



Second Administrative Judicial Region of Texas

Olen Underwood

Presiding Judge

Connie Teel

Administrative Assistant

May 26, 2020

RE: COVID-19 Operating Plan for All Court Proceedings

Dear Judge,

After review, the COVID-19 Operating Plan for the Orange County Judiciary, as submitted is APPROVED.

Please note a copy of the plan will be placed in the file within the Second Administrative Region of Texas and the Texas Office of Court Administration.

Operating plans will remain in effect until updated guidance is issued from OCA indicating they are no longer required or upon the expiration of the provisions in the Twelfth Emergency Order, as amended or extended, requiring adherence to OCA Guidelines.

Thank you,

A handwritten signature in black ink, appearing to read "Olen Underwood".

Olen Underwood,
Presiding Judge

OU/ct



COVID-19 Operating Plan for the Orange 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 Orange County, Texas, 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 in the county.
4. Judges will begin setting non-essential in-person proceedings no sooner than the following: Justice of the Peace Courts for Precincts 2, 3, & 4 are each housed in buildings with their court being the only court in the building. Securing Plan compliance requires less coordination, less complication and less expense. Accordingly, Justice of the Peace Judges for Precincts 2, 3, & 4 will begin setting non-essential in-person hearings no sooner than June 1, 2020, and only after certifying in writing to the Orange County Judge that the Court is prepared to fully comply with the Plan requirements.

However, the main courthouse at 801 Division, Orange, Texas 77630, houses the Justice of the Peace Court for Precinct 1, County Court at Law, County Court at Law #2, 128th District Court, 163rd District Court, and 260th District Court. It also houses the District Clerk and the County Clerk. The building has four entrances, with no current security screening system. Securing Plan compliance for the entire building requires considerable coordination and complications, along with significant costs for equipment, supplies, and personnel to obtain Plan compliance. Accordingly, the aforementioned courts located in the main courthouse will begin setting non-essential in-person hearings no sooner than July 1, 2020, and only the Courts which have certified in writing to the Orange County Judge that the Court is prepared to fully comply with the Plan requirements may begin setting non-essential in-person hearings. In the event Plan compliance is practical and obtainable by the Courts sooner than July 1, 2020, the Administrative Judge may submit an amended Plan with an earlier starting date for non-essential in-person hearings.

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: Follow the Minimum Standard COVID-19 Health Protocols from the Texas Department of State Health Services for Employers, Employees and facilities. In addition, staff will be instructed to immediately notify the Judge and other staff members within their court (by either calling the presiding judge, sending a group text message to the presiding judge and staff, or emailing the presiding judge and staff) if they have symptoms of COVID-19 or have been exposed to someone who has tested positive for COVID-19 or has exhibited symptoms before reporting for work in the court.
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 times.
5. Protective Measures: Follow the Minimum Standard COVID-19 Health Protocols from the Texas Department of State Health Services for Employers, Employees and facilities.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building:
 - a. Each court will stagger the times of all hearings in order to minimize the congregation of people both in and outside each courtroom. In the main courthouse, only one court per floor will hold hearings each day. Judges sharing a floor will coordinate with each other on an appropriate schedule.
 - b. Court dockets will be reduced in size and scheduled appropriately to comply with social distancing and courtroom occupancy requirements.
 - c. All jail cases will be done remotely when possible to comply with social distancing and courtroom occupancy requirements.
 - d. All hearings must be scheduled in advance.
 - e. There should be no family members or visitors accompanying any party scheduled for hearings, unless disabled.
 - f. All litigants seeking the court's services should schedule an appointment whenever possible.

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 the option to participate remotely and should contact each court directly.

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, must abide by the limitation and rules expressed herein.

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 or sanitizing wipes 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 main courthouse building, one entrance will be used and Sheriff's Deputies or contractors (which will be organized between the Sheriff and the County Judge), 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 main courthouse building.

When individuals attempt to enter the court buildings for JP2, JP3 and JP4, one entrance will be used and a member of the court staff, 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, bailiffs for the main courthouse and a member of the court staff for JP2, JP3 and JP4 (as explained in #1 above) 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 but not limited to face coverings and hand sanitizer.

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 4 hours.
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.


Other

While under a Disaster Declaration, Emergency Management will issue masks and wipes to courthouse personnel.

Orange County courts will follow the Guidance for All Court Proceedings During COVID-19 Pandemic for proceedings on or after June 1, 2020 prepared by the Office of Court Administration. A

I have attempted to confer with all judges of courts with courtrooms in buildings owned by Orange County 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 those courts covered by this Operating Plan have a copy of this plan and are instructed to conduct proceedings consistent with the plan.

Date: 5/20/2020



COURTNEY ARKEEN,
Local Administrative District Judge

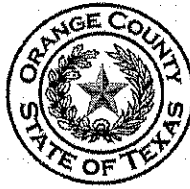
I have consulted with Judge Arkeen and approve this plan.

Date: 5/20/2020



JOHN GOTHIA,
Orange County Judge

Alan Anderson 5/21/20



NOTICE

ACCOMMODATIONS FOR VULNERABLE POPULATIONS

THE FOLLOWING WILL BE CONSIDERED MEMBERS OF THE VULNERABLE POPULATION AND WILL BE ACCOMMODATED REGARDING COURT HEARINGS PURSUANT TO THE OPERATING PLAN OF THE ORANGE COUNTY JUDICIARY:

- INDIVISUALS WHO ARE OVER 65
- INDIVIDUALS WITH SERIOUS UNDERLYING HEALTH CONDITIONS
- INDIVIDUALS WITH A COMPROMISED IMMUNE SYSTEM
- INDIVIDUALS WHO ARE PREGNANT

ALL INDIVIDUALS IN THE VULNERABLE POPULATION CATEGORY HAVE THE OPTION TO PARTICIPATE REMOTELY. CONTACT THE COURT FOR FURTHER INFORMATION.



Courtney Arkeen <carkeen@co.orange.tx.us>

Orange Courthouse Operating Plan During COVID-19

2 messages


Courtney Arkeen <carkeen@co.orange.tx.us>
To: calvinrparker@gmail.com

Tue, May 19, 2020 at 4:18 PM

Dear Dr. Parker,

Thank you for speaking with me today concerning our courthouse operating plan. The plan is attached. My additions are in red from the state's template. It is my understanding you agree the plan is appropriate and approve. If that is correct, please let me know as I am required to document that we consulted. Thank you!!

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Courtney Arkeen
Judge, 128th Court
801 Division Ave.
Orange, Texas 77630
(409) 882-7085 Phone
(409) 670-4101 Fax

 COVID Operating Plan.pdf
129K

Calvin Parker <calvinrparker@gmail.com>
To: Courtney Arkeen <carkeen@co.orange.tx.us>

Tue, May 19, 2020 at 5:34 PM

I have reviewed the attachment and everything looks good. I would proceed as per the attached plan.

Calvin R. Parker, M.D.
County Health Authority (Orange, TX)
[Quoted text hidden]