

# THURSTON COUNTY DISTRICT COURT

## COVID-19 RESPONSE PLAN

### **Statement of Intent**

Thurston County District Court continues to work diligently to ensure the health and well-being of court employees, litigants, attorneys, court participants and the general public while performing our Constitutional duties.

This document details how the Court is responding to the pandemic and the measures put in place to address the risks, comply with mandates and promote public health and safety. District Court is committed to lowering the risk as much as possible by acknowledging these risks and stressing individual responsibility to minimize them. This commitment is tempered by the acknowledgement that the risk will never be zero, but that there is much we can do to lower the risk as far as possible.

The procedures laid out are based on the most current information from Thurston County Public Health and Social Services (PHSS), the Washington State Supreme Court, the Governor's Office and Washington State Department of Health. It will be updated as information or directives change.

### **Courtrooms**

Anyone in a courtroom must observe social distancing guidelines of at least six (6) feet. The benches have been marked to indicate safe distances for sitting. All persons must wear a face covering at all times unless excused by the judge. Witnesses may remove their mask when testifying if requested and the judge allows. Witnesses are at least six feet from any other trial participants and will be seated behind plexiglass barriers while giving testimony. If a person cannot wear a mask, they will be placed in an empty conference room and provided with a laptop so that they can appear remotely.

Due to the limited space in the courtrooms, only parties to the case (including attorneys, litigants, victims, victim advocates, and interpreters) are allowed in the courtroom. All observers are screened out by security and given a card informing them how to observe court via YouTube. Witnesses are asked to wait in their cars until called to the courtroom (notification via phone from relevant attorney or through use of the queuing system). Witnesses who did not arrive by car will be placed in an empty conference room or asked to wait in the lobby until it is their time to testify.

To allow for unimpeded flow, the backdoors in courtrooms 2 and 3 have been opened for exiting. Signs have been placed in the hallways to direct people to the exit. Courtroom 1 entry/exit doors have been identified.

As of October 23, 2020, airflow in the courthouse building remains adjusted to bring in 100% outside air rather than circulating what is already in the building. In colder weather, a balance will have to be found between bringing in outside air and keeping the building warm enough for staff.

### **Calendars**

Calendars are posted on the court's website, <https://www.co.thurston.wa.us/distcrt/> and on the front door of the building. Some calendars are designated "in-person" and others as "remote". However, for in-person hearings, attorneys and parties may appear remotely. Remote hearings are remote only, although if someone is unable to appear remotely, they may contact the court to make other arrangements. Notice of public access on YouTube was provided to local print and broadcast media and is posted on the door to the Court and on the Court website.

To the extent possible, calendars are assigned based on defense attorney, limiting the number of attorneys in the courtroom at any given time. For in person hearings, three to six litigants will be scheduled every half hour, depending on the proceeding type, so that a litigant's time in the courtroom is limited as much as possible.

### **Providing Documents to the Court**

Attorneys will provide documents in electronic format, preferably prior to the hearing. Documents which must be physical may be handed directly to the clerk or the judge. For those uncomfortable approaching the bench, tables have been set up in front of each clerk's stand. Documents may be placed there by counsel to be picked up by the clerk. Gloves will be available for use.

### **Jury Trials**

Under Supreme Court order [25700-B-631](#), jury trials were allowed to resume starting July 6, 2020. However, due to the space limitations of the District Court facilities, a new off-site location needed to be procured prior to recommencing jury trials. The site chosen, and currently November 4, 2020, the anticipated start date for trials is the week of November 30, 2020. This document will be updated if there are changes to that start date.

### **Jury Services**

Members of the public summoned to jury duty and inquiring about excusals from or changes to jury service are directed to call jury administration at 360-754-4107.

## Jury Trial Process

Once the facility renovations are complete and the Court can conduct trials, the following process will be followed. More detailed information can be found in the Court's "Trial Procedure Manual".

### Prior to Service / Summons

- The Court's website provides information for jurors regarding service.
- Jurors may request to be rescheduled for jury service. A liberal rescheduling policy has been implemented, information about the rescheduling policy is posted on the Court's website.
- When jurors call in for their jury day assignment, they will be directed to the Court's [jury duty web page](#) for health information, sign in instructions, and FAQ's regarding jury duty.

### Orientation

- Jury orientation will occur remotely.
- Jurors are checked in by the court clerk. The clerk will set expectations for appearing remotely; explain what to expect during orientation; email, receive and review juror questionnaires; and conduct other orientation activities such as assigning juror numbers, showing orientation videos, and collecting juror pay preferences.

