

**Phase Orange Plan for Reopening the Teton County Courthouse
& In-person Court Proceedings**

Anticipated Event: The reopening of the Teton County Courthouse and resuming in-person court proceedings as COVID-19 pandemic restrictions are modified in accordance with (1) Teton County’s “Orange Phase/Moderate Risk” recommendations for reopening, (2) the Wyoming Supreme Court’s Third Order Amending March 18, 2020 Temporary Plan to Address Health Risks Posed by the Covid-19 Pandemic, entered on May 15, 2020, and (3) Teton County’s Covid-19 Safe Work Protocols.

Purpose: To establish a plan for transitioning to in-person court proceedings and to establish safe protocols for both (1) individuals involved in court proceedings, and (2) the general public entering the courthouse. This plan is for a Phase Orange opening during Teton County’s Orange Phase/Moderate Risk. A separate plan would follow for subsequent tiers (Yellow/Low Risk and Green/New Normal), and a separate plan would be implemented for jury trials.

Considerations: The courthouse may be opened by the Board of County Commissioners for public use before the courts are capable of safely holding in-person proceedings. The courthouse is a secure building and the District Court Judge may direct that reasonable actions be taken to maintain the safety and security of the courts and the people who use them. Such actions should be informed by local public health conditions and by recommendations from local and State public health officials, and adapted to courthouse use by the public generally, and to court proceedings specifically. The two courts (District Court, Circuit Court) housed in the courthouse may have special requirements for reopening required by the Wyoming Supreme Court. Those requirements impact the other cooperating stakeholders in the building.

Plan:

1. **Scope.** This plan addresses courthouse reopening. Each agency or court within the building may have additional policies for their employees and office procedures separate from this plan.

2. **Screening.**
 - a. The Courthouse shall continue its security screenings. In addition, all individuals entering the Courthouse for general public use and for in-person proceedings shall: (1) wear a face covering upon entry in accordance with Teton County Resolution 20-026 and ¶ 6 of this Plan, and (2) be screened for COVID-19 symptoms. Face coverings are available for individuals who do not have their own.
 - b. There will be no queuing for security screening in the courthouse lobby. Individuals will be allowed to enter the courthouse lobby one at a time for screening. Families will be allowed to be screened together.
 - c. Physical distancing of six feet shall be required while waiting to enter the courthouse. Visual reminders will be placed outside, by tape or other means, to remind people of physical distancing. Visual reminders will also be used on courthouse lobby benches and office entrances.

- d. Posters provided by the Teton County Department of Health shall also be posted on or near the courthouse doors regarding not entering the building with COVID-19 symptoms and non-pharmaceutical interventions. Other signage may be used as needed. *See* www.tetoncountywy.gov/2076/Businesses.
 - e. *Screening questions:*
 - i. Today or in the past 24 hours, have you had any of the following symptoms: fever, cough, shortness of breath, or loss of taste or smell?
 - ii. Have you been in close contact with someone confirmed, presumed, quarantined, or who is being evaluated for COVID-19 in the last 14 days?
 - iii. Have you, in the last 14 days, visited an area that is subject to quarantine because of COVID-19 infection?
 - iv. Persons who answer “yes” to any of the above questions will be denied courthouse access.
 - f. *Temperature Screening:*
 - i. Court security will be equipped with infrared thermometers. The thermometers shall be cleaned by court security with appropriate disinfecting wipes.
 - ii. Court security shall take the temperature of all individuals entering the courthouse, excluding staff who work in the courthouse.
 - iii. Entry shall be denied to individuals, including inmates or detainees in custody, feeling feverish or with measured temperatures equal to or greater than 100.4° F.
 - iv. Persons who exhibit symptoms of illness potentially indicating COVID-19 infection will be denied courthouse access.
 - v. Court Security Deputies have the authority to deny access to persons who otherwise reasonably appear to present a health risk.
 - g. *Refused Screening.* Those persons who refuse to answer the screening questions, or submit to the temperature screening, or the face covering restriction shall be denied access to the courthouse. At the time of denial, they will be referred to alternative means to conduct their courthouse business. *See* ¶ 3.
3. *Alternative Delivery of Services Remain Available:* Except for court-ordered in-person appearances, all courthouse business continues to be available through remote means. As noted in ¶ 2.g, those persons denied access to do business at the courthouse will be provided information regarding the appropriate individual or entity to contact to conduct court business without in-person contact or entry into the building.
4. *Alternative to In-person Court Appearance:* Those denied access who have a scheduled in-person court appearance will be provided the court tablet or phone to appear remotely from the front of courthouse using the free Wifi access. The tablet/phone shall be sanitized with disinfecting wipes before and after each use. Exchange of that device between court security and the person needing the device is contact-free.

