

# COVID-19 Operating Plan for the Shelby 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 **Shelby 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 via zoom conference.
3. The local administrative district judge will maintain regular communication with the local health authority and county judge and adjust this operating plan as necessary with conditions in the county.
4. Judges may continue to hold all hearings, including essential in-person proceedings, via zoom conference as long as the Covid-19 pandemic continues and/or as long as allowed by the Texas Supreme Court and the Texas Office of Court Administration.
5. Judges may begin setting non-essential in-person proceedings no sooner than June 1, 2020, so long as all proceedings are held in accordance with this plan.

## Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will telework if possible and with permission of the District Court and County Judges.
2. 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, new loss of taste or smell, diarrhea, nausea, or vomiting, 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.
3. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times.

4. Protective Measures: facial masks will provided to all persons entering the court building located at 200 San Augustine St., Center, Texas, the courtrooms in the main courthouse, and the justices of the peace' offices throughout Shelby County. Protective shields may be placed around court officers, judges, and the witness stand in the District Courtrooms. Court officers, judges, and witnesses may, but are not required to, wear face coverings so long as they are behind the protective shields. Protective face shields will be offered to persons who will remain in the courtroom for an extended period of time and those who are considered members of the vulnerable population (as defined below). Such shields shall be disinfected by court cleaning staff after each use.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building:  
The District Judges and County Judge shall use their best efforts to not schedule court proceedings 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, 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. Such notice shall be given to all self-represented litigants, as well as to attorneys who take appointments for indigent defendants.

### **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. This shall apply to all persons inside the Shelby County courthouse building.
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 breakrooms and snackrooms, are 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 at the entrances to the building, outside of elevators on each floor, outside of each courtroom, and outside of all bathrooms.
2. 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 and are going to the second or third floor for court proceedings, persons designated by a court officer or s Shelby County Sheriff's Department officer will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or difficulty breathing, chills, muscle pain, sore throat, new loss of taste or smell; 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. Individuals will also be questioned regarding travel in the past fourteen days. Any individuals who have flown by commercial aircraft, travelled internationally, or been to a location that is under a shelter-in-place order will be refused admittance to the court building.
3. When individuals attempt to enter the court building and are going to the second or third floor for court proceedings, persons designated by the court officers 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.

4. 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.
5. Staff who are screening individuals entering the court building will be provided personal protective equipment, including a surgical mask, gloves, and a face shield.

### **Face Coverings**

1. All individuals entering the court building to attend court proceedings 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 that meets the court officers' approval, a disposable surgical mask will be provided.
3. Individuals who will be required to be in the court building for over 1 hour for court attendance 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 or persons designated by court officers 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 or persons designated by court officers will clean the courtrooms between morning and afternoon proceedings, and at the end of each day that the courtroom is used.
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.

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, Dr. Singson, and County Judge Allison Harbison, 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: June 1, 2020



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LeAnn Kay Rafferty  
123<sup>rd</sup> Judicial District Court Judge  
Local Administrative District Judge, Shelby County