

# **COVID-19 OPERATING PLAN FOR THE ATASCOSA 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 district, county, and justice courts of **Atascosa County, Texas** 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, and require counsel, civil litigants and witnesses to appear remotely.
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 will 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. Judge and Court Staff Monitoring Requirements: Employees shall self monitor for symptoms of COVID-19 and should evaluate using the COVID-19 symptom checklist before entering any building. Court staff should remain home if they exhibit any symptoms or have had direct exposure to COVID-19. If staff suspects exposure, they should notify their supervisor immediately and refrain from returning to work until cleared by the supervisor.
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 in the courtroom, practice social distancing, and practice appropriate hygiene recommendations at all time.
5. Protective Measures: Disposable face masks will be available to staff along with hand sanitizing, anti-bacterial soap, and other sanitizing products for public and non-public workspace.

## **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building:  
County Court and County Court at Law will be held pursuant to the dates previously identified by the Atascosa County Judge and County Court at Law Judge, or other days with no conflict with other courts (the courtrooms are in different buildings), after the building has been cleaned by maintenance staff. Each Courtroom shall be cleaned and

sanitized after use. or other days with no conflict with other courts, after the building has been cleaned by maintenance staff on Friday / the weekend. Each Courtroom shall be cleaned and sanitized after use. No more individuals than are permitted under the social distancing guidelines shown on Exhibit A will be permitted in a courtroom. Excess individuals will remain socially distanced at a designated waiting area in the hallway space until the courtroom has available space and has been cleaned and sanitized. Reasonable accommodations will be made for any disability.

- District Court shall be set pursuant to the dockets maintained by the District Court Administrator. The District Court Administrator will restrict the number of cases on dockets, and will stagger the hearing times, to reduce the number of people appearing at any one time. Counsel and Defendants will, when practicable, appear via Zoom. A “Zoom Room” will be established in the Court Building for counsel, civil litigants, criminal defendants and witnesses not appearing via Zoom.
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- Each District Court will be livestreamed to the public via YouTube.
- AG / DFPS Court shall be set pursuant to the scheduled 2020 docket maintained by their respective Court Administrators and Atascosa County Judge’s Office. Bailiffs will work to accommodate family units in this court and all other courts within the County. Their Court Administrators will restrict the number of cases on dockets, and/or will stagger the hearing times, to reduce the number of people appearing at any one 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 (a copy of which is attached).
3. Vulnerable populations who are scheduled for court will be accommodated by video conferencing if possible or reset to a date agreeable to the parties.

### **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 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, 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. (See Exhibit A for details.)
6. The gallery of each 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 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 court building.

#### **Screening**

1. When individuals attempt to enter the court building, Atascosa County Sheriff's Department Bailiff or support staff from the Atascosa County Attorney or District Clerk's Office 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, Atascosa County Sheriff's Department Bailiff or support staff from the Atascosa County Attorney or District Clerk's Office 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 personal protective equipment, including face masks, gloves, and/or sanitizing equipment or products.

#### **Face Coverings**

1. All individuals entering, or queuing to enter, the court room will be required to wear face coverings at all times.

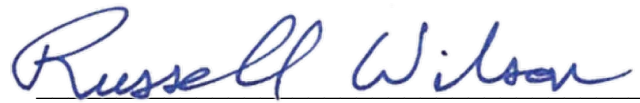
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, a disposable face mask will be provided.
3. Individuals who will be required to be in the court building for over 1 hour will be provided surgical masks and required to 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 12 hours.
2. Court building cleaning staff will clean 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.
4. Court building 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 court building 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 in the court building covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 5/28/2020

A handwritten signature in blue ink that reads "Russell Wilson". The signature is written in a cursive style and is positioned above a horizontal line.

Local Administrative District Judge  
Honorable Russell Atascosa

## EXHIBIT A

### Social Distancing Seat Count for District and County Court at Law Courtrooms

The gallery seats 25.

The “well” seats 12 total divided as indicated below:

Judge Seat: 1

Counsel Tables: 4

Clerk’s desk: one at the desk, one off to the side near end of ramp =  
2

Court reporter may sit in either the witness stand or the jury box =  
1

Witness may sit in either the witness stand or the jury box = 1

Extra seats along wall under the TV = 3

Jury Box: 2

Bailiff seat in the jury box.= 1

Extra seat in jury box = 1

Social Distancing Seat Count for Other Courtrooms

COURT	JP1	JP2	JP3	JP4	Juv	Specialty	County
Gallery	12	10	14	5	8	18	8
Judge's Bench	1	1	1	1	1	1	1
Confer. Tables	2	1	1	1	1	2	2
Clerk's Desk	1	1	1	1	1	1	1
Court Reporter	1	0	0	1	1	1	0
Witness	1	1	1	1	1	1	1
Jury Box	2	2	2	2	0	4	2
Bailiff Seat	1	1	1	1	1	1	1
Extra seats	0	0	0	0	0	0	0