- a. Court security will notify the appropriate court of any denied access to the courthouse and the need to setup remote access to the court hearing.

5. *Court Security Personal Protection:*

- a. Deputies will wear face coverings while screening individuals entering courthouse. Court security is familiar with CDC guidance on how to wear face coverings correctly, how to remove them safely, and how to clean or store after each day for future use.
- b. Deputies will use gloves while screening an individual's items or pat-downs.
- c. Gloves will be discarded after each use to prevent spread between individuals. Court security is familiar with the CDC video and other training videos regarding how to remove gloves safely. The video recommended by Teton County Public Health may be found at: <https://www.youtube.com/watch?v=IIAqV0rltXc>.

6. **Face Coverings. Face coverings help protect others and yourself.** Face coverings in the courthouse are required by the Teton County Board of County Commissioners Teton County Resolution 20-026, which was adopted and approved on May 26, 2020. Those who are required to attend court in-person are ordered to be present by subpoena, by court order, or because they are in custody. Unlike private businesses where a person may choose to enter or not, persons in the courthouse are required by law to be present. Transmission of COVID-19 occurs by asymptomatic and presymptomatic individuals who may not be identified in courthouse screening. The use of face coverings is therefore appropriate to protect those persons using the building who are not, by law, able to choose to be absent. Conversely, individuals who are not ordered to be present in the courthouse, but who do not want to use a face covering, shall continue to have all public services provided remotely and without entering the building. This requirement for face coverings is consistent with the strong recommendation to require face coverings, recommended by the Wyoming Supreme Court in its reopening guidelines issued May 15, 2020. This requirement is also consistent with Teton County's recommendations in its *Phased Reopening Guidelines for Business and Organizations*, its *Safe Work Protocols* and the recommendations of the Center for Disease Control, and Teton County Public Health Officer, Dr. Riddell's Recommendation #7 issued on April 6, 2020.

- a. *Type of Face coverings.* A fabric face covering is appropriate. "Face covering" means a covering made of cloth, fabric, or other soft and permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face. A bandana or buff is permissible. A surgical mask or N95 mask is not required.
- b. If individuals entering the courthouse do not have a face covering, a face covering shall be provided for them.
- c. *Exceptions.*
 - i. Children under 3 years old must not wear a face covering because they may suffocate.
 - ii. Individuals who have trouble breathing, are incapacitated, or otherwise are unable to remove the face covering without assistance are also exempt.
- d. Children 4 to 12 years old wearing a face covering should be supervised by an adult.

Individuals subject to the Americans with Disabilities Act, whose medical or physical disability would prevent them from wearing a mask will be accommodated. When communicating with individuals who are hearing impaired and use facial and mouth movements as part of communication, face coverings can be temporarily removed for communications, i.e., lip reading.

