

# COVID-19 Operating Plan for the Dickens County 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 Dickens County will implement the following protective measures:

## General

1. All judges will comply with the Emergency Orders issued by the Supreme Court of Texas and the 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 local administrative district judge will maintain regular communication with the local health authority and county judge and adjust this operating plan as necessary with conditions in the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020

## Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely may telework when possible.
2. Judge and Court Staff Monitoring Requirements: when available, if necessary.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 99.5°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, nausea, vomiting or having known close contact with a person who is confirmed to have COVID-19 shall not be permitted to enter the courtroom and should seek medical attention.
4. Judges and court staff may be required to wear face coverings, and shall practice social distancing and practice appropriate hygiene recommendations at all times, when interacting with the public.
5. Protective Measures: follow local health authority.

## Scheduling

1. The following court schedules are established to reduce occupancy in the court building:
  - Spread the scheduling of hearings based upon the predicted length of the hearing as represented by the participants.

## Vulnerable Populations

1. Individuals who are over the age of 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 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 may be posted on the courts' websites and in conspicuous locations around the court building.
3. Vulnerable populations who are scheduled for court will be accommodated by remote hearings where possible.

### Social Distancing

1. All persons not from the same household who are permitted in the court building shall 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.
3. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity will be 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 will be determined and posted. The maximum capacity of the courtroom and social distancing will be monitored and enforced by court staff.

### 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 side.

### Hygiene

1. Hand sanitizer dispensers, when available, are placed at the entrances to the building, outside of elevators on each floor, 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. All individuals entering the courtroom will be asked if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing, loss of taste or smell, joint pain, nausea, vomiting

or diarrhea; 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 removed from the court building.

2. When individuals attempt to enter the courtroom and when thermometers are available, they may have their temperature taken. Individuals whose temperature equals or exceeds 99.5°F may be asked to leave the court building. On hot summer days, those same individuals may be isolated for a short cool off period and their temperature be retaken. If again their temperature equals or exceeds the above listed temperature, they may be asked to leave 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 99.5°F will not be transported to the court building. Hearings will be remote when possible.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, including masks, when PPE is available.

### Face Coverings

1. Face masks or coverings are encouraged but are not mandatory at this time. However, based on recommendations of local health authorities and if PPE are acquired by the court, all individuals entering the court building may be required to wear face coverings at all times.

### Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every 24 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, if available.
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.
5. All touch points in the court building, including the courtroom, may be identified and cleaned as often as possible throughout each day.
6. Trash cans in each bathroom may be moved to the exit doors, allowing individuals to use paper towels to open the door and dispose of easily.

### Other

Germinator, or a comparable company, may clean the courtroom every 90 days as needed.

Court may take place in an event center, auditorium, banquet hall or gymnasium to accomplish the goals of the operating plan.

In developing the plan, I consulted with the local health authority, county judge and J.P.s/municipal judges, 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: May 9, 2020



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William P. Smith, 110<sup>th</sup> District Judge  
Local Administrative Judge