

THURSTON COUNTY SUPERIOR COURT COVID RESPONSE PLAN

Thurston County Superior Court has been working closely with Thurston County Public Health and Social Services (PHSS) to ensure the health and well-being of county employees, litigants, attorneys, and the general public during the performance of our constitutional and statutory duties.

Outlined in this document are the ways that social distancing and other public health measures are being addressed. While acknowledging that the risk cannot be zero, the Court is committed to lowering the risk to employees and patrons as much as possible by understanding these risks and stressing individual responsibility to minimize them.

Court Representatives have been and continue to be in regular contact with the Director of Thurston County PHSS. This plan will be reviewed regularly as lessons are learned and more information is obtained from PHSS and other sources. This list is current only as of August 13, 2020, and it may be changed as best practices and official guidance from PHSS, the Supreme Court, the Governor, and other sources, change.

When making further modifications, the Court will strive to adhere to guidelines and other County Public Health guidance to the extent possible, taking into consideration the following:

- COVID-19 disease activity (number and trends in COVID-19 cases and mortality);
- Health care system readiness (hospital capacity, number of ventilators, and Personal Protective Equipment (PPE) availability);
- Testing capacity and availability (geographic distribution of testing, laboratory capacity, test kit availability, and number of tests performed per day);
- Case investigation and contact tracing (staffing availability, case management plans, rate of case investigations, availability of isolation and/or quarantine facilities);
- Ability to protect high-risk populations (number of outbreaks in congregate settings and demographic data to identify and monitor high-risk populations); and
- The Court's responsibility to perform its constitutional and statutory duties.

I. CLEANING

Thurston County has committed to day porters cleaning high-touch areas throughout the day and performing a regular cleaning each evening. Anyone sitting at a counsel table, including counsel and parties, are encouraged to wipe it down after finishing their hearing(s). The County will provide sanitizing wipes and hand sanitizer throughout the building.

These high-touch areas in the courthouse include the following:

- Door handles
- Light switches
- Copy machines
- Keyboards, mice, styli, and tables in the courtrooms
- Keyboards, mice, and tables at the public kiosks

- Conference room tables

Benches will be sprayed with an appropriate disinfectant at least twice a day, providing time between spraying and individual reentering the space, to allow for both the disinfectant contact time to be most effective and allow the aerosols to dissipate.

Hand sanitizer is in each courtroom and wipe dispensers have been installed throughout the courthouses. Hand sanitizer bottles should not be thrown away. Court Administration should be notified if a hand sanitizer bottle is empty.

II. COURT SECURITY

a. **Maximum Occupancy**

Court Security will keep a tally of the number of individuals entering the courthouse. These numbers will be reviewed by Court Administration to determine if additional changes are necessary.

b. **Screening Procedures**

Modifications to general security screening guidelines have been implemented. The following guidelines are related to employee and general public safety and are effective immediately:

- All officers will wear face coverings.
- All officers will wear gloves.
- At least every hour, personal property bins will be wiped down with disinfectant wipes.
- At least every hour, often-touched surface areas, keyboards, x-ray machines, wands, telephones, entrance/exit door handles, and handicapped door push plates will be sprayed with disinfectant or wiped down.
- A thorough wipe-down will be conducted at the beginning of shifts and at the end of each day.
- Individuals will be encouraged to keep items in their handbags, backpacks, or jackets and submit those items through x-ray machines in order to avoid using bins.

c. **Face Covering Policy**

Consistent with the Washington Secretary of Health's Order regarding face coverings, Court Security will require the following for persons entering the courthouse:

- Persons entering the courthouse(s) shall wear a mask or facial covering that covers both nose and mouth upon entry and during the business of the user inside consistent with the Secretary of Health's Order. (See medical exceptions pursuant to ADA issues and other exemptions.)
- 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 force courthouse users to use facial coverings. (See medical exceptions pursuant to ADA issues and other exemptions.)
- Employees of the Court and Thurston County, including judges, commissioners, staff, bailiffs, court security officers, and all other users regardless of position or title are also required to wear facial coverings upon entry. Facial coverings shall be worn at all times until employees reach their regular work areas. Persons going between locations 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 requirement due to ADA application or other reasons. A refusal to wear a facial covering may be reported to the employer for appropriate action within that employer’s discretion. Enforcement is the responsibility of the employer, not security personnel.

III. COURT STAFF

The Court has modified staff expectations and space requirements consistent with direction from PHSS as follows:

- Allowing telecommuting where appropriate;
- Following Washington Department of Health (DOH) face covering Order;
- Providing appropriate face coverings to staff depending on their work location;
- Continually providing information regarding:
 - Education about the coronavirus and how to prevent transmission;
 - Maintaining physical distancing of at least six feet when feasible;
 - Frequent hand washing and use of hand sanitizer;
 - Cleaning and sanitizing of frequently touched surfaces; and
 - Employee screening for signs/symptoms of COVID-19 using the County-implemented COVID-19 Self Screening Process for all Court Staff.

