

**In the Municipal Court for the City of Kerrville,
State of Texas**

ORDER No. 2020-6-24

**COVID-19 Revised Emergency Operating Plan for the Kerrville Municipal Court
Effective after July 1, 2020**

This Operating Plan is a Procedural Order of the Court, entered in compliance with the "Guidance for All Court Proceedings During Covid-19 Pandemic (For Proceedings on or after June 1, 2020)," issued by the Office of Court Administration of the State of Texas on May 5, 2020. Said "Guidance" is attached hereto, incorporated by reference herein, and made a part hereof for all purposes.

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the building housing the court, the **Kerrville Municipal Court** 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, as may be amended, 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 Fire Chief and adjust this Operating Plan as necessary with local conditions.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 3, 2020.
5. Bench trial settings will resume on July 6, 2020, and jury trial settings will resume after August 1, subject to further delay if circumstances warrant, pursuant to local or state health advisories, further guidance by the Office of Court Administration, and local ordinance or directive of the Kerrville City Council.
6. There will be no inmates transported from the jail to the court building.

Judge and Court Staff Health

1. Judges who can perform the essential functions of their job remotely will telework when possible.
2. Judges and Court Staff Monitoring Requirements: Court staff must take temperature and notify Municipal Court Administrator before entering the building. Judges and Prosecutor will be screened at the door before entrance is allowed in the court building.

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 during times designated for conducting in-person proceedings in Municipal Court, and when members of the public have in-person meetings with Judges or court personnel. Judges and court staff will also be required to practice social distancing, and practice appropriate hygiene recommendations at all times.
5. Protective Measures: Court staff working the service window are separated from the public by a glass window. Staff has been provided with hand sanitizer, sanitizing wipes, gloves, and masks for their work station. Hand sanitizer stations are in place in the lobby area of the courtroom. Notices of how to handle cases without having to appear in court will be mailed to individuals.

Scheduling

Under its initial emergency operating procedures, dated May 27, 2020, the Court was scheduling four cases every 30 minutes, which because of numerous failures to appear, resulted in long gaps of time without any cases being heard, and a waste of judicial resources. Therefore, the following court schedules are established to reduce occupancy in the court building but still to promote judicial economy and efficiency:

1. To reduce the number of individuals entering the court building at one time, staff will be scheduling fifteen (15) defendants every hour. It is assumed that because of anticipated failures to appear, there will more than likely be no more than four individuals in the lobby or in the courtroom at any time.
2. Individuals will be allowed to see the Judge or the Prosecutor during that time, or may take care of their case at the clerk's window.
3. Only four individuals will be allowed in the courtroom at one time. This does not include court staff.
4. Only four individuals will be allowed to wait in the lobby area at any given time.
5. If more than 4 individuals are present in the lobby or attempting to gain admission to the lobby at any time, the excess number will be asked to wait outside or in their vehicles until called to come into the building.

Vulnerable/At Risk Populations

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 that are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable/at risk populations.

1. Each judge will include information on orders setting hearings, notices, and in other communications notifying individuals who are in vulnerable/at risk populations of the

- ability to contact the court to identify themselves as a vulnerable/at risk individual and receive accommodations. A notice with this information will be posted on the court's website and in conspicuous locations around the court building.
2. Vulnerable/at risk populations who are scheduled for court will be accommodated by court staff mailing out notices with information on how to take care of their case without having to appear in court.
 3. The court staff will also designate a docket for the vulnerable/at risk population for those who would like to appear for court.

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 six feet.
2. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing. There is a one men's stall and one women's stall restroom located in the lobby area.
3. There are no halls or elevators in the Kerrville Municipal Court building.
4. The court office will have signage posted to maintain six feet social distance, and will have floor markers indicating six feet social distance.

Gallery

1. 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.
2. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating.

Well

1. In each courtroom, the counsel tables, judge's bench, and clerk and bailiff seating have been arranged in such a way so that there is social distancing of at least six feet between each space.

Hygiene

1. Hand sanitizer dispensers have been placed at the clerk's windows, judges' bench and outside of bathrooms.
2. Tissues have been placed near the door of the courtroom and on the judges' bench.
3. The Department of State Health Service, "Stop the Spread of Germs Flyer" has been posted in multiple locations within the court building.

Screening

1. When individuals attempt to enter the court building, the 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 and provided with information as to a follow up date or alternative setting.

2. Staff who are screening individuals entering the court building will be provided face masks and gloves.

Face Coverings

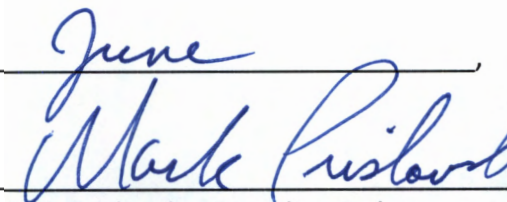
1. During times designated for conducting in-person proceedings in Municipal Court, and when members of the public have in-person meetings with judges or court personnel, all individuals entering the court building will be required to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them.

Cleaning

1. Supervisor on duty will clean the common areas of the court building so that common spaces are cleaned at least every 30 minutes and in between hearings.
2. Court building custodians will clean the courtroom after each court date.
3. Court staff has been provided cleaning supplies shown to be effective with this coronavirus.

I have attempted to confer with all Judges subject to this Operating Plan. In developing the plan, I consulted with the local health authority and Mayor of the City of Kerrville, documentation of which is attached to this plan. I will ensure that the Judges covered by this Operating Plan conduct proceedings consistent with the plan.

Signed and entered on this the 26 day of June, 2020.


Mark Prislovsky, Presiding Judge
City of Kerrville Municipal Court



Reviewed and Approved on the _____ day of _____, 2020:

Hon. Steven B. Ables, Presiding Judge, Sixth Administrative Judicial Region