

MOODY MUNICIPAL COURT
FIRST AMENDED ORDER REGARDING COURT OPERATIONS
DURING COVID-19 PANDEMIC

WHEREAS, the Moody Municipal Court serves a community of approximately 1300 people and has one part-time presiding judge and one court clerk and operates as an integrated part of the Moody City Hall.

WHEREAS, the City of Moody and Moody community do not generally have the service of a high-speed internet provider such as AT&T, Grande Communication, or Spectrum and are limited to slower internet service providers.

WHEREAS, the City Council, Mayor, and City Administration have established COVID-19 operational procedures for the Moody City Hall, including procedures addressing social distancing, public access, and the health and safety of City employees and members of the public.

WHEREAS, the Texas Supreme Court, Court of Criminal Appeals, and Office of Court Administration have issued orders and guidelines for the resumed operational status of the Texas Judiciary that direct the Court to establish operational procedures during this period of the COVID-19 Pandemic.

WHEREAS, the Court finds that the following orders and attached COVID-19 Operating Plan for the Moody City Judiciary effect the Texas Judiciary directives, coordinate with the City's policies and procedures, and utilize the local resources available to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing the courts.

IT IS THEREFORE ORDERED that:

1. All court operations will comply with the Orders issued by the Texas Supreme Court, Texas Court of Criminal Appeals and the guidelines issued by the Office of Court Administration.
2. The attached COVID-19 Operating Plan for the Moody Judiciary is hereby adopted for all in-person Court hearings at the Moody City Hall.
3. The presiding judge will communicate with City and County officials regarding the status of the COVID-19 conditions within the City of Moody and will adjust this order as necessary.
4. Court proceedings will be administered remotely if the presiding judge determines it appropriate after considering the circumstances of the case and the parties.
5. If a court proceeding is determined appropriate for remote appearance(s), the parties will be notified of the opportunity to remotely appear and will be required to comply with the instructions in the Court's notice.

6. The presiding judge will monitor if in-person proceedings would be more appropriately held at an alternate location within the City, such as the Falls County Courthouse Annex, and coordinate with the Mayor as necessary.
7. Non-essential court operations will begin no sooner than July 1, 2020 with in-person proceedings to commence after October 10, 2020

Entered and signed on September 21, 2020.



BRIAN RICHARDSON
PRESIDING JUDGE

COVID-19 Operating Plan for the MOODY City 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 **Moody** 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 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 October 10, 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. 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.
3. Judges and court staff will be required or recommended to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time pursuant to all applicable state and local requirements.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: The Court will schedule hearings in a manner that will facilitate proper courtroom and city hall occupancy in accordance with all state and local guidelines.

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.

this information will be posted on the courts' websites and in conspicuous locations around the court building (a copy of which is attached).

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 one person will be allowed in the City's public bathrooms unless the persons are members of the same household.
3. Courtroom seating will be adjusted to enforce the 6-foot social distancing requirements.
4. 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. All individuals entering the Court will be subject to having their temperature check with non-invasive thermometer.
2. Hand sanitizer dispensers, tissues, and the Department of State Health Service's "Stop the Spread of Germs Flyer will be placed in prominent areas of City Hall for public usage.

Screening

1. When individuals attempt to enter the courtroom, the Bailiff and Court staff will inquire about COVID-19 symptoms and will be subject to having their temperature taken by a non-invasive thermometer.
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.
3. Staff who are screening individuals entering the court building will be provided personal protective equipment, including gloves and masks.

Those who are not allowed entry to the court due to the screening process can be allowed entry once they meet 1 of the following criteria:

- *COVID-19 test is done and there is a negative result. A COVID-19 antibody test does not qualify.*
- *In the case of a person who was diagnosed with COVID-19, the individual may return to work when all three of the following criteria are met: at least 3 days (72 hours) have passed since recovery (resolution of fever without the use of fever-reducing medications); and the individual has improvement in symptoms (e.g., cough, shortness of breath); and at least 10 days have passed since symptoms first appeared; or*
- *In the case of a person 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 until the individual has completed the same three-step criteria listed above; or*
- *If the person has symptoms that could be COVID-19 and wants to return 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.*

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times as required by Governor Abbott' executive order and upon the expiration of said order all individuals will be encouraged to wear masks. except during the pendency of the Governor's emergency order requiring the wearing of masks during which masks will be required.

Cleaning**Cleaning**

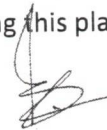
1. Court building cleaning staff will clean the entire facility prior to the court opening. All flat counter surfaces, glass partitions, door handles, bathroom surfaces, and chair handles will be treated with germ-killing chemicals that is shown to be effective against COVID-19. Floors will be mopped with a cleaning solution that is shown to be effective against COVID-19. This will be monitored on an hourly basis.

Other

The Bailiff is positioned within the courtroom to easily monitor compliance with the Court's social distancing order and the COVID-19 questioning and temperature checking will be accomplished at the security screening at the courtroom entrance.

I have consulted with the Mayor of Moody in establishing this plan and the local health authority in establishing this plan.

Date: 9/21/2020



Presiding Judge of Municipal Court

DO NOT ENTER IF YOU ARE EXPERIENCING ANY OF THE FOLLOWING COVID-19 SYMPTOMS: COUGH, SHORTNESS OF BREATH, FEVER, CHILLS, MUSCLE PAIN, HEADACHE, SORE THROAT, NEW LOSS OF TASTE OR SMELL, DIARRHEA, VOMITING, NAUSEA, OR FATIGUE, OR IF YOU HAVE BEEN IN CLOSE CONTACT WITH A PERSON WHO IS CONFIRMED TO HAVE COVID-19. CALL 254-753-2314 TO DISCUSS YOUR OPTIONS. ANYONE WHO ENTERS AND APPEARS TO HAVE COVID-19 SYMPTOMS WILL BE IMMEDIATELY ESCORTED OUT AND ASKED ABOUT THEIR SYMPTOMS. IF NECESSARY, THEY WILL BE REQUIRED TO LEAVE AND WILL BE ADVISED TO CALL THE COURT.

THANK YOU FOR YOUR COOPERATION AND UNDERSTANDING.

MOODY MUNICIPAL COURT