

COVID-19 Operating Plan for the Loving County Judiciary

June 9, 2020

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 Loving County 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 district judge will maintain regular communication with the local health authority and county judge, and adjust this operating plan as necessary.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 9, 2020.
5. Subject to any revisions as may be made to this plan from time to time, the following provisions, except those under the heading “Judge and Court Staff Health,” will **apply on the days of scheduled or emergency court proceedings**. The provisions under the heading “Judge and Court Staff Health,” will apply on all workdays.

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will consider 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 to practice social distancing and appropriate hygiene recommendations at all time.
4. Judges and court staff are encouraged, but not required, to wear face coverings.

Scheduling

1. The main courthouse in Mentone is used for court proceedings by the district court, the Loving County Court, and associate judges handling CPS and attorney general child support cases. The courthouse annex in Mentone is used by Loving County justice of the peace.
2. In order to reduce occupancy in the main courthouse and the courthouse annexes, the judges and/or court coordinators will work together to schedule court proceedings so that no more than one court holds proceedings in a given courthouse on a given date.

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, docket 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 in conspicuous locations around each court building.
3. At the beginning of each hearing in which a vulnerable individual has identified himself/herself, the judge will inform the individual of the risk of COVID-19 to vulnerable populations. If the individual is not wearing a face covering, the court or court staff will offer a face covering.
4. Vulnerable populations who are scheduled for court will be accommodated, at the court's election, by either (1) the court offering a remote room, separate from the courtroom, with an available electronic device (e.g. laptop or desktop computer or i-pad), if needed, to permit the vulnerable population individual(s) to participate remotely, or (2) the court will re-schedule to the proceeding as a remote access hearing for all participants on an electronic platform such as Zoom.

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 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.
3. 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.
4. Recognizing the need for attorney-client communication, at the beginning of each hearing the judge will inform the individual parties and their attorney(s), if any, that they risk possible exposure to COVID-19 if they fail to observe social distancing, and that the court will accommodate communication by written notes.

Gallery

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

Well

7. 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.

Jury box

7. In the district and county courtrooms, seating in the jury box is limited to three persons.

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.
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" has been

posted in multiple locations on each floor of the court building.

Screening

1. When individuals attempt to enter the court building, an assigned county employee (designated by the county judge) 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.
2. When individuals attempt to enter the court building, the assigned county employee 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.
3. Inmates being transported from the jail to the court building will be screened at the jail 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.
4. Staff who are screening individuals entering the court building will be wearing gloves and mask, and will change clothes daily.

Face Coverings

1. All individuals entering the court building will be encouraged to wear face coverings at all times.
2. Individuals may bring cloth or disposable face coverings with them. If the individual requests a face covering, a disposable face mask will be provided.
3. At present, Loving County has fewer than 5 active COVID-19 cases. If the number of active cases increases to more than 5, face coverings will be required until the number declines to fewer than 5.

Cleaning

1. Court building cleaning staff will clean the counsel tables and witness stand (if used) between every hearing, and will also clean the judge's bench, clerk's station, and court reporter's desk at the end of each day the courtroom is used.
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.

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 conferred with the county judge, documentation of which is attached to this plan.

Date: June 9, 2020



Mike Swanson

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