

COVID-19 Operating Plan for the City of Bellaire Municipal Court 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 the City of Bellaire, Texas 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 Presiding Judge of the Municipal Court will maintain regular communication with the local health authority and Mayor of the City of Bellaire and adjust this operating plan as necessary with conditions in the Greater Houston Area.
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: All employees shall be screened before coming into the courthouse. Court personnel, including judges, prosecutors, clerks and bailiffs will continue to be temperature checked by the fire department before entering the court building at the beginning of the work day. Court personnel will also complete the COVID-19 symptom questionnaire required for all city personnel.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100.4 °F, as specified by current guidelines from the Center for Disease Control, 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. Any employee shall be sent home who has any of the following new or worsening signs or symptoms of possible COVID-19: - Cough - Shortness of breath or difficulty breathing - Chills - Repeated shaking with

chills - Muscle pain - Headache - Sore throat - Loss of taste or smell - Diarrhea - Feeling feverish or a measured temperature greater than or equal to 100.4 °F (per current Center for Disease Control guidelines)- Known close contact with a person who is lab confirmed to have COVID-19. Any employees with the new or worsening signs or symptoms listed above shall not be allowed to return to work until: - In the case of an employee who was diagnosed with COVID-19, the individual may return to work when all three of the following criteria are met: at least 10 days have passed since recovery (resolution of fever without the use of fever-reducing medications) or a negative RNA test done greater than or equal to 24 hours apart; and the individual has improvement in respiratory symptoms (e.g., cough, shortness of breath); and at least 10 days have passed since symptoms first appeared; or - In the case of an employee who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual is assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or - If the employee has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis. An employee with known close contact to a person who is lab-confirmed to have COVID-19 shall not be allowed to return to work until the end of the 14 day self-quarantine period from the last date of exposure.

4. Judges and court staff will be required to wear face coverings when working within 6 feet of any other individual, practice social distancing, and practice appropriate hygiene recommendations at all time. Judges and court personnel will be strongly encouraged to wear face coverings at all times.
5. Individuals who are 65 or over 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. Court staff who fall within this definition will be counseled on protective measures and accommodations provided to allow them to protect their health while accomplishing their work responsibilities.
6. All employees shall be trained on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
7. Protective Measures: Court personnel will be provided with a face covering if they do not already have one. Disposable gloves are available to personnel and will be changed after each court docket requiring direct contact with the

public. Hand sanitizer is available in the offices of the Bellaire Clerk of Court for easy access by court personnel, inside the courtroom for the defendants, attorneys, clerks, judge, and prosecutor, at the metal detector screening station, on entry to the court building, and at the outside of the clerk service window for public use. After each docket the courtroom will be cleaned with disinfectant products registered by the Environmental Protection Agency as effective disinfectant and sanitizing agents, with attention paid to the benches, doors, door handles, bar, judge's bench, prosecutor station, and clerk station. The City of Bellaire has contracted with a company that sprays disinfectant every 90 days that remains effective for 90 days. This practice will continue. The Bellaire Municipal Court was treated with the disinfectant spray on May 26, 2020.

Vulnerable Populations

1. Individuals who are 65 or over 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 being heard in a virtual hearing, by individual appointment, or by being eligible for a continuance to a later date, as appropriate.

Scheduling

Scheduling measures will be taken to reduce the number of people in attendance at court at any one time as follows:

1. All proceedings, both essential and non-essential, may occur remotely (such as by teleconferencing, videoconferencing, or other means) when practical unless litigants or other court participants are unable to successfully participate in a remote hearing for reasons beyond the court's control. Courts may conduct hybrid hearings in certain proceedings.
2. Jury trials shall not be held until further guidance is issued by the Office of Court Administration. It is anticipated that at some point jury trials will be able to safely resume; however, due to the unique nature of these

proceedings, special attention shall be provided to ensure the safety of jurors and others in these large group gatherings.