The Court uses the Public Health Guidance for Employees tool developed by Thurston County PHSS.

IV. COURTROOMS AND CALENDARS

a. Courtroom Spacing

Courtroom spacing will adhere to Social Distancing guidelines of six feet. Benches in all courtrooms are marked with six-foot spacings.

In order to facilitate spacing requirements, the number of people in each courtroom at any time will need to be limited. As determined by the Court Administrator, PHSS, and Thurston County Central Services, these limits are outlined in the following tables (for both Main Campus and Family and Juvenile Court):

Main Campus

Courtroom	Bar	Gallery	Jury Box	Total not including Judicial Officer, Clerk, Court Reporter and witness, if needed
101	4	11	14 (individual chairs in gallery no pews)	15-18
102	4	34	7(13 with additional Jury chairs)	45
201	4	6	6	16
202	4	11	6	21
203	4	11	6	21
204	4	10	6	20

Family and Juvenile Court

Courtroom	Bar	Gallery	Total not including Judicial Officer, Clerk, witness and Court Reporter, if needed
1	4	6	10
2	4	13	17
3	4	9	13
4	4	9	13
FJC Conf.	N/A		4

b. Calendars

The calendars posted on the Court’s website will be reviewed and updated as the official directives change and resources become available. It is anticipated that the current calendars will be in effect through the end of 2020.

Calendars at both Main Campus (MC) and Family and Juvenile Court (FJC) have utilized time specific calendaring, staggered start times, capped or limited cases in sessions, and the use of remote appearances.

V. FACILITIES

a. Facilities and County Signage

- All members of the public will be required to pass by extensive COVID-19 signage from the County prior to entry of the building.
- All persons who enter the buildings will be required to wear a mask unless exempt. Signage is located throughout the spaces reminding people to wear a face covering.
- If persons have an exemption, they are strongly encouraged to review the Courts website before appearing at Court or using the ADA process in advance to see how the court can best assist.
- The flow of Building 2 has been modified so that the public continues to enter in the same doors, but the exit is through the doors in the first-floor lobby next to Courtroom 102 (unless an ADA accessible exit is needed).
- Hand sanitizer dispensers have been placed throughout public spaces.
- Signage reminding people to keep six feet apart, including while seated, has been placed throughout the courthouse.
- Plexiglass has been installed at public service counters.
- The Court continues to work with other offices and departments in the buildings to ensure that the public can easily access court and other services remotely or in staggered appointments. Additional public input is welcome and should be provided to the Court Administrator.
- Facilities has placed signage limiting the number of occupants in each restroom.
- When feasible, certain non-secure doors will be propped open to reduce touch points.
- Additional court space has been requested in order to increase the Court's capacity to hold more than one jury trial at a time. (Pre-COVID-19, the Court held three to four jury trials per week, and currently trials are limited to one jury trial per week.)
- Additional IT equipment has been or is being installed to support remote calendars.

b. Clerk's station in the courtrooms

Anyone approaching the Clerk's station in the courtrooms should only approach the plexiglass side. A document feeder has been installed in the plexiglass.

c. Events and Weddings

- Facilities rentals will not be allowed through Phase 3.
- Weddings will only be booked for outside services, consistent with the Governor's directives for gathering size and masking at the time of the event.

VI. JURIES

In accordance with the Orders of the Washington Supreme Court, Jury trials can restart the week of July 6, 2020, unless PHSS directives change. At this time in Thurston County, jury trials are suspended at least through August 31, 2020. Announcements regarding jury trials can be found on the court's website.

Members of the public inquiring about jury service are encouraged to look at the Court's website or call jury administration at (360) 754-4107. If services can only be accessed in person, signage

indicates that people stand six feet from the jury window and only one member of the public can be assisted at a time.

a. Jury Facilities

Until an adequate facility allows the Court to conduct more than one trial, the Court will only conduct one jury trial at a time to ensure social distancing for jurors. The Court will only utilize a courtroom that allows for social distancing during the jury trial. A work group consisting of court, clerk, prosecution, and public and private defense representatives is assisting county officials in looking at appropriate off-site space for jury trials.

Within the current buildings, the Court will ensure that jurors have a large space for jury orientation, two to three waiting room areas during the trial, additional spacing and seating in the jury box, and a larger space for deliberations.

The Court will meet these objectives by having the following procedures in place regarding jury trials:

- Jury trials may resume after July 6, 2020, with actions taken to require social distancing and other public health measures. The Court will prioritize trials consistent with limitations imposed by public health requirements and Washington Supreme Court Orders.
- The Court will prioritize criminal jury trials.
- Civil jury trials are being reset unless a Judge determines otherwise.
- The Court will only hear one jury trial at a time in its current facility.

b. Jury Process

Pre-Service

- Information for jurors regarding service is provided on the Court's website.
- Jurors can request to be rescheduled for jury service. A liberal rescheduling policy has been implemented, and information about the rescheduling policy is posted on the Court's website.
- Jurors will receive the Self-Screening Health questions and written explanations of precautions taken.

