number: ( ) \_\_\_\_\_ - \_\_\_\_\_

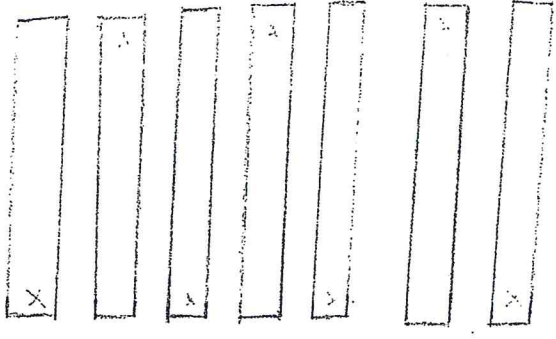
## NOTICE

Recognizing the need to ensure everyone's health and safety in the court building, until further notice, the following protective measures will be implemented:

1. All individuals in the building being used for court proceedings will be required to maintain adequate social distancing of at least 6 feet.
2. All individuals entering the building being used for court proceedings will be required to wear a face mask at all times.
3. When individuals attempt to enter the building being used for court proceedings the Bailiff, or staff member, will ask individuals if they are feeling feverish, have a cough, shortness of breath, or difficulty breathing, or have been in close contact with a person who is confirmed to have COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to the building being used for court proceedings.
4. When individuals attempt to enter the building being used for court proceedings, the Bailiff, or staff member will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the building being used for court proceedings.
5. 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 population and will be accommodated by staff.
6. No more than 2 individuals will be permitted in an elevator at one time, and individuals must adhere to restroom maximum capacity limits.

