

COVID-19 Operating Plan for Judiciary of Sterling County

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the building(s) housing the District, County and Justice Courts of Sterling County, those Courts will implement the following protective measures:

General

1. "Court buildings," as used herein, means the Sterling County Courthouse and any other building which houses a Judge, courtroom and court staff in Sterling County.
2. "Court Staff" is defined as the Judge, court administrator, court reporter, bailiff, and the Sheriff, deputies and constables when performing the duties of a Bailiff.
3. "Courtroom" is defined as any room being utilized by a judge to conduct hearings or trials.
4. 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.
5. All judges will use all reasonable efforts to conduct proceedings remotely.
6. The Local Administrative District Judge will maintain regular communication with the Local Health Authority and County Judge, and adjust this operating plan as made necessary by conditions within Sterling County.
7. Judges will begin setting non-essential, in-person proceedings no sooner than June 1, 2020

Judge and Court Staff Health

1. Judges and Court Staff who can perform the essential functions of their job remotely will telework when reasonable and possible to do so.
2. The Judge of each Court will be responsible for monitoring themselves and their staff to assure that, whenever reasonably possible, they comply with the following:
 - a. Judges or Court Staff who feel feverish or have a measured temperature equal to or above 100° F (or the existing standard recommended by the CDC); who have 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, or diarrhea); or who have, without the use of recommended PPE, had known, close contact within the preceding 14 days with a person who is confirmed to have COVID-19; shall leave the building and should seek medical advice.
 - b. It is recommended that Judges and Court Staff wear face coverings when going to and from their offices, and when in situations that require close contact with others. At the discretion of the Judge, and when appropriate and practical, properly installed acrylic/Plexiglas shields may be substituted for masks in court offices and courtrooms. Face coverings are not required in places where such shields provide substantially the same protection as a face covering.
 - c. Judges and Court Staff will practice social distancing and appropriate hygiene (based on the latest recommendations) at all times.

- d. Protective Measures: It is recommended that Judges and Court Staff review the latest Interim Guidance for Communities, Schools and Workplaces issued by the Centers for Disease Control and Prevention (<https://www.cdc.gov/coronavirus/2019-ncov/>).

Scheduling

1. All Judges should confer and work together, as necessary, to reduce occupancy in court buildings.
2. The Judges, Court Administrators or administrative assistants for the courts in Sterling County will confer and work together to schedule in-person settings in such a way as to minimize courthouse occupancy and limit contact between staff, attorneys and litigants.
3. Measures to accomplish numbers 1 and 2 above may include: courts conducting in-person hearings on different days of the week and setting each case for a specific time to avoid persons from multiple cases overlapping in the courtroom and to allow sanitizing of counsel tables, witness stand, and other surfaces between case hearings.

Vulnerable Populations

1. Individuals who are over age 65; individuals with serious, underlying health conditions such as: high blood pressure, chronic lung disease, diabetes, obesity, and asthma; and individuals whose immune systems are compromised by illness, medication, or chemotherapy; 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, identify themselves as a vulnerable individual, and receive accommodations. A notice with this information will be posted in conspicuous locations around the court buildings.
3. The Judges will make every reasonable effort to accommodate members of vulnerable populations who are scheduled for court. Those accommodations may include – but are not limited to - allowing persons to appear remotely, allowing persons to testify by affidavit or deposition, scheduling a person's appearance when court occupancy is at a minimum, and allowing the person a continuance when other accommodations are not appropriate or practical.

Social Distancing

1. "Social Distancing," as referred to in this plan, means a minimum distance of six (6) feet (diameter) between an individual and any other person. That distance may be increased or decreased based upon the latest guidelines issued by the CDC or the Local Health Authority.
2. All persons who are permitted in the court building will be required to maintain minimal social distancing.
3. No more than two (2) individuals will be permitted in the elevator at the same time.
4. No more than one (1) individual may be in any restroom with the exception of a parent/guardian and that person's child or ward. Each restroom shall be supplied with soap, towels and hand sanitizer.
5. Each conference room will be evaluated to determine the appropriate capacity to ensure social distancing and the maximum capacity has been posted on each conference room door.

