

# COVID-19 2021 Operating Plan for the Smithville Municipal Court, City of Smithville, Bastrop County, Texas

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 **Smithville Municipal Court, Smithville, TX** 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 county judge, or mayor for municipal courts and adjust this operating plan as necessary with conditions in the city.
4. Judges will begin setting non-essential in-person proceedings no sooner than January 1, 2021
5. After consulting with the Bastrop county Health Authority in court proceedings shall be held observing all Covid-19 protocols currently in place. In person hearing shall be held as needed due to the court's lack of reliable internet and technology. In addition and in fairness to parties that do not have access to technology or the internet in court proceedings shall be held as needed and requested. Parties may request to appear by phone if requested in advance to the hearing. As stated first, all current Covid-19 protocols shall remain the same and be enforced by the judges and court staff. We have been diligent in the enforcement of these protocols and remain dedicated to providing safe, clean and efficient courts during this pandemic. Furthermore, court seating is limited and parties are asked to remain outside the court building until their cases are called as much as possible.

## Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will telework when possible. Judges and court staff will not enter the courthouse when there is a likelihood that they may have COVID-19 and courts should take reasonable steps to protect judges and court staff from contracting COVID-19
2. Judge and Court Staff Monitoring Requirements are as follows: 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.

3. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time.
4. Protective Measures: Bastrop County will provide judges and court staff with masks upon request.

### Scheduling

1. The following court schedules are established to reduce occupancy in the court building: Courts shall schedule cases minimizing the number of people in the courtroom to no more than (50%) of the fire-marshall approved capacity of people at a time in the courtroom. Each Court shall schedule hearings as they know best to fit the need of their dockets and caseloads while following the guidance provided by the Office of Court Administration and the orders from the Texas Supreme Court and the Texas Court of Criminal Appeals.
2. Until further notice the Smithville Municipal Court, Smithville, TX will hold any case hearings at the Bastrop County Justice of the Peace, Precinct 2 office located at 1624 NE Loop 230, Smithville, TX 78957.

### 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.
3. Vulnerable populations who are scheduled for court will be accommodated by resetting the case to a later date, allowing the party to appear by phone or allowing the party to appear in court by the video means as approved by the judge hearing the case.

### 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. There shall be no waiting in a restroom to use a facility. Anyone having to wait, must wait outside the restroom until a person exits.

### *Gallery*

4. 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.
5. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

#### *Well*

6. 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 outside of each courtroom.
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 deputy of security officer 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. Individuals entering the building will not be allowed to bring bags or purses into the building.
3. People will not be allowed to bring children to court unless they are a witness in a case.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, including gloves, masks and hand sanitizer.

#### Face Coverings

1. All individuals entering the court building will be encouraged and allowed 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 at least twice a day.

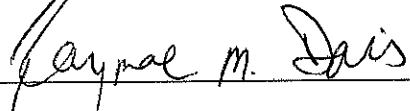
2. Court building cleaning staff will provide cleaning wipes to the courtrooms. Attorneys using counsel tables will wipe down the table before they use them. Court building cleaning staff will clean the courtrooms at the end of each day the courtroom is used.
3. Court building cleaning staff have been 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

If needed attach specific rules from each court.

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

Date: 1-5-2021

  
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Presiding Judge of Municipal Court