

# COVID-19 Operating Plan for the Frisco Municipal Court

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 Frisco Municipal Court 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 mayor and adjust this operating plan as necessary with conditions in the city.
4. Under this Revised Plan, Judges will conduct in-person proceedings only as a last resort after all efforts for proceeding remotely have been exhausted.
5. Jury Trials will not be conducted until there is further guidance from appropriate authorities.

## **Judge and Court Staff Health**

1. Judges and court staff who can perform the essential functions of their job remotely will telework when possible.
2. Judge and Court Staff Monitoring Requirements: self-check of temperature and symptoms at the beginning of the workday and throughout the day if necessary.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100.0°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 and should seek medical advice.
4. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all appropriate times.
5. Protective Measures:
  - a. Interior doors will remain propped open during operating hours to avoid touching door handles;
  - b. Staff will be required, and Visitors will be strongly encouraged to sanitize their hands and required to wear masks upon entry to the Court building;
  - c. A one-way flow for entry and exit will be designated to maintain appropriate distancing to avoid face-to-face contact and will be monitored by a Bailiff/Warrant Officer;
  - d. 6' floor markings will be placed in the courthouse lobby where lines form at the service windows;
  - e. Signatures will be obtained only if necessary;
  - f. pens will be sanitized if signatures are required;
  - g. On Courtroom entry for Dockets, the 6' distance will be maintained while going through security check,
  - h. Only Defendants who are unable to appear remotely will be scheduled for any Docket in time intervals that will maintain social distancing;

- i. Defendants will be encouraged to enter alone subject to the Open Court Provision wherein reasonable accommodations will be made upon request;
- j. The Bailiff will wear personal protective equipment during the security check;
- k. Seating in the Courtroom will be separated at a minimum distance of 6' and all chairs in excess of 25% capacity (16) will be removed;
- l. Defendants and participants will not approach the bench or court Staff closer than 6';
- m. A plexiglass barrier has been installed at the bench, witness stand and Clerk's desk in the Courtroom;
- n. Documents will be transmitted to the service counter outside the Courtroom for signature, if necessary, and retrieval (service counters have a window barrier);
- o. Without a personal appearance, any Defendants in the Vulnerable Population will be given an opportunity to schedule an alternative method for appearance or reschedule their case(s) by phone, mail, email or website.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building:
  - a. The Municipal Court has implemented procedures to conduct Court business without having to appear in person as follows:
    - i. Pleas and payments by Mail, Phone, Web and a physical "Drop Box;"
    - ii. Document submission by any method listed in (i) above;
    - iii. Request for Court Setting or Continuance by any method listed in (i) above;
    - iv. The City Prosecutor sends Plea Bargain Offers by Mail that may be accepted and returned by any method in (i) above;
    - v. Accommodations will be made for video or teleconferencing between the City Prosecutor and Defendant by agreement;
    - vi. If the case isn't resolved by any of the listed options, the case will be set on a Remote Video Docket;
    - vii. If a Defendant is in the Vulnerable Population and unable to appear remotely, the case will be held and continued pending further guidance.
  - b. If the Defendant is unable to exercise any of the listed options, has a disability or lacks technology, the Defendant may appear for an in-person hearing on the day and time of their scheduled remote hearing as set out in (d.) below.
  - c. The Municipal Court will be opened Monday through Wednesday for walk-in business only at the Clerk's windows/Service Counters. All social distancing guidelines described in number 5 above will be implemented.
  - d. All Remote Dockets will be held Thursday and Friday with fewer than 10 Defendants set on any docket. Only those people who are unable to appear remotely based on the guidelines and procedure established will be allowed to appear in person to have their case heard.

### **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, 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 accommodated by allowing them, without a personal appearance (phone, mail, email or website), to schedule an alternative method for appearance (Video or Phone Conference) or reschedule their case(s).

### **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. 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.
3. Public common areas, including breakrooms and snack rooms, have been closed to the public.

#### *Gallery*

4. 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.
5. The gallery of the courtroom has been arranged to identify appropriate social distancing in the seating. Seating is limited to 25% capacity at a minimum 6' distance between seats.

#### *Well*

6. 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 and plexiglass barriers have been installed.

### **Hygiene**

1. Hand sanitizer dispensers have been placed at the entrances to the building, Service Windows, outside of each courtroom, and outside of bathrooms.
2. Tissues have been placed at counsel tables, at the witness stand, on the judges' benches, and in the service area.
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, 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 they will be refused admittance to the court building and/or court room.

2. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the court building and/or court room.
3. Staff working in close proximity to the public and others will be provided personal protective equipment, including face masks and/or shields, disposable gloves and hand sanitizer.

### **Face Coverings**

1. All individuals entering the court building will be required to wear face coverings at all times.
2. 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**

1. Court building cleaning staff will clean the offices, Courtrooms and common areas of the court building so that common spaces are clean.
2. Staff will clean the courtrooms between every proceeding.
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.

### **Other**

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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: 1/8/2021



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Presiding Judge of Municipal Court