

Comal County Courts-at-Law In-Person Operating Plan

July 1, 2021

As required by the Supreme Court's Emergency Orders¹ and the Best Practices for all Court Proceedings During COVID-19 Pandemic (Effective May 2021) from the Office of Court Administration², I include herein the required Comal County Courts-at-Law In-Person Operating Plan.

Based upon the "Best Practices for All Court Proceedings During The COVID-19 Pandemic", as published effective May 2021 by the Office of Court Administration, the following health protocols in accordance with the health recommendations made by the Texas Department of State Health Services (DSHS) will be employed by the Judges of the County Courts-at-Law in all court buildings. Judges who wish to have in-person proceedings may have more stringent standards in their courtrooms, but may not have less stringent standards.

Currently, the County Court-at-Law Courtrooms are open to the public subject to the discretion of the Court. If the Courtroom is not physically open, the hearings shall be available via You Tube in order to comply with the Open Courts provision in the Texas Constitution. Tex.Const. Art 1, §13. No individual will be permitted to use the Zoom ID, unless they are an attorney (and staff), party, witness, or approved by the Court.

In addition, I have conferred with the Judges of the County Courts at Law, and have determined that the following criteria will be used to determine when an in-person proceeding is permitted:

1. In person non-jury proceedings may begin after July 1, 2021. Jury Trials will not begin until after the County Courts-at-Law are all physically located in the Landa Annex.
2. Each County Court-at-Law shall review and consider the updated health recommendations made by the Texas Department of State Health Services (DSHS)³
3. The minimum standard health protocols as published by the Centers for Disease Control and Prevention (CDC) for Fully Vaccinated People⁴ and Unvaccinated People⁵ shall be followed for all in-person proceedings.
4. The Court shall inform each counsel and pro se litigant if the hearing shall be conducted in-person only, remotely only over Zoom, or both. It shall remain responsibility of the Party/Counsel to provide any witnesses to be called the Zoom ID.

¹ <https://www.txcourts.gov/media/1452265/219060.pdf> ; S.Ct. Misc. Dkt. No. 21-9060 and attached hereto.

² https://www.txcourts.gov/media/1451876/best_practices_for_court_proceedings_during_covid_may_2021.pdf and Attached hereto.

³ <https://www.dshs.state.tx.us/coronavirus/docs/opentx/2021/AllIndividuals.pdf> and attached hereto

⁴ https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html?s_cid=11357:%2Bfully%20%2Bvaccinated.sem.b.p.RG.GM.gen.PTN.FY21 and attached hereto

⁵ https://www.cdc.gov/coronavirus/2019-ncov/prevent_getting_sick/prevention.html and attached hereto

- 5. If remotely only, the Court shall provide each counsel and pro se litigant a phone number or email address to inform the Court if they believe any counsel, their clients, a pro se litigant, any witness, an interpreter, or any other participant (all referred to below as “Participant”) cannot participate remotely. The Court or Court staff shall then determine whether a Participant is unable to participate in the hearing due to any one or more of the following:**
- a. lack of technology which precludes or impedes their ability to participate in the hearing via the Zoom videoconferencing app. Examples of the lack of such technology include:**
 - i. lack of access to a computer tablet or other device with internet video capability;**
 - ii. lack of access to a cell phone; or**
 - iii. lack of access to an internet connection.**
 - b. A physical, mental, or other disability that prevents a Participant from being able to effectively operate or utilize the required technology. Examples of such a disability include:**
 - i. a physical or mental disability that precludes them from effectively operating the technology necessary to access the Zoom videoconferencing app;**
 - ii. a physical disability that precludes them from effectively seeing, hearing, or otherwise participating in a Zoom video hearing;**
 - iii. the lack of or unavailability of an interpreter who can assist the individual in communicating during a Zoom hearing;⁶**
 - iv. incarceration and the incarcerating facility’s lack of technological resources or facilities to allow the inmate to participate remotely in the hearing or confer privately with the inmate’s legal counsel;⁷ or**
 - v. if the proceeding is in a specialty court defined by Title 2, Subtitle K of the Texas Government Code (e.g. veteran’s court, mental health court, drug court, etc), the specialty court team determines that there is a risk to the physical or mental well-being of a participant in the specialty court program if the proceeding is not held in person.**
 - c. A confrontation clause constitutional objection is raised by criminal defense counsel or a pro se litigant, and the judge sustains the objection after conducting a *Haggard*⁸ analysis.**
 - d. A proceeding where one Participant needs to appear in person due to a need to provide fingerprints, is subject to incarceration, or must meet with multiple departments as a result of the court proceeding, in which case that party may need to appear while the other parties appear remotely.**

⁶ If a Spanish interpreter is needed, please consider using OCA’s free Spanish interpretation service. More information and scheduling options is available at <https://www.txcourts.gov/tcris/>.

⁷ If the facility is a TDCJ facility, judges should contact coronavirus@txcourts.gov to see if OCA can assist with getting the facility connected with the court.

