

NAVARRO COUNTY

MELISSA BUTLER
COURT COORDINATOR



LESLIE KIRK
OFFICIAL REPORTER

JAMES LAGOMARSINO

JUDGE, 13TH JUDICIAL DISTRICT COURT
NAVARRO COUNTY COURTHOUSE
300 W. 3RD AVE., SUITE 202
CORNICANA, TEXAS 75110
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June 11, 2020

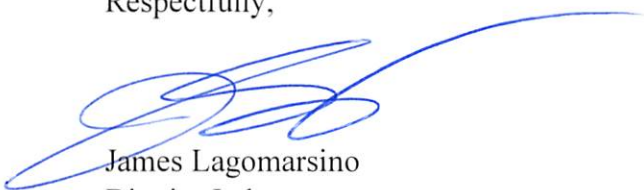
Counsel and Litigants (VIA E-MAIL)

RE: COVID-19 Operating Plan for the Navarro County Judiciary

Dear Department Heads and Employees:

Please find attached the COVID-19 Operating Plan for the Navarro County Judiciary. It has been acknowledged by Judge Billy Ray Stubblefield, Presiding Judge of the Third Administrative Judicial Region, and forwarded to the Office of Court Administration where it is now posted. It will also be posted on the Navarro County website. If you have any questions, please feel free to contact the Court.

Respectfully,



James Lagomarsino
District Judge
Local Administrative Judge

COVID-19 Operating Plan for the Navarro County Judiciary

(As mandated by the Texas Supreme Court and Office of Court Administration)

Recognizing the need to ensure the health, safety, and protection of litigants, attorneys, visitors, court staff, judges, employees, jury and grand jury panel members, and other individuals entering the buildings housing the courts, the 13th District Court in its role as Local Administrative Judge issues the following order regarding protective measures regarding the COVID-19 pandemic:

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 issued by the above-mentioned entities to the extent resources are made available by the county and to the extent practical.
2. All judges will use all reasonable efforts to conduct proceedings remotely.
3. The local administrative judge will maintain regular communication with the Corsicana-Navarro County Public Health District through its Medical Director and local health authority Dr. Kent Rogers as well as the Navarro County Judge and the Mayor of the City of Corsicana and adjust this operating plan as necessary with conditions in Navarro County and the City of Corsicana.
4. Judges will begin setting non-essential in-person proceedings no sooner than June 15, 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: Judges and court staff will be continually monitored for symptoms.
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 at all times when in the courtroom, hallways, and restrooms of the courthouse. Judges and court staff may be permitted to remove their face coverings while in their individual offices or individual work spaces that allow for social distancing.
5. Judges and court staff may keep office doors closed to the public and others if the judge or court staff believes it is necessary to protect the court staff and/or to prevent the spread of the COVID-19 virus.
6. Protective Measures: Judges and court staff will adhere to the guidelines set by the CDC, DSHS, and the Corsicana-Navarro County Public Health District for social distancing and personal hygiene.

Scheduling

1. The Navarro County Courthouse houses the following courts: The 13th District Court; the County Court at Law; County Court; and IV-D Court.
2. The judges in the Navarro County Courthouse shall work cooperatively with each other to attempt to minimize the number of individuals in the courthouse at any given time in keeping with this plan and the instructions emanating from the Office of Court Administration, the Supreme Court of Texas, and the Texas Court of Criminal Appeals.
3. The following court schedules are established to reduce occupancy in the Navarro County Courthouse: Individual hearings (subject to section 4) will be scheduled at set times and will allow enough time between each hearing to allow the parties and attorneys to exit the courthouse before the next scheduled hearing. The courts will continue to conduct hearings remotely to bring as few individuals into the courthouse as possible.
4. If a party requests an in-person hearing, the party shall file a verified motion setting out the specific reasons why the case requires an in-person hearing as opposed to a remote or virtual hearing. In addition, the party shall file a proposed order. The Court will review the verified motion and decide whether an in-person hearing should be granted. The parties will be notified of the court's decision via an e-filed order. The Courts and their coordinators will work together on the scheduling of in-person hearings so that the other requirements of this operating plan are observed and complied with.
5. When scheduling an in-person hearing, the court will take into consideration attorney vacation letters on file with the court at the time of setting. Once a hearing is set on the court's docket, any motions for continuance will be handled according to the respective courts' procedure.
6. If the courtrooms available to the Justice Courts or County Court are not adequate to comply with social distancing and the operations plan, the Justice Court or County Court may schedule use of the District or County Court at Law courtroom(s) on a day no District Court, County Court at Law or IV-D court proceeding is occurring in the respective courtrooms.

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. Attorneys and unrepresented parties shall provide notice to vulnerable populations to any participants they plan to have attend the proceeding.
4. Vulnerable populations who are scheduled for court will be accommodated by being given an opportunity to appear by teleconference, videoconference, submit necessary information in written format when allowed by the existing law or by rescheduling of the in-person hearing until a time after the crisis has diminished.

