

## PLAN FOR RESUMPTION OF FULL OPERATIONS

Approved: July 8, 2020

Eleventh Judicial District

County: San Juan

Court type: District Court

City: Farmington

Date of submission: June 19, 2020; rev. July 2, 2020

PLEASE NOTE: THE ELEVENTH JUDICIAL DISTRICT WILL ALWAYS FOLLOW THE MOST CURRENT SUPREME COURT ORDER AS IT IMPACTS THE OPERATIONS OF THE COURT. WE WILL AMEND OUR PLANS AS NEW ORDERS ARE AMENDED OR INTRODUCED.

- I. Safety: Managing the number of people permitted in our courthouse
  - A.  By default, remote proceedings will continue in all cases where it is possible and practicable.
  - Remote participation by self-represented litigants will be accommodated by taking the following measures:
    1. Google meets (video)
    2. Google meets (telephone line)
    3. All parties/attorneys use the 1-800-747-5150 conference line. (each judge has an individual line)
  - Remote participation by the press and public will be accommodated by taking the following measures:
    1. Google Meets (video)
    2. Google Meets (telephone line)
    3. 1-800 conference line (each judge has an individual line)

4. The public and press will be permitted in courtrooms provided there is proper social distancing space available. As referenced above, the public and press will also be provided with the Google Meets URL or call-in number allowing them to attend hearings remotely when adequate space is unavailable, or when they prefer to take advantage of this option. Victims will be given priority in courtroom seating and will also be given the options of attending in a viewing room, if available, or attending the hearings remotely from another location in the courthouse, if they prefer.

B. Criteria for in-person hearing:

In-person proceedings will be held under the following circumstances:

The Eleventh Judicial District follows the procedures set forth in Supreme Court Order No. 20-8500-13.

Problem-Solving Courts (Juvenile Drug Court and Grade Court)  
Problem Solving Court dockets will continue by Google Meets (video or phone). Should an issue arise with a participant that needs to be addressed in person; the Court will follow the procedures set forth in Supreme Court Order No. 20-8500-13.

C. Filing by self-represented litigants: WILL be allowed by email and fax.

Safety for in-person filing will be maintained by taking the following measures:

Scanners in lobby of clerk's office so public submitting in-person documents can file without person-to-person contact of said document.

The interior hallways and court lobby are marked with 6-foot floor decals to ensure proper distancing and traffic flow.

Hand sanitizer and tissue are placed at security screening counter, in the lobby on the clerk's counter, and in the Courtrooms. If available hand sanitizer stations will be installed in strategic locations throughout the hallways.

Everyone in the courthouse including the public, judges, court personnel, parties and attorneys, must wear masks or face coverings at all times. Masks will be provided to anyone entering the courthouse if they are without a mask. Anyone refusing to wear a mask will not be allowed entrance to the courthouse. Should a member of the public have a legitimate medical issue that prevents them from wearing a mask, court staff will provide them with a telephone number to contact the court to arrange for assistance.

The Court has posted the capacity of the lobby so that it is clear to staff and public what capacity is permitted. If it is determined there are more than the maximum occupancy in the lobby the person who last entered will be asked to wait in their vehicle or the hallway after which they will be contacted once the lobby is below maximum capacity.

To ensure proper social distancing in the resource room, chairs have been spaced 6 feet apart and extra have been removed.

Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe Practice. In addition, hand sanitizer is available for public use.

Staff are required to clean their work areas every day.

- D. Filing by attorneys in case types not currently available for e-filing WILL be allowed by email and fax.

Safety for in-person filing will be maintained by taking the following measures:

Scanners in lobby of clerk's office so public submitting in-person documents can file without person to person contact of said document.

The interior hallways and court lobby are marked with 6-foot floor decals to ensure proper distancing and traffic flow.

Hand sanitizer and tissue are placed at security screening counter, in the lobby on the clerk's counter, and in the Courtrooms. If available hand sanitizer stations will be installed in strategic locations throughout the hallways.

Everyone in the courthouse including the public, judges, court personnel, parties and attorneys, must wear masks or face coverings at all times. Masks will be provided to anyone entering the courthouse if they are without a mask. Anyone refusing to wear a mask will not be allowed entrance to the courthouse. Staff members will not go outside of the courthouse to assist those refusing to wear a mask.

The Court has posted the capacity of the lobby so that it is clear to staff and public what capacity is permitted. If it is determined there are more than the maximum occupancy in the lobby the person who last entered will be asked to wait in their vehicle or the hallway after which they will be contacted once the lobby is below maximum capacity.

To ensure proper social distancing in the resource room, chairs have been spaced 6 feet apart and extra chairs have been removed.

Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe Practice. In addition hand sanitizer is available for public use.

Staff are required to clean their work areas every day.

- E. Scheduling will be coordinated in the following ways in order to reduce the number of people entering or congregating in the courthouse at any one period of time:

Regardless of hearing type, no judicial officer will have large trailing dockets where large numbers of attorneys, litigants, and visitors are likely to gather. Instead, all hearings will provide adequate time in between settings to allow people involved in one case to exit the courthouse before the next hearing begins.

Notices of hearing for in-person proceedings will include a statement for the recipient to expect COVID-19 screening when entering the courthouse. If contacted, the judge's staff can then make arrangements for any person answering yes to the above questions the ability to appear by Google Meets, video or phone.

The court will ensure adequate social distancing of at least six feet by removing benches placed in the lobby and hallway and replacing them with individual chairs separated six feet apart. In the courtrooms the chairs and pews have been marked with six-foot decals. Once the capacity of the area or building has been

reached, parties will then be directed to wait in their vehicles until their case is called. When their case is called, the Judge will call from the bench for the parties to come inside the building. One case will be heard at a time in the courtroom. The Judges and Commissioner at the Farmington District court will work together on their schedules and ensure only one jury trial is scheduled and conducted at a time in the courthouse.

To reduce to amount of traffic within the building at one time, the Judge's will stagger the start times of their in-person hearings. Division 1 and Division 9 will schedule hearings at half hour start times whenever possible and Division 3 will schedule their in-person hearings on the hour whenever possible.

Self-Represented Litigants' Clinics are being conducted telephonically each month.

#### Problem-Solving Court Dockets

Participants and parents will appear in person while maintaining the 15 person occupancy. No more than 6 juveniles will be scheduled to appear on alternating weeks on Wednesday at 4:00pm.