⁸ *Haggard v. State*, 612 S.W.3d 318 (Crim. App. 2020)

When an individual is found to be unable to participate in a Zoom videoconference for one of the reasons stated above, the hearing may be in-person or the Court shall make all reasonable efforts to make accommodations that will allow the individual(s) to participate. The accommodations may include:

- A. When an individual does not have adequate technological resources on their own to participate in a Zoom videoconferencing hearing, a Court may:
 - a. Provide the individual with a laptop or other device which would allow the individual to participate in the hearing;
 - b. Determine if such technological resources can be provided to the individual by some other source (e.g. a participating attorney, a party, a family member, friend, public library, or an appropriate agency of the State of Texas); or
- B. determine whether the individual could participate in a meaningful manner by telephone (audio only).
- C. When an individual has physical or mental disabilities that would prevent the individual from operating the technology required, a Court may:
 - a. determine if the individual has legal counsel, family or friends who can assist in operating the required technology; or
 - b. inquire as to what, if any, accommodations could be made which would allow the individual with a disability to participate.
- D. When an individual is incarcerated, a Court may:
 - a. determine whether the facility has the technological resources or facilities to allow the incarcerated individual to participate in the hearing;
 - b. if the facility does not have the technological resources to allow the inmate to participate in a Zoom videoconference, determine whether the inmate could participate in a meaningful manner by telephone (audio only).
- E. When an individual is otherwise unable to participate in a hearing via videoconference or by audio only, a judge shall determine whether the individual can effectively participate in the proceeding by a sworn statement made out of court as permitted by the Emergency Orders of the Supreme Court of Texas.
- F. If no accommodation is available, the judge shall determine if a continuance is warranted, balancing the risk to public health and safety with the need to resolve the particular case.
- G. If no accommodation is available and the judge determines a continuance is not warranted, the judge may permit the hearing to occur in-person under the precautions and protocols in this approved in-person operating plan.

During the Zoom Hearing

- A. **Wear Appropriate Attire.** Although the hearing is conducted remotely, the Court expects participants to dress appropriately. Attorneys are expected to wear appropriate business attire while others may wear business casual clothing.
- B. **Speak One at a Time.** During the hearing, participants must speak one at a time and pause prior to speaking, in case there is any audio/video lag, and so that the court reporter can make a clear record.

- C. **Use Mute When Not Speaking.** Participants must mute themselves when not speaking in order to avoid any potential background noise.
- D. **Video Usage.** If you are not involved in the hearing presently being heard by the Court, mute yourself and turn off your video.

Subject to the discretion of each Court separately, uncontested divorces, probate proceedings and Plea in Absentia, and other matters as approved by each Court, may be submitted without the need for an in-person or Zoom hearing.

Accommodations will continue to be made for contested/uncontested matters and short hearings (evidentiary and non-evidentiary) regarding attorney's, parties' and witnesses' appearance via zoom upon request.

The following hearings may, at the Court's discretion be in-person only: Protective Orders, Temporary Orders, Motions for Enforcement, Motions to Suppress and any Trial on the Merits.

ADDITIONAL CONSIDERATIONS REGARDING IN-PERSON PROCEEDINGS ONLY:

1. Judge and Court Staff Health

a. **Vulnerable Court Staff may perform the essential functions of their job remotely on a case-by-case basis as authorized by the Judge.**

b. **Judges or Court Staff who feel feverish or have measured temperatures 99.6°F or higher or with signs or symptoms of COVID-19, or having a known close contact with a person confirmed to have COVID-19 will not be permitted to enter the building for 14 days.**

c. **Court Staff will be required to wear face coverings when interacting with non-judicial related persons. Social distancing should be practiced at all times in the Courtroom.**

2. Scheduling

a. **The Court Administrator for each Court will coordinate scheduling. Courts will limit the number of in-person cases set for a specific time, in order to assure the number of persons in the Courtroom at any given time will allow for appropriate social distancing.**

3. Vulnerable Populations

a. **Individuals who are over age 65 and/or have serious underlying health conditions are considered to be vulnerable.**

b. **A vulnerable person may, inform the Court by calling 830-221-1180 and identifying themselves as a vulnerable individual and may be accommodated through Zoom, teleconference, or in-person in a limited access courtroom.**

4. Social Distancing

a. **All persons in the Courthouse not from the same household who are unvaccinated will be required to maintain adequate social distancing of at least 3 feet and wear a mask.**

b. The maximum number of persons permitted in the gallery of each courtroom has been determined and posted. The maximum capacity of each courtroom will be monitored and enforced by the Bailiff.

c. In each courtroom, the Well has been arranged in order to maintain appropriate social distancing.

d. Hand sanitizer has been placed at the entrance to each courtroom

e. The “Stop the Spread of Germs” flyer⁹ has been posted in multiple locations around the Landa Annex.

5. Screening

a. When individuals enter the courthouse, they will be screened by Security for any COVID-19 symptoms. Anyone who is positive for COVID-19 or symptomatic for COVID-19 will not be permitted in the building and their hearing reset without penalty.

b. Inmates being transported from the jail to the County Courts-at-Law will be screened pursuant to the protocols required by the CCSO prior to arriving at the courtroom.

6. Face Masks

Face Masks will be required to be worn by anyone once they enter the courthouse if they have not been vaccinated. A face mask is not required if the individual has been vaccinated.

7. Cleaning

The Maintenance Department will be responsible to maintain and clean the common areas and courtrooms of the courthouse in accordance with the practices approved by their Department Head.

8. Microphone Protection Protocols

To the extent possible, the shared use of the microphones should be limited. If the microphone is passed between users, it should be cleaned between each user. Additionally, disposable microphone covers should be placed on all microphones and changed between each user.

