

COVID-19 Operating Plan for the El Paso 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 **El Paso County** will implement the following protective measures at the courthouse:

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 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: courthouse security will perform health checks upon entrance to the courthouse, and employees will inform supervisors or their judge if they manifest symptoms of COVID-19 or another illness or if they have had contact with a person with confirmed COVID-19, or traveled such that self-quarantine is required or warranted. A judge shall inform the Local Administrative Judge.
3. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 100°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, practice social distancing, and practice appropriate hygiene recommendations at all time. These include handwashing for at least 20 seconds with soap and water between cases or may use a hand sanitizer that contains at least 60% alcohol.
5. Protective Measures: judges and court staff will continue to work remotely when feasible and in accordance with rotation schedules to continue the operation of the courts.

Scheduling

1. Jail inmate and probation plea videoconferencing dockets will continue. Judges may, when necessary, schedule in-person proceedings during the times allotted. These guidelines for the scheduling of court hearings are established to diminish the spread of Covid 19 and comply with the requirement of social distancing by reducing the number of individuals who need to be in the courthouse at any given time.
2. **Remote Hearings: COURTS ARE STRONGLY ENCOURAGED TO CONDUCT AS MANY PROCEEDINGS AS POSSIBLE 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.)
3. **In Person Proceedings:**
 - a. In person hearings shall be held in accordance with the following guidelines:
 - i. **Courts shall only be allowed to conduct in person hearings on their assigned day.** The assigned day for in person hearings for each court is set out on the Courthouse Schedule for In Person Hearings attached as Exhibit "A".
 - ii. Because in person hearings will be scheduled on an advanced basis:
 1. Attorneys will be required to provide court coordinators (via email) with a list of parties, witnesses and support staff who will attend each in person hearing five days prior to the hearing. Failure to provide this notice will result in cancellation of the hearing. Attorneys are strongly encouraged to discuss these rules with their clients and their families.
 2. Space on each floor and in each court room will be extraordinarily limited as social distancing will be required and strictly enforced. Since space is limited, non-essential individuals may not be able to enter the courtroom.
4. Courts and attorneys are strongly encouraged to protect vulnerable individuals and those who live with or take care of vulnerable individuals. Deposition testimony or video testimony is strongly encouraged for vulnerable individuals.

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.
3. 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).
4. Judges should utilize the freight elevator.
5. Vulnerable populations who are scheduled for court will be accommodated by setting the proceeding to minimize contact with other populations potentially at a lower risk and more likely to be asymptomatic.

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. Flow patterns will be established to minimize face-to-face interaction.
3. No more than four (4) individuals who are NOT from the same household will be permitted in an elevator in the parking garage or the main courthouse elevator bank. If more than four (4) individuals from the same household are in an elevator, no other individuals will be allowed in the elevator.
4. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing. The maximum capacity has been posted on each restroom door.
5. The cafeteria is accepting takeout orders only and shall follow state and local city orders applicable to restaurants.
6. Resting areas should be marked to allow for social distancing of approximately six (6) feet between people.
7. Signage is posted to remind people not to congregate in hallways, court lobbies, and restrooms. Flyers may also be used to inform and remind people of the guidelines.

Gallery

8. The maximum number of persons permitted in the gallery of each courtroom must be determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
9. The gallery of the courtroom must be marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

10. 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 six (6) feet between each space.
11. When attorneys approach the bench they must observe proper social distancing guidelines.

Hygiene

1. Hand sanitizer dispensers have been placed with prominent signage 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. Appropriate amount of trash cans or receptacles should be distributed throughout the building, near entrances and elevators and close to public restrooms, to avoid tissues and other contaminated trash to be dispersed on the floor or inappropriately disposed of.
4. 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 or in a distributed flyer.

5. Water fountains are temporarily closed or restricted and the public should be informed. People may be allowed to bring their own water.

Screening

1. When individuals attempt to enter the court building, courthouse security officers 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, courthouse security officers 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 100°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 gloves, face coverings and hand sanitizer.

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times unless otherwise requested by a judge, a law enforcement officer, justice of the peace or other court officer.
2. Individuals will be encouraged to bring cloth face coverings with them.

Cleaning

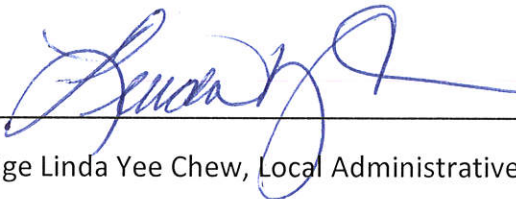
1. Courthouse staff will clean the common areas of the court building so that common spaces are cleaned at least every four (4) hours. Restrooms will be cleaned and restocked according to an established schedule.
2. Court staff will clean the courtrooms between every hearing, between morning and afternoon proceedings, and at the end of each day the courtroom is used.
3. Court staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. Courthouse staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

The Jail Magistrate Court is housed within the jail and subject to infectious disease protocols implemented by the Sheriff. Bond hearings will continue to be conducted via remote hearing.

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: 5/27/2020



Judge Linda Yee Chew, Local Administrative District Judge

COURTHOUSE SCHEDULE FOR IN PERSON HEARINGS

Blue X = court does not intend to use

COURTS	Monday	Tuesday	Wednesday	Thursday	Friday
3rd Floor					
JUSTICE OF THE PEACE #3		X			X
4th Floor					
CRIMINAL DISTRICT CRT. #1	X				
PROBATE COURT #2	X				
COUNTY CRIM. CRT. AT LAW #3				X	
409TH DISTRICT COURT		X			
448TH DISTRICT COURT			X		
6th Floor					
120TH DISTRICT COURT	X	X			
168 DISTRICT COURT					X
171ST DISTRICT COURT			X	X	
327TH DISTRICT COURT					X
327TH TAX COURT					X
TITLE IV-D ONE COURT				X	
TITLE IV-D TWO COURT		X			
7th Floor					
346TH DISTRICT COURT				X	
COUNTY CRIM. CRT. AT LAW #1			X		
COUNTY CRIM. CRT. AT LAW #2	X		X		
COUNTY CRIM. CRT. AT LAW #4		X			
8th Floor					
COUNTY COURT AT LAW #1			X		
COUNTY COURT AT LAW #2				X	
COUNTY COURT AT LAW #4			X		
COUNTY COURT AT LAW #5		X			X
COUNTY COURT AT LAW #7	X				

COURTS	Monday	Tuesday	Wednesday	Thursday	Friday
9th Floor					
34TH DISTRICT COURT	X				X
243RD DISTRICT COURT		X		X	
384TH DISTRICT COURT			X	X	
388TH DISTRICT COURT	X				X
JURY DUTY COURT					
ASSOC FAMILY CRT. 1					
10th Floor					
41ST DISTRICT COURT		X		X	
205TH DISTRICT COURT			X	X	
210TH DISTRICT COURT		X	X		
COUNTY COURT AT LAW #3	X				X
PROTECTIVE ORDER COURT	X				X
11th Floor					
65TH DISTRICT COURT		X	X		X
383RD DISTRICT COURT	X			X	
COUNTY COURT AT LAW #6				X	
CC6 TAX COURT				X	
ASSOC. FAM. COURT 2	X		X		
ASSOC. FAMILY CRT. 4		X			X
12th Floor					
PROBATE COURT #1		X			
8th Court of Appeals					
TOTAL COURTS	11	12	11	11	10