

# **COVID-19 Operating Plan for the City of Seabrook Judiciary –**

## **Updated January 2021**

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 the City of Seabrook 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 the mayor.
4. The presiding judge will adjust this operating plan as necessary with conditions in the city.
5. Additionally, the judges will adhere to all future and subsequent local guidance set forth by the Local Administrative Judge in coordination with Public Health.
6. Judges will set in-person proceedings after January 11, 2021 for only those Defendants who meet the approved re-certification plan.
7. The City of Seabrook Municipal Court Presiding Judge has signed special standing orders during the pandemic that allow the court clerks to process as many cases as possible without requiring a Defendant to make an in person court appearance.
8. Likewise, the court clerks have increased their abilities to contact persons required to have interaction with the court to see if they are interested in a resolution allowed by the Presiding Judge as an alternate means to appearing in person.
9. Additionally, for any person wishing to speak to the Judge, the Court staff is highly encouraging either virtual appearances or even telephonic appearances in compliance with the State Law or Guidelines during the pandemic.
10. Additionally use of the Court's website has been promoted by staff when needed.
11. Written notices have been changed to highly encourage virtual or telephonic appearances.
12. The Court will continue to use its best efforts to minimize the number of visits any person is required to have in person at the courthouse while this pandemic is still in effect.

### **Health of Judges and Court Staff Including the Vulnerable Population**

1. Judges and court staff who can perform the essential functions of their job remotely will telework when possible.
2. The Court is currently set up to have all court personnel work remotely.
3. The Court will continue to employ video conferencing, virtual court and other teleconferencing measures to avoid in-person meetings when possible.
4. The court will highly suggest that defendants use an alternate method rather than appearing at Court in person.

5. As the court moves forward during this pandemic it will focus on promoting as many virtual proceedings as possible.
6. Judge and Court Staff Monitoring Requirements: The presiding judge and court administrator will hold regular meetings with court staff regarding the implementation of this Operating Plan. The Court will stay current on all recommendations and updates published by the Office of Court Administration, Texas Municipal League, the Centers for Disease Control and Prevention, and the Texas Department of Health.
7. Judges or court staff (including those in the vulnerable population) who feel feverish or have measured temperatures greater than 100.4°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.
8. If a Judge or Staff Member does test positive for COVID-19, the Court shall use its best efforts to report to others in the court department that a judge or staff member has tested positive;
9. Likewise, the judge will use its best efforts to notify the Court Department to promote tracing and so that the court department may be properly disinfected and cleaned.
10. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time.
11. Protective Measures: Face coverings, hand sanitizer and disinfectant have been distributed to the staff and placed in the staff work areas. All work stations meet the social distancing guidelines or if not the City has purchased and installed dividers between work stations to help with the six foot (6') social distancing requirements. The staff regularly receives all COVID-19 related health and safety updates including information for testing locations. The Court will use its best efforts to minimize the traffic to the Court by making phone calls to defendants advising them of virtual court or seeing if they can assist them. Additional notices will be sent to defendants advising them of the alternates to making an in person appearance.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building: Dockets will be increased and shall be staggered to keep the number of people who enter the courtroom or the court facilities at any one time within the Court of Criminal Appeals Guidelines.
2. The Court also intends to promote videoconferencing hearings instead of court appearance and for those who meet the requirements for in person proceedings according to the re-certification plan, the Court will add court dates, stagger starting appointment times, conduct as many virtual court days as possible, stagger court clerk shifts for trials, and train clerks to enforce temperature and to question visitors about symptoms or being in contact with someone diagnosed with COVID-19 and politely enforcing social distancing. Additionally, the Court has implemented a check in system at the court where Defendant's cell phones numbers are collected and then the Defendants are asked to wait in their vehicle until the Judge is ready to see him or her.

## **Vulnerable Populations**

1. Individuals who are age 65 and over 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 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 primarily accommodated by Tyler Technologies Virtual Court Proceedings or Zoom Remote Hearings if the vulnerable population has access to a computer, Ipad, smart phone, cell phone or other device with a camera and microphone. Only in the event that the defendant meets the requirements of the re-certification plan will such an in person appearance be required, however if this becomes necessary the court will schedule such a time where the Defendant has very few other defendants or is the only person in the court room besides minimal essential court staff and the judge. The Court will use its best efforts to accommodate the vulnerable population.

## **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. The court will rearrange movable seats in the courtroom to adhere to the social distancing guidelines.
2. No more than two individuals not from the same household will be permitted in an elevator. If more than one individual from the same household is in an elevator, no other individuals will be permitted in the elevator. Floor markings in the elevator will be placed to meet the six foot (6') social distancing requirements as best as possible.
3. At the space outside of the main court window, signs are on the wall and markings are spaced on the floor to ensure the proper 6 foot/ 2m social distancing.
4. 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. Also signs have been posted to ensure proper hand-washing and hygiene.
5. The court does not have common areas other than the lobby and a conference room, both of which will be marked with maximum capacity and staff or the bailiff will enforce social distancing.
6. The Court shall post signs in the lobby advising of COVID-19 symptoms, how to properly wear a mask or face covering and proper social distancing.

## *Gallery*

7. 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 of the bailiff. The fire marshal has previously spaced any and all chairs in the gallery to ensure the 6 foot / 2 meter social distancing requirements. The Court uses its best efforts to have no more than 5 persons in the gallery at any time.

*Well*

8. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, 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 elevators on each floor, outside of each courtroom, and outside of bathrooms. Hand sanitizer will contain at least 60 percent alcohol. Waste bins have been added to allow for disposal of tissues.
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. Waste bins will be placed near each tissue box.
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. Hand washing signage will be added to the bathrooms to encourage proper hand washing for COVID-19.

### **Screening**

1. When individuals attempt to enter the court building, a clerk or personnel from EMS will conduct COVID-19 symptoms assessments to include asking 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, the Bailiff and or screen staff will use an infrared thermometer to determine the temperature of the individual. Any Individual whose temperature is equal to or exceeds 100.4 degrees Fahrenheit will be refused admittance to the court building.
3. Staff members who are screening individuals entering the court building will be provided personal protective equipment, including hand sanitizer, mask, gloves, face protection, disinfectant and any other equipment deemed necessary or appropriate for the safety of the staff member and the defendant. Staff will be given training on proper screening.

### **Face Coverings**

1. All individuals entering the court facilities and the court room will be required to wear face coverings at all times. The court will use its best efforts to notify the public of this requirement in future notices to the Defendants and by posting signage at the entry of the courthouse.

2. All individuals entering the lobby will be required to wear a face covering and signage will state such requirement.
3. 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.

### **Cleaning & Disinfecting**

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned frequently.
2. Court building cleaning staff will clean the courtrooms between dockets, and at the end of each day the courtroom is used. The Court will use its best efforts to clean often any frequently touched surface.
3. Court building cleaning staff will use its best efforts to utilize EPA registered cleaning products that have an approved emerging viral pathogen claim for COVID-19, the products of which shall be used according to label instructions.
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment and EPA registered disinfectants.

### **Other**

This Policy will be updated as needed to comply with the best practices.

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: 1/12/2021

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Dick H. Gregg, III, City of Seabrook  
Presiding Judge of Municipal Court