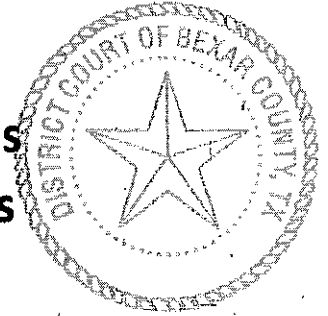


SPECIAL ORDER NO. 727181

**Minimum Standard Health Protocols
For Bexar County Court Proceedings**



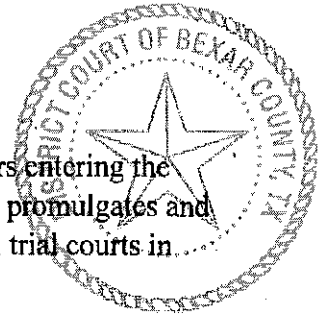
April 1, 2021

**Judge Ron Rangel
Local Administrative Judge,
Bexar County, Texas.**

727181

MINUTES TO COURT FOR PROCEEDING 40

**Minimum Standard Health Protocols for
Court Proceedings in Bexar County
March 30, 2021**



To ensure the health and safety of all courtroom participants and visitors entering the Bexar County Judicial Complex, the Local Administrative Judge, Ron Rangel, promulgates and adopts the following Minimum Standard Health Protocols that will apply in all trial courts in Bexar County. All judges are required to follow these Protocols:

Generally

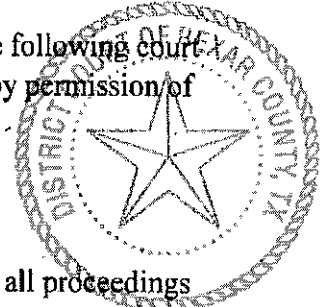
1. In addition to the instant Minimum Standard Health Protocols, all Bexar County trial courts must also comply with the Emergency Orders issued by the Supreme Court of Texas and Court of Criminal Appeals, including social distancing, maximum group size, and other restrictions and precautions for in-person proceedings.
2. The local administrative district judge will communicate with local health authorities and county judge and will adjust these Protocols as county conditions change.
3. All Bexar County trial courts should first exhaust all reasonable efforts to conduct proceedings remotely, e.g., by teleconferencing, videoconferencing, or other means.
4. Upon request and with good cause shown, judges must allow any court participant — other than a juror — to participate remotely in a proceeding, subject to constitutional limitations.
5. Trial courts may conduct in-person proceedings with permission of the Local Administrative Judge, so long as those proceedings comply with the in-person schedule for each court group designed to minimize the number of individuals coming into the Bexar County Judicial Complex.
6. In accordance with the Office of Court Administration’s Best Practices for Court Processes, the Court adopts the metric below based on the transmission rate in Bexar County. If the County moves to moderate transmission, the County will not hold jury trials.

Indicator ²	Low Transmission Blue	Moderate Transmission Yellow	Substantial Transmission Orange	High Transmission Red
Total new cases per 100,000 persons in the past 7 days ³	0-9	10-49	50-99	≥100
Percentage of PCR Tests that are positive during the past 7 days ⁴	<5.0%	5.0-7.9%	8.0-9.99%	≥10.0%

RUNNING DOWN FOR HONORABLE

Scheduling

1. To minimize occupancy in the Bexar County Courthouse Complex, the following court schedules are established. In all cases, the schedule may be modified by permission of the Local Administrative Judge.

**CRIMINAL DISTRICT COURTS**

The Criminal District Courts are strongly encouraged to handle all proceedings remotely. In the event a court determines the need for an in-person proceeding, the court must adhere to the in-person schedule for the Criminal District Courts.

