

COVID-19 Operating Plan for the Benbrook Municipal Court

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 court of Benbrook 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. The presiding judge of the municipal court will maintain regular communication with the local health authority and mayor and city manager to adjust this operating plan as necessary with conditions in the city.
3. 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 court staff shall be checked at the entrance of the court buildings for signs or symptoms of COVID-19 and asked if they have been in contact with anyone who has or is suspected of having the virus.
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 times.
5. Protective Measures: Following persons shall not enter any courthouse who have travelled to any countries within the last fourteen days for which the Centers for Disease Control has issued Level Two or Level Three travel health notices.
6. Persons who reside or have had close contact with someone who has travelled to one of those countries within the last fourteen days;
7. Persons who have been asked to self-quarantine by any doctor, hospital, or health agency;
8. Persons who have been diagnosed with, or have had contact with, anyone who has been diagnosed with the coronavirus; and
9. Persons with apparent symptoms of COVID-19, such as, fever, severe cough, or shortness of breath.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: Each hearing will consist of no more than ten (10) defendants. In between each hearing, fifteen (15) minutes will be allowed to properly clean and sanitize. Defendants will not be allowed to bring other guests with them to a hearing. Juvenile defendants shall only be accompanied by one parent/guardian and no other guests, including siblings. Accommodations will be made to comply with the Open Courts Provision but at no time will the Courtroom exceed 25% normal Courtroom capacity.

The published court schedule shall resume June 5, 2020 with in-person appearances allowed, if possible.

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. The 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 sent with court hearing notices and posted on the court website:

"COVID-19 NOTICE-Please contact the court to make other arrangements for a hearing if you are over age 65 or have 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."

3. Vulnerable populations who are scheduled for court will be accommodated on a case by case basis.

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. 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.

Gallery

3. 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.
4. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

5. 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 entrance to the building, , outside the courtroom, and inside 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, the Benbrook City Bailiff 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, Benbrook City Bailiff 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 medical grade 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 every two 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.

Other

Court staff will disinfect courtroom after every hearing including all 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 mayor, 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: 5/15/2020



Alan Bowling, Presiding Judge of Municipal Court