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 snackrooms, 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. The county will purchase and provide all needed supplies for use within the court facilities by attorneys, litigants, witnesses, and members of the public including but not limited to: hand sanitizer, wipes, tissues, gloves, and facial coverings.
2. Hand sanitizer dispensers will be placed at the entrances to the building, outside of elevators on each floor, inside and outside of each courtroom, outside of bathrooms, and stairwells.
3. Tissues will be placed near the door of the courtroom, at counsel tables, at the witness stand, on the judges' benches, and in the hallways.
4. 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.
5. The courts will, if available, have plexi-glass installed in their courts to protect the court, court staff, attorneys, litigants, witnesses, and general public.

Screening

1. All individuals (including employees) will enter the northwest entrance of the Navarro County Courthouse for screening. Inmates coming from the Navarro County Jail will enter the northeast entrance of the Navarro County Courthouse as they have been screened prior to leaving the Navarro County Jail.
2. When individuals attempt to enter the Navarro County Courthouse or Navarro County Justice Center, a designated screener appointed and approved by the Local Administrative Judge 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 [or refuse to answer any of these questions] will be refused admittance to the court building.

3. When individuals attempt to enter the Navarro County Courthouse or Navarro County Justice Center, a designated screener appointed and approved by the Local Administrative Judge will use an infrared thermometer to determine the temperature of the individual. Individuals whose temperature equals or exceeds 100.0°F [or who refuses to have his/her temperature taken] will be refused admittance to the court building.
4. 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.
5. Staff who are screening individuals entering the court building will be provided personal protective equipment, including but limited to: masks, gloves, face shields, or any other equipment available to protect the individual.

Face Coverings

1. All individuals entering the court building will be required to wear face coverings at all times while in the hallways, courtrooms, bathrooms, elevator, or any other place individuals may congregate.
2. Each judge possesses the discretion to allow those individuals in their courtrooms to remove the face coverings for good cause although it is highly discouraged due to the potential for the spread of the virus. For example, it could be removed if a speaker is not able to be heard due to the face covering. All speakers will have a microphone which should alleviate the need to remove the face covering.
3. 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 if the supply is available.
4. 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 will clean the common areas of the court building so that common spaces are cleaned at least every 4 hours.
2. Court building cleaning staff will clean the courtrooms between every hearing, between morning and afternoon proceedings, and at the end of each day the courtroom is used.
3. Court building cleaning staff have been provided cleaning supplies shown to be effective with this coronavirus.
4. Court building cleaning staff have been trained on proper cleaning techniques and provided appropriate personal protective equipment.

Other

***Navarro County Justice Courts**

COVID-19 Operation Plan for Navarro County Justice Courts

Judges and Court Staff Health – the courts will ensure judges and court staff do not enter the Justice Center if they have new or worsening signs or symptoms and will protect judges and staff from exposure to the degree possible.

All judges and staff will be screened and temperature taken upon entering the Justice Center each day.

Individuals feeling feverish or with measured temperatures equal to or greater than 100.0, 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 entry.

Scheduling Docket/Court Day

In-person proceedings will be scheduled to reduce the number of people entering or in the courtroom at any one period of time. Cases will be scheduled at increments of 30 minutes or more throughout the day.

With permission of the court Zoom may be available for remote docket to be held.

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.

If the court is advised of anyone that is vulnerable special exceptions may be made.

Social Distancing

No more than 12 people will be allowed in the courtroom at one time, which includes court staff.

The common area will be marked so that social distancing will be maintained. Outside or in car waiting is acceptable if the bailiff is able to reach you by phone or by Wait App. Seating in the courtroom will be marked so that social distancing is maintained.

Hygiene

Hand sanitizer dispensers and tissues will be available in the courtroom and the common area.

Screening

Individuals feeling feverish or with measured temperatures equal to or greater than 100.0, 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 entry.

Face Coverings

Face coverings will be required with special exceptions approved by the court.

Cleaning

The courtroom will be sanitized at the end of each day using electrostatic spraying of a disinfectant or sanitizer.

***Disputes:** Any disputed issues regarding the interpretation of this plan shall be resolved by the local administrative judge.

***Extensions / Modifications:** This Order may be extended or modified by written Order of this Court without notice. Any such extension or modification shall be delivered to all trial judges of Navarro County, the County Clerk, the District Clerk, posted with the District Clerk of Navarro County, and posted on Navarro County's website.

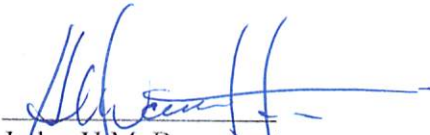

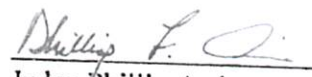

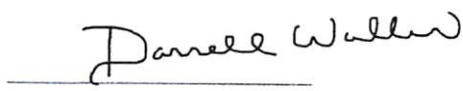
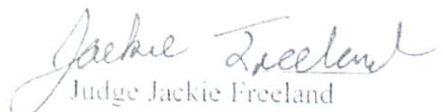
I have conferred with all judges of courts with courtrooms in the Navarro County Courthouse in addition to all judges of courts with courtrooms in the Navarro County Justice Center regarding this Operating Plan. In developing the plan, I consulted with Dr. Kent Rogers, the local health authority, as well as the Navarro County Judge and City of Corsicana Mayor, documentation of which is attached to this plan. I will ensure that the judges of courts with courtrooms in the Navarro County Courthouse and Navarro County Justice Center covered by this Operating Plan conduct proceedings consistent with the plan.