144th	Mondays/Wednesdays
175th	Mondays and Wednesdays
186th	Mondays and Wednesdays
187th	Wednesdays and Fridays
226th	Tuesdays and Thursdays
227th	Tuesdays and Thursdays
290th	Tuesdays and Thursdays
379th	Mondays and Fridays
399th	Wednesdays and Fridays
437th	Tuesdays and Thursdays
Magistrate Court	Wednesdays/Thursdays

JUVENILE DISTRICT COURTS

The Juvenile District Courts are strongly encouraged to handle all dockets remotely whenever possible. Until further notice, if a juvenile court determines an in-person court proceeding* is necessary, and in compliance with social distancing requirements in common areas, the Juvenile District Courts will follow the following schedule:

289th	Tuesdays and Thursdays; on or after April 1, 2021
386th	As needed (following court approval); on or after April 1, 2021
436th	Wednesdays; on or after May 5, 2021

For in-person proceedings, courts are limited to two dockets per day with no more than five [5] individuals set in the morning and five [5] in the afternoon. Each court may conduct detention hearings remotely or in-person, but should limit the number of children

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brought into the courtrooms to no more than two [2] in the morning and two [2] in the afternoon.

Similarly, the courts' specialty court dockets (Drug Court [pre and post adjudication], Crossroads, MIND Court, STRIVE Court, JUNTOS Court, Family Enrichment Court, Restore Court and Crossover Court Docket), should be held remotely whenever possible; however, in-person dockets are allowed when necessary, beginning on or after the dates set out in the schedule above for each court. Proper social distancing and other safety measures must be followed.

The number and frequency of in-person hearings described in this plan may be modified with permission of the Local Administrative Judge.

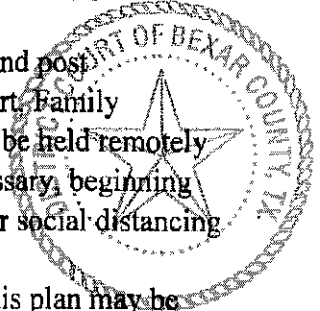
* Until further notice, juvenile in-person proceedings *do not* include in-person jury trials.

COUNTY COURTS AT LAW (CRIMINAL)

CC1	Will remain mostly remote
CC2	Friday (Motions) but mostly remote
CC4	Wednesday (Motions)
CC5	Will remain mostly remote
CC6	Will remain remote
CC7	Will remain remote
CC8	Will remain mostly remote
CC9	Will remain remote
CC11	Monday
CC12	Tuesday and Thursday
CC13	Will remain remote
CC14	Monday and Tuesday
CC15	Will remain mostly remote

COUNTY COURTS AT LAW (CIVIL)

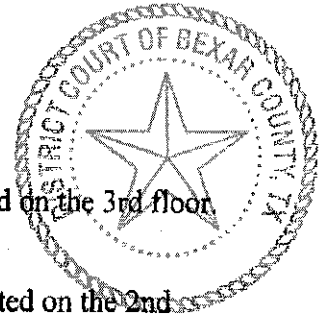
A mix of remote and in-person hearings, with a preference for remote hearings, shall be conducted in the Civil County Courts. Only necessary parties and / or counsel will be allowed in the courtroom, totaling no more than ten [0] individuals, including staff. Remote dockets will be held on Thursday and Friday mornings and afternoons and will consist of no more than twenty [20] individuals per docket. All in-person hearings will focus on ensuring



COUNTY COURT OF BEXAR COUNTY TEXAS

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that adequate social distancing is maintained in each courtroom and the areas around each courtroom.



CIVIL DISTRICT COURTS

- 408th April 5: One 2-5 day live nonjury case will be conducted on the 3rd floor.
- 131st April 12: One 2-5 day live nonjury case will be conducted on the 2nd floor.
- 224th April 19: One 2-5 day live nonjury case will be conducted on the 4th floor.

PROBATE COURTS

In all instances, remote proceedings are preferred and encouraged, but should a probate court determine in-court proceedings are necessary, the court would be limited to two [2] dockets per day with no more than five [5] cases set in the morning and five [5] in the afternoon and staggered to accommodate no more than ten [10] individuals in the courtroom at any given time frame. All in-person hearings will focus on ensuring that adequate social distancing is maintained in the courtroom, in the areas around the courtroom, and in the courthouse.

JUSTICE OF THE PEACE COURTS

Due to the unique, high volume nature of the Bexar County Justice Courts and the several buildings in which they are located, the individual Justices of the Peace will set their own dockets, with due consideration for public health and safety as required by these Minimum Standard Health Protocols. In all instances, the JP courts are strongly encouraged to handle dockets remotely whenever possible.

