

COVID-19 Operating plan for The City of Point Comfort Municipal Court

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors and court staff, judge and other individuals entering the building housing the courts, the referenced Municipal Court will implement, to the extent that such implementation is feasible and consistent with the availability of safety supplies and manpower, the following measures:

General

1. All judges, to the extent compliance is possible and consistent with constitutional limitations on the powers of The Supreme Court of Texas, the Texas Court of Criminal Appeals and the availability of safety supplies and manpower to the affected counties, will exercise reasonable efforts to comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals.
2. At the discretion of the Judge of the court referenced above, remote hearings may still be conducted in compliance with practices initiated by said courts prior to June 1, 2020.
3. The court will consult with the local health authority as deemed appropriate by the judge of said court and make adjustments to the operating plan if deemed necessary by the judge of the referenced court following such consultation.
4. Judge of the referenced court will begin setting non-essential in –person proceedings, in the discretion of the judge of the referenced court on or after June 8, 2020.

Judge and Court Staff Health

1. Judge and Court Staff who 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 housing the courtroom.
2. Judge and court staff will be required to wear face coverings, practice social distancing and engage in appropriate hygiene practices to the extent consistent with the practicalities of in-person proceedings.
3. Protective Measures: Maintaining a social distance of at least six feet, regular handwashing, and use of hand sanitizers which have been placed throughout City Hall.

Scheduling

1. Judge and clerks will exercise reasonable efforts to schedule proceedings in a manner which will reduce courtroom occupancy.

2. Pre-Trial hearings shall be staggered to prevent more than One person waiting in The City Hall Lobby at a time. The court will be flexible in allowing a party to appear remotely if requested.

Vulnerable Populations

1. "Vulnerable Populations" are persons who are over age 65 and individuals with serious underlying health conditions.
2. To the extent a judge or attorney has knowledge that a participant in a proceeding is a member of the "vulnerable population", the court and attorney with such knowledge shall attempt to make a reasonable accommodation for the vulnerable person to protect that person's health, consistent with that person's due process rights and the rights of the parties in the proceeding. The court and court staff have no independent obligation to determine whether a person is a member of the "vulnerable population".

Social Distancing

1. All persons permitted in the court building who are not from the same household will be required to maintain adequate social distancing or at least 6 feet.
2. Social distancing of at least 6 feet will be required in common area.
3. Social distancing of at least 6 feet will be required in courtroom.
4. Social distancing of at least 6 feet will be required in the jury room, when used for conferencing. In the case of jurors participating in a jury trial, accommodations, consistent with jury privacy and security, will be made to accomplish social distancing of at least 6 feet.

Hygiene

1. To the extent supplies and ancillary equipment are available to the City of Point Comfort Buildings. Hand Sanitizer dispensers will be made available to persons in the court building at the entrance of the building and the entrance of the courtroom. The absence of such hand sanitizer or dispensers shall not affect the right of the court to conduct in-person proceedings.

Screening

1. Court Building security personnel will ask each person entering the building if they feel feverish, or are experiencing 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 have had known close contact with a person who is confirmed to have COVID-19. A person who responds affirmatively to this inquiry will not be permitted to enter the building housing the courtroom.

2. When individuals attempt to enter the court building, court building security personnel will use an infrared thermometer to determine the temperature of the individual. If the indicated temperature equals or exceeds 99.6°F, following 2 consecutive temperature measurements by infrared thermometer, the individual will not be permitted to enter the court building.
3. Court building security personnel will, to the extent available by The City of Point Comfort be provided face masks, gloves and hand sanitizer for their use while on duty.

Face Coverings

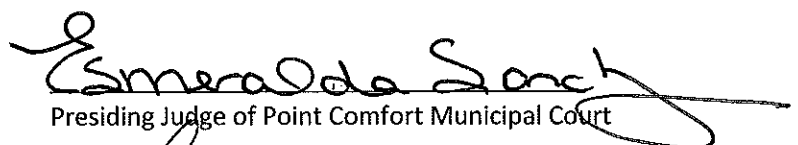
1. All individuals entering the court building will be required to wear face coverings at all times, unless circumstances specific to the purpose for which that person is present at the court building require that the face covering be temporarily removed. After completing the task which required removal of the face covering, the person shall resume wearing the face covering. All face coverings worn must cover the wearer's mouth and nose at all times, unless temporarily excused as provided in this paragraph. Failure or refusal to wear face coverings as provided in this paragraph will result in immediate expulsion of the person failing or refusing to wear the face covering in compliance with this paragraph.
2. Persons seeking to be admitted to the court building for the purposed of observing or participating in an in-person judicial proceeding who are not wearing a face covering, will be provided a disposable face mask, if The City of Point Comfort, which owns the court building has an adequate supply of face masks. Failure or refusal to wear a face mask or face covering as provided in paragraph 1 "Face Coverings" or this paragraph will result in immediate expulsion of the person failing or refusing to wear the face covering in compliance with this paragraph or paragraph 1 "Face Covering".

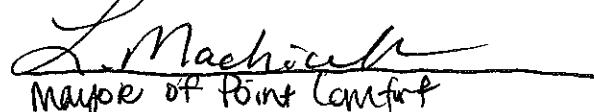
Cleaning

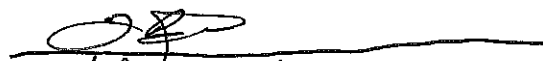
Judge of the court referenced above shall request The City of Point Comfort which owns the court building to instruct its maintenance and cleaning staff to clean the courtrooms and common areas of the court building at the beginning of each day and at the conclusion of the last hearing in each courtroom daily, in addition to normal cleaning procedures.

There is no other judges with courtrooms in the court building subject to this Operating Plan. In developing the plan, I consulted with the local health authority and mayor. I will ensure that the Staff and Myself conduct proceedings consistent with the plan.

Date: June 9, 2020


Presiding Judge of Point Comfort Municipal Court


Mayor of Point Comfort


Chief of Police