

IN THE TRIAL COURTS OF WALLER COUNTY, TEXAS
506th Judicial District Court, Waller County Court at Law; and
The Justice Courts of Waller County, Texas

COVID-19 Operating Plan for the Waller County Judiciary

This Operating Plan is effective immediately and shall remain in effect until further Order of this Court, or order of higher authority.

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals entering the buildings housing any of the courts of Waller County, the following protective measures are hereby implemented:

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 County Judge and Office of Emergency Management will maintain regular communication with the local health authority and the Local Administrative District Judge. This Plan will be adjusted as necessary according to the conditions within the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than July 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. On a daily basis Judges shall discuss with personal staff and clerks interacting with the Judge about the need for self-monitoring and reporting of any symptoms of COVID-19. Adequate precautions have been made to protect the income of employees affected by the need for remote working or quarantine. Judges and court staff will comply with the health requirements set out in this Plan.
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 county buildings and should seek medical advice.

4. During any in-person hearings or dockets, Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations at all times. Alternatively, if clear shielding is available, such shielding will be placed in such a manner to protect the Judge, the court reporter, the court staff, any witnesses, attorneys, and others attending any in-person court proceeding. While in chambers and staff work areas common to the Courts' chambers, masks or face coverings are optional, but must be made available to those who wish to use them.

Court Scheduling

1. Courts holding trials, hearings, and other judicial functions which are located in a building separate from other courtrooms shall establish individual court schedules in keeping with this Plan and the instructions emanating from the Office of Court Administration, the Supreme Court of Texas and the Texas Court of Criminal Appeals.
2. Magistration schedules for conducting inmate magistration at the Waller County Jail shall not be affected by this Plan. Magistrates shall otherwise maintain social distancing and hygienic procedures during magistration duties. To the extent possible, remote magistration shall be conducted.
3. Courtroom schedules currently employed by the District Court, County Court at Law and Commissioners Court shall remain in place as they are adequate to ensure separation of individuals and reduce populations within the Waller County courthouse itself.
4. Judges may increase the requirements contained in this Plan but may not decrease or diminish such requirements.

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***. A notice with this information and about accommodations for such individuals in both English and Spanish will be included with each docket, setting notices and other posting of schedules. A copy of such notice is attached.
2. Each judge will include information on orders setting hearings, dockets, notices, and 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 in both English and Spanish will be posted on each courts' website and in conspicuous locations around the court building. A copy of such notice is attached.
3. Except for specific legal requirements, vulnerable populations who are scheduled for court will be accommodated by being given an opportunity to appear by teleconference, to submit necessary information in written form, or by rescheduling of the in-person hearing until a

time after the crisis has diminished.

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 break rooms and snack rooms, have been closed to the public.
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 and security. Capacity shall be determined as shown at <https://www.density.io/blog/how-to-plan-conference-room-usage-in-the-age-of-social-distancing/>, which is incorporated herein.
6. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating area. Seating is limited to spacing adequate to provide for social distancing.
7. In each courtroom, the counsel tables, witness stand, judge's bench, the clerks' area, the 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 restrooms.
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.
4. Red waste disposal containers will be located at each court building main entrance, and on each floor of the central courthouse. Red waste disposal containers will be marked as only for use to dispose of used masks, gloves, tissue, or other potentially contaminated personal hygiene items. The waste generated from these containers will be disposed of as medical waste.

Screening

1. When individuals attempt to enter the court building, the individuals on duty as courthouse security will ask the entering 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. Signs in both English and Spanish containing the questions may be posted at the public entrances to the court buildings and may be used in lieu of oral questioning. Written questionnaires containing such questions may be used in lieu of oral questioning.
2. When individuals attempt to enter the court building, the individuals on duty as courthouse security 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.
3. Inmates being transported from the jail to the court buildings 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 masks, gloves, and as requested, visors or safety glasses.

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times while in the building. Courthouse workers, on entering personal work areas, may remove masks or face coverings, but shall use the mask for all contacts with others not of that office.
2. Individuals entering the court building will be encouraged to bring cloth face coverings with them, but if the individual does not have an adequate 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 or N95 compatible 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 once each work day.
2. Court building cleaning staff will wipe down contact areas and, as needed, 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 against the coronavirus.

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

Other

1. Any of the trial courts of Waller County may take any other reasonable action necessary to avoid exposing court proceedings to the threat of COVID-19.
2. This Order may be extended or modified by written Order of this Court without notice. Any such extension or modification shall be delivered to all trial judges of Waller County, the County Clerk, the District Clerk, posted with the District Clerk of Waller County, and posted on the Court's website at www.court506.com.

I certify that I have conferred with all judges of all courts with courtrooms in the court buildings of Waller County regarding this Operating Plan. In developing the plan, I consulted with the local health authority, the Waller County Judge, the Waller County Sheriff, and the Waller County Office of Emergency Management, as evidenced by the documentation attached to this plan. I will ensure that the judges of courts with courtrooms in the court buildings covered by this Operating Plan conduct proceedings consistent with the plan.

Dated: May 18, 2020.



ALBERT M. McCAIG, JR.
Waller County Local Administrative
District Judge, Presiding

Template for Notice to Vulnerable Population Individuals.
Format for use as a posted sign.

NOTICE TO VULNERABLE POPULATION INDIVIDUALS

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*.

Except for specific legal requirements, members of vulnerable populations who are scheduled for court will be accommodated by being given an opportunity to appear by teleconference, to submit necessary information in written form, or by rescheduling of the in-person hearing until a time after the COVID-19 crisis has diminished.

**Contact the Court for further information.
(Your phone number goes here)**

Aviso a personas de la población vulnerable

Las personas mayores de 65 años y personas con condiciones de salud subyacentes graves, como presión arterial alta, enfermedad pulmonar crónica, diabetes, obesidad, asthma y aquellos cuyos sistemas inmunes están comprometidos como por quimioterapia para el cáncer o otra condición que requiera dicha terapia se consideran *poblaciones vulnerables*.

Excepto por requisitos legales específicos, los miembros de poblaciones vulnerables que están programados para la corte serán acomodados al tener la oportunidad de presentarse por teleconferencia, para presentar la información necesaria por escrito, o reprogramando la audiencia en persona hasta un momento después de la crisis de COVID-19 ha disminuido.

**Contacte a la corte para más información.
(your number goes here)**

Template for Notice of Online Court Proceedings.

Format for inclusion with all dockets, setting notices, and signage, as needed.

NOTICE OF ONLINE COURT PROCEEDINGS

This Court has a YouTube Channel that allows compliance with the open courts requirements of the Texas and U.S. Constitutions.

The matters on the attached notice of setting or docket that are identified as “Zoom” will appear on that channel at the posted time. Matters are frequently passed or rescheduled.

Therefore, be prepared for changes to the schedule.

The YouTube Channel URL for this Court is as follows:

(place your Court’s URL here)