



## **COVID-19 Operating Plan for the City of Kirby Municipal Court, Bexar County**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judge(s), and other individuals entering the buildings housing the court, the City of Kirby 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 to adjust this operating plan as necessary with conditions in the city.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020

### **Judge and Court Staff Health**

1. The Judge and court staff who can perform the essential functions of their job remotely will telework when possible.
2. Judge and Court Staff Monitoring Requirements: Health Screening will be done each day and before each court session.
3. The Judge 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. It will be recommended that Judges and court staff wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all time.
5. Protective Measures: In case a Judge or court staff has any of the above symptoms they will be sent home. The Judge or court staff will not be allowed to return to work unless the individual obtains a medical professional note clearing the individual for return.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building: Court dates will be scheduled as follows **XXXXXX**. Walk-ins will not be allowed during court days.
2. Allow or require a scheduled remote appearance by teleconferencing, videoconferencing, or other means when requested by the party appearing, not later than 2 business days prior to set hearing, to the extent required by the Texas Supreme Court emergency orders.

## **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. Vulnerable populations who are scheduled for court will be accommodated by being seated first and will be seen first.

## **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 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 marked to identify appropriate social distancing in the seating. Seating is limited and set up according to social distancing guidelines.

### *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.

## **Hygiene**

1. Hand sanitizer dispensers have been placed at the entrances to the building, outside of the courtroom.
2. The Department of State Health Service's "Stop the Spread of Germs Flyer" has been posted in the court building.

## **Screening**

1. When individuals attempt to enter the court building, a designated officer will ask the individuals several questions compliant with the COVID-19 guidelines; 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, a designated officer 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. **Staff** who are screening individuals entering the court building will be provided personal protective equipment, including face mask and disposable gloves.

**Face Coverings**

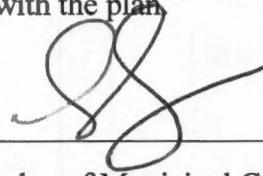
1. All individuals entering the court building will be encouraged to wear face coverings at all times.
2. Individuals will be encouraged to bring cloth face coverings with them.

**Cleaning**

1. Court building cleaning staff will frequently clean the court window area of the court.
2. Court building cleaning staff will clean the courtroom before and after each session.
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.
5. Each pen at the clerk's window will be sanitized with the appropriate cleaning supplies.

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:



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Presiding Judge of Municipal Court

## COVID-19 Notice

The City of Kirby is following the guidance of the CDC and may be conducting screen test before you enter any common area of the court. Mask may be required in all parts of the common court areas. No other person will be allowed with you unless you are a parent/guardian of a juvenile.

You will not be allowed into the court room until your assigned time. If court proceedings are running late court staff will provide a sign in sheet for you. You will be notified to enter by a text/phone call you provide on the sign in sheet.

Please understand that we are taking all precautions for you as well as our staff. Please refrain from entering City Hall if you are experiencing any of the following symptoms:

- Cough
- Fever or Chills
- Sore Throat
- Body Aches
- New Loss of Taste or Smell
- Shortness of Breath or Difficulty Breathing
- Have been in contact with a known or suspected COVID-19 patient

The Municipal Court is allowing defendants to dispose eligible cases by mail/email and fax. Contact the court no later than 24 hours before your court date to determine if your case is eligible.

IN THE MUNICIPAL COURT  
CITY OF KIRBY  
BEXAR COUNTY, TEXAS

JUDGE'S STANDING ORDER  
COVID-19 PAYMENT PLANS

On this date the Court entered the following ORDER with respect to payment plans:

**A. PAYMENT PLANS AT CASHIER'S WINDOW DURING COVID-19 BEGINNING MAY 13, 2020 AND ENDING DECEMBER 31, 2020**

The following requirements apply to a payment plan at the Cashier's window:

1. *90 day extension.* The clerk may process a request for a 90-day payment plan from a Defendant who appears at the Cashier's window and asserts an inability to immediately pay his/her fines and cost in full, provided that:
  - a. The Defendant must enter a plea of Guilty or No Contest.
  - b. The Defendant represents that full payment can be made within 90 days;
  - c. The Defendant completes a 90-day extension form at the time of the request; and
  - d. No warrant for the arrest of the Defendant is pending at the time of the request.
2. *Defendant to be advised.* The Clerk shall advise the Defendant that if the Defendant fails to comply with the payment plan;
  - a. The additional Time Payment Reimbursement Fee of \$15.00 will be waived during the period of the payment arrangement. Texas Local Government Code Section 51.608;
  - b. Any request for further extensions to pay the balance must be made to the Judge in open court; and
  - c. A capias pro fine warrant may be issued on any balance that is not timely paid.

**B. PAYMENT PLANS ADMINISTERED BY CLERK**

Any Defendant appearing at the Cashier's window and requesting more than 90 days to pay his/her fines and cost in full must present that request to the Judge in open court. Upon the Judge's approval of a payment plan, the Clerk will set up and administer the Defendant's plan, and may allow extensions or partial payments within the guidelines set by the Court Administrator.

**C. REQUESTS FOR PAYMENT PLANS MADE BY MAIL**

If a Defendant mails the Court a request for payment plan with a plea and a partial payment the 90 day extension shall be granted. If a Defendant mails a plea with no initial payment, the Clerk shall place the request in the Judge's correspondence queue for an order. Upon approval by the Judge, the Clerk will correspond with the Defendant to set up the payment plan.

IT IS SO ORDERED, Signed and Entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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Judge Presiding