



## Second Administrative Judicial Region of Texas

**Olen Underwood**

Presiding Judge

*Connie Teel*

*Administrative Assistant*

June 1, 2020

RE: COVID-19 Operating Plan for All Court Proceedings

Dear Judge,

After review, the COVID-19 Operating Plan for the Courts of Madison, County Texas, as submitted is APPROVED.

Please note a copy of the plan will be placed in the file within the Second Administrative Region of Texas and the Texas Office of Court Administration.

Operating plans will remain in effect until updated guidance is issued from OCA indicating they are no longer required or upon the expiration of the provisions in the Twelfth Emergency Order, as amended or extended, requiring adherence to OCA Guidelines.

Thank you,

A handwritten signature in black ink that reads "Olen Underwood".

Olen Underwood,  
Presiding Judge

OU/ct

# **COVID-19 Operating Plan for the COURTS OF MADISON, County TEXAS**

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 Madison County** 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 physical 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 within the county.
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. Upon entering the courthouse, each judge and court staff member will have their temperatures measured.. On a daily basis judges shall discuss with court staff the need for self-monitoring and reporting of any COVID-19 symptoms. Judges and court staff will comply with the health requirements set out in this Plan. Adequate measures have been put in place to protect the income and positions of court staff who may need to be quarantined or work remotely.
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.
4. During in-person hearings or dockets, judges and court staff will be required to wear face coverings, practice physical distancing, and practice appropriate hygiene recommendations. Face coverings may be removed in areas protected by appropriate shielding or when separated from others by 6 feet. While in chambers and staff work areas common to the court's chambers, masks or face coverings are optional when physical distancing occurs, but must be made available to those who wish to use them.

## **Court Scheduling**

1. Courts holding trials, hearings, and other judicial functions which are located in a building separate from other courtrooms shall establish individual court schedules in keeping with this Plan and the instructions emanating from the Office of Court Administration and the Supreme Court of Texas and the Texas Court of Criminal Appeals.
2. Magistration schedules for conducting inmate magistration at the Madison County Jail shall not be affected by this Plan. Magistrates shall otherwise maintain physical distancing and hygienic procedures during magistration duties.
3. Courtroom schedules currently employed by the District Courts, County Court and Justice Courts shall remain in place as they are adequate to ensure separation of individuals and reduce populations within the Madison County courthouse.

## **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. 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. Attorneys and unrepresented parties shall provide the Notice to Vulnerable Populations to any participants they plan to have attend the proceeding.
1. Vulnerable populations who are scheduled for court will be accommodated by being given an opportunity to appear by teleconference, to submit necessary information in written format when allowed by the existing law or by rescheduling of the in-person hearing until a time after the crisis has diminished.

## **Physical Distancing**

1. All persons not from the same household who are permitted in the court building will be required to maintain adequate physical 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 physical distancing and the maximum capacity has been posted on each restroom door.
4. Public common areas, including breakrooms and snack rooms, 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 physical distancing in the seating.

### *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 physical distancing of at least 6 feet between each space or appropriate shielding.

### **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. Notices will be placed at the entrance to each courtroom containing questions concerning COVID-19 symptoms and COVID-19 contacts. When possible, individuals attempting to enter the courtroom will be asked by Courthouse Security 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 courtroom.
2. When possible, Courthouse Security personnel will determine the temperature of the individual attempting to enter the courtroom. Individuals whose temperature equals or exceeds 100.0°F will be refused admittance to the courtroom.
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 masks, gloves, and if requested, vision or safety glasses.

### **Face Coverings**

1. All individuals entering the courtroom will be required to wear face coverings at all times. Face coverings may be removed when participating in official proceedings so long as there is appropriate shielding or physical distancing of 6 feet.
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 or N95 compatible 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 eight (8) 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

1. Any of the trial courts of Madison County may take any other reasonable action necessary to avoid exposing court proceedings to the threat of COVID-19.
2. This Order may be extended or modified by written Order of this Court without notice. Any such extension or modification shall be delivered to all trial judges of Madison County, the County Clerk, the District Clerk, posted with the District Clerk of Madison County, and posted on the Court's website

I have attempted to confer with all judges of courts with courtrooms in Madison County regarding this Operating Plan. In developing the plan, I consulted with the local health authority and county judge of Madison County, 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: 28 May 20

Donald Fraemes

Madison County Local Administrative District Judge

## **NOTICE TO VULNERABLE POPULATION INDIVIDUALS**

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*.

Except for specific legal requirements, members of vulnerable populations who are scheduled for court will be accommodated by being given an opportunity to appear by teleconference, to submit necessary information in written form, or by rescheduling of the in-person hearing until a time after the COVID-19 crisis has diminished.

**Contact the Court for further information.  
(Appropriate Court phone number goes here)**

## **Aviso a personas de la poblacion vulnerables**

Las personas mayores de 65 años y personas con condiciones de salud subyacentes graves, como presión arterial alta, enfermedad pulmonar crónica, diabetes, obesidad, asthma y aquellos cuyos sistemas inmunes están comprometidos, como por la quimioterapia para el cáncer o otra condicion que requiera dicha terapia se consideran ***poblaciones vulnerables.***

Excepto por requisitos legales específicos, los miembros de poblaciones vulnerables que están programados para la corte serán acomodados al tener la oportunidad de presentarse por teleconferencia, para presentar la información necesaria por escrito, o reprogramando la audiencia en persona hasta un momento después de que la crisis COVID-19 ha disminuido.

**Contacte a la corte para más información.  
(Appropriate Court phone number goes here)**



**A.J. Leago**  
**MADISON COUNTY JUDGE**  
103 West Trinity • Suite 113 • Madisonville, Tx. 77864-1990  
(936) 241-6200 • FAX (936) 241-6201



May 22, 2020

Don Kraemer  
District Court Judge  
Madison County, Texas

Re: COVID-19 Operating Plan for the Courts of Madison County, Texas

Dear Judge Kraemer:

This letter will confirm that upon review of the COVID-19 Operating Plan for the Courts of Madison County, Texas ("The Plan") and upon consultation and discussions with you, I Judge Tony Leago, County Judge for Madison County, Texas hereby approves "The Plan" for all Madison County Courts.

Sincerely,

A handwritten signature in black ink that reads "Tony Leago".

Tony Leago

TL/dlc



## Carroll Standley

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**From:** Donald Kraemer <dkraemer1945@att.net>  
**Sent:** Thursday, May 28, 2020 4:58 PM  
**To:** Carroll Standley  
**Subject:** Fwd: Court re-opening Protocol

Sent from my iPad

Begin forwarded message:

**From:** [mhmorrowmd@gmail.com](mailto:mhmorrowmd@gmail.com)  
**Date:** May 27, 2020 at 9:23:49 PM CDT  
**To:** [dkraemer1945@att.net](mailto:dkraemer1945@att.net)  
**Subject:** Court re-opening Protocol

Dear Judge Kraemer:

It was a pleasure to speak with you this afternoon.

As per our conversation, I have reviewed the court re-opening protocol for Madison County and the local District Court, and the plan meets with my approval as Local Health Authority.

As we move forward together, please do not hesitate to contact me with any further questions or concerns.

Sincerely,  
Mary Helen Morrow, MD  
LHA, Madison County  
979-450-2053 - cell  
903-655-3300- ask for Medical Director.

Sent from my iPhone