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**MINIMUM STANDARD HEALTH PROTOCOLS FOR
PALO PINTO COUNTY COURT PROCEEDINGS DURING
COVID-19 PANDEMIC
(Effective April 1, 2021)**

MAR 25 2021

[Signature]
JONNA BANKS, DISTRICT CLERK
PALO PINTO COUNTY TEXAS

BY _____ DEPUTY

Recognizing the need to ensure the health and safety of litigants, attorneys, visitors, court staff, judges, and other individuals utilizing the courts, the courts of Palo Pinto County implement the following minimum standard health protocols:

General

1. All judges will comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals.
2. Subject to constitutional limitations, all courts are permitted to – and required to avoid risk to court staff, parties, attorneys, jurors, and the public – without a participant’s consent:
 - modify and suspend deadlines and procedures through June 1, 2021;
 - upon request and good cause shown, allow or require anyone, other than a juror, to participate remotely in a proceeding;
 - conduct proceedings away from the court’s usual location with reasonable notice and access to the participants and the public;
 - take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19, including requiring compliance with social distancing protocols and face coverings worn over the nose and mouth.
3. All judges should, but are no longer required to, use reasonable efforts to conduct proceedings remotely. The Court should also consider hybrid hearings. The current court rules for remote proceedings of the 29th District Court are attached hereto.
4. The local administrative judge will maintain regular communication with the local health authority and adjust these protocols as necessary with conditions in the county.
5. A judge may impose stricter health protocols for in-person proceedings in his or her court than those required by these minimum standard health protocols.

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 or court staff who feel feverish or have measured temperatures equal to or greater than 100.0°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 recent known close contact with a person who is confirmed to have COVID-19 will not be permitted to enter the court building and should seek medical advice.

3. Judges and court staff will practice appropriate social distancing and hygiene recommendations at all time.

Scheduling

1. The Courts will coordinate scheduling in a manner which will ensure that only one court within a court building is conducting in-person proceedings at any given time

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. Vulnerable people who are scheduled for court will be accommodated by specific settings during a time when no other court proceedings are scheduled.

Social Distancing

1. The local administrative judge shall consult with the local public health authority with regard to the appropriate social distancing necessary at any given time taking into consideration the county's community COVID-19 transmission rate.
2. All persons not from the same household who are permitted in the court building will be required to maintain appropriate social distancing.
3. Only one individual not from the same household will be permitted in an elevator.
4. 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.
5. Breakrooms and snackrooms are closed to the public.

Gallery

1. The maximum number of persons permitted in the gallery of each courtroom will be determined and posted. The maximum capacity of the courtroom will be monitored and enforced by court staff.
2. The gallery of the courtroom will be marked to identify appropriate social distancing in the seating.

Well

1. 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 appropriate social distancing.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrances to the court 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, court security personnel will ask the individuals if they have tested positive for COVID-19 within the previous 10 days, have had symptoms of COVID-19 within the previous 10 days, or have had recent known exposure to COVID-19 within the previous 14 days. 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, court security personnel 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 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 gloves and mask.

Face Coverings

1. All individuals entering a courtroom or court-related office within the court building will be required to wear at least a double layered cotton face covering at all times.
2. Individuals will be encouraged to bring appropriate face coverings with them, but if the individual does not have an appropriate face covering, a disposable face mask will be provided.
3. Court participants who may need to lower their face mask to speak for a short period of time should be required to wear a face shield. When speaking, a court should permit a court participant to lower his or her mask so long as a face shield is worn and the person speaking is immobile.

Cleaning

1. Santizing should be routinely and regularly performed, including when a transition of participants occurs within a courtroom between hearings and after recesses.

2. Courts should implement frequent cleaning protocols during a jury proceeding. Specifically, courts should ensure that shared spaces such as witness stands, seating in the gallery, and seating during qualification/voir dire are cleaned during transitions of those spaces. Courts should assign seats for members of the jury panel and selected jurors to reduce potential transmission and the need for more frequent cleaning.

