

# COVID-19 Operating Plan for the Midland 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 **Midland 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 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 will telework when possible.
2. Judge and Court Staff Monitoring Requirements
  - a. Self-monitoring and reporting any medical concerns that are consistent with the symptoms related to COVID-19
  - b. Daily review of Midland Health and Senior Service statistics; and
  - c. Ongoing review of (1) Texas Department of State Health Services Minimum Standard Health Protocols for COVID-19; (2) applicable Emergency Executive Orders; (3) Emergency Orders issued by the Texas Supreme Court or the Local Administrative District Judge; and (4) guidance issued by the Office of Court Administration.
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 encouraged to wear face coverings, and required to practice social distancing, and practice appropriate hygiene recommendations at all times.
5. Protective Measures: COVID-19 symptoms signage posted in each court office, hand sanitizer dispensers have been placed in the office of the judge and each staff member, availability of masks and availability of disinfectants; each employee will clean computer keyboards, copier keypads, cabinets, knobs and any items that may have been touched

in that person's office and staff common areas; no more than two (2) persons allowed at one time in any office other than the courtroom.

### **Scheduling**

The following court schedules are established to reduce occupancy in the court building: Each court will schedule grand jury proceedings on specific days so that only one grand jury will be present on a given day.

### **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 encouraged to wear face coverings or accommodated by appearing remotely if possible and if not possible, in person at a later date.

### **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.
3. 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.
4. Public common areas, including breakrooms and snackrooms, have been closed to the public.

### *Gallery*

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

### *Well*

7. 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, outside of each courtroom, and outside of bathrooms.
2. Tissues have been placed near the door of each courtroom, at counsel tables, at the witness stands, at the bailiff stations, on the judges' benches, in each witness room 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. Covid-19 symptoms signage will be posted on all entrance doors into the courthouse and in front of the courthouse security station.
2. When individuals attempt to enter the court building, courthouse security officers 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.
3. When individuals attempt to enter the court building, courthouse security officers will use an infrared thermometer, if available, to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the court building.
4. 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.
5. Staff who are screening individuals entering the court building will be provided personal protective equipment, including face masks and plexiglass panels separating courthouse security officers from individuals entering the courthouse.

### **Face Coverings**

1. All individuals entering the court building will be encouraged 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 eight hours.
2. Court staff will clean affected areas of the courtrooms between every hearing.
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.

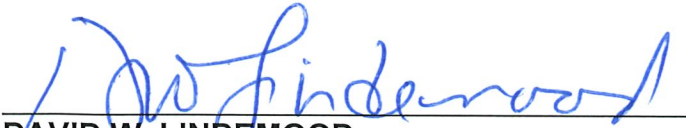
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

**Other**

1. Plexiglass panels will be placed at areas in the courtroom as specified by the presiding judge of the court.
2. Courtroom witness microphones will be cleaned by court staff after each witness. Counsel microphones will be cleaned by court staff after each hearing.

I have attempted to confer with all judges of courts with courtrooms in the court building regarding this Operating Plan. In developing the plan, I consulted with the local health authority and county judge, 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 26, 2020*

  
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**DAVID W. LINDEMOOD**  
Local Administrative District Judge