

## **COVID-19 Operating Plan for the Waco Municipal Court (City)**

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 **Waco Municipal Court** 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 4, 2020
5. In accordance with the most recent guidance from the Office of Court Administration, this Court shall conduct no jury trials prior to August 1, 2020.

### **Judge and Court Staff Health**

1. Court staff who can perform the essential functions of their job remotely will telework when possible.
2. Judge and Court Staff Monitoring Requirements: a touchless thermometer has been provided for voluntary use. If temperature measures at 100.0F or greater, temperature is to be taken a second time. If second reading is 100.0F or greater, it is to be reported to the supervisor and employee to go home and seek medical attention.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100.0°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. In the case of a Judge or staff member who is diagnosed with COVID-19, the individual may return to work after a COVID-19 test is done and there is a negative result (a COVID-19 antibody test does not qualify) or the individual may return to work if all three of the following criteria are met:
  - a. at least 3 days (72 hours) have passed since recovery (resolution of fever without the use of fever-reducing medications); and

- b. the individual has improvement in symptoms (e.g., cough, shortness of breath); and
  - c. at least 10 days have passed since symptoms first appeared.
5. The same three-step criteria must be met by a person who has symptoms that could be COVID-19 but the individual does not get evaluated by a medical professional or tested for COVID-19, so the individual is presumed to have COVID-19.
  6. If the person has symptoms that could be COVID-19 and wants to return before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis.
  7. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times.
  8. Protective Measures: Wearing of gloves (when handling documents/paperwork and cash), disinfecting work areas with Lysol and disinfectant wipes. Social Distancing of 6 feet or more at work areas.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building: Dockets have been reduced to ten (10) or less appearing within the courtroom to maintain social distancing in the courtroom seating. The Bailiff/Security Officer will escort a defendant into the courtroom to an assigned seat so that all defendants seating maintains social distancing among others. After each docket day, the Facilities Department will complete a deep cleaning for preventive measures. This process begins the month of June, 2020 and continuing until the expiration of the provisions of the Twelfth Emergency Order as amended or extended, requiring adherence to OCA guideline.

### **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 Municipal Court Deputy Court Clerks and the court date will be reset to a later date if necessary.

### **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 snackrooms, are closed to the public.

### *Gallery*

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 the court Bailiff/Security Officer and the court staff.
5. A seating chart is to be used to seat persons by the Bailiff/Court Security Officer in the gallery of the courtroom for appropriate social distancing in the courtroom chairs. Seating is limited to every other row. (Note: the chairs in the courtroom are mounted into the cement courtroom floor and unable to be moved; thus, the implementation of a seating chart with persons escorted to their seat.)

### *Well*

In the courtroom, the counsel tables, witness stand, judge's bench, and clerk, jurors 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 entrance to the Municipal Court building and the entrance of the courtroom.
2. Tissues have been placed near the door of the Municipal Court building, courtroom, at counsel tables, at the witness stand, and on the judges' benches.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" has been posted in multiple locations throughout the court building.

### **Screening**

1. When individuals attempt to enter the courtroom, the Court Bailiff/Security Officer 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 courtroom.
2. When individuals attempt to enter the courtroom, the Court Bailiff/Security Officer 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 courtroom.

3. Those who are not allowed entry to the courtroom due to the above described screening process may be allowed entry once a COVID-19 test is done and there is a negative result (a COVID-19 antibody test does not qualify) or the individual may return to court if all three of the following criteria are met:
  - a. at least 3 days (72 hours) have passed since recovery (resolution of fever without the use of fever-reducing medications); and
  - b. the individual has improvement in symptoms (e.g., cough, shortness of breath); and
  - c. at least 10 days have passed since symptoms first appeared.
4. The same three-step criteria must be met by a person who has symptoms that could be COVID-19 but the individual does not get evaluated by a medical professional or tested for COVID-19, so the individual is presumed to have COVID-19.
5. If the person has symptoms that could be COVID-19 and wants to return before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis.
6. Staff who are screening individuals entering the courtroom will be provided personal protective equipment, including face coverings and gloves.

#### **Face Coverings**

1. All individuals entering the courtroom 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 courtroom for over 1 hour will be provided surgical masks and required to wear them while in the courtroom 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 after each court day.
2. Court staff will clean their work areas after each workday.
3. Court building cleaning staff will clean the courtroom at the end of each day the courtroom is used.
4. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
5. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

I have conferred with the Clerk of the Court and the Bailiff/Court Security Officer regarding 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 the judges of courts with the

courtroom in the court building covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 5/29/2020



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Presiding Judge of Municipal Court

Christopher D. Taylor