Summoning Jurors

1. Courts must include with juror summonses information on precautions that have been taken to protect the health and safety of prospective jurors and COVID questionnaires that elicit from prospective jurors information about their exposure or vulnerability to COVID-19. Upon written request by a prospective juror, the Court shall excuse or reschedule any prospective juror who proves information confirming their COVID-19 infection or exposure or their particular vulnerability to COVID-19.

Location(s) for Jury Selection, Trial, and Deliberation

1. Courts should identify an appropriate location for conducting the various phases of a jury proceeding that enable adequate social distancing at all phases. Special attention should be paid by the Courts to ensure adequate social distancing and managed exits of individuals during breaks, especially when dismissing large groups of people for a break. The Court shall also consider on the record any objection or motion related to continuing the jury proceeding at least seven days before the jury proceeding or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding.

Arrangement of Courtroom

1. Courts should modify the way in which courtroom participants (judge, parties/counsel, jurors, witnesses, court reporters, bailiffs, public) will be arranged in the courtroom. Special attention should be paid to placement of the witness and parties so that the jurors, judge, and attorneys can see the witness and parties during testimony. Special attention should also be paid to placement of evidence presentation displays so that jurors and witnesses can see the information being displayed. Courts should plan for spaces where a judge can have sidebar or private conversations with jurors and counsel.

Microphone Protection Protocols

1. Courts should limit, to the degree possible, the shared use of microphones during the jury proceeding. If a microphone must be shared, courts should limit the passing of the microphone unless the microphone is cleaned between each user. In addition, disposable microphone covers should be placed on shared microphones and changed between each user.

Exhibit/Evidence Management

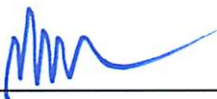
1. Courts should limit, to the degree possible, the use of physical or paper exhibits/evidence where feasible or appropriate by converting the exhibit/evidence to a digital form. When physical or paper exhibits/evidence is required, courts should reduce the exchange of that exhibits/evidence to the number of persons necessary and should limit passing the exhibits/evidence to the individual members of the jury. If an exhibit/evidence is required to be transferred from person-to-person, single use gloves should be worn and discarded immediately after handling the exhibit/evidence.
2. During jury deliberations, courts should make efforts to provide the jury with access to digital exhibits/evidence that would normally be shared with the jury during deliberation. Where digital exhibits/evidence is not feasible, courts should consider limiting the transfer of the exhibits/evidence from juror-to-juror by spreading the exhibits/evidence on a table for inspection from the table in the jury deliberation room.

Food Precautions

1. Courts that provide food to jurors or other participants during a jury proceeding should ensure individual food portions, such as individually boxed meals, are provided.

These Minimum Standard Health Protocols for Palo Pinto County Court Proceedings During COVID-19 Pandemic shall be posted on the Palo Pinto County website.

Date: 3/25/21



Michael Moore, Local Administrative Judge
Palo Pinto County, Texas

**SECOND AMENDED
COURT RULES FOR REMOTE HEARINGS
29TH JUDICIAL DISTRICT
PALO PINTO COUNTY**

The 29th District Court adopts the following rules and restrictions for video conferencing/remote hearings conducted as follows:

PROCEDURES FOR ATTORNEYS AND LITIGANTS:

The 29th will be utilizing Zoom video conferencing. It is free to download at **zoom.us**. The Court Reporter or Coordinator will email you a link to your hearing. Your computer must have internet access and a video camera. A microphone also is required.

Ensure the Court Reporter (elizabeth.bourquin@co.palo-pinto.tx.us) and the Court Coordinator (teresia.greenhaw@co.palo-pinto.tx.us) have your email address no later than 4 p.m. the day before any hearing.

If you intend to offer any exhibits during the hearing, you need to provide a hard copy to the Court Reporter at 520 Oak Street, Palo Pinto, Texas 76484, no later than 4 p.m. the day before the hearing. Emails to the Court Reporter are not acceptable. The Court cannot consider any exhibits not provided to the court reporter in a timely manner. If you fail to follow this requirement, the court reporter will not maintain these documents in the record.

Dated March 25, 2021.



Michael D. Moore, Judge Presiding

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