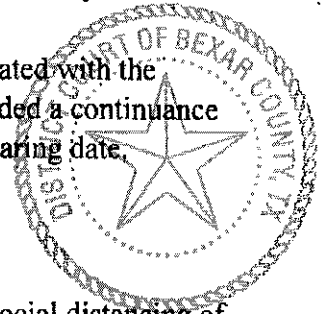
Vulnerable Populations

1. Individuals over age 65 and with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and compromised immune systems (e.g., chemotherapy recipients, etc.) are considered to be vulnerable populations.
2. All orders setting hearings, docket notices, summons, and other communications notifying individuals of in-person appearances must include information explaining how vulnerable populations may contact the court to identify themselves as such and to request appropriate accommodations. A notice with this information will be posted on

COUNTY CLERK FOR HENRI POLO

the courts' websites and in conspicuous locations throughout the Bexar County Courthouse Complex (a copy of which is attached).

3. Vulnerable populations who are scheduled for court will be accommodated with the opportunity to appear for hearings remotely or, in the alternative, provided a continuance upon notice and good cause to the court in advance of the scheduled hearing date.



Social Distancing

1. All persons not from the same household will be required to maintain social distancing of at least 6 feet in any court building.
2. No more than four [4] individuals who are not from the same household will be permitted in the elevators in the Bexar County Courthouse. No more than four [4] individuals who are not from the same household will be permitted in the elevators located in the Paul Elizondo Tower and the Justice Center.
3. Each restroom has been evaluated to determine the appropriate capacity to ensure social distancing. The maximum capacity is posted on each restroom door. Staff may be needed to prevent bathroom crowding, and to ensure frequent surface cleaning.
4. Public common areas, including breakrooms and snackrooms, have been closed to the public.
5. Courtrooms which are not in use should be made available for parties to confer to minimize crowding in the hallways and other common areas.

Courtroom Gallery

6. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. Court security will monitor and enforce the maximum capacity of each courtroom.
7. The gallery of each courtroom has been marked with appropriate social distancing in the seating. Seating will be limited to every other row.

Courtroom Well

8. In each courtroom, the counsel tables, witness stand, judge's bench, and seating for the clerks, court reporter, and bailiff have all been arranged to provide 6 feet of social distancing. Whenever possible, the judge's bench, witness stand, and seating for the clerks and court reporters should also provide 6 feet of social distancing. If 6 feet of distance in between these spaces is not possible, plexiglass barriers should be erected to help prevent transmission of respiratory droplets in the courtroom.

Hygiene

1. Hand sanitizer dispensers will be at the entrances to each Judicial Complex building, outside of elevators on each floor, outside of each courtroom and court offices, and outside each bathroom.

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2. Tissues and trash receptacles will be near the door of each 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" will be posted in multiple locations throughout each court building, on every floor. Signage should be in both the Spanish and English languages, with large font and photos to assist all those who enter the courthouses.



Screening

1. Trained courthouse staff or guards will ask each individual attempting to enter a Judicial Complex building if they have a fever, cough, shortness of breath, difficulty breathing, nausea, vomiting, diarrhea, or been in close contact with a person with confirmed COVID-19. Individuals who indicate yes to any of these questions will be refused admittance to a Judicial Complex building. Additional screening questions are included in appendix of this document.
2. Trained courthouse staff or guards will use an infrared thermometer to determine the temperature of each individual. Individuals with a temperature that equals or exceeds 100.0°F may not enter a Judicial Complex building.
3. Inmates being transported from the jail to a Judicial Complex building will be screened for COVID-19 symptoms and have their temperature taken prior to transport. Inmates with symptoms or a temperature equal to or above 100.0°F will not be transported to a court building. Inmates known to be COVID+ by screening at the jail shall not be transported to the court building until ten days have passed since their last positive COVID-19 test. CDC criteria for ending isolation of a COVID-19+ person must be met before transport to court building (i.e., at least 72 hours without fever, AND ten [10] days since the onset of symptoms AND improved symptoms).
4. Staff who screen individuals entering the court building will be provided personal protective equipment, including gloves, face shields, and barrier face masks (see attached guidance from University Health Systems).

