

ORDER ADOPTING MINIMUM STANDARD HEALTH PROTOCOLS

Recognizing the continuing 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 **Hunt County** will implement the following protective measures:

GENERAL PROVISIONS.

General

1. All judges will use all reasonable efforts to conduct proceedings remotely in accordance with the terms set forth herein.
2. Jury trials will be conducted according to the terms set forth herein.

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely will continue to 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 known close contact with a person who is confirmed to have COVID-19 will not be permitted to enter the building and should immediately seek medical advice.
3. Judges and court staff will be required to wear face coverings in all public areas of the courthouse. If individuals do not bring their own face coverings that will cover both their mouth and nose, a mask will be provided by Hunt County. The only exception is that a judge who has a plexiglass divider installed on all three sides of their bench may choose not to wear a mask when seated at the bench. If the judge takes their mask off, the area they occupy must be cleaned before another judge uses that space.
4. Judges and court staff will practice social distancing and appropriate hygiene recommendations.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: court proceedings will be held, as much as possible, from the hours of 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday.

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 on a case by case basis as deemed appropriate by the judge.
3. The language required herein shall be as follows: **“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 may contact this Court at _____ to request special accommodations from the Court. Such accommodations may be granted or denied on a case by case basis, and do not constitute an excuse or defense for failure to appear without prior approval by the Court.”**
4. Vulnerable populations who are scheduled for court will be accommodated on a case by case basis and all accommodations require prior approval of the presiding judge. Failure to appear without prior approval will not be excused by the court and may result in the hearing occurring without the input of the individual who chose not to appear. In criminal cases, failure to appear without prior approval of the judge may result in the issuance of a warrant.

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. Individuals needing access to the law library will be required to schedule access through courthouse security prior to the date of intended use. After each use, the individuals must check out with security so the law library can be cleaned before another party may access it.
5. The public will not be allowed to congregate in any area of the courthouse outside the courtrooms.

6. Witnesses will be instructed to remain in their vehicles or outside the courthouse and provide a phone number so that they can be notified by the attorney who is calling them as a witness when it is their turn to testify.

Gallery

7. 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. Once capacity is reached, the Bailiff will ensure that no one enters to violate the maximum capacity.
8. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Individuals will be required to sit in assigned areas. Individuals living in the same household may request permission to sit together.
9. All persons entering the gallery will have entered the courthouse through security screening and be required to wear masks. If individuals do not have a cloth mask of their own that will cover both their nose and mouth, a mask will be provided by Hunt County at screening. Face masks must be worn at all times in the gallery.

Well

10. In each courtroom, the counsel tables, witness stand, judge's bench, and clerk, court reporter, and bailiff's seating have been arranged in such a way so that there is social distancing of at least 6 feet between each space if possible.

Hygiene

1. Hand sanitizer dispensers have been placed at the entrances to the building and on each floor.
2. Tissues and trash cans have been placed at the witness stand and 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 on each floor of the court building.

Screening for Judges, Court Staff, and All County Employees

1. Judges, court staff, county officials and all county employees (hereinafter called "employees") will have access to the building through a separate entrance and will be required to have their temperature taken when they enter the courthouse and will be required to wear a mask upon entry in all public areas. Individuals may wear their own cloth masks that cover both their mouth and nose. If an individual does not have a cloth mask, then masks will be provided by Hunt County at screening.

2. Employees with a temperature exceeding 100.0°F or with identifiable COVID-19 symptoms will be required to stay home and notify their department head by 9:00 a.m. of the symptoms so that arrangements can be made for them to work from home.
3. When employees attempt to enter the court building, security will ask the individuals the same screening questions for all other individuals who enter the courthouse. Individuals who indicate yes to any of these questions will be refused admittance to the court building.
4. Judges, court staff and all county employees are required to submit to the screening requirements once a day upon their initial entry into the courthouse.
5. These conditions are required to protect every person who works within any of the buildings owned by the county that have a courtroom on site.
6. In each office an area will be defined for public access. The other areas of the office are private access and employees will not be required to maintain their mask in a private access area but will have to place the mask back over their mouth and nose upon entering any areas of public access. Public access areas will be clearly identified in each office by the department head.