The following individuals will be allowed in the courtroom:

- Judge
- Court Monitor
- Juvenile Drug Court PO
- 6 Juveniles including one parent

Individuals appearing by video/phone:

- Treatment Provider
- Caseworker
- Public Defender
- District Attorney

- Juvenile Probation

## II. Safety: Keeping the public, employees and judges safe

### A. Work schedules to reduce the number of employees working at the courthouse at any given time

Teleworking will continue to the greatest extent possible and will continue to be the default.

We have created a guide-chart type “conversation” form to when an employee or household member, or both, tests positive. This form outlines what steps we as leaders would take to facilitate when to and when not to allow an employee to return to work.

If we learn that an employee has COVID-19 or that there has been workplace exposure, either through an employee or visitor to the court, the CEO, in coordination with the Chief Judge, will make a determination to activate a contingency plan. First and foremost, the Court will follow Supreme Court Order No. 20-8500-023. In addition, the Court’s internal protocol includes quarantining the affected employee until he/she has been symptom free without the use of fever-reducing medications for 72 hours (employee will be offered telework), closing the building for the remainder of the day and conducting a deep cleaning, assessing the level of workplace exposure, contact tracing and notifying anyone who might have been in close contact with the affected employee (or visitor), arranging for telework for 14 days for any employee who may have been in close contact with the employee, and notifying anyone else who may be affected (building owner, other programs housed in the same building).

- ☒ These positions are more suitable for teleworking and will continue teleworking full time:  
Clerks' office will continue to maintain 50% reduced staff work schedule but will be flexible to the needs of the public and normal court duties.
  
- ☒ These positions will have flexible work schedules or work in shifts:  
Judicial Staff will continue to work split work schedule and only deviate when needed due to work load.
  
- ☒ Juvenile Programs  
Social Distancing will be followed in Court Programs office and safety precautions will be taken by:
  - Prior to being allowed back to one of the offices, court staff will ask screening questions and allow entry if safe to do so. (Screening Questions, attachment A)
  - One client will be allowed in the waiting room at a time. A parent may be included if needed. Any other clients will wait in the hallway until space is available in the waiting room.
  - 50% of Staff will be working in the office at a time:
    - Plexiglass will be installed at the reception desk to protect staff.
    - Probation officers will work alternate days, but if necessary for them to be in the office, they will be working in their individual offices.
    - Teleworking schedules will be encouraged and flexible.
    - Employees will wear face masks at all time.
    - Court Staff encouraged to be in their offices at all times. If offices are shared, it is preferable that only one employee be in that office at a time.

If needed, and both employees are in the office, 6' distance will be followed

- A Cleaning Schedule of the waiting room and front counter has been implemented and staff initial when completed.
- Hand sanitizer will be provided at the front Administrative area/waiting area as well as at all employee desks.
- Clients will wear face masks in the office (face masks will be provided if needed –received a donation from AOC.)
- In person contacts with clients will be limited and only occur in extenuating circumstances
- Drug Testing:
  - Will be done by the Contract provider. Any UA's in the office have to be approved by management.
  - Court Staff will wear full PPE while doing UA's and bracelet downloads
- Court Appearance –
  - Juvenile Criminal Dockets – Probation officers will appear by Google Meets video or phone
  - Detention Hearings – Probation officers will appear in person if courtroom occupancy will allow.

B. Screening at building entry - public, employees, judges

- Each person's temperature will be checked in accordance with the following plan:

Members of the public, judges, and court staff are required to be screened daily prior to entering court buildings. Screening should include two components: (1) temperature and (2) screening questions. The screening questions have been revised and are

attached. The court will provide copies of the questionnaire to pass out to members of the public as they wait to enter the courthouse. No one who has a temperature equal to or greater than 100.4 degrees Fahrenheit, or who answers yes to any of the screening questions should be permitted entrance into the building. Court staff assigned to screening will be masked and will use an infrared thermometer to take the temperatures of individuals entering the courthouse. Since the screener will only have a momentary incursion of the six-foot rule to take the temperatures, full personal protective equipment is not required.

An individual who fails the screening will be sent back out the front door, maintaining 6 foot social distancing the screener and from the next person in line, who waits outside the door. The screener will immediately wipe down all surfaces in the screening area with disinfectant before the next person is allowed into the screening area

Detention Center inmates being transported from the jail to the courthouse by corrections personnel must be checked before transport. If an inmate answers yes to the screening questions or has a temperature of 100.4 or higher they will not be transported into the courthouse.

C. Vulnerable populations<sup>1</sup>

The Court will work with this population at the courthouse by taking the following measures:

Signs at entrance

Information on the Court's web page

Appearances by video or phone for hearings

---

<sup>1</sup> Defined as those age 65 and older; individuals with serious underlying conditions such as high blood pressure, chronic lung disease, diabetes, obesity, asthma and those with compromised immune systems resulting from cancer treatment or other autoimmune disorders.

The Eleventh Judicial District follows the procedures for juror excusals set forth in NMSA 1978, Section 38-5-2.

A litigant, witness or counsel who self-identifies as a member of vulnerable populations, or as someone experiencing COVID-19 related anxiety that would interfere with their appearance, and who request accommodation will be allowed to appear via video either from a location within the courthouse or remotely when such accommodation is possible.

The Court will do the following to reduce the appearance of vulnerable populations in person at the courthouse:

Signs at entrance

Information on the Court's web page

Appearances by video or phone for hearings

The Eleventh Judicial District follows the procedures for juror excusals set forth in NMSA 1978, Section 38-5-2.

A litigant, witness or counsel who self-identifies as a member of vulnerable populations, or as someone experiencing COVID-19 related anxiety that would interfere with their appearance, and who request accommodation, will be allowed to appear via video either from a location within the courthouse or remotely when such accommodation is possible.

D. Social Distancing<sup>2</sup> will be maintained:

- At the security station by:
  - Signs on the floor indicating 6' distance.
  - Signs informing public of social distancing
  
- In the public entry by:

---

<sup>2</sup> Defined as a minimum distance of six (6) feet between people

Signs on the floor indicating 6' distance.  
Signs informing public of social distancing  
In the court lobby, the 5 foot wooden benches have been removed  
and replaced with individual chairs spaced six feet apart

- ☒ At the clerk's counter by:  
Signs on the floor indicating 6' distance.  
Signs informing public of social distancing.
- ☒ In the Problem-Solving Courts' office by:  
Signs on the floor indicating 6' distance.  
Signs informing public of social distancing.
- ☒ At the public restrooms by:  
Signs on walls reminding public of social distancing. To ensure  
appropriate distancing, the court will encourage the public to  
limit restroom use to one individual at a time. To that effect, signs  
will be added to the public restroom doors.
- ☒ In the secure hallway by:  
Signs informing staff of social distancing.  
Wearing masks at all times.
- ☒ In the judicial processing area by:  
Tape or signs on the floor indicating 6' distance.  
Signs on walls informing employees of social distancing.  
Wearing masks at all times.
- ☒ In the employee break room by:  
Tape or signs on the floor indicating 6' distance.  
Signs on walls informing employees of social distancing.  
Wearing masks unless eating or drinking.