9. Exhibits

Physical and paper exhibit should be limited to the extent possible. All Exhibits are required to be uploaded to ExaVault and submitted to the opposing parties no later than the day prior to the hearing. Please contact the County Court Administrator for the Instructions and Password. 830-221-1180. The instructions to upload Exhibits for each Court are also located on the Court’s webpage.¹⁰ If physical exhibits or paper exhibits are used upon approval of the Court, passing them around should be limited. If any transfer

⁹https://externalcontent.duckduckgo.com/iu/?u=http%3A%2F%2Fp2cdn4.static.sharpschool.com%2FUserFiles%2FServers%2FServer_2617175%2FImage%2FGerms.png&f=1&nofb=1

¹⁰ CCAL1 - <https://www.co.comal.tx.us/CCLaw/DocketsCCL1.htm>

CCAL2 - <https://www.co.comal.tx.us/CCLaw/DocketsCCL2.htm>

CCAL3 - <https://www.co.comal.tx.us/CCLaw/DocketsCCL3.htm>

from person-to-person is required, single use gloves shall be worn and discarded immediately after handling the exhibit.

Non-evidentiary materials, including demonstrative exhibits, summaries of the evidence, case law and briefs, shall be submitted via ExaVault in a folder separate from the Exhibits, or, upon approval of the Court, to the Court Administrator.

Having completed the required re-certification, I am submitting it to you for approval as the Local Administrative District Judge. I understand and have communicated to the County Courts-at-Law that no in-person hearings will be permitted on or after July 1, 2021 until I receive an acknowledgement from you that this re-certification meets the requirements of OCA's Guidance.

Sincerely,



Charles A. Stephens, II
Judge, County Court-at-Law #2
Local Administrative County Court-at-Law Judge

APPROVED: July ____, 2021

R. Bruce Boyer
22nd District Court
Local Administrative District Judge

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 21-9060

THIRTY-EIGHTH EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This Order is issued pursuant to Section 22.0035(b) of the Texas Government Code.
2. The Thirty-Sixth Emergency Order (Misc. Dkt. No. 21-9026) is renewed as amended.
3. Subject only to constitutional limitations, all courts in Texas may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant’s consent:
 - a. except as provided in paragraph 4, modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than August 1, 2021;
 - b. except as this Order provides otherwise, allow or require anyone involved in any hearing, deposition, or other proceeding of any kind—including but not limited to a party, attorney, witness, court reporter, grand juror, or petit juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means;
 - c. consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means;
 - d. conduct proceedings away from the court’s usual location with reasonable

notice and access to the participants and the public;

e. 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;

f. take any other reasonable action to avoid exposing court proceedings and participants to the threat of COVID-19.

4. In any proceeding under Subtitle E, Title 5 of the Family Code, all deadlines and procedures must not be modified or suspended, unless permitted by statute, after August 1, 2021, except the dismissal date may be extended as follows:

a. for any such proceeding that, on the date of this Order, has a dismissal date that was previously modified under a prior Emergency Order Regarding the COVID-19 State of Disaster, the court may extend the dismissal date for a stated period ending no later than December 1, 2021;

b. for any such proceeding that, on the date of this Order, has been previously retained on the court's docket pursuant only to Section 263.401(b) or (b-1), the court may extend the dismissal date for a stated period ending no later than February 1, 2022;

c. for any such proceeding that, on the date of this Order, has not been previously retained on the court's docket pursuant to Section 263.401(b) or (b-1), the court may extend the initial dismissal date as calculated under Section 263.401(a) for a stated period ending no later than April 1, 2022; or

d. for any such proceeding that is filed on or after the date of this Order, the court may extend the initial dismissal date as calculated under Section 263.401(a) only as provided by Section 263.401(b) or (b-1).

5. Courts should continue to use reasonable efforts to conduct proceedings remotely.

6. Upon request and good cause shown by a court participant other than a juror—including but not limited to a party, an attorney, a witness, or a court reporter—a court must permit the participant to participate remotely in any proceeding, subject to constitutional limitations.

7. A court of appeals may conduct in-person proceedings if the chief justice of the court of appeals adopts minimum standard health protocols for court participants and the public attending court proceedings that will be employed in the courtroom and in public areas of the court building.

8. A district court, statutory or constitutional county court, statutory probate court, justice court, or municipal court may conduct in-person proceedings, including both jury and non-jury proceedings, if the local administrative district judge or presiding judge of a municipal court, as applicable, adopts, in consultation with the judges in the county or municipal court buildings:

a. minimum standard health protocols for court proceedings and the public attending court proceedings that will be employed in all courtrooms and throughout all public areas of the court buildings, including masking, social distancing, or both; and

b. an in-person proceeding schedule for all judges in the county or municipal court buildings, as applicable.

9. A court may conduct an in-person jury proceeding if:

a. to assist with coordination of local resources and to manage capacity issues, the court has obtained prior approval, including a prior approved schedule, for the jury proceeding from the local administrative district judge or presiding judge of the municipal courts, as applicable;

b. the court has considered on the record 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;

c. the court has established communication protocols to ensure that no court participants have tested positive for COVID-19 within the previous 10 days, have had symptoms of COVID-19 within the previous 10 days, or have had recent known exposure to COVID-19 within the previous 14 days;

d. the court has included with the jury summons information on the precautions that have been taken to protect the health and safety of prospective jurors and a COVID-19 questionnaire to be submitted in advance of the jury selection that elicits from prospective jurors information about their exposure or particular vulnerability to COVID-

19; and

e. the court has excused or rescheduled prospective jurors who provide information confirming their COVID-19 infection or exposure, or their particular vulnerability to COVID-19 and request to be excused or rescheduled.

