

**HARRIS COUNTY CRIMINAL COURT AT LAW NO. 9's
JURY TRIAL SAFETY PLAN:
(All Parties shall be familiar with the Court's Jury Trial Safety Plan)**

• **COURT SCREENING:**

- Harris County Criminal Court at Law No. 9 shall adopt the policies and procedures established by the Harris County Court System:

<http://www.harriscountyjuryservice.com/covid-19-safety-measures/#downtownSafety>

- In these extraordinary times of COVID-19, the Harris County Court System is determined to provide the safest possible environment for everyone who participates in our justice system. To that end, we have implemented safety protocols and procedures approved by Harris County public health officials and the State of Texas Office of Court Administration. These measures are designed to promote public safety and help protect the trial rights guaranteed to all of us in the Sixth and Seventh Amendments of the United States Constitution.

Arriving at the Downtown Courthouses:

- Once you are selected to serve on a jury, the presiding judge will give each juror a specific address, court number, telephone number, and time to report for jury service at the downtown courthouse. Please come at your assigned time to help ensure your safety and others.
- After entering the courthouse, you will also be asked standard COVID-19 screening questions and your temperature will be taken with a touch free thermometer. If your temperature is higher than 100°F or you answer “yes” to any of the COVID-19 screening questions, you will not be allowed into the courthouse. If you are not permitted to enter the courthouse, call the telephone number provided to you by the presiding judge to inform the court of the situation.
- Face coverings are required at the Downtown Courthouses (exceptions apply for infants, young children, and those with certain health issues). If you do not have a face covering, one will be provided to you.
- Juror parking is available at the parking garage located at 1401 Congress. When parking your car, leave a parking space open between you and the next vehicle to allow for social distancing.
- It is important to remain socially distant from others while walking from your car until you are seated in the courtroom.
- Hand sanitizer will be readily available.

Upon Entering the Courthouse

- Adhere to the footprint markers on the ground to ensure you are maintaining social distance from others.
- For your protection and theirs, all security personnel and court staff will be wearing face coverings.
- If you have a prohibited item, it will be held by security personnel in a clear plastic bag and may be picked up once you are dismissed from service and on your way out of the building.
- After completing your security screening, you will proceed to the location indicated to you by the judge's instructions.
- Elevators are available, but no more than 4 people may ride the elevator at the same time. Everyone in the elevator must wear a face covering.

When Reporting to Your Assigned Location:

- Please ensure to practice social distancing in your assigned courtroom as well as the hallways leading up to your assigned courtroom.
- Remember to bring the face shield that was provided to you at NRG. Sanitize your face shield after each day of your service.

- **GENERAL SAFETY PROCEDURES:**

- Harris County Criminal Court at Law No. 9 shall adopt the policies and procedures established by the Jury Proceeding Addendum to COVID-19 Operating Plan for the Harris County Judiciary (Effective on and after October 1, 2020) and the COVID-19 Operating Plan for the Harris County Judiciary dated May 21, 2020 signed by the Local Administrative District Judge Robert K. Schaffer:
<https://www.justex.net/JustexDocuments/0/News%20Items/News%202020/COVI19OperatingPlanforHarrisCountyJudiciaryApproved.pdf>

- **HEALTH OF JUDGE & COURT STAFF:**

- Harris County Criminal Court at Law No. 9 shall adopt the policies and procedures established by the Jury Proceeding Addendum to COVID-19 Operating Plan for the Harris County Judiciary (Effective on and after October 1, 2020) and the COVID-19 Operating Plan for the Harris County Judiciary dated May 21, 2020 signed by the Local Administrative District Judge Robert K. Schaffer, specifically, the sub-section titled, "Judge and Court Staff Health":
<https://www.justex.net/JustexDocuments/0/News%20Items/News%202020/COVI19OperatingPlanforHarrisCountyJudiciaryApproved.pdf>