E. Plexiglass:

Courtrooms 1 and 2 at Farmington District Court are sufficiently large enough to operate and maintain proper social distancing without plexiglass barriers. There is a minimum of six (6) feet between the Judge and courtroom staff, the Judge and witness, the witness and counsel, and between each seated juror. Nonetheless, as soon as materials are available, the Court will utilize plexiglass as an additional precaution.

F. Face coverings

- Are required to be worn by any person entering the courthouse.<sup>3</sup>

The Court will ensure compliance by taking the following measures:

**Judicial Officers:** Every Judicial Officer must wear masks or face coverings at all times. Masks must be worn even when individuals are not interacting with each other. The only time someone need not wear a mask is when that person is working alone in a separate individual office. Even then, the individual must put their mask on when people enter the office. The court has available masks to anyone entering the courthouse if they do not have one. Should there be anyone who refuses to wear a mask they will be denied entry. The only exceptions to the mask requirement are set forth in Supreme Court Order No. 20-8500-17, Requiring Use of Face Masks in New Mexico Courts during COVID-19 Public Health Emergency.

**Employees:** Every employee must wear masks or face coverings at all times. Masks must be worn even when individuals are not interacting with each other. The only time someone need not wear a mask is when that person is working alone in a separate individual office. Even then, the individual must put their mask

---

<sup>3</sup> With limited exceptions according to the New Mexico Judiciary Policy effective May 15, 2020.

on when people enter the office. The court has available masks to anyone entering the courthouse if they do not have one. Should there be anyone who refuses to wear a mask they will be denied entry. The only exceptions to the mask requirement are set forth in Supreme Court Order No. 20-8500-17, Requiring Use of Face Masks in New Mexico Courts during COVID-19 Public Health Emergency.

**Public:** Everyone entering the courthouse must wear a mask or face covering at all times. The court has available masks to anyone entering the courthouse if they do not have one. Should there be anyone who refuses to wear a mask they will be denied entry and will not be unable to conduct business with the court. Additionally, the following protocol has been established for the service of DV TROs:

Service of DV TROs:

Litigants wearing a mask will meet the assigned DV clerk at the security desk where they will maintain proper social distancing. The DV clerk wears a mask and gloves when doing DV service. They hand the documents to the Sheriff's Deputy to serve the party. The Deputy serves the party while the DV clerk maintains a safe distance from the party while they are served. After service is effected, the Deputy hands the Return of Service back to the DV clerk. The Return of Service is not touched by anyone but the DV clerk and the Sheriff's Deputy.

Litigants not wearing, or refusing to wear, a mask will not be allowed to enter the building. In this case, the above protocol would still be followed. The only exception would be the Sheriff's Deputy would serve the party as they waited outside and not at the security desk.

**Jurors:** Everyone entering the courthouse must wear a mask or face covering at all times. The court has available masks to

anyone entering the courthouse if they do not have one. Once selected, jurors will be provided a bag that includes, a mask, water, hand sanitizer, a new pen, and pad of paper.

Witnesses: Everyone entering the courthouse must wear a mask or face covering at all times. The court has available masks to anyone entering the courthouse if they do not have one. Should there be anyone who refuses to wear a mask they will be denied entry and will not be unable to conduct business with the court.

Attorneys: Everyone entering the courthouse must wear a mask or face covering at all times. The court has available masks to anyone entering the courthouse if they do not have one. Should there be anyone who refuses to wear a mask they will be denied entry and will not be unable to conduct business with the court.

G. Hygiene

Hand sanitizer will be located at: Hand sanitizer will be readily available at the security desk, both Clerk's windows, counsel tables, Judge's bench, monitor's station, jury boxes, jury room, break room and kitchen.

Tissues and waste bins will be located at: Tissues and wastebins will be readily available at the security desk, both Clerk's windows, counsel tables, Judge's bench, monitor's station, jury boxes, jury room, break room and kitchen.

Signs are posted that indicate:  
Wash your hands regularly  
Practice social distancing  
Masks are required in the building  
COVID symptoms questionnaire

The Court will maintain an adequate supply of hygiene products by:

To ensure our courts are kept safe, the Finance Department maintains an inventory of the COVID supplies available onsite. This inventory is updated on a bi-weekly basis with each department providing input on their needs.

## H. Cleaning

### Courtrooms:

A bottle of hospital grade disinfectant, rags and gloves will be available in each courtroom. Court monitors will be responsible for cleaning party tables, microphones, pews, chairs and door handles after each hearing. If there are any witnesses, the witness stand will be cleaned after each testimony. If the monitor is unable to clean, the bailiff or Judge will ensure the cleaning is completed.

### High traffic areas:

- Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe Practice.
- The Clerk's office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible.

### Frequently used items:

- Frequently used items, such as pens available for public use, will be wiped down after each use or at a minimum of every 2 hours, which is a minimum COVID-Safe Practice.
- The Clerk's office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible.

High touch surfaces:

- High touch surfaces, such as lobby counters, public computers, door handles, pens and scanner will be sanitized after each use. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe Practice.
- The Clerk's office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible.
- The Court is in conversations with the County for housekeeping staff to increase their cleaning protocols.

I. Contact Tracing

Pursuant to New Mexico Supreme court order No. 20-8500-023, the Eleventh will maintain a daily log of all persons, including judicial officers, and judicial employees, entering the courtroom. The log will included the name, telephone number and date of entry for each person. Logs will be maintained a minimal of 4 weeks.

III. Docket Management and Scheduling

- A. The backlog of hearings and proceedings that have been delayed will be addressed by:

Continue to schedule hearings and durations as they are requested and the division calendar allows. No Judge or Hearing Officer will schedule in-person trailing dockets. Hearings will be scheduled with individual calendar times in order to control the attendance at hearings.

- B. Cases that have been delayed will be prioritized in this manner:

Time limited cases will be set and heard in an expeditious manner

Cases set for trial will be prioritized by incarceration of the defendant, age of the case, cases where the Victims' Rights Act

is invoked, and other particularized prejudice to either the defendant or the State.

C. It is expected there will be an influx of new cases of the following types:

- Domestic/Family
- Domestic abuse
- Debt and money due
- Criminal
- Landlord/Tenant

This influx will be managed by:

Efficient calendaring and constant reevaluation as needs require.