Face Coverings

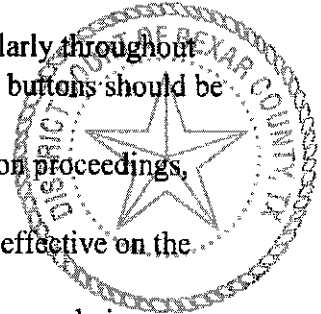
1. All individuals entering court buildings are required to wear face coverings that cover both the mouth and nose at all times. This includes all judges and court staff.
2. Individuals are encouraged to bring cloth face coverings with them, but if the individual does not have such a face covering, a disposable face mask will be provided.
3. Court participants who need to lower their face mask to speak or for a short period of time may wear a face shield. When speaking, a trial court should permit a court participant to lower his or her mask so long as a face shield is worn and the person speaking is stationary.

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Cleaning

1. Cleaning staff will clean the common areas of each court building regularly throughout the day. High touch surface areas such as bathroom doors and elevator buttons should be cleaned as frequently as possible.
2. Cleaning staff will clean the courtrooms, between morning and afternoon proceedings, and at the end of each day that the courtroom is used.
3. Cleaning staff and court staff must have cleaning supplies shown to be effective on the SARS-Cov2 virus.
4. Cleaning staff and court staff must be trained proper cleansing techniques and given appropriate personal protective equipment (PPE).



Ventilation:

Bexar County Facilities have been equipped as indicated below to ensure the health and safety of those who enter the courthouse complex:

1. HVAC settings are now increased to 100% fresh air intake to dilute respiratory droplets in the buildings, which allows for more air change cycles per hour.
2. 74 freestanding HEPA air scrubbing units, which can be deployed during a trial and jury selection.
3. UV-C lighting installed in all the air handlers in County owned buildings.
4. Thermal cameras to ensure temperature checks at each building entrance.
5. Self-screening kiosks at some public entrances.
6. Plexiglass installed between workspaces where social distancing is not possible.
7. Electrostatic spraying and sanitization of spaces after in-person proceedings.
8. Touchless door openers installed at public entrances.
9. Foot openers installed at public restrooms.

Jury Proceedings

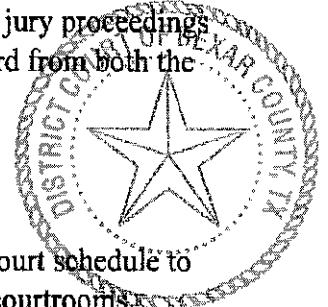
General

1. Judges of the district courts, constitutional and statutory county courts, and statutory probate courts will conduct in-person jury proceedings in accordance with these Minimum Standard Health Protocols, established schedules, approved by the Local Administrative Judge.
2. Not more than five [5] days before an approved in-person jury proceeding is scheduled to occur, the Bexar County Local Administrative Judge will consult with the local public health authorities to verify that local health conditions and plan precautions are such that the jury proceeding may properly proceed.
3. Civil trial courts may conduct remote jury proceedings so long as the court follows the requirements set forth below for motions and objections and ensures all venire members

BEXAR COUNTY DISTRICT COURT

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and petit jurors have access to the technology needed to participate remotely. In all criminal cases in which jail or prison is a potential punishment, remote jury proceedings may occur only with explicit waivers and consent obtained on the record from both the defendant and prosecutor.



In-Person Jury Proceeding

1. Judges wishing to conduct a jury proceeding shall follow a rotational court schedule to ensure adequate social distancing is maintained in the courthouse and courtrooms.
2. The Local Administrative Judge will consult with the local public health authorities to verify that the local health conditions and precautions are appropriate for jury proceedings.

Hearings on Objections or Motions Related to Proceeding

1. Parties scheduled for a jury proceeding are encouraged to make any objections or motions related to those proceedings at least 10 days prior to the trial setting.
2. Any objections or motions related to a jury proceeding will be heard by the judge presiding over the case at least seven days prior to the jury proceeding, or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding.

Communication Protocols

1. Parties with an approved in-person jury proceeding must report to the trial court if any attorney, party, support staff, or witness has: (a) tested positive for COVID-19 within ten [10] days prior to any portion of the jury proceeding; (b) currently has symptoms of COVID-19; or (3) has had recent exposure to COVID-19+ person within the previous 14 days.
2. If the approved in-person jury proceeding involves an incarcerated participant, the judge will require the sheriff to report any positive COVID-19 test of the incarcerated participant within the previous 10 days prior to any portion of the jury proceeding, any current symptoms of COVID-19, or any recent known exposure to COVID-19 within 14 days.

