

**COVID-19
JURY TRIAL Operating Plan
for the District Courts, Shelby County, Texas**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts, the Courts of **Shelby County** will implement the following protective measures:

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 proceedings according to the guidance issued by the Office of Court Administration regarding social distancing, maximum group size, and other restrictions and precautions, as deemed appropriate by the Presiding Judge of the Court.
2. All judges will use all reasonable efforts to conduct proceedings remotely or within the proscribed social distancing recommendations of the National, State and Local Health authorities.
3. The local administrative district judge will maintain regular communication with the local health authority and county judge and adjust this operating plan as necessary with conditions in Shelby County.

Judge and Court Staff Health

1. Each judge and all court personnel will be self-monitoring and have been trained on the symptoms to monitor for exposure to COVID-19. If a staff member reports symptoms, they will be required to self-quarantine and not report to work, and will perform their work functions, as possible, remotely.
2. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 99.6F, or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or having known close contact with a person who is confirmed to have COVID-19 will be required to self-quarantine and seek medical advice.
3. Judges and court staff are required to wear face coverings in Courtroom settings, unless seated behind germ shields, and will be required to practice social distancing. Judges and court staff are required to practice appropriate hygiene recommendations at all time.

Social Distancing

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate social distancing of at least 6 feet.

2. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each restroom door.
3. In the Windham Civic Center and in the Courtrooms, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space. In person limits will be enforced.

Hygiene

1. Hand sanitizer dispensers will be made available for public use in or near each Courtroom.
2. Tissues have been placed near the door of the Courtroom, at counsel tables, at the witness stand, on the judges' benches, and in the hallways, as necessary, for each space being utilized by the courts.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" has been posted in multiple locations around the various Courtrooms and court spaces.

Screening

1. When individuals attempt to enter the court building or the Windham Civic Center, Courthouse Security will ask the 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 court building.
2. When individuals attempt to enter the court building or the Windham Civic Center, Courthouse Security will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 99.6°F will be refused admittance to the Courtrooms.
3. Inmates being transported from the jail to the court buildings or to the Windham Civic Center will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 99.6°F will not be transported to the court building.
4. Staff who are screening individuals entering the Courtrooms will be provided personal protective equipment.

Face Coverings

1. All individuals entering the courtrooms will be offered disposable face coverings for use while in the courtroom or awaiting hearings in portions of the Courthouse while awaiting hearings or testifying.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every four to five hours.
2. Court building cleaning staff will clean the Shelby County courtrooms twice during the day (if being used that day).
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with the Covid-19 virus.
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.
5. The Windham Civic Center and/or Courtrooms will be cleaned prior to commencement of Jury Qualification and after Jury Qualification.
6. The Windham Civic Center will be cleaned prior to commencement of *Voir Dire* examination and after completion of Jury selection.

Jury Qualification

1. Jury qualification will be conducted that the Windham Civic Center in Center, Texas. All prospective jurors will be requested to report to the Windham Civic Center.
2. A pre-screening questionnaire will be presented to each prospective juror prior with the Jury Summons.
3. Prospective Jurors will be pre-screened prior to entry to the Windham Civic Center.
4. The Prospective Jurors will be seated with all social distancing requirements observed.
5. All Prospective Jurors will be provided a disposable face covering upon entry into the Windham Civic Center.

Voir Dire Examination and Jury Selection

1. *Voir Dire* examination and Jury selection will be conducted that the Windham Civic Center in Center, Texas. All prospective jurors will be requested to report to the Windham Civic Center.
2. Prospective Jurors will be pre-screened for COVID-19 symptoms prior to entry to the Windham Civic Center.
3. The Prospective Jurors will be seated with all social distancing requirements observed.
4. All Prospective Jurors will be provided a disposable face covering upon entry into the Windham Civic Center.

5. Public access will be permitted only to the extent that social distancing requirements may be met. The proceedings will be streamed on the Court's YouTube Channel.

Conduct of Jury Trial

1. The Trial will be conducted in the Windham Civic Center.
2. The Jury will be maintained in a jury room selected within the Windham Civic Center for social distancing spacing.
3. Germ shields will be utilized when possible for trial locations requiring activities that require less than 6 foot social distance.
4. Upon reporting to the Windham Civic Center, each prospective juror, attorney, party, and court personnel will be screened for COVID-19 symptoms as set forth in the in-person operating plan for Shelby County Courts.
5. All trial participants will be provided face coverings daily.
6. Witness attendance will be limited to social distancing spacing throughout the Windham Civic Center. Additional witnesses can be staged in their vehicle in the parking lot to be notified to enter the courthouse for testimony. Any witness experiencing COVID-19 symptoms or actively quarantined may be offered through teleconference streamed to the Windham Civic Center via Zoom. Further, any trial witness may be required to appear via teleconference streamed to the Windham Civic Center via Zoom.
7. Counsel and parties will maintain social distancing requirements throughout the conduct of the trial.
8. The Windham Civic Center will be arranged to accommodate social distancing requirements throughout the conduct of the trial.
9. No public members will be permitted in the Courtroom unless social distancing requirements may be met, but the trial will be streamed through the Court's YouTube channel to the public. Media requests for in person attendance will be considered in conjunction with social distancing requirements.
10. The Windham Civic Center area where the trial is conducted and jury rooms will be cleaned a minimum of twice daily with one cleaning during lunch recesses.

Date: October 26, 2020



LeAnn Kay Rafferty, 123rd Judicial District of Texas
Shelby County Administrative District Judge