10. In criminal cases where confinement in jail or prison is a potential punishment, remote jury proceedings must not be conducted without appropriate waivers and consent obtained on the record from the defendant and prosecutor. In all other cases, remote jury proceedings must not be conducted unless the court has complied with paragraph 9(b).

11. Except for non-binding proceedings, 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.

12. The Office of Court Administration should issue, and update from time to time, best practices to assist courts with safely and effectively conducting in-person and remote court proceedings under this Order.

13. In determining a person's right to possession of and access to a child under a court-ordered possession schedule in a Suit Affecting the Parent-Child Relationship, the existing trial court order shall control in all instances. Possession of and access to a child shall not be affected by any shelter-in-place order or other order restricting movement issued by a governmental entity that arises from the pandemic. The original published school schedule shall also control, and possession and access shall not be affected by the school's closure that arises from the pandemic. Nothing herein prevents parties from altering a possession schedule by agreement if allowed by their court order(s), or courts from modifying their orders on an emergency basis or otherwise.

14. An evidentiary panel in an attorney professional disciplinary or disability proceeding may—and must to avoid risk to panel members, parties, attorneys, and the public—without a participant's consent:

a. conduct the proceeding remotely, such as by teleconferencing, videoconferencing, or other means;

b. allow or require anyone involved in the proceeding—including but not limited to a party, attorney, witness, court reporter—to participate remotely, such as by teleconferencing, videoconferencing, or other means; and

c. consider as evidence sworn statements or sworn testimony given remotely, such as by teleconferencing, videoconferencing, or other means.

15. This Order is effective immediately and expires August 1, 2021, except as otherwise stated herein, unless extended by the Chief Justice of the Supreme Court.

16. The Clerk of the Supreme Court is directed to:

a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

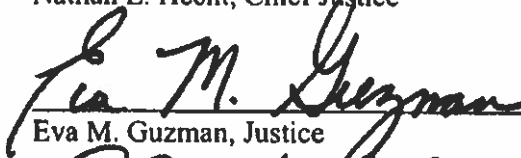
17. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

Dated: May 26, 2021

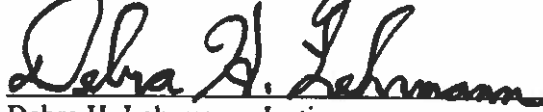
JUSTICE BOYD, JUSTICE DEVINE, and JUSTICE BLACKLOCK dissent.



Nathan L. Hecht, Chief Justice



Eva M. Guzman, Justice



Debra H. Lehrmann, Justice

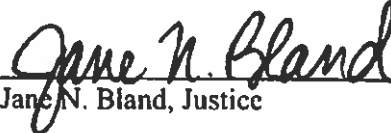
Jeffrey S. Boyd, Justice

John P. Devine, Justice

James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Best Practices for All Court Proceedings During COVID-19 Pandemic (Effective May 2021)

- **Courts should review and consider implementing the updated [health recommendations](#) made by the Texas Department of State Health Services (DSHS).**
- **Courts should post on the court’s website or another public site the minimum standard health protocols adopted by the local administrative district judge or municipal court presiding judge.** These protocols are minimum standards that must be employed by all judges in the court buildings. Judges who wish to have in-person proceedings may have more stringent standards in their courtrooms but may not have less stringent standards.
- **Courts are encouraged to conduct proceedings remotely where doing so would improve access to justice.**
Though in-person proceedings are allowed when minimum standard health protocols and an in-person proceedings schedule have been adopted by the local administrative district judge or presiding judge of the municipal court, as applicable, courts are encouraged to conduct proceedings remotely (such as by teleconferencing, videoconferencing, or other means) where doing so would improve access to justice.¹ Courts should also consider conducting hybrid hearings.
- **Judge and Court Staff Health**
Courts should take precautions to ensure judges and court staff do not enter the courthouse when there is a likelihood that they may have COVID-19 or have been recently exposed to COVID-19, and courts should take reasonable steps to protect judges and court staff from contracting COVID-19.

Courts may wish to consider teleworking for judges and court staff whenever doing so would be beneficial for judge or court staff health or is feasible.
- **Scheduling**
The in-person proceedings schedule adopted by the local administrative district judge or municipal court presiding judge, as applicable, should ensure that unvaccinated persons are able to adequately social distance while in the courtroom and public spaces of the building. It may be necessary to designate certain areas of the courtroom with adequate social distancing for unvaccinated persons.

Judges may wish to limit docket sizes to ensure that adequate social distancing is maintained in

¹ Courts who need technical assistance with remote proceedings may contact the Office of Court Administration at zoomhelp@txcourts.gov.

the courtroom, in the areas around the courtroom, and in the courthouse.

- **Vulnerable Populations**

Judges should include with notices of court settings information for unvaccinated individuals or those who live with or are caregivers for unvaccinated individuals setting out how those individuals can request accommodations to reduce the appearance of those individuals at the courthouse.

