Re-Adoption of the COVID-19 Operating Plan for the Harris County Judiciary District Courts, County Courts at Law & Probate Courts

Dated: August 31, 2021

Under the current Fortieth Order Regarding the COVID-19 State of Disaster issued by the Texas Supreme Court (Misc. Docket No, 21-9079), the local administrative district judge may re-adopt the local COVID-19 Operating Plan and minimum health standard protocols.

I have determined that the following minimum standard health protocols for court proceedings and the public attending court proceedings that will be employed in all courtrooms and throughout all public areas of the court buildings will be used in the setting of in-person proceedings:

General

1. All judges will continue to comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals.
2. All judges and court staff will continue to comply with the masking, social distancing and safety protocols set out in both the COVID-19 Operating Plan for the Harris County District Courts, County Courts at Law & Probate Courts and the August 18, 2021 Order of the Harris County Local Administrative Judge Concerning Additional Health and Safety Protocols.
3. All judges should continue to use reasonable efforts to conduct proceedings remotely, and to accommodate litigants, lawyers, witnesses and other participants who request to appear remotely.

4. All judges and court staff should continue to comply with public health, county official and Supreme Court mandates concerning masking, social distancing, and health and safety protocols.
5. The local administrative district judge will continue to maintain regular communication with the local health authority to consider adjustments to this operating plan as necessary in light of conditions in Harris County.

Judge and Court Staff Health

1. Judges or court staff who feel feverish or have measured temperatures equal to or greater than 99.6ºF, 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.
2. Unless exempted by a Judge in that Judge's courtroom, Judges and court staff will continue to practice social distancing, and practice appropriate hygiene recommendations and masking in the public areas of the courthouse.
3. Protective Measures: The sneeze guards installed by the County will remain in place. The County will continue to strive to provide each court with face coverings and gloves for staff and participants who show for in-person matters. The County will, throughout the day, clean "touch points" and will, as able, perform a thorough cleaning of the complex at least once a week.

Scheduling

Each court will strive to reduce its number of in person hearings and will strive to schedule in person hearings in such a way as to maintain proper social distancing within the courtroom itself.

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.
2. Elevators, restrooms, courtrooms and hallways will continue to be periodically reviewed for compliance with the most recent social distancing recommendations.

Gallery

3. 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.
4. The gallery of the courtroom has been marked to identify appropriate social distancing in the seating. Seating is limited to every other row.

Well

5. In each courtroom the counsel tables, witness stand, judge's bench, 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 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

Screening will continue to ensure that no court participants 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. If a witness or participant has had recent exposure but has been fully vaccinated, is asymptomatic and tests negative for COVID-19, and court may allow the individual to appear in person. That individual must comply with all face covering mandates.

Face Coverings

1. Masks will be required to enter the courthouse buildings. Masks will also be required in any courtroom therein, unless otherwise exempt by the Judge.

2. Courts will have the right to turn away an individual who declines to wear a mask, and individuals attempting to enter the building who are not wearing a face covering and who refuse to wear a face covering will be denied admission.
3. 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, as long as supplies last.
4. Each court may choose to allow individuals to remove their mask in the courtroom, but masks must still be worn in the general court facilities (clerk's offices, restrooms, hallways, elevators and the like).

Local Administrative District Judge