Resources needed to manage this influx are:

The Eleventh Judicial District and Magistrate Courts in San Juan County are currently share two bailiffs among eleven Judges, one Commissioner at four locations. This is a delicate balancing act in normal circumstances, but with the increased pressures created by COVID screenings and traffic control to ensure social distancing, as well as courtroom monitoring, it is a near impossibility. We require an additional bailiffs to manage the increased demands. The court is currently advertising for a bailiff and intends to increase contract bailiff hours as budget allows.

Because face masks muffle a person's voice, the court anticipates needing additional hearing devices for the public and jury to use during voir dire and jury trials.

#### IV. Jury Trials<sup>4</sup>

- Face coverings are required in the courtroom at all times, including by a judge when speaking.

---

<sup>4</sup> Refers to petit jury trials. Grand juries are not typically utilized in the 11<sup>th</sup> Judicial District

- ☒ The occupancy limit in courtroom 1 is 25 persons for hearings or 28 persons for jury selection in order to maintain a minimum of six (6) feet between every person in all directions.
  - ☒ The occupancy limit in courtroom 2 is 25 persons in order to maintain a minimum of six (6) feet between every person in all directions.
  - ☒ The occupancy limit in the Hearing Room is 7 persons in order to maintain a minimum of six (6) feet between every person in all directions.
  - ☒ The occupancy limit for each courtroom is posted in and outside the courtroom.
  - ☒ Should physical structure of the courtroom preclude maintaining a distance of six (6) feet, plexiglass dividers will be erected at a level sufficiently tall and wide to act as a barrier between coughs, sneezes, loud talking, and other potential actions that could spread the virus. Plexiglass will be utilized as an additional precaution and is not a substitute for the required wearing of masks.
  - ☒ Usage of Interpreters.  
The Eleventh Judicial District remains committed to exploring alternate technologies to allow remote appearances by interpreters. When needed for hearings and trials, the placement of interpreters in courtrooms will follow COVID-Safe Practices. If possible, the Court will arrange for interpreters to appear remotely.
- A. Reduction of crowd measures
- ☒ Jury panels have been reduced to 20 people- allow for COVID- Safe Practices. Twenty people at one time will be in the courtroom for voir dire proceedings. Jurors will be split up into groups of 20 and times to appear at the courthouse will be staggered.

- ☒ The court has made arrangements to utilize the largest courtroom available in the county which is:
  - Courtroom #1 at the Aztec District Court.
  - Courtroom #1 at the Farmington District Court for Juvenile trials.
- ☒ There will be a maximum of 20 jurors allowed in the courthouse at one time.
- ☒ Jury trials are being scheduled to begin in the morning
- ☒ Each juror will be provided with their own set of jury instructions
- ☒ Jury selection is being scheduled in increments.
- ☒ Exhibit viewing can be done on the large screen in the courtroom. In addition, each juror will be provided individual exhibit notebooks.

B. Trial efficiency

District judges will continue to schedule pretrial conferences to ensure cases are proceeding in a timely manner. Judges will also enter case management orders to ensure that jury trials operate as efficiently as possible, to reduce the number of jurors at the courthouse at any given time, and to reduce the amount of time jurors are in the courthouse. Case management orders will include, but not be limited to, the following case requirements:

1. Plea Meets – a mandatory plea conference will be held at least one month before the jury trial setting, with required attendance of the prosecutor, defense counsel, and the defendant. Counsel shall be responsible for scheduling the Plea Meets using Google Meets (or another agreed upon platform). A Certificate of Compliance affirming that the conference was held shall be signed by both attorneys and

filed. Counsel shall indicate on the Certificate if the case is proceeding to jury trial or if a Change of Plea hearing is requested.

2. Plea Deadlines – Pursuant to Supreme Court Order No. 20-8500-022, a plea agreement or Settlement agreement must be submitted no later than (5)business days before the scheduled jury selection or bench trial. An untimely submitted plea agreements or settlement agreements will not be granted without a written finding by the judge of extraordinary circumstances that excuse the untimely submission.

3. Jury Instructions – Proposed jury instructions shall be submitted prior to trial and a hearing will be scheduled to resolve as many jury instruction issues as is possible before the day of trial.

4. Witness and Exhibit Lists – Final witness and exhibit lists shall be submitted prior to the trial and a hearing will be set to identify stipulations and address issues.

5. Motions in Limine – Motions in Limine shall be addressed prior to the day of trial, unless the court makes a finding of good cause for the delay. It is the duty of counsel to request a hearing on Motions in Limine.

6. Bench Conference:

- Speaking objections is prohibited per local rule.
- Court will make evidentiary determinations prior to trial or parties will stipulate to evidence.
- All Motions in Limine shall be filed and reviewed prior to trial.

If a bench conference is necessary, the Judge and attorneys will meet in the Judge’s chambers or an adjacent conference room or courtroom, maintaining six feet of social distance. The court monitor will be present and use FTR to ensure a record is made.

7. Confidential Communications – Notepads, texting, and emailing will be allowed for confidential communications between attorneys and clients. The attorney will also be permitted to ask for a short to recess to conference with their client outside the courtroom.

8. Mock Trials – To ensure that safety, social distancing, and constitutional protection issues are identified and addressed in advance of our resumption of jury trials, a mock trial was held on Friday, June 19, 2020.

C. Juror Utilization

The Court will actively engage in public outreach to promote jury service. The Court will appear on local radio stations and submit public service announcements recognizing jurors as the heroes of the criminal justice system and thanking the community for fulfilling this civic duty. All of the precautions the Court is making to ensure their safety in our courthouses will be included on our website, posted in the courthouse and imported into the Code-O-Phone.

In addition to the procedures for juror excusals set forth in NMSA 1978, Section 38-5-2, the jury clerk has been given the authority to postpone jury service of a potential juror who self-identifies as falling into a vulnerable population.

D. Minimizing Risk of Contagion

Jurors will be screened by:

having their temperatures taken

being asked the following questions:

IN THE LAST TWO WEEKS:

Have you been asked to self-quarantine because of COVID-19 and are you still within the quarantine period?

Have you or household member tested positive for COVID?

Have you been in contact with someone testing positive for Covid-19

Have you had a fever above 100.4 degrees, chills, sore throat, body aches or headaches

Have you developed new shortness of breath, difficulty breathing, or dry cough?

Have you recently developed a loss of taste or smell?