- **Witnesses**

Courts should inquire whether witnesses to proceedings have COVID-related issues. To the degree constitutionally permissible, judges should consider permitting witnesses to testify remotely via videoconference, especially if that witness has symptoms of or a recent positive test for COVID-19, has been recently exposed, or indicates that he/she is unvaccinated.

- **Screening**

Individuals feeling feverish or with measured temperatures equal to or greater than 100.0°F, or with new or worsening signs or symptoms of COVID-19 such as 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, and diarrhea should not be permitted in a court facility.

Courts should implement a screening protocol to screen all court participants and observers to determine if the individual has or has recently had symptoms of COVID-19 or been exposed to COVID-19.

Special attention should be given to how inmates or detainees from jail and juvenile facilities who may be transported to a courtroom will be screened, including consideration of a lower threshold temperature of 99.6°F as an indicator of symptoms.²

Unvaccinated screeners should be provided appropriate face protection and gloves.

- **Social Distancing**

Courts should consider how to permit social distancing in public common areas, galleries of courtrooms, wells of the courtroom, hallways, elevators, restrooms, or other locations where the unvaccinated public might gather. Fully vaccinated individuals are not required to socially distance.

Special attention should be given to scheduling in buildings with multiple courtrooms, as common areas such as waiting areas, halls and elevators may become crowded in such a way that it is impossible to maintain appropriate social distancing for unvaccinated individuals.

Special attention should 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.

- **Face coverings**

Cloth face coverings, at a minimum, should be encouraged of unvaccinated court participants or individuals planning to enter courtrooms or court-related offices while in the courthouse.

² Suggestion for considering lower threshold for jail inmates made by DSHS physicians.

Participants or individuals who are fully vaccinated are not required to wear a face covering.

As the Supreme Court's [38th Emergency Order](#) states, courts may take any reasonable action to avoid exposing court proceedings to the threat of COVID-19. As stated in [Attorney General Opinion KP-0322](#), "judges possess broad inherent authority to control orderly proceedings in their courtrooms, and pursuant to that authority, they can require individuals in the courtroom to wear facial coverings" and "may require any person entering the courthouse in which they preside to wear a facial covering while in the courthouse." Previously-issued executive orders do not alter the Supreme Court's emergency order, the ability of a judge to control his or her courtroom, or judiciary-imposed requirements for those entering a court building who will be attending a court proceeding.

- **Summoning Jurors**

Courts should include with juror summonses information on precautions that have been taken to protect the health and safety of prospective jurors and COVID questionnaires that elicit from prospective jurors information about their exposure or vulnerability to COVID-19.³

Courts should consider using juror questionnaires for voir dire to assist in shortening the length of voir dire or the number of venirepersons. Courts should liberally grant excuses or reschedule prospective jurors who have been potentially exposed, who are symptomatic, and who are vulnerable or live with someone vulnerable to COVID-19.

Courts should consider conducting voir dire remotely even if the trial portion will be conducted in person.

- **Location(s) for Jury Selection, Trial, and Deliberation**

Courts may wish to use a location for conducting the various phases of a jury proceeding that enables adequate social distancing for unvaccinated persons. Courts should detail how the court will ensure adequate security at any alternative location.⁴

³ See [sample COVID-19 questionnaire](#).

⁴ 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.



GUIDANCE FOR VACCINATED AND UNVACCINATED INDIVIDUALS

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The following is guidance for all vaccinated and unvaccinated individuals.

Over the course of the pandemic, the Texas Department of State Health Services is regularly monitoring new data as it comes in and reviewing the science to inform our guidance and decisionmaking. Based on the latest science, we can say that anyone who is fully vaccinated can resume activities. The science is clear: if you are fully vaccinated, you are protected.

- Cases have continued falling dramatically, and a growing number of studies have shown three big things:
 - Vaccines are working in the real world. Studies show them to be more than 90% effective in the real-world settings in preventing mild and severe disease, hospitalization, and death.
 - Vaccines have proven to be effective against the SARS-CoV-2 variants currently circulating in the country.
 - If you're vaccinated, you're less likely to spread the virus. A growing body of evidence suggests that fully vaccinated people are less likely to have asymptomatic infection and to be able to transmit SARS-CoV-2 to others.
- Since May 12, 2021, anyone 12 years and older has been eligible for vaccination.
- We have a strong supply of vaccine. Anyone who wants to get a vaccine can get it.
 - Getting a COVID-19 vaccine is faster and more convenient than ever.
 - About nine out of 10 Americans live within 5 miles of a COVID-19 vaccination site and many forms of private and public assistance are available to ensure access.
 - To find the site closest to you, visit our website at dshs.texas.gov; or call 833-832-7067 if you don't have internet service or need help signing up. Spanish language and other translators are available to help callers.
- **Why now? What changed?**
CDC guidance is based on the available science. Cases have continued falling dramatically, and a growing number of studies have shown three big things:
 1. Vaccines are working in the real world. Studies show them to be more than 90% effective in the real-world settings in preventing mild and severe disease, hospitalization, and death.
 2. Vaccines have proven to be effective against the SARS-CoV-2 variants currently circulating in the country.
 3. If you're vaccinated, you're less likely to spread the virus. A growing body of evidence suggests that fully vaccinated people are less likely to have asymptomatic infection and to be able to transmit SARS-CoV-2 to others.

