

COVID-19 Operating Plan for the Roanoke City Judiciary

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 Roanoke** 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 and 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 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, such occasion to be determined by City Administration.
2. Judge and Court Staff Monitoring Requirements:
 - Shall have their temperature taken each day prior to entrance into the court facilities to insure they do not possess a fever higher than 100° F.
 - Continue to monitor directives and guidance from the City of Roanoke leadership and the Texas Office of Court Administration.
 - Ensure that all Court personnel are following COVID-19 precautions regarding social distancing measures and appropriate respiratory etiquette.
 - Follow the safety protocol for employee health monitoring.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100°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: The Clerk's window will install a credit card machine outside of the window to reduce contact. In addition, the window area will be cleaned and sanitized frequently during the business day. In addition, no more than one person shall be allowed in the (small) waiting area at a time. No purses, backpacks or other big items requiring a search

will be allowed in the courtroom in order to reduce direct contact between the bailiff and visitors to the courtroom.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: Court will be conducted several times per month and the size of dockets will be reduced to further control occupancy in the court building. Virtual Court dockets will also be scheduled to reduce the number of people attending in-person dockets.

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 being allowed to enter the courtroom alone without others or will be offered virtual court options. Depending on the need, the Court will modify its docket to allow vulnerable defendants to come to court before the general public or will schedule a separate docket for vulnerable defendants.

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. Note, our building does not contain an elevator. 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. Public common areas, including breakrooms and snack rooms, have been closed to the public.

Gallery

4. 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.
5. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

6. 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 (if applicable; our building does not contain elevators), 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, the bailiff or designated court clerk 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, the bailiff or designated court clerk 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 100.0°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 masks, gloves and face shields, if appropriate.

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 two (2) 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.

Other

Our municipal court has only one courtroom; however, I have notified the assistant judges of this Operating Plan. In developing the plan, I consulted with the local health authority and mayor, documentation of which is attached to this plan. I will ensure that all of our municipality's judges covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 7/23/2020



Greg Bertram

Presiding Judge of Municipal Court

Re: [EXTERNAL] Covid19 Operating Plan for Court

Scooter Gierisch <scooter@roanoketexas.com>

Wed 7/22/2020 5:04 PM

To: Greg Bertrand <gregbertrand@bertrandlawfirm.com>;

Cc: Vicki Rodriguez <VRodriguez@roanoketexas.com>; Haley Rodgers <HRodgers@roanoketexas.com>;

I, Mayor Gierisch, hereby approve the Covid19 Operating Plan for the Roanoke Municipal Court.

Mayor Gierisch
City of Roanoke
"The Unique Dining Capital of Texas"
City Hall 817-491-2411

From: Greg Bertrand <gregbertrand@bertrandlawfirm.com>

Sent: Wednesday, July 22, 2020 4:19 PM

To: Scooter Gierisch

Cc: Vicki Rodriguez; Haley Rodgers

Subject: [EXTERNAL] Covid19 Operating Plan for Court

EXTERNAL EMAIL

July 22, 2020

Mayor Gierisch,

I hope this email finds you well.

Since Covid19 began, our court has received instructions from the Supreme Court of Texas and the Court of Criminal Appeals.

Their mandates have been that we are prohibited from having in-person court proceedings for now. We have had no in-person proceedings since April 1, 2020. However, at some time in the future, hopefully we will be able to begin having in-person court again.

In order to be prepared for this eventuality, the Supreme Court of Texas has required that each court in Texas (municipal, JP, County and District) submit a Covid19 Operating Plan to be approved by the Regional Judge for each geographic area.

The Supreme Court provided us with a template of items which were mandated to be in the Plan. I have

prepared a Plan which covers all of the requirements of the Supreme Court. The plan must be approved by the Fire Chief and the Mayor and then approved by Dr. Buchanan, the Medical Director for Denton County. Both Vicki and Scott have had an opportunity to review the plan as well.

Some of the items in the plan are burdensome and that is why I don't expect to begin having in-person court until circumstances change. Nevertheless, I think it is prudent to be ahead of the curve with an approved plan. The Fire Chief has said that if it becomes prudent to resume in-person court, we will have the necessary supplies to conduct it professionally, safely and in accordance with City, County and State guidelines.

By way of update, we have been conducting virtual court for the last 2 months and it has been working very well. While it is not ideal and there are technological constraints, we have found that many defendants prefer being able to appear from home or work.

I am submitting this plan for your approval. If you have any questions, please do not hesitate to let me know. My cell is: 972-839-4488.

If you approve, please send an email that states the following: I, Mayor Gierisch, hereby approve the Covid19 Operating Plan for the Roanoke Municipal Court.

Thank you,

Greg Bertrand, Esq.
Presiding Judge, Roanoke Municipal Court
(972) 839-4488 Mobile
greg@bertrandlawfirm.com

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RE: Covid19 Operating Plan for Roanoke Court

Marty Buchanan <Marty.Buchanan@dentoncounty.com>

Tue 7/28/2020 12:34 PM

To: Greg Bertrand <gregbertrand@bertrandlawfirm.com>;

7/28/20

Good afternoon,

I have reviewed your COVID-19 operating plan for Roanoke, and am in agreement. I endorse this plan.

Marty Buchanan, MD, PhD
Health Authority/ Medical Director
Primary Care Clinician
Denton County Health Department
Denton County Medical Reserve Corps
535 S. Loop 288
Denton, TX 76205

From: Greg Bertrand <gregbertrand@bertrandlawfirm.com>
Sent: Monday, July 27, 2020 9:55 PM
To: Marty Buchanan <Marty.Buchanan@dentoncounty.com>
Subject: Covid19 Operating Plan for Roanoke Court

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Dr. Buchanan, I have attached the Roanoke Plan. It is almost identical to the Corinth plan I submitted to you last week.

I am required by the State to present this to you for your approval. I know you are extremely busy these days, but if you could review and approve the attached plan, I will be able to submit to the state for approval. The Mayor and Fire Chief have approved this plan.

Thank you for your time and consideration,

Greg Bertrand, Esq.

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