

# COVID-19 Operating Plan for the Fort Bend County Judiciary

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 **Fort Bend County** 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 local administrative district judge will maintain regular communication with the local health authority and county judge and adjust this operating plan as necessary with conditions in the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 2, 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: 1) take temperature daily; 2) report any symptoms or signs of covid-19 including self-reporting; 3) washing hands or continued use of hand sanitizer; 4) use of face masks when necessary
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 time **as appropriate**.
5. Protective Measures: maintain social distancing, limit public access by using email, teleconferencing and all measures remotely, if possible, face covering as necessary, continued cleaning of surface areas, use of hand sanitizers, leave doors open so that it limits use of touching knobs, etc where applicable.

## Scheduling

1. The following court schedules are established to reduce occupancy in the court building: The courthouse consists of 3 floors each floor housed with county courts at law and district courts. County courts are on the first and second floor. County courts will continue to

conduct hearings and trials remotely if possible however when in person is necessary the courts are working together as follows: alternating days for court access as well as morning vs. afternoon if possible. The specialty courts such as mental health (Friday afternoon) are to be scheduled at specific times that will not interfere with other court business. Most judges for county courts at law have provided the administrative judge with the policy of their court which is maintained in the office of the administrative judge for review if necessary.

District courts are located on the first floor and the third floor with Associate Judges located on the second floor. The district courts will be functioning the same as county courts at law and will likewise be limiting in person hearings (use of remote such as zoom) as much as possible. The specialty courts such as drug court, end court and sanctions court are scheduled such that it will not create unnecessary individuals in the justice complex. Also note that when the courts resume jury trials the courts will coordinate the scheduling of the jury trials for each specific court. These restrictions on the courts will be effective until further notice.

### **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 (a copy of which is attached).
3. Vulnerable populations who are scheduled for court will be accommodated by scheduling remote hearings either by zoom or other means, teleconferencing (if possible) or any means that will ensure the safety of the individual while giving them access to the courts which shall include but not be limited to postponing hearings 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. 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. Risk Management and Facilities will place signs up notifying individuals of the maximum capacity for elevators.
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. Risk Management and Facilities will place signs up notifying individuals of the maximum capacity for each restroom door.

4. Public common areas, including breakrooms and snackrooms, are in compliance with occupancy maximum to comply with guidelines for distancing. Facilities will place a sign notifying individuals of the maximum capacity for the vending area and remove tables and chairs accordingly. One table will be marked "family only" for a group that may arrive together.

#### *Gallery*

5. 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.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating **which is greater than 6' apart.**

#### *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 that there is social distancing of at least 6 feet between each space. Each area will be marked according to social distancing guidelines.

#### **Hygiene**

1. Hand sanitizer dispensers have been placed at the entrances to the building, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms. **[this currently has been ordered but will implement as soon as it becomes available to the county].**
2. **Tissues have been placed in the courtroom at the witness stand and on the judges' benches.**
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, assigned county staff 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, assigned county staff 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 from the jail to the court building will be screened for symptoms of COVID-19 and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 99.6°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 masks, hand sanitizer and sanitizer wipes.

## 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 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 every 3 to 4 hours.
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 this 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 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, facilities management, risk management and emergency operations center - 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: 5/19/2020

Brenda Mullinix

Local Administrative District Judge

J. Johnson-Minter, MD

Dr. Jacqueline Johnson-Minter

Director and Local Health Authority