

COVID-19 OPERATING PLAN FOR THE JUDICIARY OF VAL VERDE AND TERRELL COUNTIES

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges and other individuals entering buildings that house the district, county, and justice courts of Val Verde and Terrell Counties, the Local Administrative District Judge and each of the foregoing counties will implement the following protective measures:

General

1. All judges shall 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. This Operating Plan complies with the requirements and guidance of the Office of Court Administration.
3. All judges will use all reasonable efforts to conduct proceedings remotely, rather than in-person, whenever and to the extent possible.
4. The local administrative district judge will maintain regular communication with the local health authority and county judge, and adjust this operating plan as necessary.
5. Judges may begin setting non-essential, in-person proceedings no sooner than June 1, 2020.

COVID-19 Security Levels

1. Level 1: No probable or confirmed cases of COVID-19 in the County or any adjacent county within the prior thirty days.
2. Level 2: Fewer than five probable or confirmed cases of COVID-19 in the County or any adjacent county within the prior thirty days.
3. Level 3: Five or more probable or confirmed cases of COVID-19 in the County or any adjacent county, within the prior thirty days.
4. All elements of this Operating Plan apply to all security levels unless expressly stated otherwise.
5. Levels for each county shall be established by the Local Health Authority, or in the absence thereof for any county, the Regional Public Health Authority, and communicated to the Local Administrative District Judge and the respective county judge.
6. County judges may increase the Level established by the Health Authority, but cannot lower it.

Judge, Court Staff, and County Employees Health

1. Judges, court staff and county courthouse employees who can perform the essential functions of their job remotely will work remotely whenever possible.

2. Judges, court staff and county courthouse employees who feel feverish or have measured temperatures equal to or greater than 100.0°F, are experiencing cold or flu-like symptoms, or signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking with fever, muscle pain, headache, fatigue, sore throat, loss of taste or smell, diarrhea, vomiting, myalgias, or have had known close contact with a person who is probable or confirmed to have COVID-19, will not be permitted to enter the court building and should seek medical advice.
3. At Level 1, judges, court staff and county courthouse employees may at their discretion, but are not required to, wear face coverings, shall comply with social distancing recommendations, and shall follow appropriate hygiene recommendations at all times that they are in the court building. Face coverings for county employees and court staff working directly with court proceedings may be required at the discretion of the judge presiding over such proceedings.
4. At Level 2, county courthouse employees may, at the discretion of the County Judge, be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times that they are in the court building.
5. At Level 3, all in-person court proceedings are suspended, and shall take place only via virtual hearings and video conferences and teleconferencing, except in emergency situations when no alternative is possible. Furthermore, all persons, including Judges, court staff and county courthouse employees, and the general public, shall be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times that they are in the court building.
6. If a person with a confirmed case of COVID-19 was in the court building, no one shall enter the court building until the building has been fully sanitized.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building and prevent exposure in common areas.
2. All proceedings, both essential and non-essential, should occur remotely (such as by teleconferencing, videoconferencing, or other means) unless litigants or other court participants are unable to successfully participate in a remote hearing for reasons beyond the court's control. Hybrid hearings, where specific witnesses or litigants require special accommodations in the court building, are permitted. Each court building shall establish an isolated and secure area for accommodating a litigant or witness during court hearings.
3. In-person jury trials are prohibited until at least July 1, 2020, and thereafter only in accordance with the guidance from the Office of Court Administration.
4. At Levels 2 or 3, no two courts may hold in-person hearings or dockets in the same court building at the same time. This includes district court, county court, Title IVD court, child protection court, justice court, and any other court utilizing the court

building. Descending order of priority of settings shall be District Court, County Court, Title IVD Court, and Justice Court. All court coordinators shall communicate and cooperate to ensure that in-person court hearings do not overlap. Counties will take all reasonable steps to ensure that commissioner's court meetings and other county meetings in the court building that are open to the public do not overlap with court settings.

