

# **COVID-19 Operating Plan for the COURTS OF LIMESTONE County, TEXAS**

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 of Limestone County** 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.
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 within 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. Judges shall discuss with Court Staff the need for self-monitoring and reporting of any COVID-19 symptoms. Judges and Court Staff will comply with the health requirements set out in this Plan. Adequate measures have been put in place to protect the income and positions of Court Staff who may need to be quarantined or work remotely.
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. During in-person hearings or dockets, Judges and Court Staff will be required to practice social distancing, and practice appropriate hygiene recommendations. It is recommended that Judges and staff wear face coverings. Face coverings may be removed in areas protected by appropriate shielding or as necessary to communicate. While in chambers and staff work areas common to the court's chambers, masks or face coverings are optional when social distancing occurs, but must be made available to those who wish to use them.
5. Courts may keep office doors closed to the public and others, if the Judge believes it is necessary to protect the court staff and/or to prevent the spread of COVID-19 virus.

## **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 and the Supreme Court of Texas and the Texas Court of Criminal Appeals.
2. Magistration schedules for conducting inmate magistration at the Limestone County Jail shall not be affected by this Plan. Magistrates shall otherwise maintain social distancing and hygienic procedures during magistration duties.
3. Courtroom schedules currently employed by the District Courts, County Court and Commissioners Court shall remain in place as they are adequate to ensure separation of individuals and reduce populations within the Limestone County courthouses.
4. If the courtrooms available to the Justice of Peace courts are not adequate to comply with social distancing and the COVID-19 Operating Plan, the Justice of Peace may schedule use of the District or County Courtroom(s) on a day no District Court, County Court or ancillary court proceeding is occurring.

## **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. Attorneys and unrepresented parties shall provide the notice to vulnerable populations to any participants they plan to have attend the proceeding.
4. 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 format when allowed by the existing law 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 breakrooms 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 has been marked to identify appropriate social distancing in the seating.

### *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 each courtroom, and inside courtroom.
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 courtroom, Courthouse Security personnel 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 courtroom.
2. When individuals attempt to enter the courtroom, Courthouse Security personnel will use a thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the courtroom.
3. Inmates being transported from the jail to the courtroom 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 courtroom.
4. Staff who are screening individuals entering the courtroom will be provided personal protective equipment, including masks, gloves, and if requested, vision or safety glasses.

### **Face Coverings**

1. When Court proceedings are occurring, all individuals entering the courtroom will be required to wear face coverings.
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 courtroom for over 1 hour will be provided non-medical grade face masks and required to wear them while in the courtroom if the supply is available.

4. Face coverings may be removed as necessary to communicate, with the approval of the Court.

**Cleaning**

1. When Court proceedings are occurring, Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every eight (8) hours.
2. Court building cleaning staff will clean the courtrooms during a transition of participants between hearings and at recesses, 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.

**Other**

1. Any of the trial courts of Limestone 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 Limestone County, the County Clerk, the District Clerk, posted with the District Clerk of Limestone County, and posted on the Court's website

I have attempted to confer with all judges of courts with courtrooms in Limestone County regarding this Operating Plan. In developing the plan, I consulted with the local health authority and county judge of Limestone County, 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: 5/22/20



Patrick H. Simmons

77<sup>th</sup> Judicial District Court

Limestone County Local Administrative District Judge

Amber Sandell  
Court Coordinator  
254-729-5705



Sherry Current  
Official Reporter  
254-729-5705

**PATRICK H. SIMMONS**  
JUDGE  
Seventy-Seventh Judicial District  
Freestone and Limestone Counties  
200 West State Street, Suite 209  
Groesbeck, Texas 76642

May 21, 2020

Judge Richard Duncan  
County Judge of Limestone County  
200 West State Street  
Groesbeck, Texas 76642

Dr. Kevin Jensen  
Limestone County Local Health Authority  
6328 Park Meadow Ln  
Plano, Texas 75093

Dear Judge Duncan & Dr. Jensen,

Please confirm by your signature below that I have consulted with each of you pertaining to the COVID-19 Operating Plan for the Courts of Limestone County, Texas.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick H. Simmons".

Patrick H. Simmons  
77<sup>th</sup> District Judge, Limestone County

A handwritten signature in black ink, appearing to read "Richard Duncan".

Judge Richard Duncan

A handwritten signature in black ink, appearing to read "Kevin Jensen".

Dr. Kevin Jensen

PHS/as