

## **COVID-19 Operating Plan for the Wichita County Judiciary**

Recognizing the guidance from the Governor and Office of Court Administration, as well as the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the courts of Wichita County, we 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. Jury trials previously scheduled for June and July 2020, will be cancelled and re-scheduled for later dates. Jury trials will not commence until at least August 3, 2020, conditioned upon the ability of the courts to summon individuals to serve on venire panels in a safe manner.

### **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: Judges and court staff will be responsible for monitoring their own health at home prior to entering the courthouse. In the event judges or court staff exhibit any of the symptoms listed below, then they will immediately convey that information to their co-workers, promptly seek appropriate medical advice, and quarantine themselves at home if recommended by their physician.
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 practice social distancing and appropriate hygiene recommendations at all times. If socially distancing, face coverings will be encouraged but not required. .
5. Protective Measures: Judges and court staff will follow the other requirements in this plan, including but not limited to the guidelines regarding social distancing, maximum group size, screening, hygiene, and cleaning.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building: Judges and court staff will work together to try and avoid large dockets of cases to be heard at the same time/date. Judges and court staff will communicate with one another in an effort to schedule hearings in a manner that results in less persons appearing in a single courtroom at the same date/time and also served to reduce the overall occupancy in the Wichita County Courthouse. In other words, hearings may be scheduled at appropriate intervals to allow for parties and attorneys to conclude their business and depart the courtrooms and courthouse prior to the beginning of the next hearing.

### **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. Any party submitting an order shall include information on orders setting hearings, docket 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 utilizing technology to conduct proceedings remotely whenever that is practicable. Judges and court staff will schedule hearings for members of vulnerable populations to a later time/date when remote proceedings are not practical or available.

### **Social Distancing**

1. All persons will be required to maintain adequate social distancing of at least 6 feet while they are in the courtroom, or in areas in which they have been instructed to remain by the Court.
2. The Judges recommend that the Commissioner's Court, after consultation with the Sheriff and the local health authority, enter orders governing public commons areas (including but not limited to elevators, hallways, restrooms, break-rooms, and snack-rooms) within the courthouse, or any county building housing courts, to ensure that guidelines regarding social distancing, maximum group size, screening, hygiene, and cleaning are enacted to protect all persons who enter the courthouse.
3. The Judges recommend that the Commissioner's Court, after consultation with the local health authority evaluate each restroom to determine the appropriate capacity to ensure social distancing and post notice of the maximum capacity on each restroom door. The Judges recommend that the Commissioner's Court, after consultation with the local health authority close public common areas to the maximum extent permitted by law, break-rooms, snack-rooms, and common seating areas.

### *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 and social distancing will be required within each 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 inside each courtroom, to the extent available. The Judges recommend that the Commissioner's Court, after consultation with the local health authority, place hand sanitizer dispensers at the entrances to the building, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms, to the extent available.
2. Tissues will be placed at counsel tables, at the witness stand, and at the Judge's bench. The Judges recommend that the Commissioner's Court, after consultation with the local health authority, place tissues near the door of the courtroom and in the hallways.
3. The Judges recommend that the Commissioner's Court, after consultation with the local health authority, place the Department of State Health Services' "Stop the Spread of Germs Flyer" in multiple locations on each floor of the court building.

### **Screening**

1. When individuals attempt to enter the court building, Wichita County Sheriff Deputies, who have been provided personal protective equipment, 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. Wichita County deputies will continue to 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 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. The Judges recommend that the Commissioner's Court, after consultation with the local health authority, provide staff who are screening individuals entering the court building with personal protective equipment, including but not limited to face coverings, and hand sanitizer.

### **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

### **Cleaning**

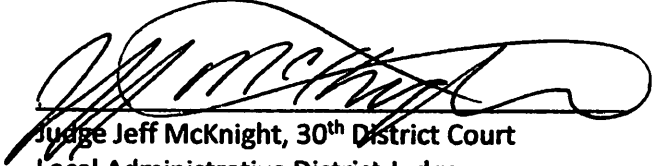
1. The Judges recommend that the Commissioner's Court, after consultation with the local health authority, direct court building cleaning staff clean the common areas of the court building so that common spaces are cleaned at an interval as recommended by the local health authority.
2. To ensure that the courts can safely utilize its time, the Judges are requesting that the Commissioner's Court instruct court building cleaning staff to clean the courtrooms between every hearing, between morning and afternoon proceedings, and at the end of each day the courtroom is used.

### **Other**

Judges and court staff will monitor and comply with all orders from the Texas Supreme Court and guidance from the Texas Office of Court Administration. Judges and court staff will also monitor and attempt to comply with all recommendations from the Center for Disease Control and Texas Department of State Health Services.

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 in a transcribed video conference. Additionally, this plan has been approved by the Local Health Authority, as evidenced by the attached email. 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: 5/26/2020

  
Judge Jeff McKnight, 30<sup>th</sup> District Court  
Local Administrative District Judge  
On behalf of the Wichita County Board of Judges