- If the juror answers yes to any of the screening questions mentioned on the code-o-phone, they are not required to appear for jury duty but instead will need to call the jury clerk and let her know they will not be attending.
- A mask will be provided to any juror who does not have one.
- Hand sanitizer, tissue and trash bins are readily available to jurors.
- Check-in is conducted (*describe the plan for each option*)
  - by phone
  - outside the courthouse building
  - remotely
  - while in vehicles
  - designated space with a maximum of 20 people with 6 feet social distancing
- Jurors wait
  - in their cars
  - parking area
  - designated space
- To reconvene the jurors, the court uses:
  - text messaging
  - phone

- intercom
- paging system
- Verbally advising when to return
- Code-o-phone- need language

- The designated space for jurors in this courthouse is:
  - Court lobby
  - Juvenile Services Multipurpose Room
  - Juvenile Services Conference Room

Social distancing in this space will be accomplished by:  
Placing individual chairs 6 feet apart to comply with social distancing.

- Cleaning restrooms and other spaces used for jury selection is accomplished as follows: The Court is in conversations with the county regarding posting and maintaining logs in the restrooms to track when they have been cleaned and sanitized. This includes restrooms used by jurors during deliberation.
- Jury deliberations will not take place in the jury room, but in: The courtroom will be vacated of everyone but the jurors and deliberation will take place in the empty courtroom maintaining the six feet distance. All cameras and microphones will be turned off and windows on doors will be covered to ensure the confidentiality of the deliberation process.

E. Communication with jurors to reduce concerns about jury service

- Court's website has been updated
- Press releases scheduled for: The Court will work with AOC to schedule press releases.
- Scripted responses
- Posted cleaning processes and schedules
- Messages recorded on code-o-phone

V. Resources *Does your district have the resources it needs to implement its proposed plan?*

Due to the scarcity of material and lengthy shipping timelines, the Eleventh needs the AOC's and the Supreme Court's continued support and assistance to obtain proper personal protection equipment and plexiglass.

VI. Other topics – None.

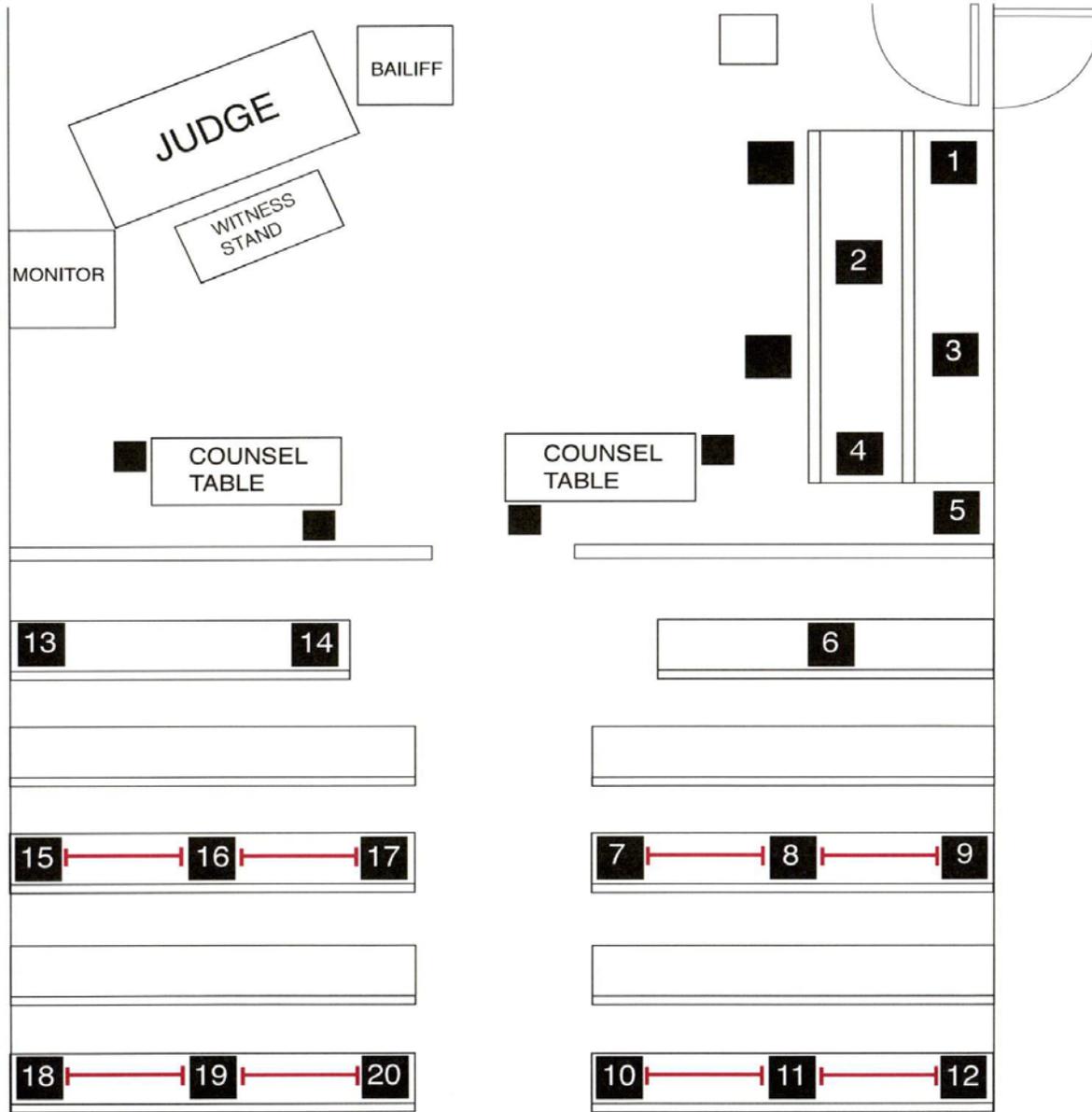
# Addendum

- A. Courtroom 1 Layout
- B. Courtroom 2 Layout
- C. Hearing Room Layout
- D. Screening Questions
- E. Contact tracing Sign-in Sheet
- F. Photos

