

# Updated COVID-19 Operating Plan for the Rockwall 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 Rockwall County will continue to 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 remote proceedings, social distancing, maximum group size, and other restrictions and precautions.
2. Before holding in-person proceedings, all judges will use all reasonable efforts to conduct proceedings remotely unless litigants or other court participants are unable to successfully participate in a remote hearing for reasons beyond the judge's control, such as disability or lack of technology. In person proceedings are hearings in the courtroom with all parties present. However, a hearing where the Defendant in a criminal case appears in the courtroom for purposes of fingerprinting, with others appearing remotely, is not considered an "in person hearing". Likewise, a hearing in which the Defendant appears in order to satisfy bond conditions is not considered to be an in person hearing. When a defendant may be sentenced to jail or prison, or may be held in contempt, an in person proceeding is permissible.
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.

## Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will have the option to telework when necessary.
2. Judge and Court Staff Monitoring Requirements: All judges and staff will be educated and have regular discussions about the signs and symptoms of possible Covid-19, as listed by the Texas Department of Health and Human Services, and regarding the protocols set forth by said department to avoid spreading the infection. If a judge or a staff member or their direct family exhibits such symptoms, they should not be present in the courthouse until the health issues are resolved, or they have received a negative test.
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 when interacting with the public, practice social distancing, and practice appropriate hygiene recommendations at all time.
5. Protective Measures: If symptoms of Covid-19 are present, the Judge and/or the staff will work away from the courthouse, until they are medically cleared to return.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building: The substantial limitations on the space available in our courtrooms created by the distancing requirements set forth herein, will in and of themselves necessitate smaller dockets being scheduled. Also, the limitations through screening of people allowed to enter the Courthouse as required herein, will provide a level of safety for the participants and staff during our dockets.

The District Courts will alternate criminal dockets with the dockets of County Courts at Law, so they are not held on the same days. Further, the District Courts will hold criminal and civil dockets on different days of the week. In addition to limiting space available for docket participants in each courtroom, in our courthouse we will also have the ability to allow participants to wait at safe distances in our central jury room, until their cases are called on the docket and they are brought up to the courtroom when necessary for in person proceedings.

We will also encourage attorneys to hold pretrial telephone or video conferences before appearing at our courthouse for hearings in an effort to resolve their issues without actual in person appearances. We will continue to finalize family law cases that are agreed, through affidavit testimony instead of appearances in court and by remote proceedings.

The District Courts will also confer and work together to be aware if an unusual case is pending in one of the courts that involves a larger number of people.

Jury Trials will be conducted only in accordance with the plan approved by the Regional Administrative Judge in September of 2020.

### **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 either rescheduling their hearing where possible, or if not, by allowing their participation through sworn out of court statements as provided by the Texas Supreme Court and Texas Court of Criminal Appeals Emergency Orders, or through remote electronic participation.

### **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.
4. Public common areas, including breakrooms and snackrooms, have been closed to the public.

### *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. 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 that there is social distancing of at least 6 feet between each space.

### **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.
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, Courthouse Security 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, Courthouse Security 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 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 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 twice in every 24 hour period.
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.

### Other

Currently, the courtrooms have an extensive system of plexi-glass barriers in the courtrooms and other areas of the courthouse.

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.

Dated: 12-30-2020



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Brett Hall, District Judge  
382<sup>nd</sup> District Court  
Local Administrative Judge  
Rockwall County, Texas