- **SCHEDULING:**

- Harris County Criminal Court at Law No. 9 shall adopt the policies and procedures established by the Jury Proceeding Addendum to COVID-19 Operating Plan for the Harris County Judiciary (Effective on and after October 1, 2020) and the COVID-19 Operating Plan for the Harris County Judiciary dated May 21, 2020 signed by the Local Administrative District Judge Robert K. Schaffer, specifically, the sub-section titled, “Scheduling”:

<https://www.justex.net/JustexDocuments/0/News%20Items/News%202020/COVI19OperatingPlanforHarrisCountyJudiciaryApproved.pdf>

- **LIVESTREAM vs. PUBLIC ACCESS:**

- Harris County Criminal Court at Law No. 9 will fully comply with the Sixth Amendment’s right to criminal defendants, including the right to have a public trial, and the First Amendment’s right of public access which provides a qualified right of the public to attend criminal trials.
- In the event access to the courts are either restricted or limited to the general public, Harris County Criminal Court at Law No. 9 will both publicize and utilize their designated live stream link information in order to give the general public access to observe court hearings and jury trials without participating.

- **SUMMONS:**

- Harris County Criminal Court at Law No. 9 will defer to the policies and procedures of the Harris County District Clerk and the Harris County Jury Committee led by District Judge Kristen Hawkins.

- **VOIR DIRE:**

- Harris County Criminal Court at Law No. 9 shall adopt the policies and procedures established by Harris County Court System: <http://www.harriscountyjuryservice.com/>
- **Alternate Juror(s):**
 - The Presiding Judge will strongly consider selecting at least one alternate juror for the trial.

- **JURY TRIAL PROCEDURES:**

- Hands-free sanitizer stands will be placed outside of the courtroom for use.
- The Presiding Judge will ensure that extra masks, disinfectant spray, alcohol wipes, disposable microphone covers, disposable gloves, and hand sanitizer is available and easily accessible to all court staff.
- Jurors are to report each morning to the jury room of their assigned court. Courts will ensure prior to trial that the jury rooms are ready for juror occupancy by utilizing footprint markers on the ground and table markers to ensure that jurors are maintaining

social distance from others. **(Please refer to the section below marked “Jury Rooms”)**

- Jurors are to wear mask at all times during the trial.
- Jurors will be seated in a manner that is consistent with the social distancing requirements of 6 (six) feet apart from other jurors.
- The gallery may be reserved for the jury during criminal trials. The bailiffs will ensure that no spectators are seated in those designated areas of the gallery.
- The Presiding Judge will decide whether jurors will either listen to the trial from the gallery located in the back of the courtroom to maintain social distancing, or within the designated jury box. The court will prominently display footprint markers on the ground and will mark designated seating positions in advance of the scheduled jury trial to ensure that jurors are maintaining social distance from others.
- Witnesses will wait in the hallway and/or designated witness rooms which will prominently display footprint markers on the ground and marked designated seating positions in advance of the scheduled jury trial consistent with the social distancing requirements of 6 (six) feet apart.
 - No more than (2) people will be allowed in any designated witness room at any given time.
- Courts will arrange the sound system and monitors in the courtroom for the benefit of the sitting area designated for the jurors.
- Microphones, audio equipment, monitors, projectors, and ALL areas shared by individuals will be disinfected after each use to include:
 - The microphone, monitor, and witness chair located at the witness stand will be disinfected after each use. The Court will replace the disposable microphone covers. (The microphone neck will be cleaned with alcohol wipes.)
 - Disinfecting wipes and gloves will be placed at the witness stand.
- Cleaning will also take place at lunch, during breaks, and each evening after court has either recessed or adjourned for the day.
- Plexiglass barriers are installed at the witness stand in order that the witness can remove their mask while testifying.
- The Presiding Judge will explain health and safety rules for the petit jurors and why those rules may differ from persons at the counsel table.
- The Presiding Judge may ask any person before the court to remove their masks if needed to make a proper record.
- All persons at counsel tables will remain masked, except for the counsel that is speaking. The Presiding Judge may modify this requirement.