- e. *Staff.* Courthouse staff shall wear face coverings when entering through the public entrance and when in common or public spaces, such as service counters and courtrooms, unless sneeze guards or other public barriers are in place; when physical distancing is not possible; and in accordance with their office's respective policies.
 - f. Courthouse staff who enter the building other than through the public entrance do not have to wear a face covering upon entry but would need to wear the face covering in the public spaces.
 - g. *Agency and Courtrooms.* Each agency and court may implement its own policies regarding face coverings once a person enters their space, i.e., an agency might not require a face covering once a person enters their office.
7. Payments. The Circuit Court and District Court Clerk each accept payments for fines and other matters. Current protocols exercised during the pandemic for contactless payments remain in place. Members of the public shall contact the appropriate office for protocols.
 8. Filing. Each agency shall continue to use its current pandemic e-filing or fax filing protocols. Filing by mail is also available. In-person filing is permitted but remote filing is encouraged. Members of the public shall contact the appropriate office for protocols and information about any filing fees.
 9. Passports. The Clerk of District Court's pandemic plan regarding passports and curbside service remains in place. Members of the public shall contact the Clerk of District Court's Office to make an appointment and for protocols.
 10. Public Records Searches. The Clerk of District Court now offers two methods for public records searches. As during the pandemic plan and courthouse closure, public record searches may be requested by fax or by email and there is a fee associated with those searches. In-person searches are now permitted, with no fee, by appointment. Members of the public shall contact the Clerk of District Court's Office to make an appointment and for protocols.
 11. Signage. Information about physical distancing, screening, the use of face coverings, and what to do if entry is denied shall be posted on the courthouse door. Information about conducting business without entering the building shall also remain posted. Posters provided by the Teton County Department of Health, or other posters as needed, shall also be posted on or near the courthouse doors regarding not entering the building with COVID-19 symptoms and non-pharmaceutical interventions. *See* www.tetoncountywy.gov/2076/Businesses.

12. Bathrooms and Water Fountains. Public bathrooms shall remain stocked with soap and paper towels. Hand sanitizer stations shall be near the exterior of public bathrooms so users may sanitize hands after touching doors. The public water fountain shall only be available for touchless water bottle filling. The touch portion of the water fountain, and the component for drinking with the mouth, shall be taped or otherwise not available for use.
13. Doors. When practical and not contrary to court security requirements, doors to agencies' offices shall be left open to reduce the touching of door handles.
14. Elevator. Maximum occupancy shall be posted on the courthouse elevator. Occupancy is limited to one individual or one unit (i.e., a family unit or a person needing assistance with a caregiver(s)).
15. In-person court proceedings and public use of the courthouse.
 - a. Remote proceedings, conducted by telephone and video conference, will continue during this Phase Orange plan. For those limited proceedings that must occur in-person, the following protocols apply.
 - b. Courts shall coordinate schedules for in-person appearances to avoid having people congregating or queueing to enter the courthouse at the same time.
 - c. Physical distancing of six (6) feet should be maintained for all proceedings. For proceedings expected to last more than thirty (30) minutes, courts and agencies shall strive to provide ten (10) feet as recommended by Teton County for group gatherings. Each agency or court shall visually mark, by tape or otherwise, the appropriate standing or seating locations. Family groups who reside in the same household may sit together.
 - d. When a courtroom proceeding is dismissed, attendees shall be advised to exit the courtroom one at a time and maintaining physical distancing. Signage shall be posted at courthouse exits stating the same.
 - e. No more than 25 people shall be permitted in a room. Each court or agency shall establish their own limit, which may be less than 25 due to space limitations in service areas. The recommended guideline is one person per 120 square feet.
 - f. To limit public use of the courthouse, the press and the public will continue to have free access to all public proceedings by phone or video conference.
 - g. Judges shall be responsible for insuring physical distancing in the courtrooms.
 - h. Elected officials shall be responsible for insuring physical distancing in their offices.
 - i. Individuals who refuse to physical distance and wear face coverings during court proceedings may be removed from the courthouse. However, such individuals will continue to have access to all courthouse services without requiring in-person contact as during the period of courthouse closure.