# COURTROOM 1

■ People present

┆ Spacing

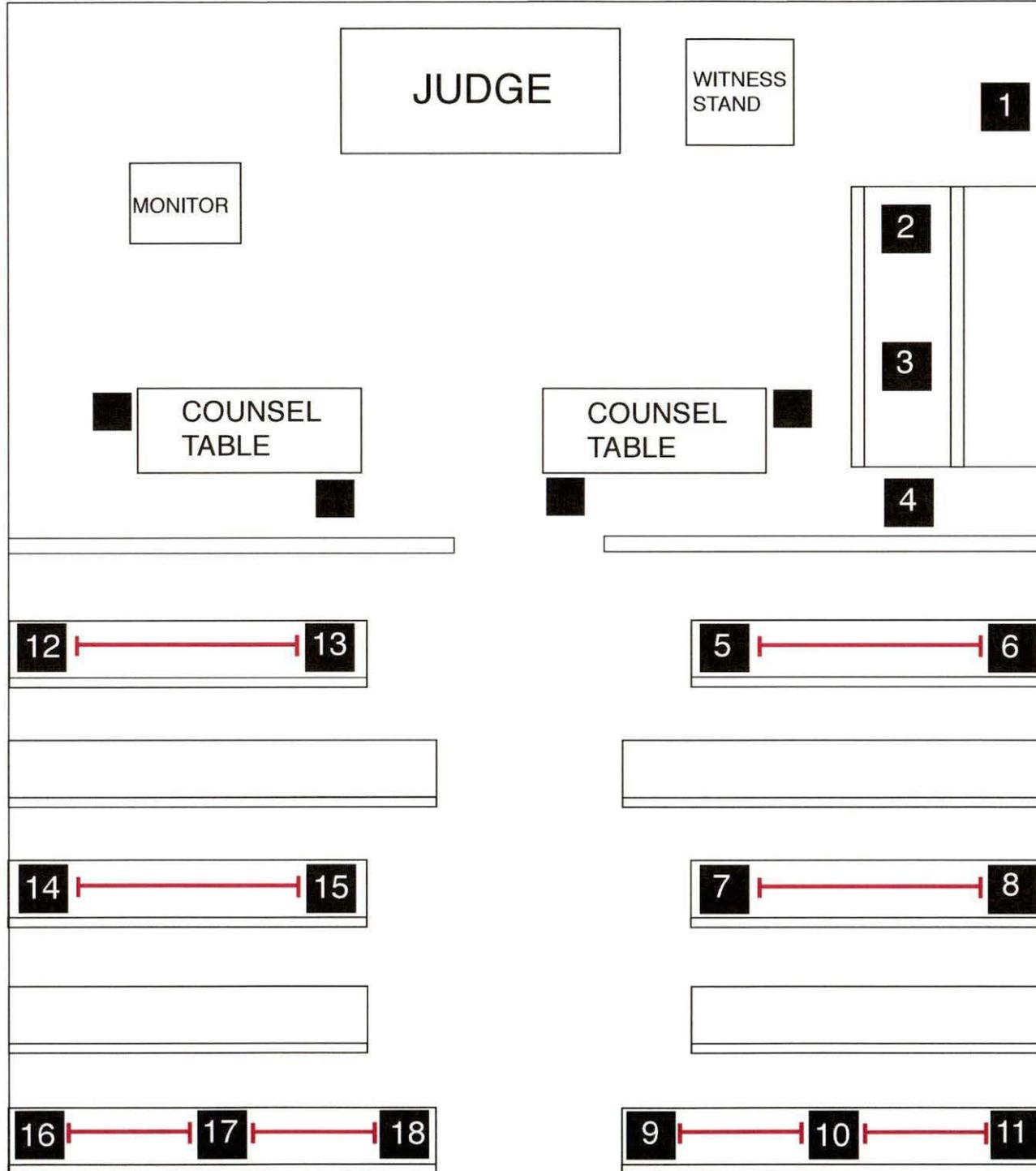


A

# COURTROOM 2

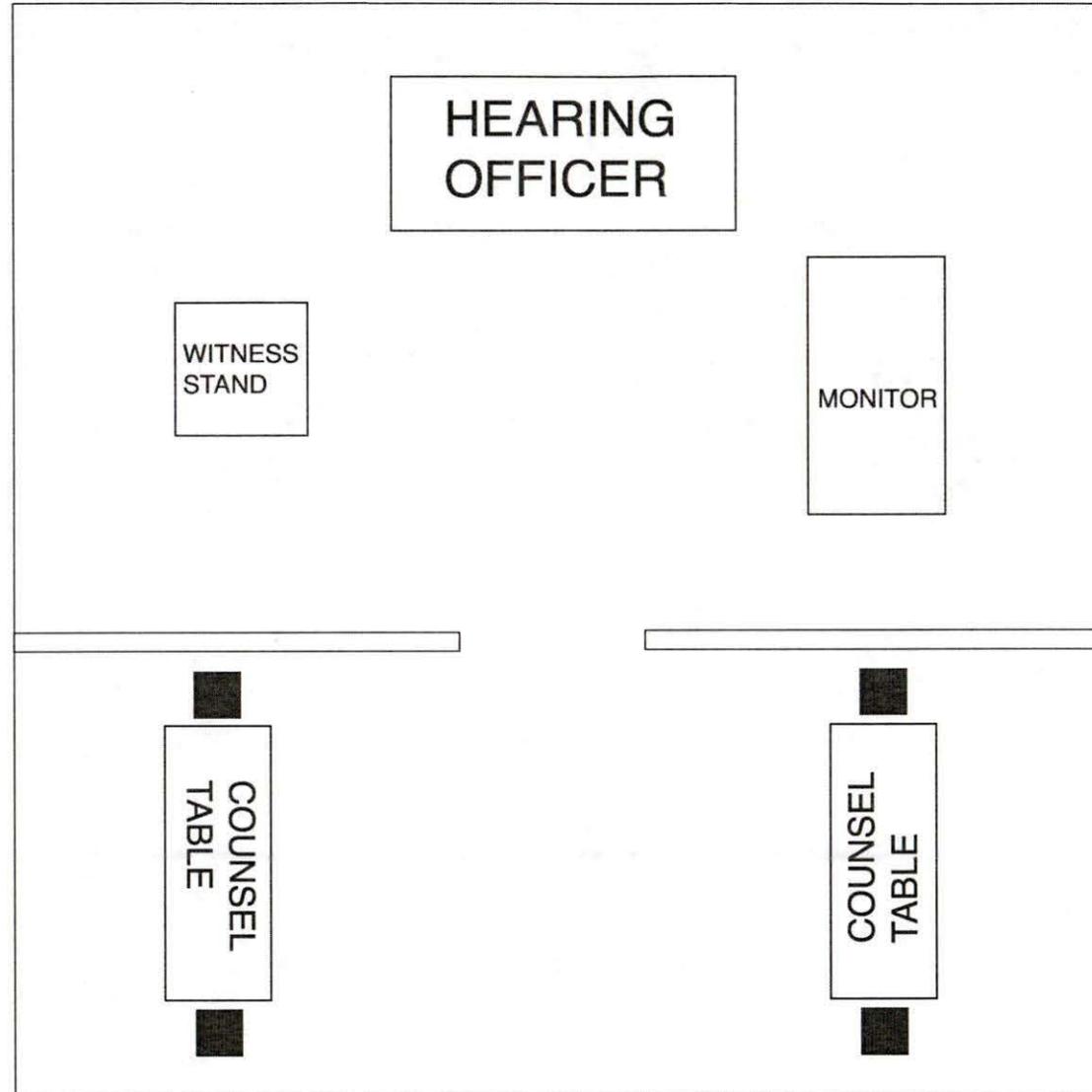
■ People present

— Spacing



# HEARING ROOM

■ People present



Screening Questions				
Have you been asked to self-quarantine because of COVID-19 <u>and</u> are you still within the quarantine period?	If No, <b>Next</b> Question	If Yes > DO NOT ENTER		
Within the past 14 days, have you been diagnosed with COVID-19 by a doctor?	If No, Next Question	If Yes > Have you received a clearance letter from the Department of Health?	If No > DO NOT ENTER	If Yes, Next Question
Within the past 14 days, have you had a positive test results for COVID-19 from a testing center or by the Department of Health?	<b>If No,</b> Next Question	If Yes > Have you received a clearance letter from the Department of Health?	If No > DO NOT ENTER	If Yes, Next Question
In the past 14 days, have you been in contact with anyone who you know has COVID-19?	If No, Next Question	If Yes > DO NOT ENTER		
Within the past 14 days, have you had a fever above 100.4 degrees, chills, sore throat, body aches, or headaches?	If No, Next Question	If Yes > DO NOT ENTER		
Within the past 14 days, have you developed new shortness of breath, difficulty breathing, or dry cough?	If No, Next Question	If Yes > DO NOT ENTER		
