

COVID-19 Jury Trial Plan for the Willacy County 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 Willacy County will implement the following protective measures for jury trials:

Pursuant to the latest order of the Supreme Court, please find below, the 197th District Court's proposed jury plan.

All proceedings will be held at the Willacy County Community Safe Room located at (10804 Bus. 77, Raymondville, TX 78580), which has a seating capacity of 200 people. As per the County Social distancing safety guidelines, the Safe Room safely holds 115 people. This includes an adequate buffering zone for the lawyers, Court staff and Judge to social distance from themselves and the jury panel.

Summoning Instructions:

The District Clerk will be instructed to issue 120 jury summonses. All One hundred and twenty potential jurors are not expected to appear, due to illness or exceptions. In the summons, a notice will be included advising that should any prospective jurors currently be experiencing any of the following symptoms, they should call the District Clerk's Office prior to jury selection.

1. Do you have a fever equal to or > 99.6°F?
2. Are you currently experiencing symptoms of Covid-19 (Fever, Cough, Shortness of Breath, Or Difficulty Breathing)?
3. Have you traveled outside the Country or State in the last two weeks?
4. Are you over the age of 65?
5. Do you have a compromised immune system or other pre-existing conditions that the Health

Authority would categorize you as 'vulnerable'? (For example heart failure, coronary artery disease, cancer, COPD, Immune compromised, pregnancy, etc.)

6. Have you had contact with anyone who has tested positive with Covid-19 in the last two weeks?

The Jury summonses will also include a notice stating that all CDC guidelines will be followed at all times; specifically, everyone (including the judge, court staff, lawyers, parties, potential jurors and any of the public who wish to view the proceedings) must wear a mask at all times and maintain social distancing.

If they answer "**yes**" to any of the above questions they will be instructed to call the District Clerk's Office, where they may be summarily excused from jury duty.

Jury Selection Day Instructions:

All individuals who appear for the jury selection process will be required to wear face masks before they are admitted into the building. If the individual does not have a face mask, one will be provided to them. Once they reach the entrance, each person will be greeted by security, who will once again run through the questions that were in the summonses; inquiring as to the person's health and any virus symptoms they may have. The bailiffs will also take each person's temperature. If they meet the criteria to enter the building, they will then be seated in their corresponding panel position in a socially distanced manner for the jury selection.

Instructions for Judge, Court Staff, Attorneys and Parties:

The Judge, Court Staff, Attorneys and Parties will be asked if they are exhibiting any symptoms such as feeling feverish or have measured temperatures equal to or greater than 99.6°F; if new or worsening signs or symptoms of COVID-19 have recently appeared 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; have had or known to have had close contact with a person who is confirmed to have COVID-19 (these individuals will not be permitted to enter the building and advised they should seek medical advice). The Judge, Court Staff, Attorneys and Parties will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times.

Protective Measures for the Building and "Courtroom:"

Protective Measures have been implemented in order to comply with State and Local Health Administration Guidelines:

1. Plexiglas barriers will be put in strategic places; seats will be removed to maintain social distancing of court attendees.
2. The Court staff, Attorneys, Parties and Judge have been given a buffer zones that allow them to maintain social distancing amongst themselves and the jury panel.

Instructions Upon Completion of the Jury Selection:

Once the jurors are selected (the number of which may include juror alternates), the remaining jury panel will be excused. In order to maintain proper social distancing, the jurors who are to

be excused will be dismissed by the Court's Bailiffs row by row until all but the chosen jurors have left.

Instructions for the Beginning of Trial:

After being selected and upon the beginning of trial each day, every juror and all Court Staff, Judge, Attorneys, Parties, witnesses and participants will have their temperature taken and will be asked if they are experiencing any of the above mentioned enumerated symptoms.

If a juror should exhibit Covid-19 symptoms after the trial has begun, they will be instructed to call the Court Administrator who will then advise the Judge, Attorneys, Parties and the remaining jurors that someone has tested positive for COVID-19 and they should all get tested. The trial will then be cancelled for precautionary reasons.

