

**SECOND AMENDED 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 beginning June 2, 2021:

GENERAL PROVISIONS.

1. Judges may conduct all proceedings in person. Judges may continue to conduct proceedings, in whole or in part, by remote and/or electronic means at their discretion, unless prohibited by the constitution or laws of the State of Texas or the United States of America.
2. Judges and 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 are encouraged but not 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 upon their request.
4. Judges and court staff should practice appropriate hygiene recommendations.

Scheduling

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.

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 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, consistent with then-current CDC guidelines.

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. Inmates being transported from the jail or from 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.
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 are encouraged but not required to wear face coverings that completely cover both their nose and mouth.
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 upon their request.

Cleaning

1. 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.
2. Hunt County will ensure that the services provided for cleaning have cleaning supplies shown to be effective with this coronavirus.
3. Hunt County Will ensure that the persons providing cleaning services have been trained on proper cleaning techniques and provided appropriate personal protective equipment.
4. 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.
5. 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.

Alternate Jurors

1. Each judge 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.

Trial Protocols:

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 if that witness has symptoms of or a recent positive test for COVID-19, or has been recently exposed to 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.

The prior Order of this Court adopting minimum standard health protocols is withdrawn, and replaced with this Order.

SIGNED on this the 2nd day of June, 2021.

A handwritten signature in black ink, appearing to read "J. Andrew Bench", written over a horizontal line.

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