

COVID-19 Operating Plan for Splendora Municipal Court

(Amended February 1, 2021)

Recognizing the need to ensure the health and safety of defendants, attorneys, court staff, the prosecutor, and other individuals entering the building housing the court, the Splendora Municipal Court will implement the following protective measures:

General

1. The judge 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. The judge will conduct all proceedings through either “zoom” or some other similar computer program or will conduct hearing with defendants through the drive-thru window, unless Court determines that it is impossible for the defendant to do so due to an inability to obtain technical equipment, a physical disability or some other unpreventable factor. The judge will not allow anyone to appear in person unless they meet this criteria. Furthermore, no sworn testimony will be taken through the drive through window and defendants represented by an attorney will not be required to appear in person, but may appear through their attorney, who may either enter a plea on their behalf or negotiate a resolution with the prosecutor. The attorneys will also not be required to physically appear in person but may enter pleas for their client through written documentation and may speak with the prosecutor and the court via email, phone.
3. The judge will maintain regular communication with the Montgomery County Medical Director, and the Mayor and will adjust this operating plan as necessary with conditions in the city.
4. The judge will begin setting non-essential in-person proceedings no sooner than the OCA allows in person hearings.

Judge and Court Staff Health

1. The Judge and Court Staff Monitoring Requirements: the judge and court staff will self-monitor for symptoms. Personnel have been instructed to not report to court and to notify their supervisor immediately if they experience symptoms described in item 2

below. During the workday, should any personnel begin experiencing the described symptoms, they will notify their supervisor immediately so they may be allowed to leave the court building.

2. The judge or court staff who feel feverish or have measured temperatures equal to or greater than 100°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. In this instance, the judge and court staff will not be permitted to return to the building without clearance from a medical physician to do so.
3. The judge and court staff will be required to practice social distancing, and practice ~~appropriate hygiene recommendations at all times. Face coverings will be worn as~~ recommended by the Centers for Disease Control and Prevention (CDC) guidelines.
4. Protective Measures: court staff are separated from the general public by a locked door and glass service windows. Gloves, anti-bacterial spray, alcohol wipes and a thermometer are available for court staff use.

Scheduling

1. The following court schedule is established to reduce occupancy in the court building: The court drive-thru window will be utilized to see unrepresented individuals. If an individual is represented, they will not be seen through the drive-thru window. The judge, prosecutor and interpreter can talk to the defendant through the glass window located on the utility side of City Hall. They also may step out of their vehicle under the covered, well-lit area to speak with the defendant as well. All paperwork is mailed to the defendant and includes a self-addressed stamped envelope to return signed paperwork. Payments can also be put in the secure drop box that drops into a safe which is then sanitized before processing. The defendant also has the option to use a credit card online to make payments.
2. All represented individuals may make their initial appearance through their attorney in writing and will be able to contact the prosecutor directly to negotiate a plea. All cases that cannot be pled will be set for trial docket when the OCA allows in person hearings. Due to the internet bandwidth that is offered in this jurisdiction, currently we do not have the technical support for using zoom to conduct court business.
3. Defendants have been encouraged to exercise their available options via phone, fax,

email, and mail in lieu of appearing in person.

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 vulnerable populations.
2. The 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 a vulnerable individual and receive accommodations. A notice with this information has been posted on the court's website and on the bulletin board at the entrance to the court building.
3. Vulnerable populations who are scheduled for court will be provided with case specific detailed options to take care of their offense without making an appearance or allowed to reset their hearing or trial until such time they can safely appear in person.

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. Floor markers are placed at the customer service windows to enforce the 6 feet distance.

Hygiene

1. Hand sanitizer dispensers are placed at the entrance to the court building, inside the court lobby, and in the court administrative area.
2. Tissues are placed in the court lobby and in the courtroom.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" is posted at the entrance to the court building.

Screening

1. The following signage is posted at the entrance to the court building:
DO NOT ENTER if you are experiencing any of the following COVID-19 symptoms: cough, shortness of breath, fever, chills, muscle pain, headache, sore throat, new loss of taste or smell, diarrhea, vomiting, nausea, or fatigue, or if you have been in close contact with a person who is confirmed to have COVID-19.

Call 830-248-1504 to discuss your options.

2. When individuals attempt to enter the court building, their temperature will be checked by use of an Automated AI Temperature Sensing System (AATSS). A bailiff will monitor the AATSS and all persons entering the court building. Anyone with a measured temperature equal to or greater than 100°F will not be permitted to enter.
3. Anyone who enters and appears to have other COVID-19 symptoms will be immediately taken to the side and questioned about their symptoms. If necessary, they will be required to leave and will be advised to call the court.

Face Coverings

1. Face coverings are required and must be worn while in the court building.
2. If an individual does not have a face covering, one will be provided to them.

Cleaning

1. Court building cleaning staff will clean the entire facility every morning prior to the court opening. All flat counter surfaces, glass partitions, door handles, bathroom surfaces, and chair handles are cleaned with a germ-killing antiseptic. Floors will be moped with a bleach/water solution.
2. Court staff will clean the customer service window area hourly during the day.

Other

The court will continue to evaluate the effectiveness of the plan and adjust as needed with continued collaboration with the mayor.

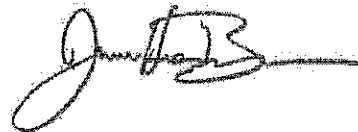
In amending this plan, I consulted with the Mayor of Splendor. I will ensure that all court staff and personnel covered by this Operating Plan conduct proceedings consistent with the plan.



Date:

5/18/2020

Revised; 02/01/2021



J. Hans Barcus

Presiding Judge of Municipal Splendor Court