16. Adequate environmental sanitation shall take place.

- a. Court Security Deputies have set a sanitizing schedule for the security equipment and frequently touched surfaces. That schedule includes disinfecting several times (not less than two times) per day.
- b. Each court or agency has a sanitizing schedule for their facilities and frequently touched surfaces. That schedule includes disinfecting several times (not less than two times) per day. For some surfaces, disinfecting will occur between each user (i.e., the public record search terminal and certain courtroom components after hearings).
- c. Gloves shall be provided for employees who clean and disinfect. Employees shall wash hands after removing gloves. All stakeholders have been provided the link to the training video recommended by Public Health regarding the removal of gloves: <https://www.youtube.com/watch?v=IIAqV0rltXc>.
- d. Sanitary hand wipes or sanitizer stations shall be available at the entrance to the Courthouse and for the public throughout the building at convenient locations. Several have been installed prior to June 1, 2020 and several more have been ordered.
- e. *Daily cleaning and disinfecting of intra-office public spaces.* The public bathrooms, public spaces, courtrooms, and agency offices in the courthouse are cleaned and sanitized daily by a contractor managed by Teton County Facilities Department. Until July 1, 2020, that pre-pandemic contract remains in place and does not include heightened cleaning requirements or specific disinfectants. After July 1, 2020, that contract is expected to include disinfectant of certain surfaces. In the interim period, and if needed after the new contract is implemented after July 1, each office or agency shall be responsible for any additional cleaning and disinfectant requirements in their own offices.
- f. *Daily Cleaning for Public Spaces and High-Touch Surfaces.* The high-touch surfaces in public spaces shall be cleaned in accordance with the County's contract by the contractor through July 1. Stakeholders shall request the new July 1 cleaning contract include (1) a mid-day disinfecting of high-touch surfaces including the public bathrooms and (2) daily and mid-day disinfecting of staircase handrails and light switches. Sanitation stations are available throughout the courthouse for the public to use.

17. Office Plans. Each office and court has its own reopening plan regarding its staff and operations.

- a. *Sanitation if Someone Gets Symptomatic or Sick.* All stakeholders have received Public Health's recommendation that office-specific plans should also include what to do if a staff member or a member of the public becomes symptomatic while in their space. Stakeholders understand that the plan should address where to isolate a symptomatic individual, who to contact, and how to disinfect the space that person occupied while in the building pursuant to CDC guidance on "Cleaning and Disinfecting Your Building or Facility If Someone Is Sick." Stakeholders will promptly notify all other courthouse stakeholders if someone is sick or becomes symptomatic within their office.

This Phase Orange Plan is available upon request. Security screening, face coverings, and court proceedings sections shall be translated and available in Spanish. Questions from Spanish speakers may be directed to the Clerk of District Court's office.

Last updated: June 2, 2020

Resources

Teton County Resolution 20-026 (May 26, 2020).

Teton County's Phased Guidelines v. 3 (May 7, 2020), available at <http://tetoncountywy.gov/DocumentCenter/View/14113/Appendix-B--Guidelines-for-Businesses-and-Organizations-5-7-20>

Teton County's Covid-19 Safe Work Protocols.

Administrative Office of the United States Courts, Memorandum and Federal Judiciary Covid-19 Recovery Guidelines (April 24, 2020), available at https://drive.google.com/file/d/1grRbykWGerscEaYu3D2xKFARWoV_rWIX/view

National Conference of State Courts, *Considerations in Resuming Court Operations* (May 1, 2020), available at <https://www.ncsc.org/~media/Files/PDF/Newsroom/Coronavirus%20Webinars/Considerations-in-Resuming-Court-Operations.ashx>

City of San Francisco, *Face coverings and Face Coverings for the Coronavirus A Outbreak*, <https://sf.gov/information/face-coverings-and-face-coverings-coronavirus-outbreak>

Wyoming Supreme Court, *Court Covid-19 Reopening Guidelines*, May 15, 2020.

Wyoming Supreme Court, *Third Order Amending March 18, 2020 Temporary Plan to Address Health Risks Posed by the Covid-19 Pandemic*, May 15, 2020

CDC, Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation
Available at <https://www.cdc.gov/coronavirus/2019-ncov/php/building-water-system.html>

CDC, Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes available at <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>

CDC, Cleaning and Disinfecting Your Facility,
available at <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>