- Counsel will use their own judgment regarding spacing at tables. However, the court will recommend no more than 3 persons at each table.
- Attorneys will only be allowed to approach witnesses to tender an exhibit to a witness and will return to their seat for examination. Parties are required to use gloves when tendering evidence to witnesses and other individuals to include jurors.
 - Gloves will be available for use by attorneys, jurors, and witnesses when handling trial exhibits.
- Attorneys will be encouraged to maximize stipulations and agreed pre-trial admissions of evidence intended to be offered and admitted at trial.
- Attorneys will be encouraged to present exhibits/evidence in digital formats where possible. The Presiding Judge will work with IT staff to develop strategies for giving jurors access to digital exhibits during deliberations.
- With the consent of both parties, the Court may allow a witness to testify remotely if the witness has recently tested positive for COVID-19, is currently experiencing COVID-19 symptoms, has been recently exposed to COVID-19, or is vulnerable to contracting the virus.

Bench Conferences:

- Only (1) attorney per side may approach while wearing masks.
- Masks may only be removed if the court reporter cannot hear the conference and make a record.
- During Bench Conferences:
 - Jurors may be removed from the courtroom to wait in a designated socially distanced location to include another courtroom and/or designated jury room. All locations will prominently display footprint markers on the ground and marked designated seating positions in advance of the scheduled jury trial consistent with the social distancing requirements of 6 (six) feet apart; or
 - Alternatively, when available parties may exit the courtroom to enter into the (2) separate designated witness rooms to join a private zoom conference with the court while using ear plugs.
- During jury trials, breaks will need to be longer than usual to accommodate elevator restrictions, when applicable.

Jury Rooms:

- The Presiding Judge will only provide individually pre-packaged lunch, snacks, bottled water, and canned soft drinks in the jury room for petit jurors. Individuals providing said items to be consumed by the jurors shall at all times

wear mask and gloves while adhering to the social distancing requirements of 6 (six) feet apart.

- Hand sanitizer, hand soap, and disinfecting wipes will be available in the jury room.
- No more than 7 (seven) individuals will be allowed inside of the jury room at any given time.
 - Jurors will be seated in a manner that is consistent with the social distancing requirements of 6 (six) feet apart from other jurors.
 - The Court will inform the jurors to adhere to the footprint markers on the ground and table markers inside of the jury room to ensure that jurors are maintaining social distance from others.
- Jurors will use either of the (2) two restrooms located inside of the jury rooms.

• **JURY DELIBERATIONS:**

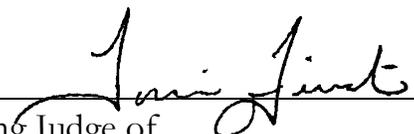
- Deliberations may be held either in the Jury Room, or in the largest space available. If a courtroom is used, it will be locked, and the sound system disabled to ensure juror privacy.
- Jurors shall wear masks during jury deliberations.
- The Presiding Judge may order pre-packaged meals for jurors during deliberations.
- Jurors will be asked to contact the Deputy of the Trial Court if they experience any symptoms of COVID-19 or test positive for COVID-19 within 14 days after jury service.

• **WHAT TO DO IF A JUROR EXHIBITS SYMPTOMS OF BEING ILL:**

- The Trial Court and the Harris County Office of Court Management (“OCM”) shall be notified immediately if a juror exhibits symptoms of being ill.
- Court Deputies may attempt to isolate the juror.
- The Presiding Judge will decide whether to excuse the juror and use an alternate juror.
 - The Presiding Judge is strongly encouraged to select a minimum of (1) alternate juror in the event of juror becoming ill.
- The Court may excuse the juror and ask the juror to report back and notify Court if juror tests (positive or negative) for COVID-19.

October 1, 2020

Date Signed



Presiding Judge of
Harris County Criminal Court at Law No. 9