Screening for All Other Individuals Who Enter the Courthouse

1. When individuals attempt to enter the court building, security will ask the individuals if they have symptoms of COVID-19, including if they are:
 - a. feeling feverish;
 - b. have a cough;
 - c. have shortness of breath, or difficulty breathing;
 - d. have chills, or repeated shaking with chills;
 - e. have muscle pain or a headache;
 - f. have a sore throat;
 - g. suffer from loss of taste or smell;
 - h. have diarrhea; or
 - i. have been in close contact with a person who is confirmed to have COVID-19.
 - j. 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, security or screening staff 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. Security staff will keep a record of any person who is refused admittance by verifying them with photo identification.

4. Any individual refused entry who has a court setting will be identified by security and the officer will notify the court that they were denied admittance so the court can make appropriate arrangements. Security will have the individual provide an email address and phone number where they can be reached by the court with instructions.
5. All reasonable efforts will be made by the judge to avoid the necessity of transporting inmates from the Hunt County Jail or from juvenile detention. Inmates being transported from the jail or juvenile detention (or any other individuals in custody of the state) 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. This population will be screened at the lower threshold temperature of 99.6 °F.
6. At the Hunt County Criminal Justice Center, screening will be provided by the Hunt County Constable's Office for Precinct 1.
7. At the Hunt County Justice of the Peace offices for Precincts 2, 3 and 4, the staff will lock the front door and ensure that each person enter individually after being screened one at a time according to the above process for all days when court is not in session.
8. At the Hunt County Justice of the Peace offices for Precincts 2, 3, and 4, the staff will lock the door and have the Constable for that precinct (or his designee) screen each person upon entry according to the above process.
9. Staff who are screening individuals entering the court building will be provided personal protective equipment, including masks and hand sanitizer if they do not have their own personal masks sufficient to cover both their mouth and nose.

Face Coverings

1. All individuals entering the court building must wear face coverings that completely cover both their nose and mouth, and must wear such coverings at all times unless otherwise specified herein.
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 remove their masks or refuse to put masks on will be removed from the building and will be deemed to have voluntarily absented themselves from the proceedings.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every 2 (two) hours. A designated cleaning sheet will be posted in each common area outlining the method of cleaning required and containing

a date and time signature line for the person responsible for cleaning that area every two hours.

2. Hunt County will provide services to clean the courtrooms between morning and afternoon proceedings, and at the end of each day the courtroom is used. A designated cleaning sheet will be posted in each courtroom outlining the method of cleaning required and containing a date and time signature line for the person responsible for cleaning the area every 4 (four) hours or after the morning court proceedings end at noon and afternoon proceedings end at 5:00 p.m. Should a courtroom not have proceedings that day, the presiding judge or designated court staff member will sign the sheet reflecting that no cleaning was necessary as the room was not used after the last cleaning.
3. Hunt County will ensure that the services provided for cleaning have cleaning supplies shown to be effective with this coronavirus.
4. Hunt County Will ensure that the persons providing cleaning services have been trained on proper cleaning techniques and provided appropriate personal protective equipment.
5. The court offices, jury room and bathrooms will be cleaned once a day by Hunt County through designated cleaning services. A cleaning sheet will be posted in the primary office for each court outlining the method of cleaning required and containing a date and time signature line for the person responsible for cleaning the area once each day.
6. The Hunt County Facilities Director will monitor cleaning requirements to ensure that all of the areas are cleaned at the appropriate time and according to the guidelines provided by the Hunt County Maintenance Department.

IN PERSON PROCEEDINGS

All judges in Hunt County, before conducting an in-person hearing, shall first determine if an in-person hearing is necessary by following this procedure:

1. The judge shall inform each counsel and pro se litigant that the hearing shall be conducted remotely over Zoom. The judge shall provide each counsel and pro se litigant a phone number or email address to inform the judge if they believe any counsel, their clients, a pro se litigant, any witness, an interpreter, or any other participant (all referred to below as "Participant") cannot participate remotely. The judge or judge's staff shall then determine whether a Participant is unable to participate in the hearing due to any one or more of the following:
 - a. lack of technology which precludes or impedes their ability to participate in the hearing via the Zoom videoconferencing app. Examples of the lack of such technology include:
 - i. lack of access to a computer tablet or other device with internet video capability;
 - ii. lack of access to a cell phone; or
 - iii. lack of access to an internet connection.