Have you recently developed a loss of taste or smell?	If No, CAN ENTER BUILDING	If Yes DO NOT ENTER		

If you are unable to enter the building and need to appear telephonically, please notify the clerk's office and then please call the appropriate Judge at the designated time of your court hearing.

Judge Dalley  
1-800-747-5150

Judge Weaver  
1-800-747-5150

Commissioner Finch  
1-800-747-5150

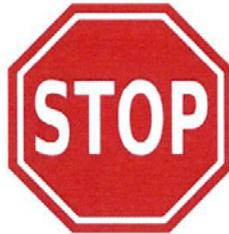
Access Code 5931553

Access Code 9901328

Access Code 9359211



# Help Keep Courts Safe



## DO NOT VISIT IF:

YOU HAVE BEEN ASKED TO SELF-QUARANTINE BECAUSE OF COVID-19 AND YOU ARE STILL WITHIN THE QUARANTINE PERIOD

-----

YOU HAVE HAD POSITIVE TEST RESULTS FOR COVID-19 AND/OR HAVE BEEN DIAGNOSED WITH COVID-19 BY A DOCTOR WITHIN THE PAST 14 DAYS

-----

YOU HAVE HAD CONTACT WITH SOMEONE YOU KNOW WHO HAS COVID-19 WITHIN THE PAST 14 DAYS

-----

YOU HAVE HAD FEVER ABOVE 100.4 DEGREES, CHILLS, SORE THROAT, BODY ACHES, HEADACHES, SHORTNESS OF BREATH, DIFFICULTY BREATHING, DRY COUGH OR LOSS OF TASTE AND SMELL WITHIN THE PAST 14 DAYS

If you are unable to enter the building and need to appear telephonically, please notify the Clerk's Office at

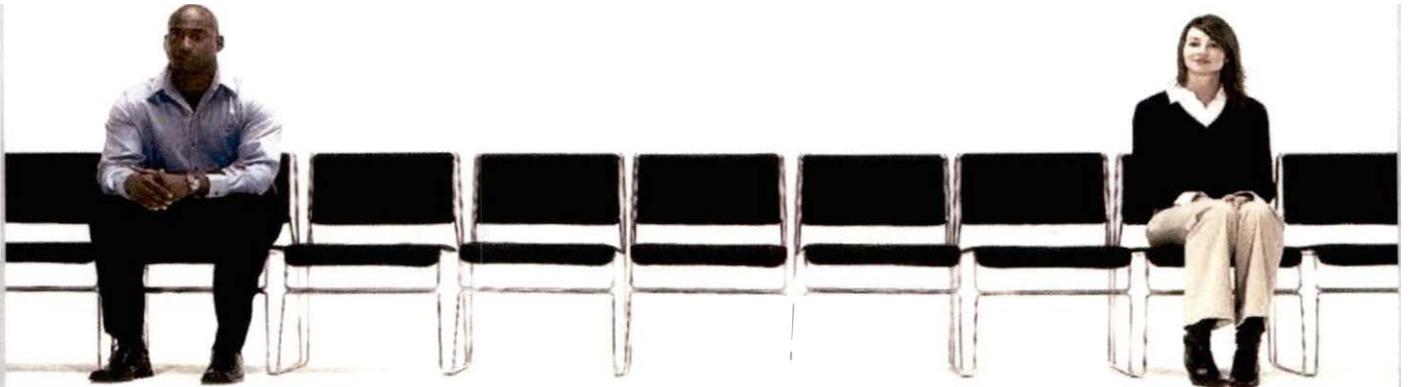
**505-326-2256**

**NOTICE**

**FACE MASK  
REQUIRED**

# Social Distancing

Please keep distance of 6 feet  
between you and others.





