

COVID-19 Operating Plan for the Burnet 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 Burnet County will implement the following protective measures. Please note that these are the minimum protective measures that will be taken, and individual judges or elected officials may require more stringent protective measures for their court proceedings.

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.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020, at the sole discretion of the individual. No judge will be required to begin in-person proceedings.

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: Judges and their court staff shall follow all recommendations of the OCA and CDC for health monitoring and testing/screening for workplace access.
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, practice social distancing, and practice appropriate hygiene recommendations at all time.

Scheduling

1. Each individual judge shall be responsible for scheduling his/her dockets in a manner that complies with all regulations and recommendations of the OCA, CDC and contained in this operating plan. At no time will proceedings in more than one courtroom be ongoing at the same time. All court schedules shall be established to reduce occupancy in the court building.

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 rescheduling to a future date or rescheduling to a video conference hearing without necessity of attending in-person proceedings.

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.
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

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, a court bailiff 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, a court bailiff 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 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 coverings and gloves.

Face Coverings

1. All individuals entering the court building 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 four (4) hours during the day, and also overnight before the courthouse opens the following day.
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, the Burnet County Sheriff and Burnet 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:

May 31, 2020



Judge Allan Garrett, 33rd District Court of Texas
Local Administrative Judge

NOTICE TO VULNERABLE POPULATION

You are considered a member of a vulnerable population if you:

1. Are over age 65;
2. Have a serious underlying health condition, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma;
3. Have a compromised immune system, such as by chemotherapy for cancer or other conditions requiring such therapy.

IF you are a member of a vulnerable population please CONTACT THE COURT IMMEDIATELY. The Court staff will make accommodations for you, including resetting your hearing to ensure that you are not required to be present in the courtroom.

From: Allan Garrett judge33rd@gmail.com 
Subject: Courtroom COVID-19 Operating Plan

AG

Date: May 14, 2020 at 1:33 PM

To: James Oakley judgejamesoakley@gmail.com, Calvin Boyd cboyd@burnetsheriff.com, julesmadrigal@hotmail.com, Jason Coates jcoates@burnetsheriff.com

Cc: Evan Stubbs 424distjudge@gmail.com, Lisa Bell 33coordinator@gmail.com

Dear:

Judge James Oakley

Sheriff Calvin Boyd

Dr. Jules Madrigal (Burnet County Public Health Official)

Mr. Coates (Chief Bailiff)

Attached you will find a draft of the proposed Operating Plan for re-opening the courtrooms of our county. This draft is directly based upon guidelines from the Office of Court Administration. Please review the document and let me know if there should be revisions. Please note that this document is intended to be a minimum requirement, so there will likely NOT be deletions of requirements. I welcome your comments/suggestions and let me know if you have any questions.

Thank you,
Allan

Judge Allan Garrett
33rd Judicial District Court of Texas
1700 E. Polk St.
Burnet, Texas 78611
(512) 756-5436
(512) 756-8478 (fax)

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From: Allan Garrett judge33rd@gmail.com
Subject: Courtroom COVID-19 Operating Plan (Burnet County)

AG

Date: May 14, 2020 at 2:00 PM

To: Linda Bayless lbayless@burnetcountytexas.org, Cheryl Mabray cheryll.mabray@txcourts.gov, Dawn Baardsen Dawn.Baardsen@txcourts.gov, rnelson@burnetcountytexas.org, Lisa Whitehead lwhitehead@burnetcountytexas.org, Debbie Bindseil dbindseil@burnetcountytexas.org, Judge Hurst jmhurst@burnetcountytexas.org

Cc: Lisa Bell 33coordinator@dcourttxas.org, Judge Evan Stubbs 424distjudge@dcourttxas.org, Allan Garrett 33judge@dcourttxas.org

Dear:

Judge Linda Bayless (Burnet Co. Court at Law)

Judge Cheryl Mabray (CPS Court)

Judge Dawn Baardsen (IV-D Court)

Judge Roxanne Nelson (JOP - Precinct 1)

Judge Lisa Whitehead (JOP - Precinct 2)

Judge Jane Marie Hurst (JOP - Precinct 3)

Judge Debbie Bindseil (JOP - Precinct 4)

Attached you will find a draft of the proposed Operating Plan for re-opening the courtrooms of our county. This draft is directly based upon guidelines from the Office of Court Administration. Please review the document and let me know if there should be revisions. Please note that this document is intended to be a minimum requirement, so there will likely NOT be deletions of requirements.

You, as the judge in your courtroom, have the right to add more restrictions for your court, but these will remain as the minimum. You, as the judge in your courtroom, have the power to decide when and if you will resume in-person proceedings.

I welcome your comments/suggestions and let me know if you have any questions.

Thank you,
Allan

Judge Allan Garrett
Judge Allan Garrett
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