- b. A physical, mental, or other disability that prevents a Participant from being able to effectively operate or utilize the required technology. Examples of such a disability include:
 - i. a physical or mental disability that precludes them from effectively operating the technology necessary to access the Zoom videoconferencing app;
 - ii. a physical disability that precludes them from effectively seeing, hearing, or otherwise participating in a Zoom video hearing;
 - iii. the lack of or unavailability of an interpreter who can assist the individual in communicating during a Zoom hearing;¹
 - iv. incarceration and the incarcerating facility's lack of technological resources or facilities to allow the inmate to participate remotely in the hearing or confer privately with the inmate's legal counsel;² or
 - v. if the proceeding is in a specialty court defined by Title 2, Subtitle K of the Texas Government Code (e.g. veteran's court, mental health court, drug court, etc.), the specialty court team determines that there is a risk to the physical or mental well-being of a participant in the specialty court program if the proceeding is not held in person.
- c. A confrontation clause constitutional objection is raised by criminal defense counsel or a pro se litigant, and the judge sustains the objection after conducting a *Haggard*³ analysis.
- d. A proceeding where one Participant needs to appear in person due to a need to provide fingerprints, is subject to incarceration, or must meet with multiple departments as a result of the court proceeding, in which case that party may need to appear while the other parties appear remotely.

- 2. If an individual is unable to participate for one of these reasons, prior to holding an in-person hearing, the judge shall make reasonable efforts to accommodate the individual as set forth in the procedure below.

When an individual is found to be unable to participate in a Zoom videoconference for one of the reasons stated above, prior to holding an in-person hearing, the judge considering the in-person hearing shall make all reasonable efforts to make accommodations that will allow the individual(s) to participate. The accommodations that the judges of the County shall consider include:

- 1. When an individual does not have adequate technological resources on their own to participate in a Zoom videoconferencing hearing, a judge shall:

¹ If a Spanish interpreter is needed, the court shall consider using OCA's free Spanish interpretation service. More information and scheduling options is available at <https://www.txcourts.gov/tcris/>.

² If the facility is a TDCJ facility, judges should contact coronavirus@txcourts.gov to see if OCA can assist with getting the facility connected with the court.

³ *Haggard v. State*, 2020 WL 7233672 (Tex. Crim. App. 2020)

- a. determine whether the court has the ability to provide the individual with a laptop or other device which would allow the individual to participate in the hearing from some segregated location within the court facility while following appropriate COVID-19 precautions and protocols;
 - b. determine if such technological resources can be provided to the individual by some other source (e.g. a participating attorney, a party, a family member, friend, public library, or an appropriate agency of the State of Texas); and
 - c. determine whether the individual could participate in a meaningful manner by telephone (audio only).
2. When an individual has physical or mental disabilities that would prevent the individual from operating the technology required, a judge shall:
 - a. determine if the individual has legal counsel, family or friends who can assist in operating the required technology; and
 - b. inquire as to what, if any, accommodations could be made which would allow the individual with a disability to participate.
3. When an individual is incarcerated, a judge shall:
 - a. determine whether the facility has the technological resources or facilities to allow the incarcerated individual to participate in the hearing;
 - b. if the facility does not have the technological resources to allow the inmate to participate in a Zoom videoconference, determine whether the inmate could participate in a meaningful manner by telephone (audio only).
4. When an individual is otherwise unable to participate in a hearing via videoconference or by audio only, a judge shall determine whether the individual can effectively participate in the proceeding by a sworn statement made out of court as permitted by the Emergency Orders of the Supreme Court of Texas.
5. If no accommodation is available, the judge shall determine if a continuance is warranted, balancing the risk to public health and safety with the need to resolve the particular case.
6. If no accommodation is available and the judge determines a continuance is not warranted, the judge may permit the hearing to occur in-person under the precautions and protocols defined herein.

