

NINTH ADMINISTRATIVE JUDICIAL REGION



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ANA E. ESTEVEZ
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July 23, 2020

Dear Judge Emmert,

I have completed a review of your Operating Plans for the Counties of Hemphill, Lipscomb, Roberts, and Wheeler and find that the plans meet all of the conditions required by the Office of Court Administration to begin holding in person non-essential hearings beginning July 23, 2020. I would remind you and the other judges in your jurisdiction that per the Texas Supreme Court, Court of Criminal Appeals of Texas, and OCA guidelines, which are in effect through August 31, 2020 until updated, that all proceedings should continue to be held remotely unless it is not possible or practicable.

Should you need further assistance as you move toward re-opening your courtrooms please do not hesitate to contact me.

Thank you for all that you do for the citizens of our great state.

A handwritten signature in cursive script that reads "Ana Estevez".

Ana E. Estevez
Presiding Judge, Ninth Administrative Judicial Region
501 S. Fillmore St., Suite 4C
Amarillo, Texas 79101
806-379-2365

COVID-19 Operating Plan for the Hemphill, Lipscomb, Roberts, and Wheeler Counties 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 Hemphill, Lipscomb, Roberts, and Wheeler Counties 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 July 1, 2020.
5. The protective measures implemented in this COVID-19 Operating Plan are in full force and effect on any day that the 31st Judicial District Court, County Court, or County Justice Court conduct an in-person proceeding. On all other days, those protective measures implemented in County's Public Access to County Offices shall be in full force and effect. A member of the courthouse staff shall post notice of the applicable plan at the entrances of the building.

Judge and Court Staff Health

1. Judges and court staff who can perform the essential functions of their job remotely should telework when possible.
2. Judge and Court Staff Monitoring Requirements: Staff will self-monitor by checking temperature upon arrival at the courthouse. Staff will be required to wear face coverings when not in their own private workspace or office, practice social distancing, and practice appropriate hygiene recommendations at all times.
3. Judges or court staff who feel feverish or have measured temperatures equal to 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, nausea, vomiting, and joint pain 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.

Scheduling

1. The following court schedules are established to reduce occupancy in the court building: No more than one (1) case will be heard at a time in the courtroom. Attorneys, litigants, witnesses, and any other participants will only be allowed into the courthouse/courtroom

when their case is actively being heard by the Court. Parties shall communicate with the Court's coordinator and bailiff in determining when to enter the courthouse/courtroom.

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, docket 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 appearing via the Zoom application or other remote means.

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. Public common areas are closed to the public.

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, 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 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, a member of the courthouse staff will ask the individuals if they are feeling feverish; have a cough, shortness of breath, or

difficulty breathing; joint pain; muscle aches, chills, sore throat, headache, nausea, vomiting, diarrhea, loss of taste or smell; or have been in close contact with a person who is confirmed to have COVID-19 and follow up with a written questionnaire in English and Spanish which will be required upon entering the courthouse. 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, a member of the courthouse 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. 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 face coverings.

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times other than when giving testimony.
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.

Cleaning

1. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned as needed.
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 will clean the witness stand between witnesses.
4. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
5. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

I have attempted to confer with all judges of courts with courtrooms in the court building 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 courts with courtrooms in the court building covered by this Operating Plan conduct proceedings consistent with the plan.

Date: July 23, 2020



Honorable Steven R. Emmert
31st District Judge
Local Administrative Judge for
Hemphill, Lipscomb, Roberts, and
Wheeler Counties

I, George Brlant, Hemphill County Judge, certify that Judge Steven Emmert, Local Administrative District Judge for Hemphill County, Texas, has consulted with me on the COVID-19 Operating Plan for the Hemphill County Judiciary for Court Proceedings occurring on or after July 1, 2020.

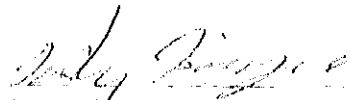
Dated: June 16, 2020

A handwritten signature in cursive script, appearing to read "George Brlant", is written over a horizontal line.

Honorable George Brlant
Hemphill County Judge

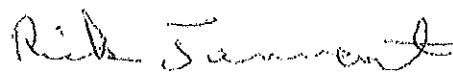
I, Mickey Simpson, Lipscomb County Judge, certify Judge Steven Emmert, Local Administrative District Judge for Lipscomb County, Texas, has consulted with me on the COVID-19 Operating Plan for the Lipscomb County Judiciary for Court Proceedings occurring on or after June 1, 2020.