6. Public common areas, including breakrooms and snack rooms, will be closed to the public.

Courtroom Gallery

7. The maximum number of persons permitted in the gallery of each courtroom will be determined and posted. The maximum capacity of the courtroom will be monitored and enforced by the Bailiff or any other person designated by the judge presiding.
8. The gallery of the courtroom will be marked to clearly identify available seating pursuant to the latest social distancing guidelines.

Courtroom Well

9. To the extent possible, the counsel tables, witness stand, judge's bench, and seating for the clerk, court reporter, and bailiff - in each courtroom - will be arranged to insure appropriate social distancing between all persons.
10. It is recommended – where appropriate and practical – to install acrylic/Plexiglas shields between the Judge and the witness, the witness and the court reporter, and the clerk and any attorney or party.

Hygiene

1. Hand sanitizer dispensers will be placed as near as practical to the entrance to the Courthouse and any additional court buildings. Whenever reasonably possible, hand sanitizer dispensers will be placed outside of elevators on each floor, and outside of each courtroom.
2. Tissues will be placed in the hall near the door of each courtroom, at counsel tables, at the witness stand, and on the judges' benches.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" will be posted in multiple locations on each floor of each court building.

Screening

1. On days when Court hearings are occurring, entrance to the Courtroom will be restricted to a single point of entrance.
2. When an individual attempts to enter a courtroom, a person assigned by the judge presiding will take the individual's temperature and ask the COVID-19 screening questions, whenever reasonably possible. Individuals whose temperature is equal to or above 100° F (or the then existing standard recommended by the CDC) will be refused admittance to the courtroom and instructed to leave the court building.
3. Inmates being transported from the jail to any 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 (or the then existing standard recommended by the CDC or the State of Texas for an inmate population) will not be transported to any court building.
4. Staff or designated persons who are screening individuals entering the courtroom will be provided (and encouraged to utilize) personal protective equipment. This may include, if available, a supply of single-use, disposable examination gloves; single-use, disposable coveralls; a NIOSH approved facemask; protective eye wear; and acrylic/Plexiglas shielding.

Face Coverings

1. All individuals entering any courtroom will be instructed to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them. If the individual does not have a cloth face covering, a disposable face mask will be provided if available.

Cleaning

1. County cleaning staff will clean the common areas of each court building daily. "Common Areas" include, but are not limited to: elevators (including the walls and buttons on the elevators); stairwells (handrails); door knobs and door face plates; benches; and all bathroom fixtures.
2. County cleaning staff will clean and disinfect the courtrooms at the end of each day that the courtroom is utilized.
3. When reasonable, safe and appropriate, Court Staff will clean counsel tables, the witness stand, microphones, and any other areas where people have been seated, between each hearing.
4. Any person performing the cleaning addressed in this subsection will be trained on proper cleaning techniques, provided cleaning supplies shown to be effective with this coronavirus, and provided appropriate personal protective equipment.

I have conferred (or attempted to confer) with all Sterling County Judges regarding this Operating Plan. In developing the plan, I consulted with Tom Green County Local Health Authority, Dr. James Vretis, and Sterling County Judge Deborah Horwood and attempted to consult with Sterling County Local Health Authority, Dr. Alberto Martinez. Documentation verifying each consultation and attempted consultation is attached to this plan. I will ensure that the Judges of courts with courtrooms in the court buildings covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 5/28/2020



Carmen S, Dusek,
Local Administrative District Judge
Sterling County, Texas

NOTICE TO VULNERABLE INDIVIDUALS

To all persons age 65 or older, individuals with serious, underlying health conditions such as: high blood pressure, chronic lung disease, diabetes, obesity, and asthma; and individuals whose immune systems are compromised by illness, medication, or chemotherapy.

The Courts of Sterling County, Texas recognize that certain individuals may be at an elevated risk of contracting COVID 19 if such persons attend court hearings in person. If you are a vulnerable individual and have a case set before any of these courts, you may receive accommodations to appear remotely instead of appearing in person.

In order to receive an accommodation, please contact the court in which your case is pending at the numbers set out below:

51st District Court

Irene.Jackson@co.tom-green.tx.us

325-659-6569

County Court of Sterling County

325-378-3481

Justice Court of Sterling County

325-378-3761