JURY PROCEEDINGS

General

1. All judges will comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals.
2. The justice courts will not conduct an in-person jury proceeding until the Supreme Court of Texas permits such proceedings.

3. Judges of the district courts, constitutional and statutory county courts, and statutory probate courts will conduct in-person jury proceedings only in accordance with this Order.
4. Except for criminal cases where confinement in jail or prison is a potential punishment, judges may conduct remote jury proceedings if the court follows the requirements of the hearings on objections or motions section below and ensures that all potential and selected petit jurors have access to technology to participate remotely. Judges may conduct remote jury proceedings in a criminal case where confinement in jail or prison is a potential punishment only with appropriate waivers and consent obtained on the record from the defendant and the prosecutor.

Jury Proceeding Approval Process

1. Judges of justice courts wishing to conduct a jury proceeding will follow the procedure detailed below to obtain approval to proceed with the jury proceeding from the local administrative district judge:
 - a. The judge will send a written communication requesting a jury trial date, providing the style of the case, any statutory deadlines that apply, and the number of venire members requested.
 - b. The LADJ will review the request, visit with the judge if necessary, and assign a trial date.

Hearings on Objections or Motions Related to Proceeding

1. Parties who are scheduled for a jury proceeding are encouraged to make and have a hearing on any objections or motions related to the manner of the proceedings at least 7 days prior to the trial setting.
2. Any objections or motions related to the manner of the proceeding with a jury trial will be heard by the judge presiding over the case at least seven days prior to the jury proceeding or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding.

Communication Protocols

1. Each judge with an approved in-person jury proceeding will require the parties to communicate with the court if any participant in the jury proceeding, including attorneys, parties, attorney support staff, or witnesses, has tested positive for COVID-19 within the previous 10 days prior to any portion of the jury proceeding, has had symptoms of COVID-19 within the previous 10 days prior to any portion of the jury proceeding, currently has symptoms of COVID-19, or has had recent known exposure to COVID-19 within the 14 days prior to any portion of the jury proceeding.
2. If the approved in-person jury proceeding involves an incarcerated participant, the judge will require the sheriff to report any positive COVID-19 test of the incarcerated

participant within the previous 30 days prior to any portion of the jury proceeding, any current symptoms of COVID-19, or any recent known exposure to COVID-19.

Scheduling

1. A judge who obtains approval for an in-person jury proceeding will schedule no more than ten cases for that jury trial setting, unless pre-approval for larger dockets is obtained from the Local Administrative District Judge.
2. For a trial docket with more than one case scheduled, judges will hold a mandatory pretrial hearing or conference to determine the order of trial at least by 5:00 p.m. on the Thursday before Monday jury selection.
3. Judges should attempt to alert parties who will not be proceeding prior to the day of trial to reduce attendance at the court facility.

Summoning Jurors

1. The jury clerk must include, with in-person juror summonses, information regarding 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. The Hunt County District Clerk will use the questionnaires and jury letter signed by the LADJ.
2. Judges will consider using juror questionnaires for voir dire to assist in shortening the length of voir dire or the number of venirepersons.
3. Excuses or requests to reschedule from in-person prospective jurors who have been potentially exposed, who are symptomatic, and who are vulnerable or live with someone vulnerable to COVID-19 will be liberally granted.

Location for Jury Selection, Trial, and Deliberation

1. The following locations have sufficient space to permit adequate social distancing and will be used for in-person jury proceedings:
 - a. Jury Qualification: Greenville Municipal Auditorium
 - b. Voir Dire:
 - i. Greenville Municipal Auditorium for district courts;
 - ii. The Texan Theatre for both district and county court at law cases; and
 - iii. The Hunt County Criminal Justice Center for justice court cases.
 - c. Trial:
 - i. District courts will conduct trial in their courtrooms and have designated gallery spacing to be used for the jury;
 - ii. County Courts at law will conduct trial in their courtrooms and have designated gallery spacing to be used for the jury;

- iii. Justice Courts will coordinate trials to be conducted at Justice of the Peace Court 1 and Court 2 in their courtrooms with appropriate seating designated for the jury in the gallery.
- d. Jury Deliberation: District courts and county courts at law will use the courtroom(s) as deliberation rooms, with the doors locked and the cameras disabled. County courts at law may also use a modified jury room system in County Court at Law No. 1, so long as social distancing can be maintained.
- e. Security protocols at the locations for jury proceedings have been reviewed with the appropriate courthouse security personnel and are adequate for the proceeding.