Taken together, this science is encouraging and shows that vaccinated people are protected and less likely to carry the virus to others. So, with all this evidence in mind, we are recommending that vaccinated people no longer need to wear a mask.



GUIDANCE FOR VACCINATED AND UNVACCINATED INDIVIDUALS

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- **How will people know if someone is vaccinated?**
You may not know if someone around you is vaccinated, which is why we are encouraging everyone to get vaccinated – because we know the benefits: it protects you, it protects others, and it lets us return to normal. So, we hope everyone takes advantage of this important tool to stay safe and end the pandemic. Vaccination is safe, available, and free.

Vaccination data coverage by county is available on our website under the [Vaccine Data](#) tab.

- **What does it mean to be “fully vaccinated”?**
In general, people are considered fully vaccinated:
 - 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
 - 2 weeks after a single-dose vaccine, such as Johnson & Johnson’s Janssen vaccine

If you don’t meet these requirements, regardless of your age, you are NOT fully vaccinated. Keep taking all [precautions](#) until you are fully vaccinated.

If you have a condition or are taking medications that weaken your immune system, you may NOT be fully protected even if you are fully vaccinated. Talk to your healthcare provider. Even after vaccination, you may need to continue taking all [precautions](#).

- **Does everyone who wants a vaccine really have access to a vaccine?**
As of May 12, 2021, anyone age 12 years of age older are eligible for vaccination.

About nine out of 10 Americans live within 5 miles of a COVID-19 vaccination site. Two popular ride-sharing services will offer free rides to vaccination appointments until July 4, 2021. To find a vaccination site closest to you, visit dshs.texas.gov or vaccines.gov; text your ZIP code to 438829 (GETVAX); or call 800-232-0233.

- **But shouldn’t we keep masks to protect against variants?**
The vaccines we have available are effective against the variants that are circulating in the US.
- **What if there is a surge or if other variants emerge? Will we need masks then?**
The past year has shown us that this virus can be unpredictable, so if things get worse, there is always a chance we may need to make changes to the recommendations. But we know that the more people are vaccinated, the less cases we will have and the less chance of a new spike or additional variants emerging.
- **Are there any people who are fully vaccinated who should still wear a mask?**
If you have a condition or are taking medications that weaken your immune system, increasing data suggest you may not be fully protected even if you are fully vaccinated. Talk to your healthcare provider. Even after vaccination, you may need to continue taking all [precautions](#).



GUIDANCE FOR VACCINATED AND UNVACCINATED INDIVIDUALS

Page 3 of 3

- **Does this guidance apply to all settings?**
This guidance does not apply to healthcare settings (e.g., hospitals, long-term care, doctors' offices). Guidance for residents and staff of healthcare settings can be found in the [Infection Control after Vaccination](#) section of the CDC website. CDC is updating guidance for other settings.
- **What can you do if you have been fully vaccinated?**
You can resume activities that you did prior to the pandemic without wearing a mask or staying 6 feet apart from others.
- **Everyone 12 years old and older became eligible on May 12, 2021. Not everyone has had a chance to become vaccinated yet, including in vulnerable communities.**
If you're not fully vaccinated, you may choose to continue to wear a face covering to protect yourself and others who have not yet been vaccinated. But the science shows us that fully vaccinated people are protected. So, we encourage everyone to get vaccinated as soon as possible. Vaccines are available.
- **Why don't people need to distance?**
The science shows that, if you're fully vaccinated, you are protected and are far less likely to spread the virus to others, so we are lifting recommendations for distancing at this time for fully vaccinated people.
- **Since there is no way to prove vaccination status, do you think this will lead to unvaccinated people ditching their masks and returning to public places, too?**
We encourage everyone to get vaccinated – it is the best way to protect yourself and others and allow you to return safely to normal. If you are vaccinated, you are protected from those who may not be. But if you're unvaccinated and choose not to wear a mask, you are putting yourself at risk. At this time, we encourage anyone who is unvaccinated to continue masking to protect themselves and others who may not have had a chance to be vaccinated yet.



When You've Been Fully Vaccinated

How to Protect Yourself and Others

Updated June 17, 2021 [Print](#)

COVID-19

- Fully vaccinated people can resume activities without wearing a mask or physically distancing, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.
- If you haven't been vaccinated yet, find a vaccine.

Safer Activities



COVID-19 vaccines are effective at protecting you from getting sick. Based on what we know about COVID-19 vaccines, people who have been fully vaccinated can do things that they had stopped doing because of the pandemic.

These recommendations can help you make decisions about daily activities after you are fully vaccinated. They are *not* intended for healthcare settings.

Have You Been Fully Vaccinated?

In general, people are considered fully vaccinated:

- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
- 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine

If you don't meet these requirements, regardless of your age, you are **NOT** fully vaccinated. Keep taking all precautions until you are fully vaccinated.

If you have a condition or are taking medications that weaken your immune system, you may **NOT** be fully protected even if you are fully vaccinated. Talk to your healthcare provider. Even after vaccination, you may need to continue taking all precautions.