Dated: 6-10-2020


Honorable Mickey Simpson
Lipscomb County Judge

I, Rick Tennant, Roberts County Judge, certify that Judge Steven Emmert, Local Administrative District Judge for Roberts County, Texas, has consulted with me on the COVID-19 Operating Plan for the Roberts County Judiciary for Court Proceedings occurring on or after June 1, 2020.

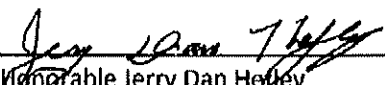
Dated: 6-11-2020

A handwritten signature in black ink that reads "Rick Tennant". The signature is written in a cursive style with a large initial "R".

Rick Tennant
Honorable Roberts County Judge

I, Jerry Dan Hefley, Wheeler County Judge, certify Judge Steven Emmert, Local Administrative District Judge for Wheeler County, Texas, has consulted with me on the COVID-19 Operating Plan for the Wheeler County Judiciary for Court Proceedings occurring on or after June 1, 2020.

Dated: 06/12/2020



Honorable Jerry Dan Hefley
Wheeler County Judge

I, Dr. William Isaacs, M.D., Local Health Authority for Hemphill County, Texas, certify Judge Steven Emmert, Local Administrative District Judge for Hemphill County, Texas, has consulted with me on the COVID-19 Operating Plan for the Hemphill County Judiciary for Court Proceedings occurring on or after June 1, 2020.

Dated: 6-24-2020

A handwritten signature in black ink, appearing to read "William Isaacs, M.D.", written in a cursive style.

William Isaacs, M.D.
Hemphill County Local Health Authority

I, Lillian Ringsdorf, MD, MPH, Local Health Authority for Lipscomb, Roberts, and Wheeler Counties, Texas, certify Judge Steven Emmert, Local Administrative District Judge for Lipscomb, Roberts, and Wheeler Counties, Texas, has consulted with me on the COVID-19 Operating Plan for the Lipscomb, Roberts, and Wheeler Counties Judiciary for Court Proceedings occurring on or after June 1, 2020.

Dated: July 23, 2020 _____

A handwritten signature in black ink, appearing to read "Lillian Ringsdorf, MD, MPH". The signature is cursive and somewhat stylized.

Local Health Authority for Lipscomb, Roberts,
and Wheeler Counties

COVID screening Questionnaire:

Name: _____ Date: _____

1. Are you experiencing any of these symptoms today?

Fever	YES	NO
Cough	YES	NO
Shortness of Breath	YES	NO
Difficulty Breathing	YES	NO
Congestion	YES	NO
Chills	YES	NO
Runny Nose	YES	NO
Headache	YES	NO
Sore Throat	YES	NO
Diarrhea	YES	NO
Loss of taste or smell	YES	NO
Muscle pain	YES	NO

2. Have you been in close contact with anyone (Friend, family member, neighbor, teacher, babysitter, coworker) who has tested positive for COVID-19 within the last 14 days?

YES or NO

Signature

Cuestionario de detección de COVID:

Fecha: _____ Nombre: _____

1. ¿Tiene alguno de estos síntomas hoy?

- | | | |
|--------------------------|-----------------------------|-----------------------------|
| Fiebre | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Tos | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Dificultad para respirar | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Dificultad para respirar | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Congestión | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Escalofíos | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Goteo nasal | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Dolor de cabeza | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Dolor de garganta | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Diarrea | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Perdida de sabor u olor | <input type="checkbox"/> Si | <input type="checkbox"/> No |
| Dolor muscular | <input type="checkbox"/> Si | <input type="checkbox"/> No |

2. ¿Has estado en contacto cercano con alguien (amigo, familiar, vecino, maestro, niñera, compañero de trabajo) que ha resultado positivo de COVID-19 en los últimos 14 días?

- Si No

Firma: _____

COVID-19 NOTICE

VULNERABLE POPULATIONS

COURT PROCEEDINGS IN HEMPHILL, LIPSCOMB, ROBERTS, AND WHEELER COUNTIES

ON OR AFTER JUNE 1, 2020

Vulnerable Populations: Individuals who are over 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

Please contact the Court Administrator of the 31st District Court by telephone at (806) 826-5501 or by e-mail at dana.burch@co.wheeler.tx.us to be identified as a vulnerable individual. The Court will take reasonable action and make reasonable efforts to accommodate vulnerable individuals and to avoid exposing vulnerable individuals and court proceedings to the threat of COVID-19.