Orientation

- Jury orientation will occur in Building 1, Room 152. Jury orientation in Room 152 can hold no more than 45 socially distanced jurors.
- Two Bailiffs will be working with the Jury Administrator to assist in the processes outlined until a jury is selected.
- Jurors are instructed to wear masks. If they do not have one, one will be provided.
- Self-Screening Health questions will be asked by the Bailiff before jurors enter the building for the first time that day.

- Based on answers to the Self-Screening Health questions, jurors are provided an opportunity to postpone service to a later date.
- Jurors will then be checked in by the Jury Administrator.
- During check-in with the Jury Administrator, jurors will stand near markers on the floor to keep them six feet from staff members and other jurors.
- Jurors will be directed to specific seating that ensures social distancing, and they will be asked to not change seats.
- Hand sanitizer and cleaning wipes will be made available at multiple locations.
- Juror seats in the orientation room will be cleaned at least once per day and again at night.
- Jurors will be provided disposable juror numbers.
- Jury pools will be limited to ensure social distancing, which may mean the selection of a jury panel could be conducted in groups.
- Questionnaire clipboards and pens used will be sanitized after every use.
- Restrooms in Building 1 will be limited to two people at a time. Additional hand sanitizers are outside and inside the door. Social distancing markers will be on the floor for those waiting for the restrooms.
- The Jury orientation space will be cleaned for a new jury group.

Voir Dire and Panel, Courtroom 102

- Jurors chosen for a panel will be brought to Building 2, Courtroom 102, in a group no larger than 20 at a time. Prior to leaving Building 1, Room 152 for Building 2, jurors will be asked to use the restrooms. A Bailiff will walk the jurors to Building 2. Jurors will be continually reminded to maintain social distancing.
- Jurors will be screened at court security.
- Jurors will be brought directly into Courtroom 102.
- The courtroom has juror seating marked with stickers and juror numbers.
- Each juror will remain in their seat throughout jury selection.
- If a new wave of jurors is brought in, the gallery seating will be sanitized between juror groups.

Jury Trial

- The jury trial will occur in a courtroom that allows for jurors to be social distanced. All empaneled jurors will receive KN95 masks. The jurors will receive two KN95 masks—one once they are impaneled and another at the end of the first day.
- Counsel tables will be at least six feet from jurors, the witness stand, and court staff.
- Plexiglass will be in front of the witness stand and clerk's station.
- Masks will be required unless the judge permits otherwise or there is an exception per the Washington Department of Health (DOH) face-covering directive.
- Pitchers of water will no longer be provided in the courtroom.
- The lectern will be at least six feet from the witnesses, jurors, judge, court reporter, and other counsel tables.
- Hand sanitizer and wipes will be available in the courtrooms.

- An on-site day porter will be available for additional cleaning of high-touch surfaces.
- An overnight deep cleaning will take place after each trial day.
- Bailiff will inquire of all jurors as to their health/potential exposure each day.

Deliberation Room and Jury Rooms

- During the trial, three jury deliberation break rooms will be used to keep jurors socially distanced. The jurors will stay in the assigned room each day. Each deliberation room has at least one bathroom.
- Hand sanitizer and wipes will be available in the jury deliberation rooms.
- Jurors will be allowed to remove their masks only in the jury room when eating or drinking. Jurors will be encouraged to leave the courthouse during their lunchbreaks.
- A courtroom will be used for deliberations for the jury (which is required because the jury deliberation rooms are too small), with designated seating. Jurors will be reminded not to change seats. This courtroom will be used only for deliberations, and the public will not have access to it.
- Hand sanitizer and wipes will be available in the deliberation courtroom.
- No coffee service, lunch service, or games/books will be allowed in the jury deliberation and break rooms.

VII. ADDITIONAL MEASURES

a. Thurston County COVID-19 Risk Communications Plan

Thurston County Superior Court is incorporating the Thurston County COVID-19 Risk Communication Plan developed by the County for Internal and External messaging regarding COVID-19.

b. Meetings Specific to COVID-19

With a recognition that COVID-19 creates challenges and obstacles for all justice partners, the Court has been engaging with stakeholders from the Clerk's Office, Prosecuting Attorney's Office, Office of Public Defense, Pretrial Services, Facilities, and Corrections on committees in response to COVID-19 and has created specific work groups in the following areas:

- Signage
- Court Procedures
- Building 2 Shared Space
- Off Site Jury Location
- Use of Zoom on Criminal Calendars
- Weekly stakeholder meetings.

For information about how to get involved in these groups, please contact the Court Administrator.

The Court also schedules periodic criminal administrative meetings of various stakeholders, along with a number of remote meetings with different committees and the Bar Association.

c. Information

The Court has provided information to the public and stakeholders through the following means:

- Emails
- The Court's website
- Zoom meetings
- Subcommittee engagement
- Contact with local media