What You Can Do



If you've been fully vaccinated:

- You can resume activities that you did prior to the pandemic.
- You can resume activities without wearing a mask or staying 6 feet apart, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.
- If you travel in the United States, you do not need to get tested before or after travel or self-quarantine after travel.
- You need to pay close attention to the situation at your international destination before traveling outside the United States.
 - You do NOT need to get tested before leaving the United States unless your destination requires it.
 - You still need to show a negative test result or documentation of recovery from COVID-19 before boarding an international flight to the United States.
 - You should still get tested 3-5 days after international travel.
 - You do NOT need to self-quarantine after arriving in the United States.
- If you've been around someone who has COVID-19, you do not need to stay away from others or get tested unless you have symptoms.
 - However, if you live or work in a correctional or detention facility or a homeless shelter and are around someone who has COVID-19, you should still get tested, even if you don't have symptoms.

What You Should Keep Doing



For now, if you've been fully vaccinated:

- You will still need to follow guidance at your workplace and local businesses.
- If you travel, you should still take steps to protect yourself and others.
- Masks are required on planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in U.S. transportation hubs such as airports and stations. Travelers are not required to wear a mask in outdoor areas of a conveyance (like on a ferry or the top deck of a bus). CDC recommends that travelers who are not fully vaccinated continue to wear a mask and maintain physical distance when traveling.
- Fully vaccinated international travelers arriving in the United States are still required to get tested 3 days before travel by air into the United States (or show documentation of recovery from COVID-19 in the past 3 months) and should still get tested 3-5 days after their trip.
- You should still watch out for symptoms of COVID-19, especially if you've been around someone who is sick. If you have symptoms of COVID-19, you should get tested and stay home and away from others.
- People who have a condition or are taking medications that weaken the immune system, should talk to their healthcare provider to discuss their activities. They may need to keep taking all precautions to prevent COVID-19.

What We Know

- COVID-19 vaccines are effective at preventing COVID-19 disease, especially severe illness and death.
- COVID-19 vaccines reduce the risk of people spreading COVID-19.

What We're Still Learning

- How effective the vaccines are against variants of the virus that causes COVID-19. Early data show the vaccines may work against some variants but could be less effective against others.
- How well the vaccines protect people with weakened immune systems, including people who take immunosuppressive medications.
- How long COVID-19 vaccines can protect people.

As we know more, CDC will continue to update our recommendations for both vaccinated and unvaccinated people.

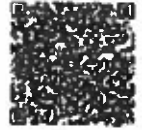
Want to learn more about these recommendations? Read our [expanded Interim Public Health Recommendations for Fully Vaccinated People](#).

± This guidance applies to COVID-19 vaccines currently authorized for emergency use by the U.S. Food and Drug Administration: Pfizer-BioNTech, Moderna, and Johnson & Johnson (J&J)/Janssen COVID-19 vaccines. This guidance can also be applied to COVID-19 vaccines that have been authorized for emergency use by the World Health Organization (e.g., AstraZeneca/Oxford).

Related Pages

- › [Interim Public Health Recommendations for Fully Vaccinated People](#)
- › [Science Brief: Background Rationale and Evidence for Public Health Recommendations](#)
- › [Infection Control after Vaccination for Healthcare Workers](#)

Last Updated June 17, 2021



COVID-19

IF YOU ARE FULLY VACCINATED

Find new guidance for fully vaccinated people. If you are not vaccinated, find a vaccine.

GUIDANCE FOR UNVACCINATED PEOPLE

How to Protect Yourself & Others

Updated June 11, 2021

[Print](#)



Wear a mask

- If you are not fully vaccinated and aged 2 or older, you should wear a mask in indoor public places.
- In general, you do not need to wear a mask in outdoor settings.
 - In areas with high numbers of COVID-19 cases, consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.
- If you are fully vaccinated and have a condition or are taking medications that weaken your immune system, you may need to keep taking steps to protect yourself, like wearing a mask. Talk to your healthcare provider about steps you can take to manage your health and risks.
- If you are fully vaccinated, see [When You've Been Fully Vaccinated](#).

Masks are required on planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in U.S. transportation hubs such as airports and stations. Travelers are not required to wear a mask in outdoor areas of a conveyance (like on a ferry or the top deck of a bus). CDC recommends that travelers who are not fully vaccinated continue to wear a mask and maintain physical distance when traveling.



Stay 6 feet away from others

- **Inside your home:** Avoid close contact with people who are sick.
 - If possible, maintain 6 feet between the person who is sick and other household members.
- **Outside your home:** Put 6 feet of distance between yourself and people who don't live in your household.
 - Remember that some people without symptoms may be able to spread virus.
 - Stay at least 6 feet (about 2 arm lengths) from other people.
 - Keeping distance from others is especially important for people who are at higher risk of getting very sick.



Get Vaccinated

- Authorized COVID-19 vaccines can help protect you from COVID-19.
- You should get a COVID-19 vaccine when it is available to you.
- Once you are fully vaccinated, you may be able to start doing some things that you had stopped doing because of the pandemic.



Avoid crowds and poorly ventilated spaces

- Being in crowds like in restaurants, bars, fitness centers, or movie theaters puts you at higher risk for COVID-19.
- Avoid indoor spaces that do not offer fresh air from the outdoors as much as possible.
- If indoors, bring in fresh air by opening windows and doors, if possible.



Wash your hands often

- Wash your hands often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- It's especially important to wash:
 - Before eating or preparing food
 - Before touching your face
 - After using the restroom
 - After leaving a public place
 - After blowing your nose, coughing, or sneezing
 - After handling your mask
 - After changing a diaper
 - After caring for someone sick
 - After touching animals or pets
- If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry.
- Avoid touching your eyes, nose, and mouth with unwashed hands.



