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

Designed Locally Pursuant to Mandate by the Texas Supreme Court & the Office of Court Administration

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 **City of Midlothian** 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 local health authority or their designate and mayor and adjust this operating plan as necessary with conditions in the city and community.
4. Judges will begin setting non-essential in-person proceedings no sooner than August 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: All court staff will have temperature scanned and taken every morning before work begins in the court office or before any of the public is served. All courtroom participants will have their temperature scanned prior to courtroom entry.
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 must practice appropriate hygiene recommendations and social distancing at all times, and are required to wear appropriate facial coverings when dealing with the public in the court office or when present in the courtroom.
5. Protective Measures: Frequent handwashing will be required and hand sanitizer is strategically located throughout the workplace.

Scheduling

1. The Midlothian Municipal Court typically holds dockets from 9 to 11 am on two Thursdays of each month. All efforts will be made to minimize the court cases set on those dockets. The municipal court will conduct all scheduled dockets in a manner consistent with social distancing guidelines. We will utilize additional spaces to maintain occupancy under 10 persons for any given courtroom or lobby area. The monthly court schedule will be posted on the city web site for review by the public.
2. Jury trials will not take place until authorized by the Texas Supreme Court, or until authorized by the OCA under Texas Supreme Court guidelines.

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 court's website and in conspicuous locations around the court building (a copy of which is attached).
3. Vulnerable populations who are scheduled for court and request special accommodation prior to or at the court docket will be accommodated by resetting their hearing until after the pandemic has subsided or conducting their hearing via zoom or the web ex platform. All reasonable assistance with this software can be provided as needed by the court staff.

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 allowed to be in close proximity with each other. The city of Midlothian courts are not serviced by nor are accessible by 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 and will be appropriately marked to ensure a minimum of 6 feet of space in any direction.

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 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 in the court building.

Screening

1. Before individuals are allowed to enter the court building or the courtroom, the court security bailiff or other designated court personnel will scan the temperature of each person seeking entry and 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 or have a temperature equal to or greater than 99.6°F will be refused admittance to the court building and receive accommodation, such as but not limited to a reset of their court case to a future date and time.
2. 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.
3. Staff who are screening individuals entering the court building will be provided personal protective equipment, including facial coverings and gloves.
4. Notices for Court Facilities. The Midlothian Municipal Court, located in Ellis County, Texas, will use and post the same medically appropriate screening related signage-notices throughout the court facilities and we will post the attached medically appropriate signage notices once approved by the local health authority.

Face Coverings

1. Mandatory. Appropriate facial coverings or masks will be required to be worn by all judges, attorneys, litigants, witnesses, and members of the public while in the courtroom. The judge of each docket has discretion to allow temporary removal or adjustment of a mask by a witness while testifying, or by an attorney questioning a witness, as justice requires.

2. When Not Permitted. Each judge possesses the discretion to delineate the circumstances, if any, under which facial coverings will not be required.

Cleaning

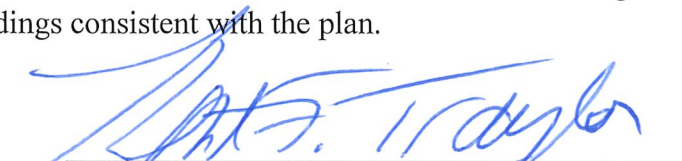
1. The Midlothian City Court courtroom is only used to conduct municipal court business and dispose of class C cases. Court is held typically twice each month on scheduled Thursdays, at 9, 10 and 11 am. Between court dockets on those days the court room facility is not used for any other purpose. Court building cleaning staff or appropriate maintenance staff will clean the common areas of the court building so that common spaces are cleaned at the end of each day that the courtroom is used and then also at the beginning of each daily docket.
2. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
3. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

Court staff will adhere to all social distancing requirements and will be appropriately spaced to meet all required guidelines. Red tape will be placed in the courtroom facility prior to reopening to indicate to the general public and court participants where they are allowed to stand and sit in order to comply with CDC or other guidelines requiring approved social distancing. Appropriate social distancing guidelines will be adhered to between prosecutors, court staff, defendants, witnesses or any other courtroom participants during courtroom proceedings.

I have conferred with the associate judge of Midlothian regarding this Operating Plan. In developing the plan, I have consulted with the local health authority and mayor, the 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: 7/30/2020



Presiding Judge of Municipal Court