Screening

1. At Level 1, the following screening procedure may be employed at the discretion of the county judge. At Levels 2 and 3, the following screening procedure shall be employed. Irrespective of then-current Level, the following screening procedure may be required for a given business day at the discretion of any judge holding court on that day.
2. Screening Procedure:
 - a. All doors to the court building shall be and remain locked from the outside except the door designated by the county as the main door, or in the absence thereof, the north-facing door, which shall be controlled at all times by courthouse security. All persons who attempt to enter the court building shall check-in with courthouse security, and provide their full legal name and county of residence, and courthouse security shall note their time of entry.
 - b. When individuals attempt to enter the court building, courthouse security personnel or county staff shall ask the individuals if they are experiencing any cold or flu-like symptoms, including cough, shortness of breath or difficulty breathing, chills, repeated shaking with fever, muscle pain, headache, fatigue, sore throat, loss of taste or smell, diarrhea, vomiting, or myalgias, and whether they have within thirty days been in close contact with a person who is probable or confirmed to have COVID-19. Individuals who admit any of the factors in the preceding paragraph, appear to be suffering from any such symptoms, refuse to answer the questions posed to them, or reside in a county with five or more cases of probable or confirmed COVID-19, shall be either subjected to secondary screening or refused admittance to the court building.
 - c. Secondary Screening: Courthouse security or court/county personnel shall use an infrared thermometer to determine the temperature of any individual subject to secondary screening. Individuals whose temperature equals or exceeds 100.0°F will be seated in a cool and isolated area of the court building for 15 minutes, and then retested. If their temperature remains at or above 100.0°F, they shall be refused admittance to the court building. A log shall be kept of all persons excluded in the screening process.
 - d. All persons shall check-out when leaving the building, and courthouse security shall log their time of exit.

3. Before being transported from the jail to the court building, inmates shall be screened for symptoms of COVID-19 and have their temperature measured. Inmates with symptoms or a temperature equal to or above 100.0°F will not be transported or admitted entrance to the court building.
4. Staff who are screening individuals entering the court building shall wear personal protective equipment, including masks and gloves, provided by the County.

Face Coverings in County Buildings (General Public)

1. At Levels 1 and 2, face coverings for the general public to enter court buildings shall be required at the discretion of courthouse security personnel, except that judges presiding over court proceedings may institute heightened requirements for any business day that court is in session.
2. At Level 3, all individuals entering a court building shall be required to wear face coverings at all times. Attorneys may remove their masks while addressing the court while court is session and on the record. Witnesses may remove their masks while testifying, if so requested by the Court.
3. Notwithstanding the foregoing, any person who resides in a county with five or more probable or confirmed cases of COVID-19 or has within the last 14 days returned from such a county shall be required to wear a face covering at all times in the court buildings.
4. Individuals will be encouraged to bring cloth face coverings with them. If face coverings are required by this Operating Plan and the individual does not have a cloth face covering, a disposable face mask will be provided by the county.
5. Surgical masks are recommended but not required for persons who will be in the court building for more than one hour. Counties are not required to provide surgical masks.

Vulnerable and Highly Vulnerable Populations

1. Individuals age 65 to 72, who have no serious underlying health conditions such as high blood pressure, chronic lung disease, decreased lung capacity, diabetes, obesity, asthma, compromised immune systems (including by chemotherapy for cancer or other conditions requiring such therapy), or are receiving oxygen therapy, are considered to be Vulnerable Populations.
2. Individuals age 73 and over, and individuals of any age who have serious underlying health conditions, such as high blood pressure, chronic lung disease, decreased lung capacity, diabetes, obesity, asthma, compromised immune systems (including by chemotherapy for cancer or other conditions requiring such therapy), or are receiving oxygen therapy, are considered to be Highly Vulnerable Populations.
3. Each judge will include information on orders setting hearings, dockets notices, and in other scheduling communications, notifying individuals who are in Vulnerable Populations or Highly Vulnerable Populations of the obligation to contact the court to identify themselves as a vulnerable or highly vulnerable individual and receive

accommodations. A notice with this information will be posted on the courts' websites and in conspicuous locations around each court building.

