

COVID-19 Operating Plan for the City of Garland Municipal Court RECERTIFICATION – January 1, 2021

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the building housing the courts, the Municipal Court of **The City of Garland** 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 continue to 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 mayor, 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 Jan. 11, 2021.
5. In accordance with the *Guidance for All Court Proceedings during COVID-19 Pandemic* issued on December 17, 2020 by the Office of Court Administration, the presiding judge of the Garland Municipal Court consulted with the local public health authority to review the Court's previously-submitted in-person proceeding operating plan. Documentation of the consultation is attached to this Recertification.
6. The court shall consider the following objective criteria in determining when an in-person proceeding is necessary and when all reasonable efforts do not permit the proceeding to be conducted remotely:
 - 1) whether a party to the proceeding has access to the Internet or hardware (laptop, desktop, iPad, smart phone, etc.) to participate remotely;
 - 2) whether the participant is incapable to utilize remote/virtual court proceeding platforms due to infirmity, language barrier, disability, or otherwise;
 - 3) whether the proceeding must be conducted immediately or can be delayed/postponed to a later date without disadvantage to any party;
 - 4) whether it is an essential hearing that cannot be conducted remotely because doing so is *not possible or practicable*¹; and
 - 5) any criteria the Office of Court Administration may promulgate that are in addition to the ones provided here.

¹ Essential proceedings include, but are not limited to criminal magistration proceedings, family violence, protective orders, and certain mental health proceedings.

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:
 - A. Each municipal court employee, judge, and other person entering court facilities shall be required to complete the Employee Health Monitoring questionnaire upon entry. Court facilities include the clerks' office and the courtroom.
 - B. Employees, judges, and any other persons entering court facilities must have their temperature taken upon initial arrival at court facilities. Court facilities include the clerks' office and the courtroom. (Refer to Item #3 below.)
 - C. Infrared thermometers shall be used for employee screenings. Screeners may confirm readings with thermometers with probe covers, if needed.
 - D. The City Marshal or a Deputy City Marshal shall ensure each staff member is screened and results are documented prior to the beginning of each shift. If a staff member has a positive screening, the Court Administrator and Presiding Judge shall be notified.
 - E. Employees sent home shall not return to work until cleared by the City Care Clinic.
3. Judges, court staff, or any other person performing their job function at court facilities 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 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 court facilities and should seek medical advice.
4. Judges, court staff, and any other person performing their job function within municipal court facilities will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times.
5. Protective Measures: Court staff must wear masks and gloves when interacting with the public. Court staff must use hand sanitizer (at least 60% alcohol) immediately after each interaction with any member of the public. Court staff must also use hand sanitizer after handling each piece of mail.

Maximum Number of Persons

1. The following court schedules are established to reduce occupancy in the court building:
 - A. The lobby will be open Monday through Friday for walk-in business at the clerk's service windows. Lobby traffic will be limited and enforced by the Marshals, not to exceed 25% building capacity including all staff members. The lobby floor will have 6' floor markings where lines form. Highly visible signage will be posted in the lobby emphasizing the need to maintain social distancing.
 - B. Court dockets will be reduced to 50% of previous caseload.
 - C. No more than fifteen (15) court users (defendants, witnesses, member of the public) will be allowed in each courtroom at one time. There will be designating seating for court users marked at social distancing standards, and enforced by Marshals. Marshals will monitor the number of persons that will be entering the courtroom. Overflow of court users will be socially

distanced in the hallway by Marshals or asked to wait in their vehicles. Once space is available, Marshals will contact the court user in the hallway or via phone and direct them to enter the courtroom.

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. On orders setting hearings, dockets notices, and in other communications the court will include information notifying individuals who are in vulnerable populations of the ability to contact the court to identify themselves as a vulnerable individual and receive accommodations.
3. Vulnerable populations who are scheduled for court will be accommodated by having their court date rescheduled or having their case heard through remote capabilities.
4. Vulnerable populations who meeting one of the objective criteria making it necessary to have an in-person proceeding will be set on a separate Friday morning docket. Only two individuals will be allowed in the Courtroom at a time. All remaining persons will be required to wait in their cars and will be summoned by the Marshal when the Court is ready for their 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.
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 has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by the Marshals.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. A maximum of fourteen (15) persons will be allowed in the seating area of the gallery.

Well

7. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, and Marshals seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space. In each courtroom, Plexi-glass barriers have been installed at the Judges bench, prosecutor tables, docket clerk's areas & Marshal's stations.

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 throughout the Courthouse.
2. Tissues have been placed near the door of the courtroom, at counsel tables, at the witness stand, on the judges' benches, and in all staff areas.
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 City Marshal or Deputy City Marshal 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 in the last 14 days. Individuals who indicate yes to any of these questions will be refused admittance to the court building. They will be directed to review the court's website for further information regarding rescheduling and/or making an eDocket appearance.
2. When individuals attempt to enter the court building, the City Marshal or Deputy City Marshal 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. In the rare circumstance that an inmate is transported from the jail to the court building, the inmate 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. All individuals in the court building will be provided with masks and required to wear them the entire time while in the court building.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every four hours during business 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.

Jury Trials

In-person jury trials are not being held in the Garland Municipal Court, and none are contemplated until the high risk of coronavirus infection has passed. The Garland Municipal Court will begin holding jury trials remotely on February 4, 2021.

Other

I have distributed this Operating Plan-Recertification to all judges of the Garland Municipal Court. In developing the previously submitted Operating Plan, I consulted with the local health authority and mayor, documentation of which is attached hereto. In preparation of this Operating Plan-Recertification, I again consulted with the local health authority, documentation of which is attached hereto. I will ensure that the judges of the Garland Municipal Court conduct proceedings consistent with this Operating Plan-Recertification.

Date: 12/29/2020



Presiding Judge of Municipal Court
Garland Municipal Court

JOHN SHOLDEN



City of Garland Health Department

To: Paige Bobbitt, Director, Garland Municipal Courts
From: Cyrus Timothy Lambert, MD Health Authority City of Garland
Date: December 30, 2020
Re: COVID-19 Operating Plan for Garland Municipal Courts

I have reviewed both the original Phased in Reopening Strategy, May 2020, and the COVID-19 Operating Plan for the City of Garland Municipal Courts Recertification for January 1, 2021. It is my opinion that the plan provides sufficient protection for the Court staff and all court visitors from COVID-19. Please consider this my approval of the submitted plan.

A handwritten signature in black ink that reads "Cyrus Lambert".

Cyrus Timothy Lambert, MD

Health Authority, City of Garland, Texas



GARLAND
TEXAS MADE HERE

OFFICE OF THE MAYOR

December 30, 2020

Ms. Paige Bobbitt
Municipal Court Director
Garland Municipal Court
1791 W Avenue B Garland,
TX 75042

RE: Recertification of Municipal Court Guidelines to Prevent the Spread of COVID-19

Dear Ms. Bobbitt,

This letter is in response to your request to approve the Garland Municipal Court's Post Pandemic Strategy Guidelines. I have reviewed the document, and in my opinion, the plan provides for sufficient protection for Court staff and the visiting public from COVID-19. Please consider this my approval.

Sincerely,

Scott LeMay, Mayor

CITY OF GARLAND
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