

Filed 12:05 pm

APR 09 2021

Sarah Loucks
District Clerk, Bastrop County

BASTROP, BURLESON, LEE & WASHINGTON COUNTIES

April 9, 2021

Under the guidance of the Texas Supreme Court's Emergency Orders and the Office of Court Administration, I include here the courts of Bastrop, Burleson, Lee and Washington Counties, Texas In-Person current Operating Plan.

1. Subject only to constitutional limitations, all courts in Texas may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant's consent:
 - a. except as provided in paragraph (b), modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than June 1, 2021;
 - b. in all proceedings under Subtitle E, Title 5 of the Family Code:
 - (i) extend the initial dismissal date as calculated under Section 263.401(a) only as provided by Section 263.401(b) or (b-1);
 - (ii) for any case previously retained on the court's docket pursuant to Section 263.401(b) or (b-1), or for any case whose dismissal date was previously modified under an Emergency Order of this Court related to COVID-19, extend the dismissal for an additional period not to exceed 180 days from the date of this Order;
 - c. except as this Order provides otherwise, Judges should determine the best interests of justice and the safety of the public in determining how to conduct hearings, which may include remote or live proceedings.
 - d. consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means;
 - e. conduct proceedings away from the court's usual location with reasonable notice and access to the participants and the public;
 - f. require every participant in a proceeding to alert the court if the participant has, or knows of another participant who has: (i) COVID-19 or a fever, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, loss of taste or smell, congestion or runny nose, nausea or vomiting, or diarrhea; or
(ii) recently been in close contact with a person who is confirmed to have COVID-19 or exhibiting the symptoms described above;

g. take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19, including requiring compliance with social distancing protocols and face coverings worn over the nose and mouth.

2. Once again, Judges should determine the best interests of justice and the safety of the public in determining how to conduct hearings, which may include remote or live proceedings.

3. Upon request and good cause shown by a court participant other than a juror—

including but not limited to a party, an attorney, a witness, or a court reporter—a court may permit the participant to participate remotely in any proceeding, subject to constitutional limitations and the what the Judges should determine the best interests of justice and the safety of the public in determining how to conduct hearings, which may include remote or live proceedings.

4. A district court, statutory or constitutional county court, statutory probate court, justice court, or municipal court may conduct in-person proceedings, including both jury and nonjury proceedings, if the local administrative district judge or presiding judge of a municipal court, as applicable, adopts, in consultation with the judges in the county or municipal court buildings:

a. minimum standard health protocols for court proceedings and the public attending court proceedings that will be employed in all courtrooms and throughout all public areas of the court buildings, including masking, social distancing, or both.

5. A court may conduct an in-person jury proceeding if:

a. to assist with coordination of local resources and to manage capacity

issues, the court has obtained prior approval, including a prior approved schedule, for the jury proceeding from the local administrative district judge or presiding judge of the municipal courts, as applicable;

b. the court has considered on the record any objection or motion related to proceeding with the jury proceeding at least seven days before the jury proceeding or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding;

c. the court has established communication protocols to ensure that no court participants have tested positive for COVID-19 within the previous 10 days, have had symptoms of COVID-19 within the previous 10 days, or have had recent known exposure to COVID-19 within the previous 14 days;

d. the court has included with the jury summons information on the precautions that have been taken to protect the health and safety of prospective jurors and a COVID-19 questionnaire to be submitted in advance of the jury selection that elicits from prospective jurors information about their exposure or particular vulnerability to COVID19; and

e. the court has excused or rescheduled prospective jurors who provide information confirming their COVID-19 infection or exposure, or their particular vulnerability to COVID-19 and request to be excused or rescheduled.

6. In criminal cases where confinement in jail or prison is a potential punishment, remote jury proceedings must not be conducted without appropriate waivers and consent obtained on the record from the defendant and prosecutor. In all other cases, remote jury proceedings must not be conducted unless the court has complied with the rules set forth by the Texas Supreme Court.

6. Except for non-binding proceedings, a court may not permit or require a petit juror to appear remotely unless the court ensures that all potential and selected petit jurors have access to technology to participate remotely.

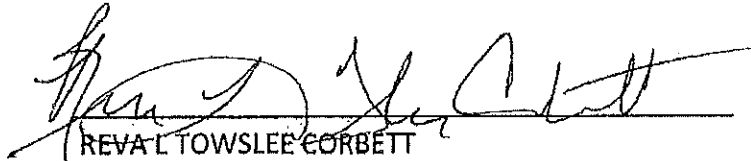
7. In determining a person's right to possession of and access to a child under a court ordered possession schedule in a Suit Affecting the Parent-Child Relationship, the existing trialcourt order shall control in all instances. Possession of and access to a child shall not be affected by any shelter-in-place order or other order restricting movement issued by a governmental entity that arises from the pandemic. The original published school schedule shall also control, and possession and access shall not be affected by the school's closure that arises from the pandemic.

Nothing herein prevents parties from altering a possession schedule by agreement if allowed by their court order(s), or courts from modifying their orders on an emergency basis or otherwise.