Dimmit County Courthouse

Door

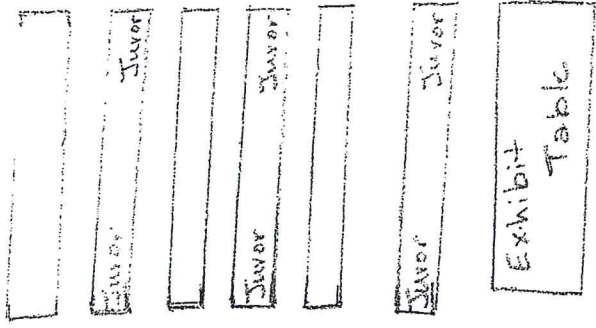


Clerk's Desk

Attorney Table

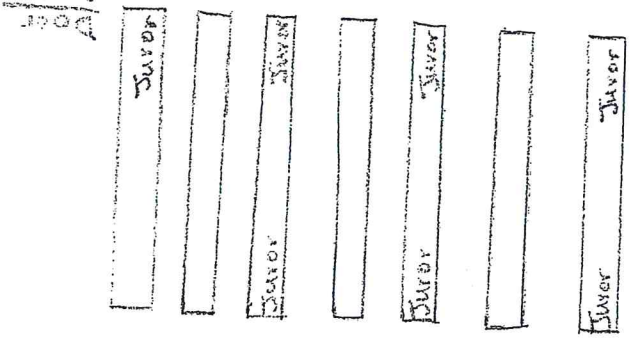
Table

Door



365th District Courtroom

Witness



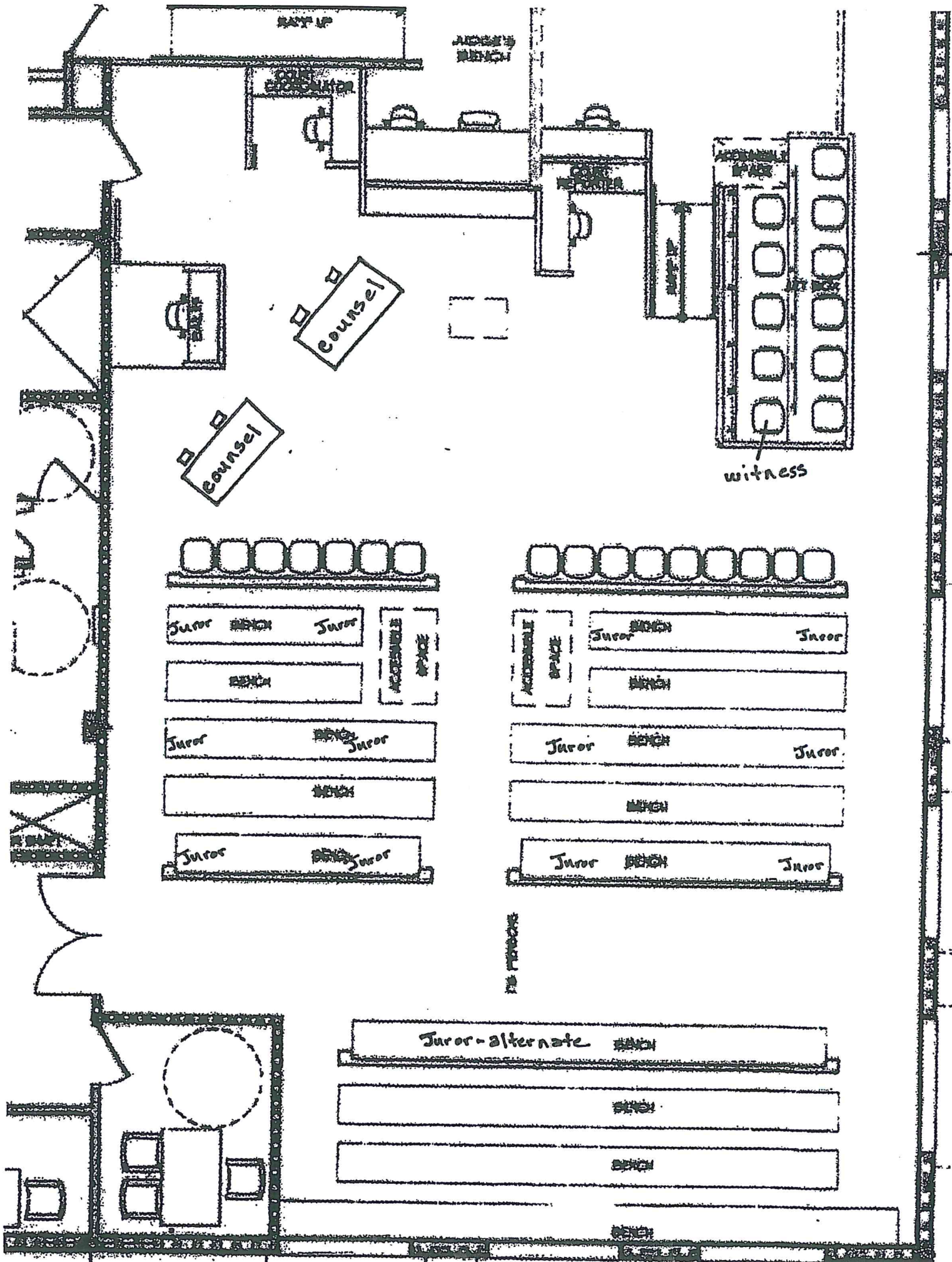
Court Reporter

Judge's Bench

Attorney Table

Witness stand

Jury Box



293<sup>rd</sup> District Courtroom



Exit

Exit

Judge's Bench

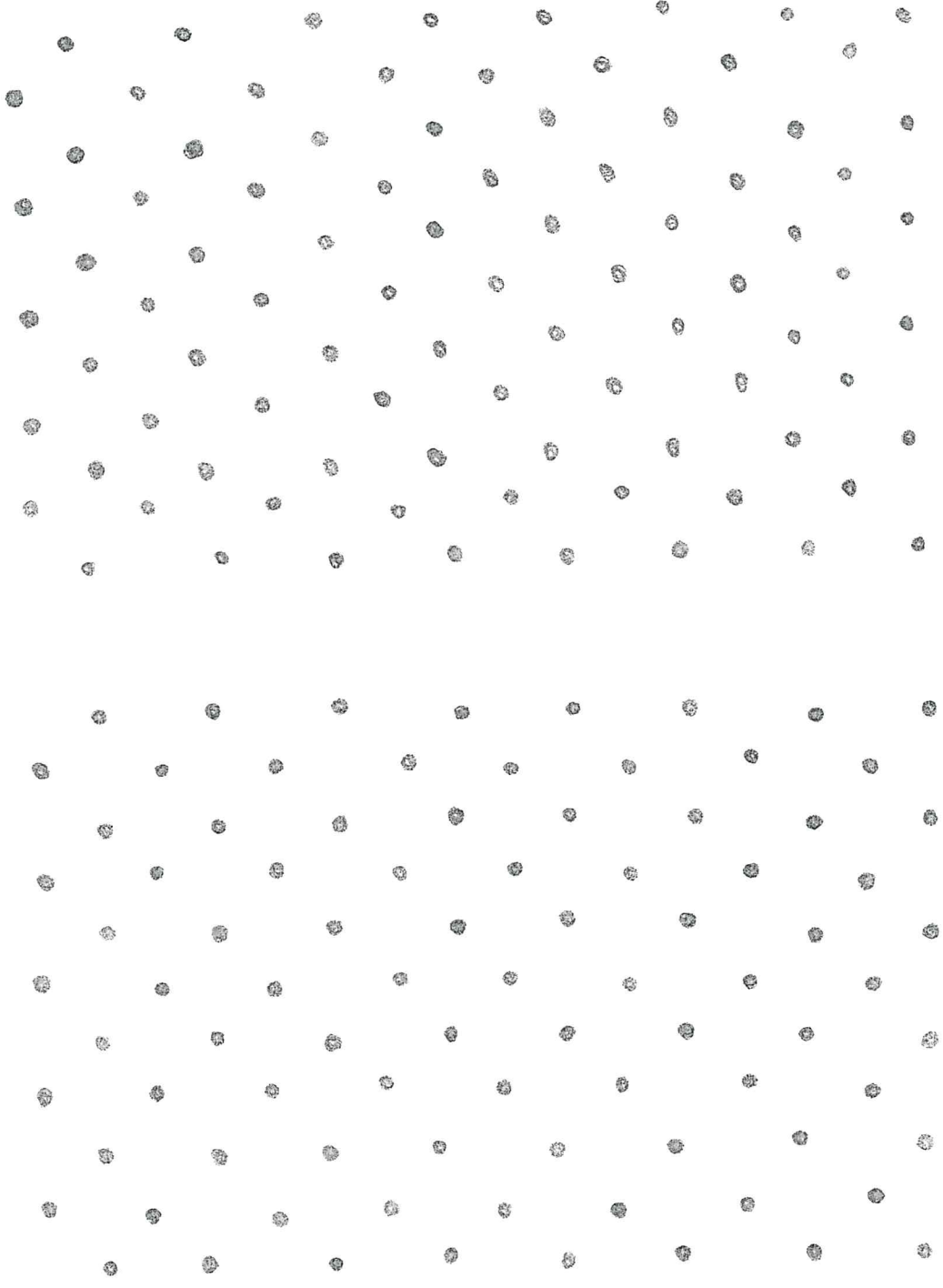
Exit

Exit

Clerk

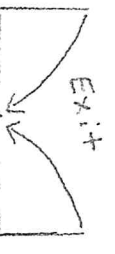
Court reporter

Dimmit  
County  
Rodeo  
Arena and  
Conference  
Center



Door

Door



Door



Door



Door



Door

Exit

Exit

Exit

Exit





**County of Dimmit**  
Francisco G. Ponce  
County Judge

December 21, 2020

Hon. Amado Abascal, III  
365<sup>th</sup> Judicial District Judge  
501 Main Street  
Eagle Pass, Texas, 78852

Dear Judge:

This letter will certify that I was consulted by Amado Abascal, III, 365<sup>th</sup> Judicial District Judge concerning the Proposed Jury Proceeding Addendum to Covid 19 Operating Plan for the Dimmit County Judiciary.

In that regard, I received a complete copy of the plan. The plan was reviewed by this County Judge and I hereby agree to abide by the plan. I believe the plan is comprehensive in nature and I hereby approve the plan in all respects and support its implementation.

Thank you for your hard work on this matter, I remain.

Respectfully,

A handwritten signature in black ink, appearing to read "Francisco G. Ponce".

Francisco G. Ponce  
Dimmit County Judge



December 21, 2020

The Honorable Amado J. Abascal, III  
365<sup>th</sup> District Judge  
501 Main St.  
Eagle Pass, TX 78852

Dear Judge Abascal:

As the Local Health Authority for Dimmit County, I have reviewed the Jury Proceeding Addendum to COVID-19 Operating Plan for the Dimmit County Judiciary.

The plan is comprehensive and includes all of the current infection control practices recommended by DSHS and the CDC to prevent the spread of COVID-19. It is thorough, and I have no additions or corrections.

Sincerely,

A handwritten signature in black ink, appearing to read "Lillian Ringsdorf, M.D., M.P.H.", with a stylized flourish at the end.

Lillian Ringsdorf, M.D., M.P.H.  
Regional Medical Director, Health Authority for Kerr County