

AMENDED COVID-19 OPERATING PLAN FOR THE RANDALL COUNTY JUDICIARY

Recognizing the continuing need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering a building housing any court of Randall County, Texas (hereinafter “**Court Building**”), the Randall County judiciary shall implement the following protective measures:

GENERAL POLICY

All judges will continue to use reasonable efforts to conduct proceedings remotely when both practical and feasible. Subject to Constitutional limitations, all courts are permitted to require anyone to participate remotely in a proceeding. Consent of a participant is **not** required.

All judges in a Court Building and related offices will comply with the Minimum Health Standard Protocols set forth below.

The Local Administrative District Judge (LAJ) will maintain regular communication with the local health authority and County Judge to monitor conditions in the county for purposes of considering potential changes to the Minimum Health Standard Protocols.

Judges may begin setting in-person proceedings, including jury trials, so long as they comply with the guidance contained in this Plan document, and they have received the approval of the LAJ.

JUDGE AND COURT STAFF HEALTH

Judges and court staff who are able to perform the essential functions of their job remotely may be allowed to telework when possible and feasible, at the discretion of the Judge.

Judges, court staff, and the staff of court-related offices, will self-monitor for symptoms of COVID-19. Any Judge or staff member feeling feverish or having a measured temperatures equal to or greater than 100°F, or with **new or worsening** signs or symptoms of COVID-19 such as: Persistent Cough, Shortness of Breath or Difficulty Breathing, Repeated Shaking with Chills, Muscle Pain or Body Aches, Headache, Sore Throat, Loss of Taste or Smell, Diarrhea, Nausea or Vomiting, Fatigue, or Congestion or Runny Nose, or having known close contact with a person who is confirmed to have COVID-19 must not enter the building and should seek medical advice.

Judges and the supervisors of any court-related offices are responsible for setting the parameters for themselves and their staff when it comes to social distancing, implementation of any hygiene practices and masking when interacting with each

other and with the public within their offices in a Court Building. Judges and staff shall wear face coverings anytime the circumstances in the courtroom or the common areas of a Court Building do not allow for compliance with social distancing guidelines.

MINIMUM HEALTH STANDARD PROTOCOLS FOR COURT BUILDINGS

For ALL Court Buildings in Randall County: A COVID-19 Symptoms Poster (example attached) shall be prominently displayed at the main entrance. All persons seeking to enter a Court Building through the main entrance shall be scanned at the direction of Courthouse Security with a no-touch infrared thermometer. Individuals exceeding the temperature threshold of 100F or showing or reporting symptoms of COVID-19 will not be permitted to enter into a Court Building. Courthouse Security shall wear appropriate face coverings at all times when interacting with the public or other courthouse personnel and disposable gloves should be worn when required to touch items brought into a Court Building through the screening areas.

Sheriff's deputies will perform screening at the detention center prior to transporting inmates to a Court Building. Inmates exceeding 100F or showing or reporting signs or symptoms of COVID-19 will not be transported to a Court Building.

For the Randall County Justice Center – All persons entering this building shall be required to wear a face covering that covers both the nose and the mouth while within the confines of the building unless the person is an individual that is not recommended to wear a face covering by the Centers for Disease Control or the Texas Department of State Health Services. The County will provide a facemask to any person arriving without an adequate face covering. Persons who refuse to wear an appropriate face covering as required by this Plan may be excluded from a Court Building.

A person may temporarily lower or remove a mask when inside a Courtroom **IF** given permission to do so by a Judge or Court staff member, and the Courtroom is set up in a manner to provide proper social distancing by spacing unrelated persons at least 6 feet apart, or separating unrelated persons by Plexiglas dividers, or any combination of the two.

For the Randall County Annex and Finance Building - All persons entering one of these buildings **FOR THE PURPOSE OF ATTENDING A COURT PROCEEDING** shall be required to wear a face covering that covers both the nose and the mouth while within a Courtroom or the areas of the buildings adjacent to the Courtroom (including hallways, waiting rooms and conference rooms) unless the person is an individual that is not recommended to wear a mask by the Centers for Disease Control or the Texas Department of State Health Services. The County will provide a facemask to any person arriving without an adequate face covering. Persons who refuse to wear an

appropriate face covering as required by this Plan may be excluded from a Court Building.

A person may temporarily lower or remove a mask while within a courtroom or the areas immediately adjacent to the courtroom **IF** given express permission to do so by a Judge or Court staff member.

PROCEDURES FOR IN-PERSON HEARINGS AND TRIALS

SCHEDULING

ALL JUDGES within a Court Building will use their best efforts to schedule any in-person hearings in such a way as to avoid having more than one group of litigants appear in their courtrooms or areas immediately adjacent to their courtrooms at one time.

All judges will adhere to the in-person proceedings schedule prepared by the LAJ in consultation with the judges presiding over courts within a Court Building.

The in-person proceeding schedule prepared by and approved by the LAJ may be modified by the agreement of the courts within a Court Building to allow another court within the building to use a scheduled session that will not be used by a designated court.

The Probate Court may hold in-person hearings at the Justice Center in its area as long as the guidelines of this Operating Plan are followed.

NOTICE OF IN-PERSON TRIALS AND PROCEEDINGS

In any communication related to the setting of any in-person proceeding (e.g. docket notices, orders setting hearing, etc.) the judge shall include information to notify counsel and unrepresented participants:

1. Of the obligation to inform the Court prior to the proceeding if they are aware that any anticipated participant has tested positive for COVID-19 within the previous 10 days, have had symptoms of COVID-19 within the previous 10 days, or have had recent known exposure to COVID-19 within the previous 14 days;
2. Of the right to contact the court to identify themselves and any associated participant in the proceeding as a vulnerable individual to receive accommodations; and
3. Of the right to have any objection to an in-person hearing or trial heard on the record at least **seven days** before the date of the hearing or trial, or as soon as practicable if the objection or motion is made or filed less than seven days of the proceeding.

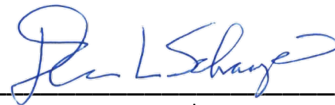
Jury Summons: The Courts will continue to include with the jury summons information on the precautions that have been taken to protect the health and safety of prospective jurors and a COVID-19 questionnaire to be submitted in advance of the jury selection that elicits from prospective jurors information about their exposure or particular vulnerability to COVID-19. Upon request, any prospective juror who provides information confirming their COVID-19 infection or exposure or their vulnerability to COVID-19 must be excused and rescheduled.

NOTICES - VULNERABLE POPULATIONS

Vulnerable individuals are those 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 may be compromised such as by chemotherapy for cancer or other conditions requiring such therapy.

If court personnel receive notice that an individual in the vulnerable population has been scheduled for a court proceeding, court personnel will accommodate the individual by:

1. allowing them to participate in the proceeding remotely via Zoom, or
2. if the individual must appear in-person, court personnel will set up a separate room for the individual to participate in the hearing remotely via Zoom.



Dan L. Schaap, 47th District Judge
Local Administrative Judge - Randall County

This AMENDED COVID-19 OPERATING PLAN FOR THE RANDALL COUNTY JUDICIARY shall be published on the website for the Courts of Randall County and shall be posted at the public entry points of each Court Building to inform all persons seeking to enter a Court Building of the policies of the Courts.