

COVID-19 OPERATING PLAN FOR MARTINDALE MUNICIPAL COURT

CALDWELL COUNTY, TEXAS

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 Martindale 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, 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 may conduct proceedings remotely.
3. The presiding municipal judge will maintain regular communication with the local health authority and the mayor, and adjust this operating plan as necessary with conditions in the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020

Judge and Court Staff Health

1. Vulnerable court staff may perform the essential functions of their job remotely on a case-by-case basis as determined by their supervisor.
2. Judges or court staff 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 building and should seek medical advice.
3. JUDGES AND Court staff will be required to wear face coverings in the courtroom or when interacting with non-judicial persons unless engineered controls are in place. Judges and Court staff should practice social distancing and appropriate hygiene recommendations at all times.
4. Protective Measures: All areas available to Judges and court staff will have sanitizer stations, masks and gloves for the handling of court documents and other items and cleaning supplies so that staff may clean their work stations throughout the day.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: Each Court will determine the capacity of their courtrooms to determine the appropriate number of individuals keeping in mind social distancing measures. Additionally, Courts will reduce their docket size per day and further reduce that docket by differing times throughout the day.

Vulnerable Populations

1. Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, HEART DISEASE, LIVER DISEASE, CHRONIC KIDNEY DISEASE REQUIRING DIALYSIS, chronic lung disease, diabetes, SEVERE obesity, asthma, HEMOGLOBIN DISORDERS, 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 on a case-by-case basis, including teleconferencing, hybrid teleconferencing or an in-person proceeding in a limited access courtroom.

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.
3. Public common areas, including breakrooms and snack rooms, have been closed to the public.

Gallery

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

Well

6. 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 entrances to the building, outside of the courtroom, and outside of bathrooms. ALL INDIVIDUALS ARE ENCOURAGED TO USE THE HAND SANITIZER.
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" will be posted in multiple locations on each floor of the court building.
4. Additional signage indicating appropriate hygiene measure, as well as social distancing, will be placed in all public locations of Martindale City Hall and the Municipal Court.

Screening

1. When the Court is in session and individuals attempt to enter the court building, they will be asked 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, OR HAVE TRAVELED WITHIN THE PAST 2 WEEKS (DOMESTIC OR ABROAD) TO AREAS WITH ENDEMIC COVID-19 CASES. Individuals who indicate yes to any of these questions will be refused admittance to the court building.
2. 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. INMATES WHO ARE UNDER QUARANTINE WILL NOT BE TRANSPORTED EVEN THOUGH THEY ARE ASYMPTOMATIC. ALL INMATES WILL BE REQUIRED TO WEAR A FACE COVERING (MASK).
3. Staff who ARE screening individuals entering the court building will be provided personal protective equipment as deemed necessary and as provided by the County of Caldwell and the City of Martindale.

Face Coverings

1. All individuals entering the court building will be REQUIRED to wear face coverings at all times. Notice that face coverings are REQUIRED will be provided to the litigants through the setting notice and communicated at the time of setting the hearing.

Cleaning

1. Court building cleaning staff will clean the facilities daily. If the court is in session a special mid-day cleaning will be scheduled.
2. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
3. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

1. This plan may be amended by the Local Administrative District Judge as deemed appropriate.

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 the mayor for the city of Martindale, 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: 7/22/20

Anthony J. Fusco
Anthony J. Fusco, Municipal Judge

*As required by Order of the Texas Supreme Court and the Texas Court of Criminal Appeals, the following individuals have been consulted with in the preparation of this Operating Plan:

Charles E. Laurence, M.D.
Caldwell County Health Authority

Robert Deviney
Mayor, City of Martindale

After conference with Dr. Laurence and Mr. Deviney, both have indicated their approval with the foregoing plan, as evidenced by their signatures below.

6/30/20
Date

B/ Charles E. Laurence
Charles E. Laurence, M.D.
* See Email attached

6/25/2020
Date

Robert Deviney
Robert Deviney, Mayor