

# COVID-19 Operating Plan for the City of South Padre Island Municipal Court

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the building housing the court, the Municipal Court of the **City of South Padre Island** 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 June 17, 2020, when remote proceedings are not possible or practicable. No jurors will be summoned and no jury trials will be scheduled before July 20, 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:
  - A) All staff shall not enter the courtroom, court offices and lobby if they have any level of symptoms including coughing, respiratory difficulties, fever and any other symptoms related to COVID-19. Any staff member exhibiting any symptoms shall not be allowed in the areas mentioned above without their temperatures being normal and after clearance from medical personnel. All staff is required to immediately report any symptoms to the Presiding Judge or Court Administrator.
  - B) All staff is encouraged to work at home by teleworking whenever possible and feasible.
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 times.
5. Protective Measures: Face masks, hand sanitation and an infrared thermometer shall be made available to all court staff. Full and complete sanitation and cleaning shall be

conducted before and after every in-person court session and the court offices, lobby and courtroom shall be completely sanitized on a regular four hour daily basis and before and after operating times.

### **Scheduling**

1. All reasonable efforts will be made to conduct proceedings remotely, when possible or practicable.
2. A special docket or court setting will be established for “vulnerable” individuals to appear alone at a special date and time when appearance by video is not possible or practicable.
3. The court’s regular twice a month docket will be conducted by video when possible or practicable. When video is not possible or practicable, the number of people allowed in the court facilities will be required to follow “social distancing” of at least 6 feet apart and wear face coverings. Hand sanitizer will be available and the screening process outlined below shall be required.
4. All essential “magistration” proceedings shall also follow the protocol above and the screening process outlined below.

### **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 special 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 will be accommodated by allowing them to appear by video unless it is not feasible at which time a special date and time will be set to accommodate a vulnerable person in a separate and single proceeding with no other cases being heard.

### **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. Public common areas, including breakrooms and snack rooms, have been closed to the public.

4. The maximum number of persons permitted in the gallery of the 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 at least a minimum of 6 feet apart from others.
6. In the 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, and outside of the courtroom entrance.
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 of the court lobby.

### **Screening**

1. When individuals attempt to enter the court building, the Marshal/Bailiff 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 Marshal/Bailiff 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 court building until cleared medically.
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 masks and gloves.

### **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.

### **Cleaning**

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every 4 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**

1. Hand sanitizer will be made available to all entering and exiting the courtroom building.
2. No children under the age of 14 shall be allowed in the courtroom unless not feasible or necessary.
3. Not more than 6 inmates shall be allowed in the courtroom at one time.
4. Not more than 6 members of the public shall be allowed into the courtroom, at one time, unless approved by the Judge.
5. All persons in the courtroom and lobby shall remain at least 6 feet apart.

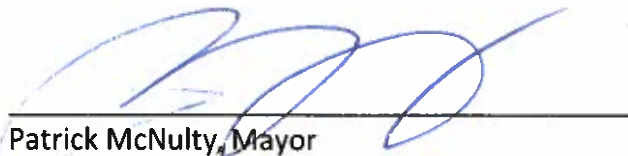
I have conferred with the Alternate Judge, court staff, the City Health Inspector and the Mayor regarding this Operating Plan. I will ensure that all court staff covered by this Operating Plan conduct proceedings consistent with the plan. The Mayor and City Health Inspector have signed below acknowledging their consultation.

Date: 5/20/2020

  
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Edmund K. Cyganiewicz  
Presiding Judge of Municipal Court



Acknowledgment of Consultation:

  
\_\_\_\_\_  
Patrick McNulty, Mayor

  
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Victor Baldovinos, Environmental Health Director