

## **COVID-19 Operating Plan for the Cherokee County Judiciary**

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering any of the buildings housing the JP, county, and district courts (hereinafter, “the courthouse”) during the coronavirus pandemic, the courts of Cherokee County will implement the following COVID-19 protective measures, effective until further orders:

### **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 will adjust this operating plan as necessary with conditions in the county.
4. Judges may begin setting non-essential in-person proceedings no sooner than June 1, 2020.

### **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. The judge of each court shall be responsible for monitoring his or her staff’s compliance with this operating plan and documenting same regularly.
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 courthouse and should seek medical advice.
4. Judges and court staff should follow CDC-recommended steps for staying at home and should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers ([www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html](http://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html)).
5. Whenever practicable, Judges and court staff shall wear face coverings in common areas of the courthouse. At all times, Judges and court staff shall practice social distancing and appropriate hygiene.
6. As much as practicable, communication between the Court (judge and court staff) and other persons shall be by using forms of communication that do not require in person contact, such as by telephone, fax, letters, email, text messaging, and meetings via Zoom. Courts may keep office doors closed to the public and others if the judge believes it is necessary to protect the court’s staff and/or prevent the spread of the coronavirus.

## **Scheduling**

1. In order to reduce occupancy in the courthouse, no more than one court docket requiring 10 or more persons in the courtroom (including adjacent hallways) shall be scheduled in the courthouse at any given time. To this end, court coordinators shall communicate and work with each other before scheduling court dockets that may require 10 or more persons in the courtroom (including adjacent hallways).
2. If scheduling conflicts arise, Courts shall abide by the priorities set out in Tex. Gov't. Code § 23.101.

## **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 also be posted on the courts' websites and in conspicuous locations around the courthouse.
3. Vulnerable populations who are scheduled for court will be accommodated by the Court on a case-by-case basis, taking into consideration all relevant factors.

## **Social Distancing**

1. All persons not from the same household who are permitted in the courthouse 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 in the courthouse, 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 shall be marked to identify appropriate social distancing in the seating. Seating is limited in the gallery to maintain adequate social distancing of a least 6 feet.

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7. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff seating shall be arranged in such a way so that there is social distancing of at least 6 feet between each person.

### **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 bathrooms.
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 courthouse.

### **Screening**

1. When individuals attempt to enter the courthouse, courthouse staff 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 courthouse.
2. When individuals attempt to enter the courthouse, courthouse staff 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 courthouse.
3. Inmates being transported from the jail to the courthouse 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 courthouse.
4. Staff who are screening individuals entering the courthouse will be provided personal protective equipment, including face coverings and gloves.

### **Face Coverings**

1. Except as otherwise provided herein, all individuals entering the courthouse will be required to wear face coverings at all times. If the individual does not have a cloth face covering, a disposable face mask will be provided, if available.
2. Individuals shall be notified on court websites, at courthouse entrances, in orders setting hearings, docket notices, and in other communications, that they are encouraged to bring cloth face coverings with them to court, and entry to the courthouse will not be permitted without face coverings.

### **Cleaning**

1. Cleaning staff will clean the common areas of the courthouse so that common spaces are cleaned at least every 4 hours.

2. Cleaning staff will clean the courtrooms between every hearing if practicable, between morning and afternoon proceedings, and at the end of each day the courtroom is used.
3. Cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. 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 courthouse regarding this Operating Plan. In developing the plan, I consulted with the local health authority and county judge, documentation of which is attached to this plan. I will ensure that the judges of courts with courtrooms covered by this Operating Plan conduct proceedings consistent with the plan.

Date: May 19, 2020



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R. Chris Day  
Local Administrative District Judge  
Cherokee County, Texas