8. Please see and follow the Minimum Health Standards in Exhibit "A."

9. Please see and use the Jury Questionnaire In Exhibit "B."

This Order is effective immediately and expires June 1, 2021, except as otherwise stated herein, unless extended by the Chief Justice of the Supreme Court.

A handwritten signature in black ink, appearing to read 'Reva L. Towslee Corbett', written over a horizontal line.

REVA L TOWSLEE CORBETT

335TH District Judge

Administrative Judge for Bastrop, Burleson, Lee and Washington
Counties, Texas

Exhibit "A"

Minimum Health Standards

Subject to the rules of each individual Judge of each court in Bastrop, Burleson, Lee and Washington County, Texas:

Individuals must wear face coverings over the nose and mouth and maintain 3 to 6 feet of social distancing from another person not in the same household.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms.

Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these recommendations. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization.

Health recommendations for individuals:

Individuals should, to the extent possible, minimize in-person contact with others not in the individual's household. Minimizing in-person contact includes maintaining 3 to 6 feet of separation from individuals. When maintaining 3 to 6 feet of separation is not feasible, other methods should be utilized to slow the spread of COVID-19, such as wearing masks, washing or sanitizing hand frequently, and avoiding sharing utensils or other common objects.

People should self-screen before going into a business for any of the following new or worsening signs or symptoms of possible COVID-19:

Cough

Shortness of breath or difficulty breathing

Chills

Repeated shaking with chills

Muscle pain

Headache

Sore throat

Loss of taste or smell

Diarrhea

Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit

Known close contact with a person who is lab confirmed to have COVID-19

Wash or disinfect hands upon entering a business or government office and after any interaction with employees, other people, or items in the business or government office.

Carry and use hand sanitizer regularly, especially before eating.

THE JUDGE OF EACH COURT IN BASTROP, BURLESON, LEE AND WASHINGTON COUNTIES, TEXAS SHALL DEVISE AND USE THE BEST SEATING CHART AND USE OF SPACE FOR THEIR COURTROOMS FOR DOCKETS AND JURY SELECTION. EACH JUDGE KNOWS THEIR SPACE THE BEST AND IS THE BEST PERSON TO GUIDE STAFF IN THE SET UP AND USE OF THEIR SPACE.

Exhibit "B"

JURY SERVICE COVID-19 PRE-SCREENING QUESTIONNAIRE

Dear Prospective Juror:

As part of the court's ongoing measures to protect against the spread of the COVID-19 disease, we ask that you complete the following before reporting for Jury Service on _____, 2021. Bring this completed questionnaire with you or email it to _____@_____. BEFORE (insert date of jury service, 2021):

1. **SYMPTOMS NOW OR BETWEEN (insert date that is 10 days before date of jury service), 2021 AND (insert date of jury selection proceeding), 2021:** check any that apply to YOU or A MEMBER OF YOUR HOUSEHOLD
- _____ Fever (above 100.0) _____ Loss of taste or smell _____ Cough _____ Nausea or Vomiting
- _____ Headache _____ Shortness of Breath/Difficulty Breathing _____ Diarrhea
- _____ Chills
- _____ Muscle pain or body aches _____ Sore throat _____ Fatigue _____ Congestion or Runny Nose

_____ I certify that NONE of the symptoms above have been experienced by me or a member of my household between (insert date that is 11 days before date of jury service) and (insert date of jury selection, 2021).

IF YOU ARE EXPERIENCING ANY OF THE ABOVE SYMPTOMS, CALL THE DISTRICT CLERK'S OFFICE at () ____ - ____ BEFORE REPORTING ON _____, 2021.

2. CONTACT HISTORY - check any that apply to YOU or A MEMBER OF YOUR HOUSEHOLD:

- _____ I have been diagnosed with COVID-19 within the past 10 days;
- _____ I or a member of my household has been in close contact with someone exposed to or infected with COVID-19 in the last 14 days;
- _____ I or a member of my household are currently on a watch list or self-quarantining because of possible COVID-19 exposure;
- _____ NONE of the above apply.

IF ANY OF THE ABOVE APPLY, CALL THE DISTRICT CLERK'S OFFICE at () ____ - ____ BEFORE REPORTING ON _____, 2021.

3. COVID-19 RELATED EXCUSE OR POSTPONEMENT - 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 and may request to postpone or be excused from jury service at this time. If you wish to be excused or request that your jury service be postponed, check the box below.

I certify that I meet the above-described conditions and I am requesting to be excused from jury service or desire to have my service date postponed because of those conditions.

IF YOU ARE REQUESTING TO BE EXCUSED OR YOUR SERVICE DATE BE POSTPONED DUE TO A COVID-19 RELATED REASON, CALL THE DISTRICT CLERK'S OFFICE at () - BEFORE REPORTING ON _____, 2021.

4. FACE COVERINGS: (Include if applicable)

Prospective jurors are required to wear a face covering while they are in the courthouse. Individuals are encouraged to bring a cloth face covering with them. If an individual does not have a cloth face covering, a disposable face mask will be provided.

I certify the above is true and correct:

Signature

Printed Name

Date: _____