Screening

1. In addition to the requirements otherwise stated herein, all court participants and observers attending an in-person jury proceeding will be screened for elevated temperatures and will be questioned to determine if the individual has recently had symptoms of COVID-19 or been exposed to COVID-19.
2. All participants in a trial who are incarcerated will be screened by the jail/prison prior to transport to the courtroom and any known exposure, symptoms, or COVID-19 positive test results within the past 30 days will be reported to the judge presiding over the jury trial prior to the transport of the participant to the courtroom.

Face Coverings

1. In addition to the requirements otherwise stated herein, all persons entering the common areas of a courthouse, including a courtroom or any other location being used to conduct a jury trial, will be required to wear a face covering at all times unless the person is an individual that is not recommended to wear a mask by the Centers for Disease Control or the Texas Department of State Health Services.
2. All court participants will be required to wear face coverings from jury qualification through the end of trial.
3. When speaking, judges will permit a court participant to lower his or her mask so long as the person remains seated and maintains a six foot separation from all other persons.
4. Each of the courtrooms have Plexiglas dividers for the bench so that the judge may remove their mask once behind the Plexiglas.
5. Each of the courtrooms have Plexiglas dividers for the witness box so that witnesses may remove their mask once seated in the witness chair. The witness box will be cleaned between witnesses by spraying and wiping down the surfaces with the approved cleaning supplies provided by the Hunt County Maintenance Department.

Social Distancing

1. Social distancing of all court participants and observers will be maintained at all times during the jury proceeding, including during the trial and deliberation.
2. Special attention will be paid by courts to ensure adequate social distancing and managed exits of individuals during breaks, especially when dismissing large groups of people for a break.

Alternate Jurors

1. Each judge with an approved in-person jury proceeding will be encouraged to consider selecting alternate jurors to permit the trial to continue in the event of a juror becoming ineligible to serve for a reason unrelated to that person's exposure to or contraction of COVID-19.

Juror Qualifications

1. Juror qualifications will be performed by a district judge, if applicable. If there is no need for a district court jury, juror qualifications will be performed by a judge of the county courts at law.

Arrangement of Courtroom

1. The following description details how each of the courtrooms or facilities will be arranged during the jury proceeding:

At the Greenville Municipal Auditorium

- a. The GMA has alternating rows blocked off with seating arranged so that the venire members maintain six foot distancing. Rows are arranged with one occupant every 3 seats. Potential jurors are seated on the bottom floor of the auditorium in three divided areas with one designated entrance and one designated exit.
- b. The bailiff's are stationed on either the entrance or exit row at the end towards the stage. We have monitors at each door to direct individuals to their assigned seat.
- c. The judge and court reporter are positioned on the stage at a table where each is at one end.
- d. The clerk is at a separate table on the stage and the parties are arranged in tables with six foot distancing on the stage or in the well of the auditorium (depending on how many parties are involved).

At the Texan Theatre

- a. The Texan Theatre has rows that allow for six foot distancing and will also have assigned seats for the venire members in the gallery.

- b. The judge, clerk, court reporter and parties will be seated at tables on the stage (or in some instances in front of the stage, depending on how many parties are involved).

