

COVID-19 Operating Plan for the City of Devine Municipal Court

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the building which houses the court, the Municipal Court of Devine will implement the following protective measures:

General

1. The Court 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 Devine Municipal Court Judge will maintain regular communication with the local health authority/ medical professionals and City Secretary to adjust this operating plan as necessary with conditions in the Devine Municipal Building or community center. Where possible, Court will be conducted at the community center, which is a larger than Council Chambers and can better accommodate larger dockets and social distancing.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 18, 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: The Judge and court staff shall monitor themselves for signs of COVID-19.
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 court proceedings, practice social distancing, and practice appropriate hygiene recommendations at all times.
5. Protective Measures: Hand sanitizer and face masks will be available to Judges and Court Staff.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: Defendants in Devine City Council chambers or foyer in the Devine Municipal Court building will be limited to ten (10) at any one time.

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. 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 City's website and in conspicuous locations around the court building (a copy of which is attached).
3. Vulnerable populations who are scheduled for court as a witness or as a party will be accommodated by:
 - 1) Encouraging Prosecutors to resolve their cases by telephone.
 - 2) Providing these individuals an opportunity to meet with the prosecutor at the start of the docket or at a docket of limited numbers.
 - 3) Witnesses of a vulnerable population will be excused from jury duty upon showing proof of age or underlying health condition, and may be allowed to testify remotely or by phone conference 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 will be 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 snackrooms, have been closed to the public.
4. The maximum number of persons permitted in the courtroom has been determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
5. Seating is limited and/or marked to enforce social distancing of 6' between each person in any direction.
6. In each courtroom, the counsel tables, witness stand, judge's bench, clerk, and bailiff seating will be 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 the bathroom.
2. Tissues have been placed near the door of the courtroom, at counsel tables, at the witness stand, and on the judges' benches.

Screening

1. When individuals attempt to enter the court building, the bailiff or his designee 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 will be rescheduled or otherwise accommodated.

2. When individuals attempt to enter the court building, the bailiff or his designee 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 and will be rescheduled or otherwise accommodated.
3. Staff who are screening individuals entering the court building will be provided personal protective equipment, including gloves, face mask and hand sanitizer.

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 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 three (3) hours. Seats will be cleaned after an occupant leaves the seat.
2. Court building cleaning staff will clean the courtroom 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.

I am the only Judge with a courtroom in the court building. In developing the plan, the City Secretary and I consulted with the medical professional(s) familiar with COVID and necessary precautionary measures to ensure that adequacy of the plan as well as to determine if the City would be able to accommodate these court operating procedures. Courtroom proceedings will be conducted consistent with the plan.

Date: July 14, 2020


ANNA WHORTON, PRESIDING JUDGE
DEVINE MUNICIPAL COURT

APPROVED:
1-25-2021

