

SAN PATRICIO COUNTY COURT AT LAW
INFECTIOUS DISEASE PROTOCOL -- REVISED

1. **STATEMENT AND POLICY**

In response to the threat of the Coronavirus and other infectious diseases, this Court hereby implements this Infectious Disease Protocol to minimize the risk of community transmission of COVID-19. This Protocol covers persons with scheduled hearings, appearances, or trials in the San Patricio County Court at Law who have reason to believe that they, their attorney, client, or necessary witness have been **exposed to COVID-19** or are **experiencing flu-like symptoms** (hereafter referred to as a "***Covered Person***").

POLICY: No person who has been exposed to COVID-19 or is experiencing flu-like symptoms may personally appear in court while this protocol is in force without prior express permission of the Court. It is the sole and exclusive obligation of each attorney or self-represented litigant to comply with this protocol.

2. **CIVIL CASES**

A ***Covered Person*** in a *civil hearing* may appear by video conference or telephonically if the Court has the availability. Video conference will be through the Lifesize video conference system currently in the Court at Law Courtroom. **Video conference or telephonic testimony in a bench trial requires agreement of counsel.** No video conference or telephonic testimony will be permitted in jury trials except as authorized by statute. For telephonic testimony, a notary public must be physically present with the witness to identify the witness by proper and legal ID and administer the oath to the witness on the record. ***Covered Persons*** not properly sworn in this manner will not be permitted to testify.

3. **CRIMINAL CASES**

Defendants in criminal cases must appear in person as summoned for each setting unless their appearance has been waived by signed order of the Court. Approved forms for waivers of appearance, arraignment, and Pre-Trial hearings may be obtained via e-mail from the Court Coordinators or at **sanpatricioccal@gmail.com**. Any ***Covered Person*** who is a **defendant** in a criminal case must contact their attorney ***prior*** to their court date in order to request to be excused from court.

4. **CONTINUANCES AND ALTERNATIVES TO ORAL HEARINGS**

All requests for continuance under this protocol must include a certificate of conference stating the agreement or opposition of opposing counsel. The **motion must state** that it is asserted pursuant to the Infectious Disease Protocol, identify the ***Covered Person*** or Persons, and describe why they are necessary for the hearing in question.

If no contested issue needs to be considered by the Court, Rule 11 Agreements should be utilized.

5. **VULNERABLE POPULATIONS**

Vulnerable individuals are those 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.

Notice is hereby given to all persons who are part of the vulnerable population or who are caregivers for vulnerable individuals that accommodations will be made for your court

appearance to be made by way of video conference. Please contact the Court to schedule these accommodations.

6. **FACE COVERINGS**

All persons entering the courthouse or auxiliary buildings being used for court proceedings **shall** be required to wear some type of face covering that shall cover their nose and mouth, such as a homemade mask, scarf, bandana, or handkerchief. When an individual will be in the building for a lengthy period of time, a non-medical grade face mask should be worn.

7. **SOCIAL DISTANCING**

Adequate social distancing **shall** be maintained for all individuals not within the same household who may be in a courthouse or auxiliary buildings being used for court proceedings. This includes all public common areas, courtrooms, hallways, elevators, restrooms, or other locations where the public might gather.

8. **HYGIENE**

All persons entering the courthouse or auxiliary buildings being used for court proceedings should follow proper hygiene practices. This means you should wash your hands often, avoid close contact with other people, cover your coughs and sneezes, wear mouth and nose covering, and clean and disinfect frequently touched surfaces. All persons entering the courthouse or auxiliary buildings being used for court proceedings should consider bring their own hand sanitizer, tissues, or other personal hygiene cleaning products of their choosing.

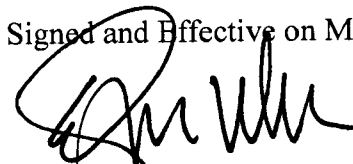
9. **SCREENING**

All individuals entering the courthouse or auxiliary buildings being used for court proceedings will have their temperature taken. Any individual feeling feverish or with measured temperature equal to or greater than 99.5°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 must not be permitted entry.

10. **CONTACT INFORMATION**

Questions and requests for waiver forms should be directed to: sanpatricioccal@gmail.com

Signed and Effective on May 6, 2020



ELIZABETH WELBORN,
JUDGE PRESIDING