4. Persons in Vulnerable Populations shall be permitted to enter the courtroom only if they have submitted the completed and signed Request for Access Form (a copy of which is attached), attesting that the person has no serious underlying health condition, is aware of and assumes the risk inherent in gathering with the local population in the courtroom and surrounding common areas, has read this Operating Plan and the Court's Standing Order and Protocol for COVID-19, and agrees to comply with all social distancing and masking requirements described in this Operating Plan and the Standing Order and Protocol. Persons in Vulnerable Populations shall wear masks at all times they are in the court building, except while they are testifying under oath.
5. No one in a Highly Vulnerable Population shall be permitted to enter the courtroom in any county with a confirmed or probable case of COVID-19 within the last thirty days. Highly Vulnerable Populations shall participate in all hearings and court matters via Zoom video conferencing, either remotely or in a private setting within the court building, separate from other participants and personnel and in compliance with all social distancing and masking requirements.
6. Notwithstanding the foregoing paragraphs 4 and 5, attorneys in Vulnerable Populations and Highly Vulnerable Populations shall be permitted to enter court buildings and attend court proceedings, but shall make diligent efforts to resolve matters by submission or virtual hearing and video appearance. In-person settings involving attorneys of record in Vulnerable Populations and Highly Vulnerable Populations shall be given priority for special settings in order to minimize risks of exposure. Such persons shall comply with all screening, social distancing and masking requirements, except that masks may be removed in the well of the courtroom, while court is in session in a case in which the attorney is counsel of record.

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 radius 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, have been closed to the public.

Audience Gallery

5. The maximum number of persons permitted in the audience gallery of each courtroom has been determined and posted on the courtroom door. 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 of the Courtroom

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 space. No one shall approach the bench, and attorneys shall address the Court from the lawyers' tables.

Hygiene

1. Hand sanitizer dispensers shall be placed at the entrances to the building, outside of elevators on each floor, outside of each courtroom, and outside of bathrooms. Counties shall ensure that the sanitizer dispensers are filled at all times.
2. Counties shall place tissues and sanitary wipes 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" shall be posted in multiple locations on each floor of the court building.

Cleaning

1. At Level 1, court building cleaning staff will clean the courtroom and the common areas of the court building so that common spaces are cleaned at least every four hours on days that court is in session.
2. At Levels 2 and 3, court building cleaning staff will disinfect the courtrooms between every hearing, between morning and afternoon proceedings, and at the end of each day the courtroom is used. This includes sanitizing the witness stand between witnesses and the lawyers' tables between hearings.
3. Court building cleaning staff will use cleaning supplies shown to be effective against the coronavirus. <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>
4. Court building cleaning staff must be trained on proper cleaning techniques as provided by the CDC Recommended Cleaning and Disinfection. Court building cleaning staff must be provided appropriate personal protective equipment by the county.

Other

1. Bailiffs and courthouse security personnel are authorized to enforce all provisions of this Operating Plan.
2. Bailiffs and courthouse security personnel may refuse entry to anyone who does not comply with this Operating Plan, or refuses to comply with the directives of those enforcing this Operating Plan.
3. Any person may be removed from the courtroom and court building at the discretion of the Bailiff or courthouse security personnel.
4. Violation of this Operating Plan may result in expulsion from the court building, and/or constitute contempt of court, subjecting the violator to a fine of up to \$500 and a jail sentence of up to 180 days in jail.

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, regional public health authority, other district judges and county judges within the district, documentation of which is attached to this plan. I will ensure that the judges of courts operating within the court buildings covered by this Operating Plan conduct proceedings consistent with the plan.

Date: 5/27/2020


Local Administrative District Judge

REQUEST FOR ACCESS FORM – VULNERABLE POPULATIONS

CURRENT SECURITY LEVEL: _____

NOTICE: If you are over 65 or have a serious underlying health condition, you **MUST** complete this form to request access to the court building. Your refusal to do so will result in denial of admittance or expulsion from the building. Your request may be denied in accordance with the COVID Operating Plan.

Name: _____ **Date:** _____

Current Age: _____ **Time:** _____

Serious Health Conditions include high blood pressure, chronic lung disease, decreased lung capacity, diabetes, obesity, asthma, compromised immune system (including by chemotherapy for cancer or other conditions requiring such therapy), or receiving oxygen therapy.

