

COVID-19 Operating Plan for the City of McAllen Municipal Court Judiciary

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges and other individuals entering the portion of the building housing the City of McAllen 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 adjust this operating plan as necessary with conditions in the City of McAllen.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 15, 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: All Judges and Court Staff shall (1) wash their hands, (2) answer a brief questionnaire about their health; and, (3) have their temperature taken upon each entry to the court area.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100 degrees Fahrenheit, 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 court building area and should seek medical advice.
4. Judges and court staff will be recommended to wear face coverings, practice social distancing and practice appropriate hygiene recommendations at all times.
5. Protective Measures: Plexiglass shields have been installed, face shields, lab glasses and latex/nitrile gloves are available for use in addition to masks for all judges and court staff use.

Scheduling

The following court schedules are established to reduce occupancy in the court building areas: All persons are set for hearings in groups of two every ten minutes as hearings are set with instructions that they call in or use Zoom or Tyler Virtual Court Technology to access their hearings. If a hearing must be held in-person, only one defendant, their attorney and one witness at a time may be present to keep the number of persons in the courtroom at five if possible and not more than ten in any event.

Vulnerable Populations

1. Individuals who are over 65 years of age 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, docket notices, and in other communications notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as vulnerable individuals and receive accommodations. A notice with this information will be posted on the court's 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 being given the opportunity to participate by telephone, Zoom or Tyler Virtual 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 six (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. Some public common areas, including breakrooms and snack rooms are closed to the public.

Gallery

4. The maximum number of persons permitted in each courtroom has been determined and posted. If additional observers or participants are required, they will be seated in the second courtroom where video feed will be provided. The maximum capacity of the courtrooms will be monitored and enforced by staff.
5. The courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row in the gallery.

Well

1. 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 six (6) feet between each space.

Hygiene

Hand sanitizer dispensers have been placed at the entrances to the court area of the building, outside of each courtroom and outside of each bathroom with the Department of State health Service's "Stop the Spread of Germs Flyer". Tissues have been placed near the door of the courtrooms, at counsel tables, at the witness stand, on the judges' benches, and in the lobby.

Screening

1. When individuals attempt to enter the court areas of the building, the uniformed civilian staff, to the extent mandated by the City 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 uniformed civilian staff screening for security will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0 degrees Fahrenheit will be refused admittance to the court areas.
3. Inmates brought from the jail to the courtroom will be screened for symptoms of COVID-19 and have their temperature prior to entry. Inmates with symptoms or a temperature equal to or above 99.6 degrees Fahrenheit will not be allowed to enter the courtroom.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, including KN95 face masks, plastic face shields and latex/nitrile gloves.

Face Coverings

It is recommended that all individuals entering the court areas wear a face covering at all times. 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 offered to them. Anyone who will be in the court areas for over one (1) hour will be provided a surgical mask if the supply is available. No one will be refused service because they do not wear a mask.



Cleaning

Court building areas accessible to the public will be disinfected no less than every four hours from Monday - Friday. Courtrooms will be disinfected after every hearing and cleaned by building cleaning staff every weekday morning and afternoon. Supplies shown to be effective with this coronavirus have been given to staff for disinfecting. All staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

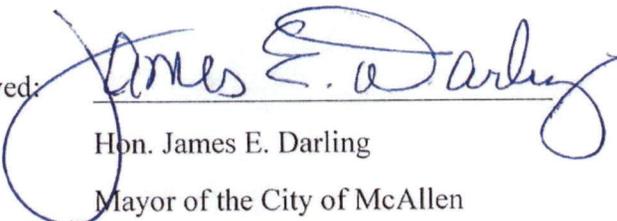
As additional information becomes available additional protective equipment may be provided and additional procedures may be implemented.

I have attempted to confer with a judges or courts with courtrooms in the court building regarding this Operating Plan. In developing this plan, I have consulted with the Local Health Authority of Hidalgo County and the Mayor of the City of McAllen, documentation of which is attached to this plan. I will ensure that the judge or courts with courtrooms in the court area of the building covered by the Operating Plan conduct proceedings consistent with the plan.

Signed this 2nd day of June, 2020.



Kathleen Henley
Judge Presiding

Approved:  Date: _____
Hon. James E. Darling
Mayor of the City of McAllen

Approved: _____ Date: _____
Hon. Eddie Olivarez
Hidalgo County Health Director

VULNERABLE INDIVIDUALS POLICY

In light of the highly contagious nature of COVID-19, the McAllen Municipal Court encourages all persons who have received and owe tickets to stay home and contact the Court by email at MCALLENMUNICIPALCOURT@MCALLEN.NET, or by phone at (956) 681-2900 from 8:00 a.m. until 5:00 p.m. from Monday through Friday. If you are over 65 years of age or have a health condition that might cause you to be more vulnerable to the Coronavirus, like high blood pressure, chronic lung disease, diabetes, obesity, asthma or a compromised immune system cause by cancer, chemotherapy or another therapy, please contact the court to participate in your court hearing by telephone or teleconference. If you must visit the Court, you will be required to distance yourself from others by at least six feet. *PLEASE STAY HOME AND STAY SAFE.*

Debido al alto riesgo de contagion de COVID-19 (CORONA VIRUS), la Corte Municipal de McAllen no quiere que usted corra ningun riesgo ofreciendole nuestros servicios via correo electronico o por telefono desde su hogar. Si usted ha recibido una infraccion de trafico, usted se puede poner en contacto con La Corte Municipal de McAllen de las siguientes maneras: por correo electronico a mcallenmunicipalcourt@mcallen.net o por telefono al numero (956) 681-2900 durante el horario de 8:00 a.m. a 5:00 p.m. de Lunes a Viernes. Si usted es mayor de 65 años de edad ó tiene las siguientes condiciones médicas como alta presión, enfermedad crónica de sus pulmones ó diabetes, problemas de obesidad, asma ó si su systema inmunológico es bajo por causa de cancer, quimoterapias o algún otro tipo de terapias, favor de contactar la Corte para asistirle por teléfono ó teleconferencia. La Corte estara disponible para ayudarle de la major manera possible para solucionar su infraccion de trafico. Sin embargo, si su situacion requiere visitor la Corte, usted debe mantener una distancia de seis pies entre cada persona que este a su lado. *FAVOR DE MANTENERSE EN CASA Y MANTENGASE SALUDABLE LO MEJOR POSIBLE.*