

**IN THE 91ST JUDICIAL DISTRICT COURT**

**EASTLAND COUNTY, TEXAS**

**ORDER SUSPENDING CERTAIN PROCEEDINGS DUE TO THE COVID-19 STATE OF  
DISASTER #3**

Whereas a state of disaster continues concerning the threat of the COVID-19 pandemic;  
and

Whereas the undersigned has previously entered orders suspending proceedings due to  
the COVID-19 State of disaster which have now expired; and

Whereas the COVID-19 Operating Plan for the Eastland County Judiciary was approved  
and adopted on June 17, 2020, a copy of which is attached hereto; and

Whereas the undersigned finds that the following orders are appropriate, reasonable and  
necessary,

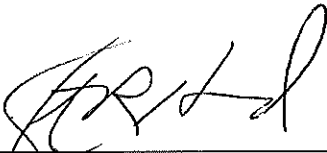
**IT IS, THEREFORE, ORDERED:**

1. Any and all persons who are to appear before the 91st Judicial District Court who  
have COVID-19 or flu-like symptoms, a fever, or who are coughing or sneezing, are **ordered** to  
contact the court at the telephone number below before appearing.

2. All attorneys who know that clients, witnesses, or others have such a condition  
are **ordered** to alert the court that such conditions exist in advance. When these conditions are  
present, the court will make reasonable accommodations for appearances and hearings as  
needed.

3. To contact the 91st Judicial District Court, contact the Court Coordinator on  
weekdays, from 9 a.m. to 4 p.m. by telephone at (254) 629-1797 or by email to  
[91court@eastlandcountytexas.com](mailto:91court@eastlandcountytexas.com).

Dated: October 30, 2020.

  
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Steven R. Herod, Judge Presiding

## **COVID-19 Operating Plan for the Eastland County 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 Eastland 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 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 will adjust this operating plan as necessary with conditions in 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. Judge and Court Staff Monitoring Requirements: each staff member will monitor their health, including, but not limited to, any signs of COVID-19.
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. Judges and court staff will be required to wear face coverings, practice social distancing, and practice appropriate hygiene recommendations when interacting with the public, except that any judge may choose not to use a face covering when presiding and doing so will not adversely affect anyone in the courtroom.

### **Scheduling**

1. The following court schedules are established to reduce occupancy in the court building:

No court hearings will be scheduled that will not permit the compliance with recommended guidelines as to numbers of participants and use of appropriate social distancing. Parties and their attorneys will use face coverings as long as those coverings do not adversely impact the hearing of testimony or argument made by counsel.

### **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. Vulnerable populations who are scheduled for court will be accommodated by video or audio appearances where such appearance does not adversely affect the operation of the court, nor impact the auditory quality of the proceedings.

### **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 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 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. On days that court hearings are scheduled, when individuals attempt to enter the court building, sheriff's security 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, sheriff's security 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 appropriate personal protective equipment.

### **Face Coverings**

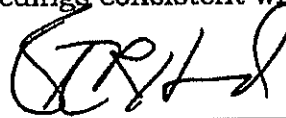
1. All individuals entering the court building will be required to wear face coverings at all times, except as permitted in the courtroom while hearings are taking place.
2. Individuals will be encouraged to bring cloth face coverings with them, but if the individual does not have a cloth face covering, 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 have been provided cleaning supplies shown to be effective with this coronavirus.
2. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.
3. Court building cleaning staff will clean the common areas of the court building so that common spaces are cleaned at least every day.
4. Court building cleaning staff will clean the courtrooms at the end of each day the courtroom is used.
5. Court staff will clean counsel tables, witness stand and any other places where others were seated between hearings.

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: 6.17-2020

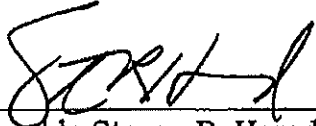


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Local Administrative District Judge



**ACKNOWLEDGEMENT**

I have been provided a copy of the COVID-19 Operating Plan for the Eastland County Judiciary. I have reviewed to approve the plan and agree to conduct court proceedings accordingly.



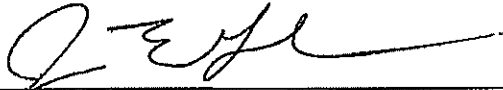
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Honorable Steven R. Herod  
Local Administrative District Judge



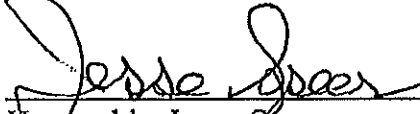
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Honorable Rex Fields  
Eastland County Judge



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Honorable Jon Glenn  
Justice of the Peace, Precinct 1



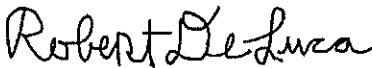
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Honorable Jesse Speer  
Justice of the Peace, Precinct 2



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Honorable John Bailey  
Chief Justice, Eleventh Court of Appeals



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Dr. Robert DeLuca, D.O.  
Local Health Authority