

COVID-19 Operating Plan for the Brown County Judiciary

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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 Brown 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 local administrative district judge will maintain regular communication with the local health authority and county judge and mayor of the City of Brownwood and adjust this operating plan as necessary with conditions in the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020.

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**Judge and Court Staff Health**

1. Judges and court staff who can perform the essential functions of their job remotely will telework when reasonable to do so. ~~possible~~.
2. Judge and Court Staff will self-monitor and report concerns or symptoms as appropriate. ~~Monitoring Requirements:~~
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 will be required to wear face coverings when going to and from their offices and in situations where they are in close contact with the public. ~~They will~~ practice social distancing, and practice appropriate hygiene recommendations at all times.
5. Protective Measures: judges and court staff will utilize glass or plexiglass shields between them and the public where it is appropriate and practical to install them in the courtrooms and in their respective offices.

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**Scheduling**

1. ~~The following~~ Court schedules have been ~~are~~ established to reduce occupancy in the court building. ~~:~~  
All court coordinators of the various courts located in the Brown County Courthouse will coordinate their courts schedules with the court coordinator or assistant court coordinator of

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May 18, 2020  
(Exhibit #4)

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the local administrative district judge, and *vice versa*. All courts will continue to work together to stagger dockets and to limit in-person contact between staff, attorneys, and litigants.

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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 to attend court remotely; or testify by affidavit, or written or video deposition, if necessary and appropriate.

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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 will be ~~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 breakrooms and snackrooms, will be ~~have been~~ closed to the public.

Gallery

5. The maximum number of persons permitted in the gallery of each courtroom will be ~~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 will be ~~has been~~ marked to identify appropriate social distancing in the seating. Seating is limited to every other row where possible.

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7. In each courtroom, to the extent possible, 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. Plexiglass dividers will be installed between the judge, witness, clerks, court reporter, and others as may be appropriate; to protect all concerned.

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Hygiene

1. Hand sanitizer dispensers ~~will be have been~~ placed at the entrances to the building, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms.
2. Tissues ~~will be 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" ~~will be has been~~ posted in multiple locations on each floor of the court building.

Screening

1. When individuals attempt to enter the court building, security personnel 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 will be refused admittance to the court building.
2. When individuals attempt to enter the court building, ~~security personnel~~ will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°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 and encouraged to wear personal protective equipment. This will include, if available, including a single pair of disposable examination gloves, single-use /disposable coveralls, any NIOSH approved particulate respirator (like N-95 facemask or best facemask that is otherwise available), eye protection ( i.e. goggles or disposable face shield that fully covers the front and sides of the face).

Face Coverings

1. All individuals entering the court building will be directed ~~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.
3. Individuals who will be required to be in the court building for over 1 hour will be provided surgical masks and required to wear them while in the court building if the supply is available.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every day ~~hours~~.
2. Court building cleaning staff will clean the counsel tables, the witness stand, and any other places where people have been seated in 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.

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4. Court building cleaning staff ~~will be~~ ~~have been~~ trained on proper cleaning techniques and provided appropriate personal protective equipment.

**Other**

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I have ~~conferred or 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 ~~county judge and mayor~~ of the City of Brownwood, 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.

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Date: 5/20/2020

Stephen Ellis, Local Administrative District Judge

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