

# **COVID-19 Operating Plan for the Kemah Municipal Court, Galveston County Judiciary**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the building housing the court, the Kemah Municipal Court 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 presiding judge of the municipal court will maintain regular communication with the local health authority and mayor, and will adjust this operating plan as necessary with conditions in the city.
4. Judges will begin setting non-essential in-person proceedings no sooner than August 9, 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: The Presiding Judge and Court Administrator will use their efforts to meet regularly to address any of the Court's needs to comply with these guidelines. The Court will stay current on all recommendations and updates published by the Office of Court Administration, Texas Municipal League, The Centers for Disease Control and Prevention, The Texas Department of State Health Services, and Galveston County Health District. If a Judge or staff member does test positive for COVID-19, the Court Administrator will notify the court staff and any other departments sharing space with the individual who has tested positive. The Judge or Court Administrator will notify the Office of Court Administration to ensure that proper notification be made to the local health authorities so that contact tracing can be performed.
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 times.
5. Protective Measures: The Court Room and Lobby were evaluated for their capacity utilizing social distancing guidelines. In the Court Room, the witness stand, Judge's bench, court clerk,

Prosecutor, and Bailiff have been arranged so that social distancing applies. Applicable signage from the CDC website has been posted throughout the Courthouse in English and Spanish. Employees will use their best efforts to maintain at least six foot separation from other individuals whenever possible, unless separated by glass. Where distancing is not feasible, face masks will be made available. Employees will be allowed to wear face masks at any time they choose; however, employees will be required to wear a mask if working conditions or activities make social distancing impossible or impractical. Face coverings, hand sanitizer and disinfectant have been placed in the staff work areas.

### **Scheduling**

1. To reduce occupancy in the court building, the Court will:

The Court will increase the number of dockets and stagger start times to keep the number of people who enter the courtroom at any one time within the Court of Criminal Appeals Guidelines. Hearings that are in person will always be in accordance with established six foot (6') social distancing guidelines along with the requirement of masks or face coverings and supplying hand sanitizer. The court lobby is already equipped with glass that separates defendants from the court staff. The Court will use its best efforts to minimize traffic into the Court by sending notices to defendants advising them of the alternative options for resolving their cases without an in person appearance. Additionally, the Court is implementing a Virtual Court option. The Court intends to promote videoconference hearings instead of in-person court appearances and will strive to reduce the number of in person dockets. The court will be lenient in considering requests by parties to appear through remote proceedings and generous in granting requests for continuances as appropriate.

### **Vulnerable Populations**

1. Individuals who are age 65 and over 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 offering correspondence by phone, mail, e-mail or fax, participation in court proceedings by teleconferencing or video-conferencing if possible, and allowing continuances if necessary.

### **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. 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.

3. The maximum number of persons permitted in the courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
4. The courtroom has been marked to identify appropriate social distancing in the seating.
5. In the courtroom, the counsel table, witness stand, judge's bench, clerk seating, and bailiff have been arranged in such a way so that there is social distancing of at least 6 feet between each space.

### **Hygiene**

1. A hand sanitizer dispenser has been placed in the lobby at the court clerk window. An additional dispenser will be placed at the entrance to the courtroom on the days when in-person proceedings are held.
2. The Department of State Health Services' "Stop the Spread of Germs Flyer" has been posted in multiple locations of the court building.

### **Screening**

1. When individuals attempt to enter the court building, a court staff member or bailiff will ask the individuals 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. Individuals appearing for in person hearings will be given a questionnaire to be filled out asking all of these questions. They will be required to sign and date this questionnaire stating that their answers are true and correct to the best of their knowledge prior to entering the court building.
2. When individuals attempt to enter the court building, a court staff member or bailiff 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. Staff who are screening individuals entering the court building will be provided personal protective equipment, including masks, gloves, and hand sanitizer.

### **Face Coverings**

1. All individuals entering the court building will be required to wear face coverings at all times.
2. Individuals will be required to bring either a cloth face covering or disposable face mask with them. If the individual does not have a cloth face covering, they will not be allowed entrance to the building.

### **Cleaning**

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned regularly.
2. Courtroom cleaning staff will clean the courtroom as often as possible, but no less than once a day each day the courtroom is used.
3. Court building cleaning staff will clean the courtroom two times per week compliant with the contractual schedule.
4. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.

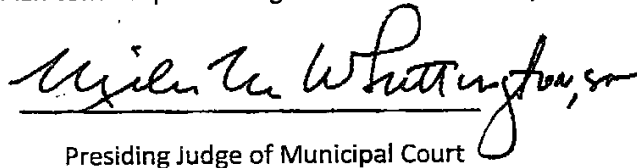
5. To the extent cleaning supplies are available, court staff will disinfect common surfaces in the courtroom and at the clerk's window as often as possible.

**Other**

The court is investigating additional uses for the website to further reduce the need for a physical trip to the courthouse. The court is also actively encouraging litigants in criminal cases, to file documents electronically through the submission to the court via email or fax. This Plan is subject to modification as necessary to comply with best practices to ensure the health and safety of all individuals entering the Court.

I have attempted to confer with all judges of the Court regarding this Operating Plan. In developing the plan, I consulted with the mayor, documentation of which is attached to this plan. I will ensure that the judges of the Court covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 7/29/2020

  
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Presiding Judge of Municipal Court



**KEMAH MUNICIPAL COURT**

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**NOTICE TO VULNERABLE POPULATIONS**

NOTICE – ANY INDIVIDUAL WHO HAS BEEN DEEMED TO BE A VULNERABLE INDIVIDUAL AS DEFINED BELOW SHALL CONTACT THE COURT AT LEAST 48 HOURS PRIOR TO ANY APPEARANCE DATE AND/OR HEARING DATE AT THE OFFICIAL COURT TELEPHONE NUMBER AND/OR EMAIL ADDRESS LISTED ABOVE TO IDENTIFY YOURSELF AS A VULNERABLE INDIVIDUAL AND DISCUSS ALTERNATE ACCOMMODATIONS.

\*Vulnerable individuals are those who are age 65 and over 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.