Scheduling

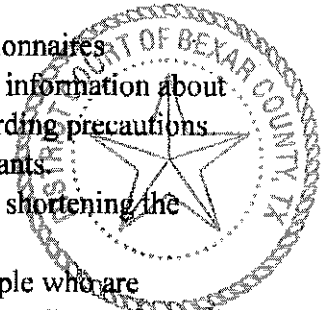
1. Trial courts will schedule no more than ten [10] cases for any given in-person jury trial setting.
2. Judges should attempt to alert, as soon as practicable, parties that they will not be proceeding to trial.

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Summoning Jurors

1. The jury clerk must include with in-person juror summonses: (a) questionnaires (Attached Jury Summons Addendum) eliciting from prospective jurors information about their exposure or vulnerability to COVID-19; and (b) information regarding precautions taken by the Courts to protect the health and safety of all court participants.
2. Judges will consider using juror questionnaires for voir dire to assist in shortening the length of voir dire or the number of venirepersons.
3. Excuses or requests to reschedule in-person jury service lodged by people who are particularly vulnerable, symptomatic, or have been potentially exposed to COVID-19 will be liberally granted.
4. Exemptions and Excuses will be considered via Zoom in advance of the summons date. The Central Jury staff will assist all courts in setting up the Zoom hearings and ensuring access to technology for those who may need assistance.



Location for Jury Selection, Trial, and Deliberation

In-person trial proceedings should not occur without prior approval of the Local Administrative Judge and will depend on current health conditions in the County.

1) The following locations have sufficient space to permit adequate social distancing and will be used for in-person jury proceedings:¹

a) Jury Selection in the Criminal District Courts

- i) The Bexar County COVID-19 Operating Plan shall be adhered to at all times.
- ii) Each Criminal District Court will have one "jury day" in rotation. For example, on Monday, the 144th will have its jury panel, on Tuesday, the 175th will have its panel, and so on, in sequential order and including the juvenile district courts. This rotation will focus on ensuring that adequate social distancing is maintained in the courtroom, in the areas around the courtroom, and in the courthouse.
- iii) To ensure appropriate social distancing, jury selection will take place in the Central Jury Room in the basement of the Justice Center.
- iv) Criminal District Court trials can occur in the courtroom.
- v) Each Criminal District Court should develop a plan to arrange the courtroom in accordance with the Bexar County Operating Plan. (See Sample Courtroom Arrangement Attached).
- vi) Each Criminal District Court shall empanel at least 2 alternate jurors for each trial.

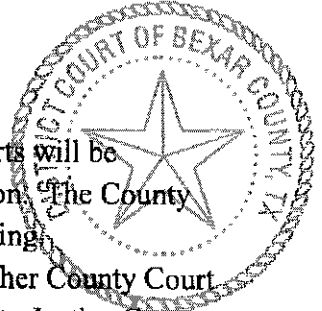
¹ Courts who may need to hold a proceeding outside of the courthouse should review Chapter 292 of the Local Government Code (related to having an auxiliary facility designated as a courthouse) and Government Code Sections 24.033(b) (district courts), 25.0019(b) (statutory county courts), 25.0032(b) (statutory probate courts), 26.009(b) (constitutional county courts), 27.0515 (justice courts), 29.015 (municipal courts), and 30.000123 (municipal courts of record)—relating to designating alternative locations for proceedings.

MINUTES FOR JURY TRIALS

vii) Each Criminal District Court is encouraged to set several potential trials to ensure that jury panels designated each day are utilized.

b) Criminal Jury Selection in the County Courts at Law

- i) "Jury days" for the County Court at Law will also rotate. Two Courts will be accommodated each day, one in the morning and one in the afternoon. The County Courts at Law will rotate each day to ensure adequate social distancing.
- ii) Jury selection for the County Courts at Law will be conducted in either County Court at Law Number 11 or the 399th Judicial District Court (Bexar County Justice Center, 1st floor). Each summons will direct the potential jurors where to report.
- iii) To ensure proper social distancing, and to allow for voir dire and trial within the courtroom, no more than 24 individuals will be included in each jury panel for the County Courts at Law.
- iv) Each County Court at Law shall develop a plan to arrange the courtroom in accordance with the Bexar County Operating Plan. (See sample arrangement of jury room)
- v) Each County Court at Law is encouraged to set several potential trials to ensure that jury panels designated each day are actually used.
- vi) Jury deliberations will occur within the courtroom.



