



Second Administrative Judicial Region of Texas

Olen Underwood

Presiding Judge

Connie Teel

Administrative Assistant

June 9, 2020

RE: COVID-19 Operating Plan for All Court Proceedings

Dear Judge,

After review, the COVID-19 Operating Plan for the Judiciary Polk, San Jacinto and Trinity Counties, as submitted is APPROVED.

Please note a copy of the plan will be placed in the file within the Second Administrative Region of Texas and the Texas Office of Court Administration.

Operating plans will remain in effect until updated guidance is issued from OCA indicating they are no longer required or upon the expiration of the provisions in the Twelfth Emergency Order, as amended or extended, requiring adherence to OCA Guidelines.

Thank you,

A handwritten signature in black ink that reads "Olen Underwood".

Olen Underwood,
Presiding Judge

OU/ct

COVID-19 PANDEMIC OPERATING PLAN FOR THE JUDICIARY

POLK, SAN JACINTO, AND TRINITY COUNTIES

Recognizing the need to ensure the health and safety of courthouse officials and staff, attorneys, litigants, clients, service providers, delivery staff, visitors, and other individuals entering buildings where administration and proceedings are conducted by the 258th and 411th Judicial District and the County and Justice Courts of Polk, San Jacinto, Trinity Counties, the Local Administrative District Judge for said counties hereby implements the following protective measures as directed by and pursuant to Texas Government Code Section 74.092, Covid-19 Emergency Orders issued by the Supreme Court of Texas and Texas Court of Criminal Appeals, and Texas Office of Court Administration Guidance. Please note these are the minimum protective that will be taken, and individual judges or elected officials may require more stringent protective measures for their court proceedings.

General

1. This Operating Plan complies with the requirements of Texas Government Code Section 74.092, Covid-19 Emergency Orders issued by the Supreme Court of Texas and Texas Court of Criminal Appeals, and Texas Office of Court Administration Guidance.
2. Each elected and assigned judge shall comply with all Emergency Orders issued by the Supreme Court of Texas and the Texas Court of Criminal Appeals (specifically including those related to conducting in-person proceedings) and all guidance issued by the Texas Office of Court Administration regarding social distancing, maximum group size, and other restrictions and precautions.
3. Each elected and assigned judge will use all reasonable efforts to conduct proceedings remotely.
4. The local administrative district judge will maintain regular communication with the local health authority and each of the county judges, and will modify this operating plan as necessary.
5. Judges may begin setting non-essential, in-person proceedings no sooner than June 1, 2020. No judge is required to begin in-person proceedings.
6. This Operating Plan applies inside buildings on days when in-person court proceedings are conducted.
7. Bailiffs and courthouse security are authorized to enforce all provisions of this plan, and may refuse entry or evict anyone who does not comply.

Judges and Court Staff Health

1. Courthouse officials and staff who are able to remotely perform essential duties will do so when possible.
2. Judge and Court Staff Monitoring Requirements: Judges and their court staff shall follow all recommendations of the OCA and CDC for health monitoring and testing/screening for workplace access.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100.0°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 sense of smell or taste, 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 encouraged to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times.

Scheduling

1. Each individual judge shall be responsible for scheduling his/her dockets in a manner that complies with all regulations and recommendations of the OCA, CDC, and contained in this operating plan. At no time will proceedings in more than one courtroom be ongoing at the same time. All court schedules shall be established to reduce occupancy in the court buildings.

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 system 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 a vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations. A notice of 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 rescheduling to a future date or rescheduling to a video conference without necessity of attending in-person proceedings.

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. No more than two (2) 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 individual 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 in each door.
4. Public common areas, including breakrooms and snack rooms, have been closed to the public.

Gallery

5. The maximum number of persons permitted in the gallery of each courtroom had 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 there is social distancing of at least six (6) feet between each space.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrance to the buildings, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms.
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 on multiple locations on each floor of the court building.

Screening

1. When individuals attempt to enter the court building a court bailiff 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, a court bailiff will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0 °F will be refused admittance to the court building.

3. Inmates being transported to the jail to the court building will be screened for symptoms of COVID-19 and have their temperatures taken prior to transport. Inmates with symptoms or a temperature equal to or greater than 100.0 °F will not be transported to the court building.
4. Staff who are screening individuals entering the court building will be provided personal protective equipment, including face coverings and gloves.

Face Coverings

1. All individuals entering the court building 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.
3. Individuals who will be required to be in the court building for over one (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 so that common spaces are cleaned at least ever four (4) hours during the day and also overnight before the courthouse opens the following day.
2. Court building cleaning staff will clean the courtrooms between every hearing, between morning and afternoon proceedings, and 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 the coronavirus.
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

I have attempted to confer with all the judges of courts with courtrooms in the court building of Polk, San Jacinto, and Trinity Counties regarding this Operating Plan. In developing the plan I consulted with the local health authority and the County Judges of Polk, San Jacinto, and Trinity Counties. I will ensure the judges of courts with the courtrooms in the court buildings covered by this Operating Plan conduct proceedings consistent with the plan.

Date:

June 8, 2020


Judge Kaycee L. Jones
411th District Court of Texas
Local Administrative Judge


6.9.2020