3. Defendants will be given a specific time to appear for court. Docket size will be reduced to ensure compliance with social distancing guidelines so as to avoid having more than 15 non court personnel in court at any one time and a priority will be given to processing each individual as quickly as possible and allowing them to complete their business with the court and leave so as to reduce the time of possible exposure for each individual. Any number in excess of 15 will be instructed to wait in isolation in their motor vehicle until notified by court personnel to come to the courtroom to enhance the ability to socially distance all court attendees.
4. Social distancing will be maintained for all individuals not within the same household who may be in a courthouse.
5. In the notice to defendants regarding their court setting, we will include the requirement that only the defendant appear unless he/she needs physical assistance or is a juvenile appearing with a parent/guardian. If the court is live streaming court proceedings, individuals who do not have business with the court will not be allowed to enter the court room unless their presence is necessary to assist a defendant as determined by court personnel.
6. Notice shall be provided to vulnerable individuals and those who live with or are caregivers for vulnerable individuals that the court will provide accommodations to reduce the appearance of those individuals at the courthouse. Vulnerable individuals are those 65 and older 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.
7. Notice will also be given that if an individual summonsed to court has new or worsening signs or symptoms of COVID-19 such as fever, cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, loss of taste or smell, diarrhea, or has known close contact with a person who is confirmed to have COVID-19, such individual is not to come to court but is rather to notify court personnel by telephone, email, or regular mail of his or her circumstances to allow the court to grant a continuance to the individual.
8. Individuals who do not have business with the court must view court proceedings on live stream at a court designated location if the live stream is active instead of physically being present in the courtroom to reduce the

number of persons in the courtroom and protect those who must be in court from additional possible exposure.

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. Although there is an elevator in the building to access the police department, all Bellaire Municipal Court functions are on the first floor of the building and it is not necessary for court attendees to utilize an elevator to conduct court business. 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. Entrants to the court building will be instructed on the location of the public restroom and encouraged to wash their hands before and after entry to the court room.
4. Public common areas, including breakrooms and snack rooms, have been closed to the public.

Gallery

5. The City of Bellaire Municipal Court has one courtroom located at 5110 Jessamine Street, Bellaire, Texas. The maximum number of persons permitted in the gallery of the 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 the 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 the 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. Waste receptacles for the tissues have been placed in proximity to the tissues to ensure ready disposal.
3. The Department of State Health Service's "Stop the Spread of Germs Flyer" has been posted in multiple locations in the court portion of the building.
4. Entrants to the court building for court proceedings will be instructed on the location of the public restroom and encouraged to wash their hands before and after entry to the court room. Signs depicting proper hand washing techniques have been posted in each public restroom.

Screening

1. When individuals attempt to enter the court building, a city employee posted at the building entrance will take the individual's body temperature using a hand held thermal thermometer and ask the individual if he or she has 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. If the individual answers yes to any of these questions, the individual will not be permitted to enter the building. They will receive a flyer with information for how to obtain a diagnostic test in the Greater Houston Area, be instructed to seek medical advice, and given a court reset date.
2. When individuals attempt to enter the court building for a court proceeding, a city employee will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.4 °F (per guidelines provided by the Center for Disease Control and the Harris County Public Health Department) will be refused admittance to the court building. They will receive a flyer with information for how to obtain a diagnostic test in the Greater Houston Area, be instructed to seek medical advice, and given a court reset date.
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 mask and gloves. Staff will also receive training as to how to effectively take the body temperatures of individuals seeking entry to the court.

Face Coverings

1. All individuals entering the courtroom will be strongly encouraged 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 refuse to comply with recommendations to wear face coverings will be required to isolate themselves in their motor vehicle until called by court personnel and to comply with all social distancing and hand washing instructions or, if appropriate, to appear remotely (such as by teleconferencing, videoconferencing, or other means).
4. Individuals who will be required to be in the court building for over 1 hour will be provided surgical masks, if such are available, and required to wear them while in the court building.

Cleaning

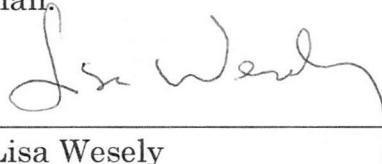
1. Court building cleaning staff will clean and disinfect the common areas of the court building frequently.
2. Court staff will clean and disinfect the courtrooms between every docket, between morning and afternoon proceedings, and at the end of each day the courtroom is used.
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. Court building cleaning staff have been trained on proper cleaning and disinfectant techniques and provided appropriate personal protective equipment.

Other

Floor markings are in place for the lobby line for the clerk window that align with social distancing guidelines. Floor markings are in place in the court room to assist in social distancing for discussions between the prosecutor and defendants/attorneys, hearings before the bench, and transactions with the court clerks. Defendants and attorneys will be directed to sit where marked to comply with social distancing guidelines. Floor markings are in place on the courtroom floor to assist in social distancing for those waiting to speak to courtroom personnel to assist in social distancing. Protective shields/barriers have been placed between the prosecutor and those speaking with him, between the bench and those addressing the judge, and between the clerks and those transacting business with the clerks. Other procedures may be implemented as the need is shown.

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 Mayor Andrew Friedberg and staff of the City of Bellaire, 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: 5/28/2020

A handwritten signature in cursive script, appearing to read "Lisa Wesely", written in black ink.

Lisa Wesely
Presiding Judge
City of Bellaire, Texas