### Jury Selection

- Jury selection will occur remotely.
- An alternate juror will be chosen for each trial due to increased risk of jurors being unable to proceed due to illness.

### Jury Trial

- Clerk will review health screening questionnaires before jurors arrive in the morning. If a juror has not completed one prior to arriving at the courthouse, they will be asked to complete one there.
- Jurors are to be social distanced in the jury box. Each juror will receive one KN95 mask at the beginning of the trial and one after the noon recess. Additional KN95 masks will be made available as needed.
- Jurors may bring bottled water into the courtroom.
- Counsel tables will be at least 6 feet from jurors, the witness stand and court staff.
- Masks are required for everyone in the courtroom unless there is an exception per the Washington Department of Health (DOH) face-covering directive.
- At the judge's discretion, witnesses may remove their mask when testifying. The witness box will be at least six feet from the; jurors, judge, court clerk and will be surrounded with plexiglass barriers.
- Cleaning staff will disinfect high touch areas in the courtroom over the noon recess. Deep cleaning will be completed at the end of each trial day.
- Hand sanitizer and wipes are available in the courtroom. Hand sanitizer stations are available in the lobby.

### Deliberation Room

- Jurors may remove their masks in the jury room only when eating or drinking.
- Jurors will be encouraged to leave the building during the lunchbreak.
- The clerk will remind jurors to not change seats.
- Jurors will be seated at individual tables. The tables and chairs are on wheels so jurors can remain at least six feet apart at all times.
- Only the jurors and the clerk are allowed in the deliberation room.
- Hand sanitizer and wipes are available in the deliberation courtroom. Hand sanitizer stations are available in the lobby.

### Providing Documents to the Court

Prior to trial commencement, attorneys will provide documents in electronic format to the Court. Exhibits which cannot be digitized and must be physically presented will be placed on the table six feet in front of the court clerk.

## **Customer Service**

### Criminal/Infraction

Plexiglass barriers have been installed at the criminal/infraction (C/I) customer service window. Clerks must conduct business from behind the barrier and may not enter the lobby to talk with patrons. Masks must be worn at all times. The clerk may wear a paper mask when the customer has difficulty hearing them through a cloth mask.

Clerks should wipe down their work area prior to starting work and frequently throughout the day. Shared workstations should be cleaned between each use. Wipes and disinfectant spray are available for these purposes.

### Civil

The current configuration of the civil department does not allow for social distancing of customers and staff. Plans are being developed to remedy this. Until that time, persons with civil business will use the C/I customer service window. A C/I clerk will notify the civil clerks and a clerk will come to the C/I department to assist the customer. Business must be conducted from behind the plexiglass barriers and may not be conducted in the lobby.

### **Probation and Mental Health/Veterans Court**

The Court and County have renovated the administrative area of the old jail located in the basement of Building 3 and the probation and MH/VC staff have moved to that area. Each officer/coordinator has been assigned a visitation booth which has a plexiglass barrier between the officer/coordinator and their client. A phone has been provided for communication through the plexiglass.

Clients will be asked to wipe down the area and the phone prior to use and at the end of the visit. Wipes and sanitizing spray will be made available for that purpose.

Client check-ins may be conducted either via video conference or at the visitation booths, with the officer or coordinator using their best judgement to determine the best mode for each client.

Clients who are unable to navigate the stairs will use the queuing system located in the District Court lobby to notify their officer/coordinator that they are present. The officer/coordinator will come to the lobby and meet with the client in an attorney conference room.

### **Cleaning**

Thurston County has committed to day porters cleaning high touch areas throughout the day and regular cleaning each evening. Anyone sitting at a counsel table will be requested to wipe it down after finishing their hearing(s); this includes counsel and parties. The County will provide sanitizing wipes and hand sanitizer throughout the building.

Benches will be sprayed with an appropriate disinfectant at least twice a day.

High touch areas in the courthouse include:

- Door handles
- Light switches
- Copy machines
- Keyboards, mice, styli and tables in the courtrooms
- Conference room tables

The Court has also installed wipe dispensers throughout the courthouses and has hand sanitizer in each courtroom. Hand sanitizer bottles should not be thrown away. Court administration should be notified if there is an empty bottle. Hand sanitizer dispensers are located throughout public spaces.

### **Lobby**

All members of the public should view the COVID-19 signage from the County prior to entering the building. Signs are provided in English and Spanish. Entry is permitted only for persons having business with District Court or the sheriff's office. All court proceedings are broadcast via YouTube to provide public access. All persons who enter the buildings are required to wear a mask at all times unless they have a medical exemption.

