

COVID-19 Operating Plan for the Municipal Court of the City of Kyle

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 municipal court of the **City of Kyle** 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.
2. All judges will use all reasonable efforts to conduct proceedings remotely.
3. The presiding judge of the municipal court will maintain regular communication with the mayor and adjust this operating plan as necessary with conditions in the city.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will telework when possible.
2. Judge and Court Staff Monitoring Requirements: minimum persons in the Courtroom at one time; face masks to be worn; hand sanitizing stations will be available.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 99.6°F, 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 not be permitted to enter the building and should seek medical advice.
4. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time.
5. Protective Measures: minimum persons in the Courtroom at one time; face masks to be worn; hand sanitizing stations will be available.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building:
Once a week court hearing, including virtual court setting.

Vulnerable Populations

1. 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.
2. Each judge will include information on orders setting hearings, dockets notices, and in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations. A notice with this information will be posted on the courts' websites and in conspicuous locations around the court building (a copy of which is attached).
3. Vulnerable populations who are scheduled for court will be accommodated by either conducting a virtual court setting or rescheduling court setting when no longer a threat of COVID-19.

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. No more than two individuals not from the same household will be permitted in an elevator. If more than one individual from the same household is in an elevator, no other individuals will be permitted in the elevator.
3. 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.
4. Public common areas, including breakrooms and snack rooms, have been closed to the public.

Gallery

5. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

7. In each courtroom, 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.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrances to the building, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms.
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.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" has been posted in multiple locations on each floor of the court building.

Screening

1. When individuals attempt to enter the court building, Bailiff Dan Pruett, 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, Bailiff Dan Pruett 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 court building.
3. Inmates being transported from the jail to the court building 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 court building will be provided personal protective equipment, including face masks; hand sanitizing gel; and whatever may be necessary to insure the health and safety of the screener.

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided.

3. Individuals who will be required to be in the court building for over 1 hour will be provided surgical masks and required to wear them while in the court building if the supply is available.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every 1 hours.
2. Court building cleaning staff will clean the courtrooms between every hearing, between morning and afternoon proceedings, and at the end of each day the courtroom is used.
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

I have attempted to confer with all parties involved with courtroom activity in the Kyle City Hall building regarding this Operating Plan. In developing the plan, I consulted with the mayor, documentation of which is attached to this plan. I will ensure that all parties involved with courtroom activity in the Kyle City Hall building covered by this Operating Plan conduct proceedings consistent with the plan.

Date:

May 26, 2020

Presiding Judge of Municipal Court


A. Cable

Kyle Municipal Courtroom Operating Plan

Lobby:

No one will be allowed to stay in the lobby. Officer Dan Pruett, our Bailiff, will take down the cell phone number for anyone waiting to speak with the Judge and inform them by calling/texting them when it is safe for them to enter the Courtroom.

Non-Essential Court Hearings:

These will be held at a minimum. We will schedule no more than 10 people an hour; scheduling them at 15-minute intervals.

We will allow up to 25% capacity in the Courtroom - including Court staff. We will set in place the following:

1. Defense Attorneys and Defendants will be notified in advanced that they must wear a cloth face covering before entering the Courtroom - including court staff;
2. Temperatures will be taken by the Bailiff before anyone is allowed in the Courtroom – if at risk, the Court will reschedule the setting fourteen days out, when it will be safer for the Defendant to return to the court;
3. Practicing safe distancing, including the chairs in the Courtroom to be marked safe for sitting;
4. Hand sanitizer and sanitizing wipes will be available at the entrance of the Courtroom; and
5. The Court will utilize the available podium for any conferences between the Defendant and the Court, which will be wiped down with sanitizing wipes after each Defendant leaves and before the next Defendant arrives.

Essential Court Hearings:

Pre-Trial Conference:

The Prosecuting Attorney will be instructed to practice safety while having his one-on-one conference with the Defendant. Both parties will practice safe distancing. Hand sanitizer and sanitizing wipes will be available at the entrance of the Minerva Falcon room.

Virtual RingCentral Meeting will be available for the Defendants and/or the Defense Attorneys to conference with the Prosecuting Attorney.

The Prosecutor will also utilize emails and phone calls when he is scheduled to be in Kyle.

Bench Trials:

We will allow up to 25% capacity in the Courtroom room - including Court staff. We will set in place the following:

1. Defense Attorneys and Defendants will be notified in advanced that they must wear a cloth face covering before entering the Courtroom - including court staff;
2. Temperatures will be taken by the Bailiff before anyone is allowed in the Courtroom – if at risk, the Court will reschedule the setting fourteen days out, when it will be safer for the Defendant to return to the court;
3. Practicing safe distancing, including the chairs in the Courtroom to be marked safe for sitting;
4. Hand sanitizer and sanitizing wipes will be available at the entrance of the Courtroom; Defense and Prosecutor's tables will be 6' apart;
5. Defense Attorneys and their clients will be instructed to sit 6' apart;
6. Sworn witnesses will be asked to wait outside the City Hall building, if there will be a risk of more than 25% of capacity in the Courtroom.

Jury Trials:

We will postpone these settings until it is safe to function in a typical courtroom setting. Currently, we only have 1 pending jury trial.

Emergency Administrative Hearings:

If, at the most, 25% capacity will be in the Courtroom – including staff, the hearing can be held in the Courtroom, being mindful of the safe practices. If more than 25% will be in the Courtroom, we have the capability of holding this emergency hearing in a virtual courtroom setting using RingCentral Meeting.