

## **COVID-19 Operating Plan for the Clay 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 District, County and Justice Courts of Clay County and the Municipal Court of the City of Henrietta 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, the municipal judge for the City of Henrietta, Texas, the county judge and will 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: Judges and Court Staff will self-monitor for COVID-19 symptoms, daily monitoring body temperature, presence of 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 had known close contact with a person confirmed to have COVID-19. Judges or Court Staff exhibiting any of the symptoms noted or measuring temperatures equal to or greater than 99.6 degrees F shall notify the Judge or more immediate superior immediately and arrange for COVID-19 testing with 24 hours of the onset of symptoms.
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 time.
5. Protective Measures: Hand sanitizer and facilities for hand-washing shall be available the Judge and all Court Staff and shall be utilized at the discretion of the Judge or Court Staff according to the individual's timing and discretion.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building: Civil and criminal dockets will be held separately, with the number of persons permitted in the Courtroom for any purpose limited to 10 persons. Persons participating in court proceedings shall be required to wear non-surgical face masks during the proceedings. Spectators will also be required to wear non-surgical face masks while in the Courtroom. All persons, whether participants in proceedings or spectators are required to maintain a distance of six feet between themselves and the nearest person, with such exceptions as may be granted by the Court.

### **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 permitting testimony of such persons by affidavit or deposition, providing non-surgical face masks to such persons and by making available hand sanitizers to such persons.

### **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 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. When individuals attempt to enter the court building, the bailiff or designated Sheriff's Department employee during periods of designated Court activity, 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 bailiff or designated Sheriff's Department employee 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.
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 a non-surgical mask and latex or plastic 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.
3. Individuals who will be required to be in the court building for over 1 hour will be provided surgical masks and required to wear them while in the court building 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 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.
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**

There will be monthly meetings with the county judge and the local health authority to assure that all plans are complied with and adjustments made as necessary.

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 and mayor, 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: 5/20/2020

A handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read "Judge W. M. Douglas".

Local Administrative District Judge

# 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. Vulnerable populations who are scheduled for court will be accommodated by specific settings during a time when no other court is scheduled.

For further information about specific scheduling, contact:

1. District Court: Send to [97thcoordinator@gmail.com](mailto:97thcoordinator@gmail.com) or call 940-894-2066
2. County Court: Send to [Becky.Mataska@co.clay.tx.us](mailto:Becky.Mataska@co.clay.tx.us) or call 940.538-4651
3. Justice Court, Pct 1: Send to [John.swenson@co.clay.tx.us](mailto:John.swenson@co.clay.tx.us) or call 940-538-6531
4. Municipal Court: Send to [John.swenson@co.clay.tx.us](mailto:John.swenson@co.clay.tx.us) or call 940-538-6531

## REQUEST FOR APPOINTMENT

Because I am a vulnerable individual, \* I am requesting an appointment with the following court for my appearance.

1. Court:       a. District Court  
                  b. County Court           (circle one)  
                  c. Justice Court/Municipal Court
2. Name: \_\_\_\_\_
2. Cause Number (if known): \_\_\_\_\_
3. If hearing date is known, enter here: \_\_\_\_\_
4. Attorney (if retained): \_\_\_\_\_
5. Contact information: Phone \_\_\_\_\_  
                                  Email address \_\_\_\_\_

\*Vulnerable individuals are those 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.

1. District Court: Send to [97thcoordinator@gmail.com](mailto:97thcoordinator@gmail.com) or call 940.894.2066
2. County Court: Send to [Becky.Mataska@co.clay.tx.us](mailto:Becky.Mataska@co.clay.tx.us) or call 940.538.4651
3. Justice Court, Pct.1: Send to [John.swenson@claycounty.tx.us](mailto:John.swenson@claycounty.tx.us) or call 940.538.6531
4. Municipal Court: Send to [John.swenson@claycounty.tx.us](mailto:John.swenson@claycounty.tx.us) or call 940.538.6531

**LOCAL ADMINISTRATIVE JUDGE'S CONTACTS IN  
PREPARATION OF COVID-19 OPERATING PLAN FOR CLAY COUNTY**

1. The Clay County Judge was delivered a draft of a proposed COVID-19 Operating Plan for Clay County courts on 12 May 2020, with a request for review and comment.
2. On 13 May 2020, the Local Administrative Judge received emails from the County Judge and from the Local Public Health Authority, Dr. Greer of Henrietta, Texas, commenting on the plan and making suggestions for minor revisions. Dr. Greer stated that he had no objections to the plan as revised and believed it adequate for its intended purpose.
3. On 13 May 2020, the Court received and reviewed a proposed plan prepared by the Justice Court and Municipal Court Judge of Clay County and the City of Henrietta, Texas, along with a request to be specifically included in the COVID-19 Operating Plan submitted for review.
4. An updated version of the proposed Plan was delivered to the County Judge for review on 14 May 2020.
5. A final draft of the plan was emailed to the Justice of the Peace for Clay County, and the Municipal Court Judge for the City of Henrietta, Texas. No objections were lodged.
6. On 19 May 2020, a final draft of the Plan was delivered to the County Judge for review.