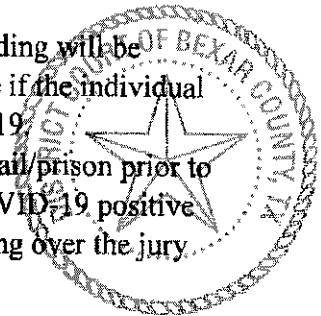
c) Jury Selection in the Civil District Courts

- i) Civil District Court jury trials shall be assigned via the Civil District Monitoring Court. No more than two trials will be scheduled per floor of the courthouse at any given time, ensuring that adequate social distancing is maintained in the courtroom, in the areas around the courtroom, and in the courthouse.
 - ii) To ensure appropriate social distancing, jury selection will take place in the Central Jury Room, Presiding Courtroom, Historic Courtroom (approval pending) or other approved location which can safely seat all jurors summoned.
 - iii) Civil District Court trials can occur in courtrooms that can ensure appropriate social distancing.
 - iv) Each Civil District Court should develop a plan to arrange the courtroom in accordance with the Minimum Standard Health Protocols.
 - v) Each Civil District Court is encouraged to empanel at least 2 alternate jurors for each trial, but discretion is given to the trial judge.
 - vi) Each Civil District Court is encouraged to set several potential trials to ensure that the jury panels designated each day are utilized.
 - vii) To ensure proper social distancing, and to allow for trial within the courtroom, when possible, jury panels shall be limited to no more than 40 individuals.
- d) Security protocols at the locations for jury proceedings have been reviewed with the appropriate courthouse security personnel and are adequate for the proceeding.

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Screening

1. All court participants and observers attending an in-person jury proceeding will be screened for elevated temperatures and will be questioned to determine if the individual has recently had symptoms of COVID-19 or been exposed to COVID-19.
2. All participants in a trial who are incarcerated will be screened by the jail/prison prior to transport to the courtroom and any known exposure, symptoms, or COVID-19 positive test results within the past 10 days will be reported to the judge presiding over the jury proceeding prior to the transport of the participant to the courtroom.



Face Coverings

1. In addition to the requirements of the previously submitted in-person Operating Plan, all persons entering the common areas of a courthouse, including a courtroom or any other location being used to conduct a jury trial, will be required to wear a face covering at all times unless the person is an individual that is not recommended to wear a mask by the Centers for Disease Control or the Texas Department of State Health Services.
2. All court participants will be required to wear face coverings from jury qualification through the end of trial.
3. Court participants who may need to lower their face mask to speak or for a short period of time will be required to wear a face shield. When speaking, judges will permit a court participant to lower his or her mask so long as a face shield is worn, and the person speaking is immobile.

Social Distancing

1. Social distancing of all court participants and observers will be maintained at all times during a jury proceeding, including during the trial and deliberation.
2. Special attention will be paid by courts to ensure adequate social distancing and managed exits of individuals during breaks, especially when dismissing large groups of people for a break.

Alternate Jurors

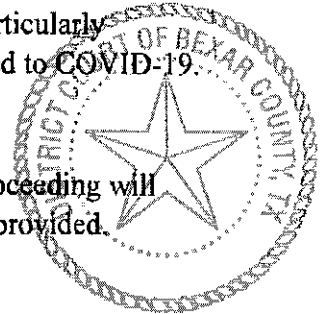
Each judge with an approved in-person jury proceeding will consider selecting alternate jurors to permit the trial to continue in the event a juror becomes ineligible to serve for a reason unrelated to that person's exposure to or contraction of COVID-19.