Layout of the Courtroom During Trial:

The "jury box" will be a designated, taped off area that allows the jurors to be seated in a manner compliant with social distancing from each other and all participants. The jurors will be socially distanced upon entering and upon being excused. The Jurors will also be required to return to their same seats after all breaks. Jurors will be required to wear a mask at all times.

Litigants will be separated through the use of counsel tables appropriately distanced as well as having chairs separated to distance the litigants from their respective counsel. They will be advised to have any witness they intend to call, wait outside the building, in their vehicle until they are called upon to testify, to minimize the number of people in the building/courtroom and within the well of the Court.

For Criminal Jury Trials a holding area for the defendants has been designated: the building has offices where defendants can be held away from jurors with appropriate security supervision. Upon the beginning of the criminal jury trial each day, the Defendant will be brought in from the holding area, and will be returned to the holding area at the end of each trial day, and at any time when instructed by the Judge. Defendants will have their temperature taken (either at the jail before being brought over if they are currently in jail, or when they are brought over by courthouse security).

Instructions for Areas Outside the 'Courtroom:'

All bathrooms and common areas will be monitored to make sure that all people attending are social distancing and wearing their masks. Hand sanitizer will be made available to all in attendance, proper hand washing flyers will be posted in each bathroom. No individuals who are in attendance to watch the trial will be allowed to loiter in any hallways unless instructed by a Bailiff to line up in wait for the bathroom or to enter the 'courtroom.' Attorneys and Parties

may be allowed to be in any hallways near the 'courtroom' to conference with each other if necessary.

Instructions for Trial Participants:

Participants will adhere to the same rules as jurors. Masks are to be worn at all times, social distancing will be strictly enforced and gloves will be worn when exchanging exhibits or documents with each other. Latex Gloves will be provided for the Attorneys, clerks, the Judge (if necessary) and court reporter.

Instructions Upon the Beginning of Jury Deliberations:

For deliberations, the Court will cede the "courtroom" to the jurors, where they are to remain in their assigned seats during the pendency of their deliberations. Only the foreman of the jury will be allowed to knock on the door to notify the bailiff if they have a question for the judge.

Instructions Concerning the Cleaning and Sanitization of the 'Courtroom:'

The witness chair will be sanitized after each witness testifies. Witnesses will be given a face shield to wear during their testimony, and they will be allowed to pull their masks down when testifying. This is to ensure that the jury can see the witness' face and be able to gage for themselves the truthfulness of the witness.

The "courtroom" will be sanitized daily, including all seats and tables. The common areas and high touch areas (door handles and rails, etc.) will be sanitized at least 2 times per day. When the Court takes a recess, then the court will be wiped down or sanitized as time permits.

Instructions for Members of the Public Who Wish to Attend the Trial:

The public will have access to the proceedings. The seating for the public will be on a first come first serve basis, and they will be required to leave any device with recording capabilities with security before they can enter the courtroom. If the public show up to the courtroom before all the jurors have been seated, they be instructed to wait outside the building until all the jurors are in the building. Each member of the public attending will be asked the same questions asked of the jury panel (enumerated above) before being allowed to enter the viewing area. Members of the public are also required to wear facemasks at all times. Once the public is seated and the trial has begun, should any of them need to leave they will be required to raise their hands to signal to a bailiff of their need or desire to leave. Each will be told to remain in their seat until a break occurs or they specifically receive permission from one of the bailiffs to get up. The public will be required to either remain seated during breaks or exit the building, to ensure all CDC protocols are maintained. Once dismissed for lunch or at the end of the day the public will leave once the jurors have left the building.

Members of the general public and participants are prohibited from electronically recording any court proceedings and are prohibited from posting any photos, videos audio recordings or any other court proceedings on the internet without prior authorization from the Judge. Any violations of this order will be contemptible and subject the individual or organization to being fined and/or jailed for said violation.