

COVID-19 Operating Plan for the Upshur and Marion 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 Upshur and Marion 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 Administrative District Judge will maintain regular communication with the local health authority and the Upshur County and Marion County Judges and adjust this operating plan as necessary.
4. Judges may, at their individual discretion, begin hearing non-essential in-person proceedings on June 1, 2020.

Judge and Court Staff Health, Including District and County Clerks and Their Staff

1. Judges and court staff who can perform the essential functions of their job remotely may telework when possible.
2. Judge and Court Staff Monitoring Requirements: Judges and their court staff shall take their temperature each day, prior to traveling to their court or office.
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 may wear face coverings and will be required to practice social distancing, and practice appropriate hygiene recommendations at all times.

Scheduling

1. In order to reduce occupancy in county court buildings, Judges with courtrooms located in the same county building as another court, shall not schedule court at the same 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, 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 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 accommodated by having their case continued until this operating plan expires.

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. Public common areas, including break rooms and snack rooms, have been closed to the public.

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.

Hygiene

1. Hand sanitizer dispensers have been placed outside of elevators on each floor, outside of each courtroom, on each witness stand, and at each counsel tables.
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, the security officer or in county buildings where there is no security officer, the first member of court staff who has contact with the individual, 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 must follow the instructions of the security officer or court staff.

2. When individuals attempt to enter the court building, the security officer or in county buildings where there is no security officer, the first member of court staff who has contact with the individual, will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 99.6°F will be refused admittance to the court building.
3. Inmates being transported from the jail to the court building will be screened 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 provided personal protective equipment, including face coverings, hand sanitizer, disposable gloves and tissues.

Face Coverings

1. Individuals entering the court building are encouraged to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every four hours.
2. Court building cleaning staff will clean the courtrooms between every hearing, 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 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 acting local health authority and the Upshur and Marion County Judges, 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: May 22, 2020

Judge Dean Fowler
Administrative District Judge for Upshur and
Marion Counties

NOTICE TO VULNERABLE POPULATIONS

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 whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy may contact the Court and have their case continued until all Emergency Orders issued by the Supreme Court of Texas and the Court of Criminal Appeals have expired.