Arrangement of Courtroom

1. The following description details how each of the courtrooms or facilities will be arranged during the jury proceeding:
 - Criminal District Court voir dire will be conducted in The Central Jury Room. The room has a capacity of over 500 individuals and is suited for social distancing of 100 summoned jurors.
 - Criminal District Courts' trials will be conducted in the district courtroom. Please note that all desk areas by the judge's bench (court reporter, witness,

FOR INFORMATION ONLY

- 2. To the degree constitutionally permissible or with the consent of all parties, trial courts will permit witnesses to testify remotely, especially if the witness is particularly vulnerable, symptomatic, or has recently tested positive or been exposed to COVID-19.



Food Precautions

- 1. Courts that provide food to jurors or other participants during a jury proceeding will ensure individual food portions, such as individually boxed meals, are provided.

Cleaning

- 1. Frequent cleaning protocols in the courtrooms and facilities will be maintained throughout the jury proceeding as appropriate.
- 2. Shared spaces such as witness stands, seating in the gallery, and seating during jury selection will be cleaned during transitions of those spaces.
- 3. Seats for members of the jury panel and selected jurors will be assigned to reduce potential transmission.

Virtual Jury Trials in Civil Courts

1) Virtual Jury Proceedings in the Civil District Courts

- a) At least one virtual jury trial per week may be conducted.
- b) The Civil District Courts shall coordinate with the Civil County Courts at Law and Probate Courts to develop a method of apportioning jury panels between them. If a given court does not need a jury panel in a given week, the Civil District Courts may reassign that panel to a different court to use the panel.
- c) The Central Jury Bailiff, in concert with the Office of Court Administration, the Bexar County Sheriff's Office and BiblioTech, shall ensure access to technology for any potential jurors who need access.
- d) The Central Jury Bailiff will assist the Civil District Courts in any tasks needed prior to voir dire and during the virtual trial.
- e) Prior to jury selection, the Civil Courts will use a remote jury team to perform the tasks outlined in the Civil Courts' Remote Jury Trial Recommendations.

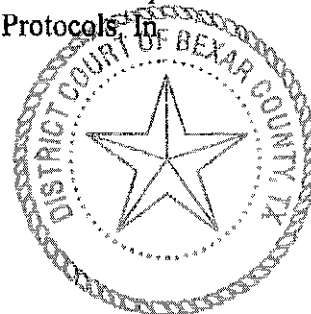
2) Virtual Jury Proceedings in Civil County Courts at Law/Probate Courts

- a) Virtual trial have been authorized since November 2, 2020, and will continue unless stopped by the Texas Supreme Court.
- b) A maximum of 1 virtual jury trial per week may be conducted. The Civil County Courts at Law and Probate Courts shall coordinate with the Civil District Courts and notify the Civil District Courts if they will not be utilizing a jury panel in a given week so that the Civil District Courts may utilize the panel.
- c) The Central Jury Bailiff, in conjunction with BiblioTech, shall ensure access to technology for any potential jurors in need of technology.

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I have attempted to confer with all judges of courts with courtrooms in the courthouse complex and the Justice of the Peace Courts regarding these Minimum Standard Health Protocols. In developing these Protocols, I also consulted with the local health authority.

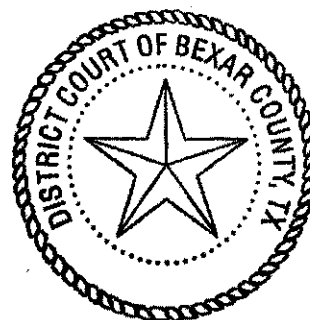


Date: 4/1/2021

Ron Rangel
Local Administrative District Judge,
Bexar County, Texas

MINN GP COURT FOR MINNHOA

CERTIFIED COPY CERTIFICATE STATE OF TEXAS
I, MARY ANGIE GARCIA, BEXAR COUNTY DISTRICT
CLERK, CERTIFY THAT THE FOREGOING IS A TRUE
AND CORRECT COPY OF THE ORIGINAL RECORD AS
INDICATED BY THE VOLUME, PAGE AND COURT ON
SAID DOCUMENT. WITNESSED MY OFFICIAL HAND
AND SEAL OF OFFICE ON THIS:



April 01, 2021

**MARY ANGIE GARCIA
BEXAR COUNTY, TEXAS**

By:

A handwritten signature in cursive script that reads "Christina Carreon". The signature is written over a horizontal line.

CHRISTINA CARREON, Deputy District Clerk

(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)