

COVID-19 Operating Plan for the Nacogdoches 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 **Nacogdoches 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 should telework when possible.
2. Judge and Court Staff Monitoring Requirements: Whenever judges or staff members show any COVID 19 symptoms or live with people who do, they must see if they are running a fever. They must contact the court staff to inform them of their symptoms and to the fact they are not coming to work.
3. Judges or court staff who 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 should wear face coverings, practice social distancing, and practice appropriate hygiene recommendations during all in person proceedings.
5. Protective Measures: Judges and their staffs should observe all guidelines (present and future) set forth by the CDC and the State Department of Health.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building:

District Court Jury selections should be scheduled in conjunction with Anita Scott at the County Expo/ Convention Center. This is the only County facility large enough to comply with the social distancing requirements for jury panels for District Courts.

Docket calls for all courts must be scheduled to make certain that the social distancing requirements can be followed in the courtrooms and common areas of the courthouse as well as all county buildings where court is held. Court coordinators must make all reasonable efforts to coordinate with each other so that courts do not schedule docket calls at the same time in the courthouse.

County Court at Law jury selections should be scheduled in conjunction with Anita Scott at the Expo/ Convention Center and Debbie Sanford at the Courthouse Annex. Either facility is large enough for the social distancing requirements for jury panels for the County Court at Law.

Justice of the Peace jury selections, and any other hearings requiring spacing that cannot be met with the JP courtrooms, should be scheduled in conjunction with Debbie Sanford at the Courthouse Annex. This facility is large enough for the social distancing requirements for jury panels for the Justice of the Peace Courts.

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: 1. Including in jury summons a separate paper stating that people in the "vulnerable population" and those who have, or are in close contact with people who have, any COVID 19 symptom and/ or diagnosis, are exempt from jury duty, AND those in these two groups must state such fact on their jury summons return; 2. Attorneys and litigants (in the "vulnerable population) and who have, or are in close contact with people who have, any COVID 19 symptom and/ or diagnosis are to notify the Court staffs in order to reschedule their court dates.
4. All attorneys, and pro se litigants, have an affirmative duty to enquire (in a reasonable amount of time before they are expected to be in court) of their clients, witnesses, trial participants to determine if any of them are in the vulnerable populations, or have any COVID 19 symptom or diagnosis or have been in close contact with anyone with anyone with COVID 19 symptoms or diagnosis. If any of said people do fall in this category the attorney, or pro se litigant, must contact the court to arrange for the person to appear via Zoom so that they do not enter the courtroom.

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. These guidelines shall be posted at the Courthouse entrance and at the door of each courtroom. Courthouse security shall attempt to advise all persons entering the courthouse of the guidelines.

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 courtrooms.
2. Tissues have been placed near the door of the courtroom, 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 on each floor of the court building.

Screening

1. When individuals attempt to enter the courtroom, the entry guard and/ or deputy 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 entry guard and/ or deputy 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 courtroom.

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 courtroom will be provided personal protective equipment, including masks and gloves.
5. When a person is refused admittance to the courtroom the entry guard/ and or deputy will ask them their name and reason for being there. The name and information obtained will be immediately given to the court staff. The staff will then immediately inform the attorneys and/ or court clerk about the person being refused admittance. The court staff and attorneys will consult on how to proceed without the person.

Face Coverings

1. All members of the public 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, to the extent the County has sufficient masks on hand.

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 have been provided cleaning supplies shown to be effective with this coronavirus.
3. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment. This includes Clorox Total 360.

Other

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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 encourage the judges of courts with courtrooms in the court building covered by this Operating Plan conduct proceedings consistent with the plan.

Date: *May 22, 2020*
Click or tap to enter a date

Campbell Cox
145th Judicial District
Nacogdoches County