Cover coughs and sneezes

- If you are wearing a mask: You can cough or sneeze into your mask. Put on a new, clean mask as soon as possible and wash your hands.
- If you are not wearing a mask:
 - Always cover your mouth and nose with a tissue when you cough or sneeze, or use the inside of your elbow and do not spit.
 - Throw used tissues in the trash.
- Immediately wash your hands with soap and water for at least 20 seconds. If soap and water are not readily available, clean your hands with a hand sanitizer that contains at least 60% alcohol.



Clean and disinfect

- Clean high touch surfaces daily. This includes tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, and sinks.
- If someone is sick or has tested positive for COVID-19, disinfect frequently touched surfaces. Use a household disinfectant product from EPA's List N Disinfectants for Coronavirus (COVID-19) [\[link\]](#) according to manufacturer's labeled directions.
 - If surfaces are dirty, clean them using detergent or soap and water prior to disinfection.



Monitor your health daily

Be alert for symptoms. Watch for fever, cough, shortness of breath, or other symptoms of COVID-19.

Be alert for symptoms. Watch for fever, cough, shortness of breath, or other symptoms of COVID-19.

- **Especially important if you are running essential errands, going into the office or workplace, and in settings where it may be difficult to keep a physical distance of 6 feet.**
- **Take your temperature if symptoms develop.**
 - **Don't take your temperature within 30 minutes of exercising or after taking medications that could lower your temperature, like acetaminophen.**
- **Follow CDC guidance if symptoms develop.**

Related Pages

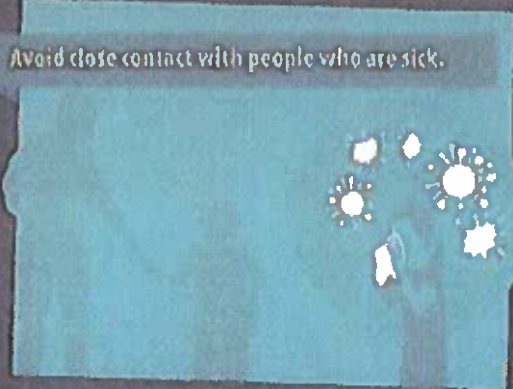
- › [Prevent Getting Sick](#)
- › [Symptoms](#)
- › [How COVID-19 Spreads](#)
- › [If You Are Sick or Caring for Someone](#)
- › [People at Increased Risk](#)
- › [Frequently Asked Questions](#)
- › [Hand Sanitizer Use](#)

Last Updated June 11, 2021

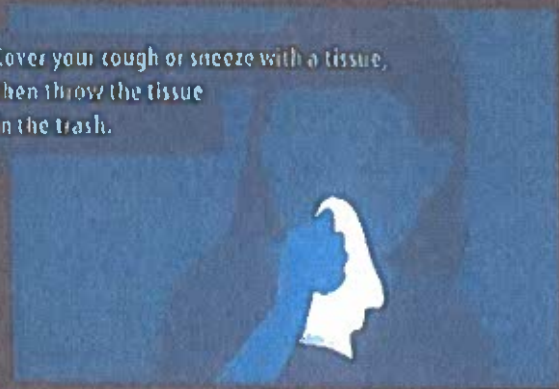
STOP THE SPREAD OF GERMS

Help prevent the spread of respiratory viruses like 2019 novel coronavirus.

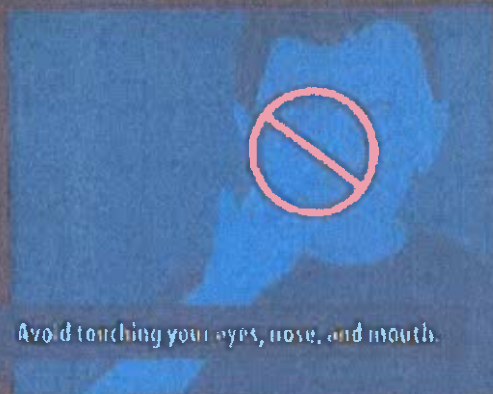
Avoid close contact with people who are sick.



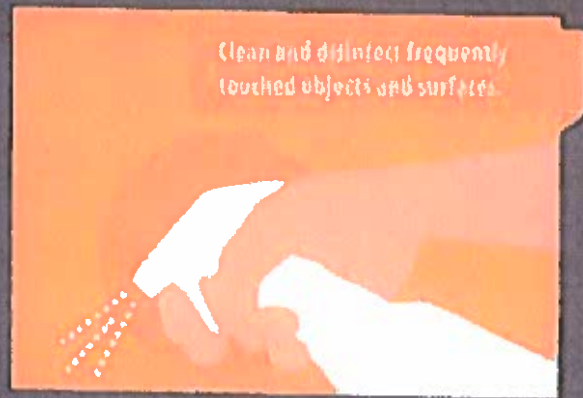
Cover your cough or sneeze with a tissue, then throw the tissue in the trash.



Avoid touching your eyes, nose, and mouth.



Clean and disinfect frequently touched objects and surfaces.



Stay home when you are sick, except to get medical care.



Wash your hands often with soap and water for at least 20 seconds.



For more information www.cdc.gov/nCoV