Signage is located throughout the spaces reminding people to remain six feet apart, including when seated, and to always wear a face covering.

The Court Administrator has camera views of the lobby and courtrooms and will periodically check that occupation limits and social distancing are being maintained.

## Court Security

### Court Security Officer (CSO)

- CSOs will wear face coverings and gloves whenever on duty.
- At least every hour, the bins will be wiped down with disinfectant wipes.
- At least every hour, surface areas often touched, keyboards, x-ray, wands, telephone and entrance/ exit door handles and handicapped door push pad will be sprayed with disinfectant or wiped down.
- A thorough wipe down will be conducted at the end of the day and at the beginning of shifts.

### Security Screening

Individuals should be encouraged to keep items in their handbags, backpacks or jackets to avoid using bins and submit those items through x-ray.

Court security officers have sight of all areas of the building through the cameras. They will visually scan the lobby and will delay someone entering the building if the lobby has reached capacity. The total number of people allowed in the lobby at any time is eight (8). Security officers will also delay entrance if the total number of people is less than eight, but the line the person is heading for is full.

### Face Covering Policy

In line with the Washington Secretary of Health's Order regarding face coverings, all persons entering the courthouse(s) shall wear a mask or facial covering that covers both nose and mouth while in the building consistent with the Secretary of Health's directive, unless there is a medical exemption.

Subject to availability, the court will provide entrants with a paper mask if the individual has not brought one or is not wearing one at the time of entry.

Security screening personnel shall request anyone without a facial covering put on a facial covering before passing through the metal detector. Security screening personnel are not currently authorized to do more than request courthouse users to use facial coverings. No one will be denied entry if they refuse to wear a facial covering (See medical exceptions pursuant to ADA issues and other exemptions.).

Anyone appearing for court business who cannot wear a mask will be shown to an empty meeting room and set up with a tablet that they can use to appear remotely in court or to access the court's website.

Employees of the Court and Thurston County, including elected officials, appointed directors, staff, court security officers and all other users regardless of position or title are also required to wear facial coverings upon entry. A refusal to wear a facial covering will be reported to the employer for appropriate action within that employer's discretion.

Facial coverings shall be worn at all times until employees reach their regular work areas. Persons going from one courtroom to another location shall wear a facial covering. This includes hallways, stairwells, and elevators, even if the person is merely in transit. Certain individuals may be exempt from this due to ADA application or other reasons. Enforcement is the responsibility of the employer, not security personnel.

### **Weddings**

At the officiating judge's discretion, weddings may be held outside or in the courthouse lobby. Indoor weddings are limited to four people. With prior approval from the judge, more guests may be allowed at an outdoor wedding. Masks are required throughout the ceremony, unless there is a medical exemption. The judge, witnesses and guests must maintain six feet distance from all other attendees.

### **Court Staff**

Court staff are expected to follow any applicable health directives and court policies, including wearing face masks at all times, maintaining six feet of distance as much as possible, performing frequent hand washing and use of hand sanitizer, and limiting interactions in enclosed spaces such as the break room.

The Court will provide support by allowing telecommuting as much as possible without compromising operations or customer services, providing face coverings to staff when needed, educating staff about the coronavirus and how to prevent transmission, and providing hand sanitizer, sanitizing wipes and spray.

All staff will be issued county laptops for telecommuting purposes and each position has been reviewed to determine what tasks can be completed remotely and which require an office presence. Staff schedules have been developed which require each employee to telecommute for at least some portion of their schedule. Depending on the position, that may be on a daily, weekly or other basis.

The Court has implemented the employee self-screening protocol developed by PHSS and employees are expected to review the questions and initial the document prior to entering the work areas.

Responses to COVID-19 related situations will be guided by the information provided by PHSS and included in the Thurston County COVID-19 Risk Communications Plan approved August 10, 2020.

## **Information**

Information and education are provided for staff at monthly all staff meetings and weekly or bi-weekly team meetings. All staff and team meetings are held remotely.

The Court provides information to the stakeholders and public via emails, quarterly Zoom meetings with attorneys and other stakeholders, the Court's website, social media postings and information provided to local media outlets. The Thurston County COVID-19 Risk Communication Plan will be used for messaging in the event a Court employee is exposed to or becomes infected with COVID-19.

## **Updates**

This document is current as of November 4, 2020 and will be updated as circumstances change, lessons are learned, and directives are modified. The most recent version will be available on the Court's website.