1. I understand that I am a member of a Vulnerable Population (age 65-72) or a Highly Vulnerable Population (age 73 and above, or any age person with a Serious Health Condition).
2. I understand that as a member of a vulnerable or highly vulnerable population, I am at heightened risk of serious complication or death due to COVID-19.
3. I understand that some persons infected with COVID-19 may not show any symptoms or even be aware that they are infected and/or contagious.
4. I understand that by entering the courthouse I risk exposure to someone currently infected with COVID-19, and that I may become infected with COVID-19 despite the best efforts of county and courthouse officials and staff to minimize exposure.
5. I understand that there are alternatives to my personal appearance at any court proceeding, and that accommodations will be made for me so that I need not enter the common areas of the building to conduct my business.
6. I have read the COVID-19 Operating Plan and agree to comply with all requirements of the Plan, including face coverings, social distancing, and hygiene.
7. I assume the risks described above, and request entry to the court building. I understand that I can be refused entry to the building, or removed at any time, at the discretion of courthouse security, the county judge, or the judge presiding over any court proceeding.

[YOUR SIGNATURE]

NOTICE TO PERSONS OVER 65 YEARS OF AGE, OR WITH SERIOUS HEALTH CONDITIONS

COVID-19 OPERATING PLAN

To minimize the threat of contagion due to the COVID-19 pandemic, access to this court building is restricted for persons most vulnerable to serious injury or death from COVID-19, including persons 65 years of age or older, and persons who have any of the following health conditions:

High blood pressure, chronic lung disease, decreased lung capacity, diabetes, obesity, asthma, compromised immune systems (including by chemotherapy for cancer or other conditions requiring such therapy), or are receiving oxygen therapy.

If you are either over 65 years old or have one or more of these health conditions, you may be refused entry to the building. If you have a court proceeding in the building, you may be required to participate in your court proceeding remotely, rather than in person. Please contact the court coordinator for further instructions.

83rd District Court:	Nelva Torres, 830-774-7654 ntorres@valverdecountry.texas.gov
63rd District Court:	Lucy Santos 830-774-7653 lsantos@valverdecountry.texas.gov
County Court at Law	Sandra Hernandez 830-774-7575 shernandez@valverdecountry.texas.gov
Justice of the Peace #1	Maria Garcia 830-774-7545 mgarcia@valverdecountry.texas.gov
Justice of the Peace #2	Maria Soto 830-774-7579 msoto@valverdecountry.texas.gov
Justice of the Peace #3	Ashely Vicuna 830-774-7511 avicuna@valverdecountry.texas.gov

Justice of the Peace #4

Brenda Rivera 830-774-7581

brivera@valverdecountry.texas.gov

A copy of the complete COVID-19 OPERATING PLAN for this County is available on the Val Verde County Website at: <http://tx-valverdecountry.civicplus.com/>

STOP THE SPREAD OF GERMS

Help prevent the spread of respiratory diseases like COVID-19.

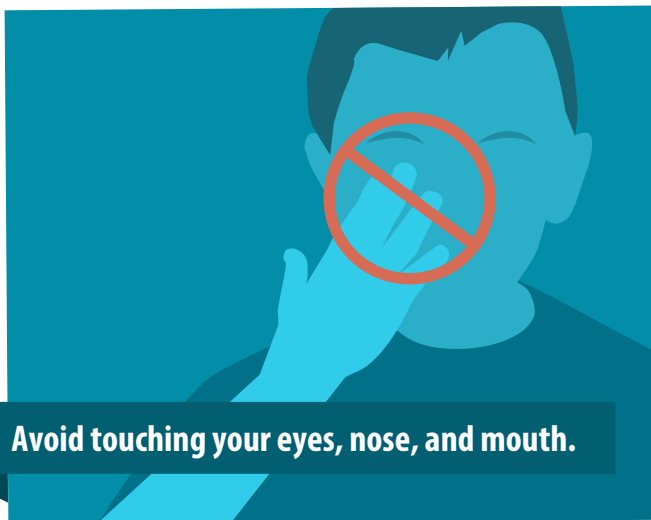
Avoid close contact with people who are sick.



Cover your cough or sneeze with a tissue, then throw the tissue in the trash.



Avoid touching your eyes, nose, and mouth.



Clean and disinfect frequently touched objects and surfaces.



Stay home when you are sick, except to get medical care.



Wash your hands often with soap and water for at least 20 seconds.