In the Courtrooms

- a. In each court, the judges have designated seating within the gallery for the jury. They also have a few remaining seats designated for observers. All of the seats are six feet apart.
- b. The courtrooms have jury rooms with the accessibility of separate restrooms for the jurors where they would be allowed rotate through during breaks in approved capacity amounts. Each courtroom has the ability to close the court and remove everyone but the jurors from the courtroom to allow for deliberation.
- c. Each court has Plexiglas dividers for both the bench and witness chair to allow the judge and witness who is testifying to remove their masks during trial.
- d. The well of each courtroom has adequate spacing for parties with social distancing to allow one attorney at each table with parties seated either at the end of the table or on the front row behind counsel.
- e. The court reporters will be seated either in front of the witness stand (with Plexiglas between them and the witness) or any area in the courtroom that allows for six foot distancing so they can hear adequately.
- f. Bailiffs will be stationed either at the door or at a specified desk. Clerks will have designated seating at the bench (with Plexiglas between them and the judge).
- g. On breaks the courtroom will be cleared of all participants so the jurors can go to the jury room in appropriate numbers or be escorted downstairs for smoke breaks, if necessary.
- h. On breaks, witnesses will be disbursed and ordered not to congregate in the hallways and to observe capacity limits for the hallways, restrooms and common areas. Witnesses will be encouraged to step outside the courthouse during breaks.
- i. The witnesses who are not in the courtroom will be required to wait either in the attorney's office or outside the courthouse in their personal vehicle. The attorney is responsible for contacting each witness approximately fifteen minutes prior to their testimony to allow them time to get through screening and wait out in the assigned hallway to be called into the courtroom.
- j. Each courtroom has a very limited number of seats for observers. The observers will have to clear the courtroom on breaks and during deliberation. They will be reminded to observe capacity restrictions in hallways, restrooms and common areas. Observers will be encouraged to step outside the courthouse during breaks.
- k. During breaks the court staff will return to their respective offices unless they are finishing a task required for the trial and then they may remain in the courtroom so long as the jury is not deliberating and the bailiff is present.
- l. During breaks the bailiff or other security staff will be required to monitor the courtroom, hallway and jury room to provide for the safety of the jury and make sure capacity restrictions are met.
- m. Judges are encouraged to hold breaks at regular intervals to allow for cleaning of the witness stand and to give ample time to allow the jurors to have a restroom break while adhering to capacity requirements.

- n. During deliberation, all persons but the jury will clear the courtroom. The security cameras will either be disabled or the cameras will be blocked.
- o. The court staff will retire to their offices with the exception of the bailiff who will guard the door to the courtroom.
- p. Attorneys will return to their offices with a number provided to the judge so they can be called to return.
- q. Parties will return to their personal vehicles with a number provided to the attorney who called them so they can be notified to return.
- r. Witnesses will be excused and allowed to return if they provide a number to be notified.
- s. At all times the capacity requirements will be enforced in the hallway and courtroom.

Microphone Protection Protocols

- 1. Judges will limit, to the degree possible, the shared use of microphones during the jury proceeding.
- 2. If a microphone must be shared, judges will limit the passing of the microphone unless the microphone is cleaned between each user.
- 3. Disposable microphone covers will be placed on shared microphones and changed between each user.

Exhibit/Evidence Management

- 1. Judges will 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.
- 2. When physical or paper exhibits/evidence is required, judges will reduce the exchange of that exhibit/evidence to the number of persons necessary and will limit passing the exhibit/evidence to the individual members of the jury.
- 3. If an exhibit/evidence is required to be transferred from person-to-person, single use gloves will be provided, worn, and discarded immediately after handling the exhibit/evidence.
- 4. During jury deliberations, judges will 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, judges will 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.

Witnesses

1. Attorneys must notify the court immediately of any witness to the proceedings that have COVID-related issues, and must inquire into such issues a reasonable period of time prior to trial, and on the day of the witness's testimony.
2. To the degree constitutionally permissible or with the consent of the parties, judges will permit witnesses to testify remotely via videoconference, especially if that witness has symptoms of or a recent positive test for COVID-19, has been recently exposed, or is vulnerable to contracting COVID-19.


Food Precautions

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

Cleaning

1. In addition to the requirements otherwise stated herein, frequent cleaning protocols in the courtrooms and facilities will be maintained throughout the jury proceeding as appropriate.
2. Shared spaces such as witness stands, seating in the gallery, and seating during qualification/voir dire will be cleaned during transitions of those spaces.
3. Seats for members of the jury panel and selected jurors will be assigned to reduce potential transmission and the need for more frequent cleaning.

SIGNED on this the 15 day of March, 2021.


✓ J. Andrew Bench
Judge, 196th Judicial District
Local Administrative District Judge