



**BY ORDER OF LOCAL ADMINISTRATIVE JUDGE OF FORT BEND COUNTY:**

**IN ACCORDANCE WITH THE FIFTY-FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER, AND PURSUANT TO SECTION 22.0035(b) OF THE TEXAS GOVERNMENT CODE, IT IS ORDERED THAT:**

*Pursuant to the Supreme Court Order Fifty-first, issued May 25, 2022, Best Practices Guidelines issued March 17, 2021, Guidance from the Centers for Disease Control and Prevention, and Local Guidance from Fort Bend County Health and Human Services, and subject to Constitutional limitations:*

This Order modifies previously adopted local plans and extends the Minimum Standard Health Protocols outlined below. In-person proceedings are allowed when the Minimum Standard Health Protocols are followed. Until further notice, all courts will have the authority to modify or suspend any and all deadlines and procedures for a stated period in alignment with future Supreme Court orders.

**ALL PERSONS** upon entering Fort Bend County Justice Center, or **ANY** facility under the Jurisdiction of this Local Administrative Order, including all Justice of The Peace Courts, ***are encouraged but not required*** to wear appropriate face coverings. ***All persons entering the building may choose to mask at any time. Wearing a mask is optional.***

**Appropriate Face covering is defined as:**

- \*Medical procedure masks;
- \*Masks made with tightly woven fabrics (cotton and / or cotton blends);
- \*A piece of fabric fashioned to fit snugly upon the face, covering the mouth and the nose of the wearer;
- \*Any mask must be sufficient to snugly cover the mouth and nose of the wearer.

**ANY PERSON** with symptoms, a positive test, or exposure to someone with COVID-19 should wear a mask.

**ALL PROSPECTIVE JURORS AND PARTIES IN ATTENDANCE** for jury selection ***are encouraged but not required*** to wear appropriate face coverings during the selection process in the Jury Assembly Room and Jury Room Number 2. **Wearing a mask is optional.** Social distancing in and around the Jury Assembly Room and Jury Room Number 2 of the Justice Center is a minimum of **THREE FEET**.

**ALL FORT BEND COUNTY COURTS** shall act in **ALL** cases, and to avoid risk to staff, parties, attorneys, jurors, and the public ***may exercise discretion*** in requiring the wearing of masks / face coverings that provide coverage of the nose and mouth and social distancing minimums of **ALL** persons within their Courtrooms and facilities, except within the Judge's private chambers.

**ALL FORT BEND COUNTY COURTS** may require any person involved in a proceeding to participate remotely, by teleconference, video conference, or other means:

Without a participant's consent, require or allow remote hearings, consider sworn statements made out of court or sworn testimony given remotely, conduct proceedings away from the court's usual location with reasonable notice and access to the participants and the public; require participants to provide certain COVID-related information to the court;

Require every participant in a proceeding to alert the court if the participant has, or knows of another participant who has:

(i) COVID-19 or a fever, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, loss of taste or smell, congestion or runny nose, nausea or vomiting, or diarrhea; or (ii) recently been in close contact with a person who is confirmed to have COVID-19 or exhibiting the symptoms described above; **and take any other reasonable action to avoid exposing court proceedings and participants to the threat of COVID-19.**

In criminal cases where confinement in jail or prison is a potential punishment, remote jury proceedings must not be conducted over the objection of the defendant or the prosecutor.

In all other cases, remote jury proceedings must not be conducted unless the court has considered on the record or in a written order any objection or motion related to proceeding with the jury proceeding at least seven days before the jury proceeding or as soon as practicable if the objection or motion is made or filed within seven days of the jury proceeding. A timely filed objection may be granted for good cause.

Except in a non-binding jury proceeding, a court may not permit or require a petit juror to appear remotely unless the court ensures that all potential and selected petit jurors have access to technology to participate remotely.

**ALL COURTS** shall ensure that hand sanitizer is readily available for visitors, jurors and staff.

Vulnerable individuals, including those over age sixty-five, and individuals with serious underlying conditions (such as: hypertension, lung disease, diabetes, obesity, asthma, those immune compromised person), can request accommodations to reduce their appearances in the courthouse.

This Order conforms to and adopts the protocols and procedures, as Ordered by the Fifty-First Emergency Order regarding the COVID -19 State of Disaster, and pursuant to section 22.0035(b) of the Texas Government Code.

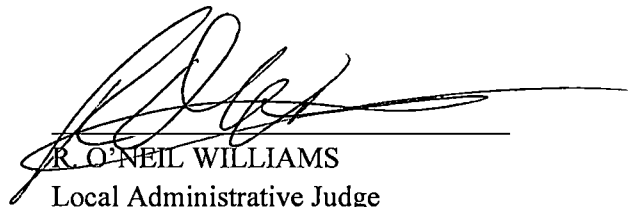
Ordered and Adjudged on this, 2 Day of June, 2022.

FILED &

2022 JUN -2 AM 8:39

*Randy McLean Welch*

CLERK DISTRICT COURT  
FORT BEND CO. TX

  
R. O'NEIL WILLIAMS

Local Administrative Judge  
268<sup>th</sup> Judicial District Judge  
Richmond, Fort Bend County Texas