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## **COVID-19 Operating Plan for the PASADENA City 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 **CITY OF PASADENA, 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 Presiding Judge of the municipal court will maintain regular communication with the local health authority and mayor and adjust this operating plan as necessary with conditions in the city.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 1, 2020

### **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: Judges and Court Staff will be screened each morning upon entering the building. This screening includes the items that follow in subparagraph 3 below including a daily temperature scan. Each judge and staff member is then issued and required to wear a color-coded wrist band for the duration of the day's activities. A different-colored band is issued each day to assure full compliance.
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 and COVID-19 testing.
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: gloves are also provided to staff who will handle documents or cash in connection with their work; plexiglass dividers have been installed in the courtrooms to provide a barrier between the clerks and the public and between clerks at the transaction windows.

### **Scheduling**



1. The following court schedules are established to reduce occupancy in the court building: Pasadena Municipal Court employs a “docket system” of case management. In simplest terms, this means that cases are organized on dockets according to the nature of the proceeding. Thus, first settings or arraignments are kept separate from attorney pre-trials, jury trials, show cause hearings, indigence hearings, etc. By June 1, some 18,000 cases remained pending from March, April and May. Of that number, the vast majority are first setting/arraignment settings. In excess of 11,500 arraignments remain pending. Next in descending order are lawyer pre-trial settings with 3,500 cases pending. Of necessity, these matters will be given first priority. Given the capacity restrictions set forth in this Operating Plan, the total gallery capacity of the building’s three courtrooms is 55 persons at any given time. Arraignment dockets are ordinarily scheduled for Monday A.M, Monday P.M., Tuesday A.M., Tuesday P.M. and Thursday P.M. Initially, the plan will be to take care of the cases presently scheduled for these dockets adding to them a number of resets that do not exceed capacity limitations, maintaining capacity and distancing requirements. In addition, arraignments will also be scheduled all day Wednesday and Friday at two hour intervals from 8:00 A.M. until the end of the work day. Attorney dockets will continue to be scheduled on Tuesday and Thursday afternoons. The prosecutors will schedule attorneys at different times depending on caseloads and other factors including capacity and social distancing. The other matters including jury trials and juvenile proceedings will be suspended temporarily.

To the extent that courtroom space becomes available and consistent with the existing schedule, walk-in cases will be accommodated.

Remote appearances are available through Zoom for anyone who would prefer to appear by Zoom.

Managing the backlog is complicated by the fact that four weeks of training have been scheduled with Tyler Technology for a software upgrade during July and August and the Court will move to its new facilities in September. On the other hand, the new case filings have been significantly reduced over the past several weeks due to restrictions on business, social gatherings, etc.

This plan will, of course be subject to modification as new guidelines are put in place.

### **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.



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 use of Zoom hearings and resets as appropriate. Resets will begin upon approval of this plan. Given that each citation contains a date of birth, the IT staff and clerk will exclude those who are over 65 years of age from receiving a reset notice until further notice. As to those who are less than 65 years of age, but have other qualifying conditions, the reset notice and web site will contain information regarding Zoom and a web address allowing the vulnerable population to notify the court of their status and receive an appropriate accommodation. In addition to the website, Zoom information is available on the city Facebook page and the local Pasadena television channel is producing an information segment to further acquaint the populace with the program.

### **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, have been closed to the public.

### *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 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 marshal/bailiff 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, the marshal/bailiff 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 a mask and gloves.

### **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 four 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**



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 mayor, 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: 6/8/2020

HONORABLE LESTER RORICK  
Presiding Judge, Pasadena Municipal Court

My name is JEFF WAGNER. I am the mayor of City of Pasadena, Texas. The foregoing and attached plan has been presented to me for approval. By my signature hereto, I certify that JUDGE RORICK has consulted with me in developing the attached plan and I approve of the plan.

Date: 6/9/2020

HONORABLE JEFF WAGNER  
Mayor, City of Pasadena, Texas

My name is KATHY PEREZ. I am the public health manager for the City of Pasadena, Texas. The foregoing and attached plan has been presented to me for approval. By my signature hereto, I certify that JUDGE RORICK has consulted with me in developing the attached plan and I approve of the plan.

Date: 6/9/2020

HONORABLE KATHY PEREZ  
Public Health Manager, City of Pasadena,  
Texas