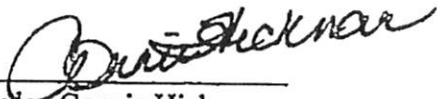
So ordered on June 8, 2020



James Lagomarsino
District Judge – 13th District Court
Local Administrative Judge

ACKNOWLEDGED



Judge H.M. Davenport
Navarro County Judge
Date: _____
Judge Amanda Putman
Navarro County Court at Law
Date: June 10, 2020
Judge Phillip Arrien
IV-D Judge
Date: 6/9/2020
Judge Greta Jordan
Justice of the Peace – Precinct 1
Date: 06/09/2020
Judge Darrell Waller
Justice of the Peace – Precinct 2
Date: _____
Judge Jackie Freeland
Justice of the Peace – Precinct 3
Date: 6-9-2020



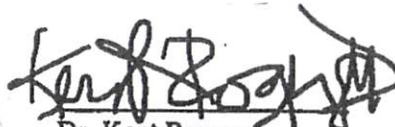
Judge Connie Hickman
Justice of the Peace – Precinct 4
Date: _____



Sheriff Elmer Tanner
Navarro County
Date: 6/10/2020



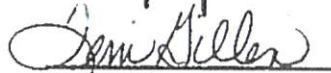
Eric Meyers
Emergency Management Coordinator – Navarro County
Date: 6/10/2020



Dr. Kent Rogers
Local Health Authority – City of Corsicana
and County of Navarro
Date: 6/10/20



Mayor Don Denbow
City of Corsicana
Date: 6/10/2020



Terri Gillen
Auditor, Navarro County
Date: 6-10-2020



James Kirk
Courthouse, Facilities, and Maintenance -Navarro County
Date: _____

Chief Paul Henley
Corsicana Fire Department
Date: 6-8-20

Certification

I, James Lagomarsino, Judge of the 13th District Court and Local Administrative Judge for the County of Navarro, hereby swear that pursuant to the orders and guidelines of the Texas Supreme Court, the Court of Criminal Appeals of Texas, and the Office of Court Administration met with the following individuals on the following dates and times either in person, video-conference, or teleconference. These dates do not represent any follow-up discussions regarding clarification or additional information requested:

Dr. Kent Rogers – May 13, 2020

Judge Phillip Arrien – May 15, 2020

Judge Amanda Putman – May 15, 2020

Judge H.M. Davenport, Jr. – May 15, 2020

Judge Darrell Waller – May 15, 2020

Judge Greta Jordan – May 15, 2020

Judge Connie Hickman – May 15, 2020

Judge Cody Beauchamp – May 15, 2020

Judge Amanda Putman – May 18, 2020

Judge H.M. Davenport, Jr. – May 18, 2020

Judge Greta Jordan – May 18, 2020

Judge Darrell Waller – May 18, 2020

Judge Jackie Freeland – May 18, 2020

Judge Cody Beauchamp – May 18, 2020

Sheriff Elmer Tanner – May 18, 2020

Judge Amanda Putman – June 1, 2020

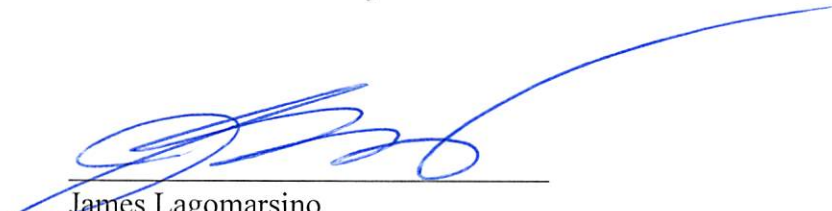
Judge Phillip Arrien – June 1, 2020

Judge H.M. Davenport – June 1, 2020

Mayor Don Denbow (City of Corsicana) – June 2, 2020

City Manager Connie Standridge (City of Corsicana) – June 2, 2020

Submitted on the 5th day of June 2020



James Lagomarsino

District Judge / Local Administrative Judge

Vulnerable Populations

It is ordered that the following language be attached to any orders setting hearings, dockets, notices, and in other communications notifying individuals who are in vulnerable populations:

“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.”

“A person identifying as a vulnerable individual may through his or her attorney or the attorney sponsoring the witness contact the respective court to identify themselves as a vulnerable individual and receive accommodations information. A notice with this information will be posted on the courts’ websites and in conspicuous locations around the court building.”

13th District Court – mbutler@navarrocounty.org

County Court at Law – ckirk@navarrocounty.org

IV-D Court – childsupportcourt17@txcourts.gov

County Court – scurtis@navarrocounty.org