NO SMOKING  
IN THIS  
BUILDING

NO SMOKING  
IN THIS  
BUILDING

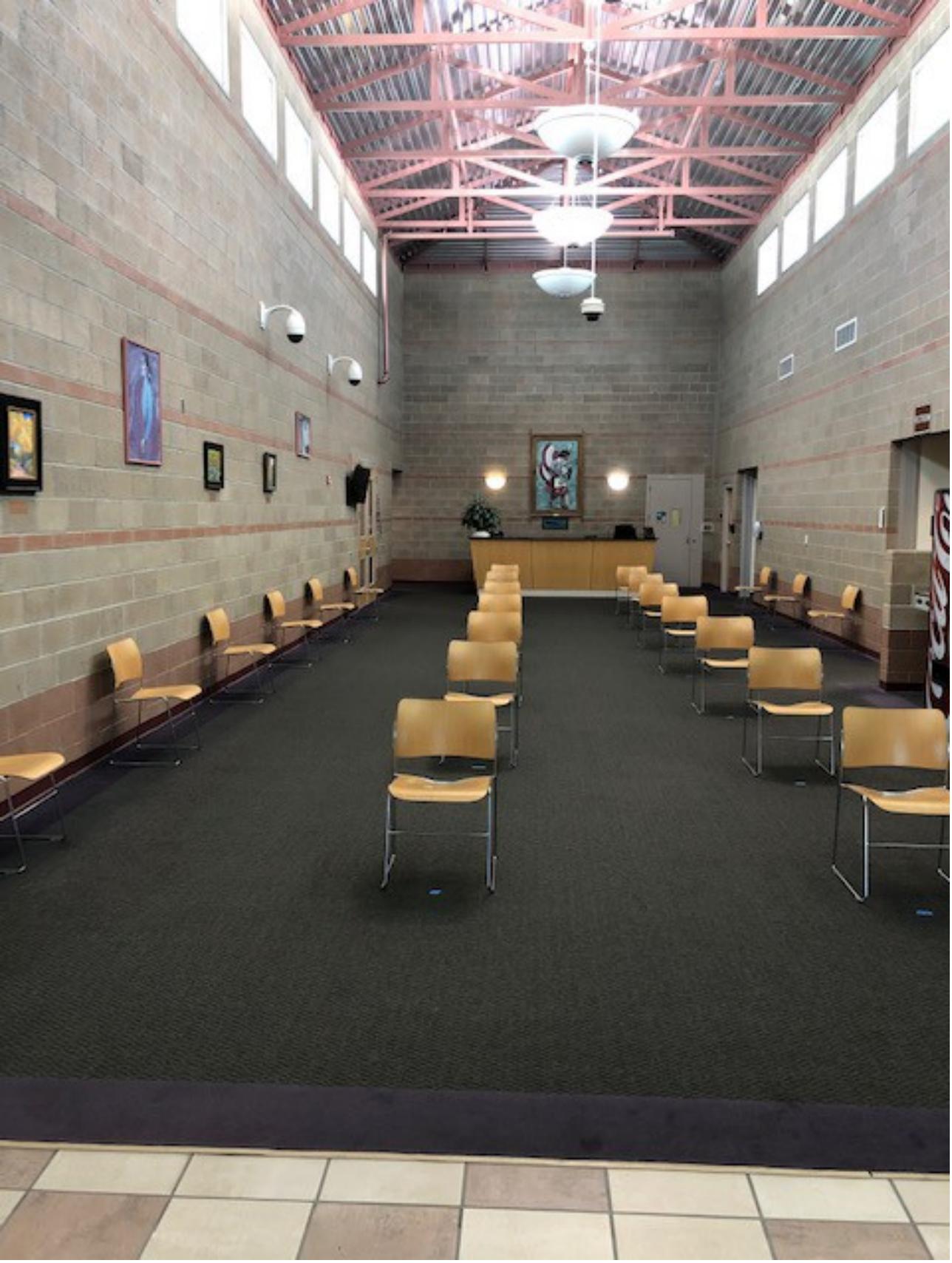
NO SMOKING  
IN THIS  
BUILDING





GARRETT  
METAL DETECTOR

No  
exit





EXIT





E-BOOK  
NUMBER

E-BOOK  
NUMBER

# SELF HELP INFORMATION CENTER

www.courts.ny.gov

FREE Legal Services

Legal Resources for Women's Programs

HOPE HEALS

ADULT PROBATION DEPARTMENT

COMMUNITY CORRECTIONS DIVISION

AVAILABLE SPECIAL SERVICES

State Bar General National Program (SBGN)

ALL INFORMATION IS SUBJECT TO THE PRIVACY POLICY OF THE STATE OF NEW YORK

Informational brochures and pamphlets in a rack.

Computer workstation with multiple monitors. The left monitor displays an orange screen with text. The middle monitor displays a website with a scale of justice. The right monitor displays a document. A keyboard and mouse are also present.

0





## PLAN FOR RESUMPTION OF FULL OPERATIONS

Approved: July 8, 2020

Eleventh Judicial District

County: San Juan

Court type: District Court

City: Aztec

Date of submission: June 18, 2020; July 2, 2020

PLEASE NOTE: THE ELEVENTH JUDICIAL DISTRICT WILL ALWAYS FOLLOW THE MOST CURRENT SUPREME COURT ORDER AS IT IMPACTS THE OPERATIONS OF THE COURT. WE WILL AMEND OUR PLANS AS NEW ORDERS ARE AMENDED OR INTRODUCED.

- I. Safety: Managing the number of people permitted in our courthouse
  - A.  By default, remote proceedings will continue in all cases where it is possible and practicable.
  
  - Remote participation by self-represented litigants will be accommodated by taking the following measures:  
In order of preference:
    1. Google Meets (video),
    2. Google Meets (telephone line)
    3. 1-800 conference line (each judge has an individual line)
  
  - Remote participation by the press and public will be accommodated by taking the following measures:  
In order of preference:
    1. Google Meets (video),
    2. Google Meets (telephone line)
    3. 1-800 conference line (each judge has an individual line)

4. The public and press will be permitted in courtrooms provided there is proper social distancing space available. As referenced above, the public and press will also be provided with the Google Meets URL or call-in number allowing them to attend hearings remotely when adequate space is unavailable, or when they prefer to take advantage of this option. Victims will be given priority in courtroom seating and will also be given the options of attending in a viewing room, if available, or attending the hearings remotely from another location in the courthouse, if they prefer.

B. Criteria for in-person hearing

In-person proceedings will be held under the following circumstances:

The Eleventh Judicial District follows the procedures set forth in Supreme Court Order No. 20-8500-13.

Problem-Solving Courts (Drug Court and Treatment Court)

Problem Solving Court dockets will continue by Google Meets (video or phone). Should an issue arise with a participant that needs to be addressed in person, the Court will follow the procedures set forth in Supreme Court Order No. 20-8500-13.

C. Filing by self-represented litigants WILL be allowed by email and fax.

Safety for in-person filing will be maintained by taking the following measures:

Scanners in lobby of clerk's office so public submitting in-person documents can file without person-to-person contact of said document.

Areas outside the courthouse and interior public hallways are marked, pursuant to current CDC guidelines, to ensure proper distancing and traffic flow.

Hand sanitizer and tissue are placed at Security screening counter, in the lobby of the Clerk and Problem-Solving Courts Offices and in the Courtrooms.

Masks are required while in the courthouse and will be provided to anyone entering the courthouse if they are without a mask. Anyone refusing to wear a mask will not be allowed entrance to the courthouse. Staff members will not go outside of the courthouse to assist those refusing to wear a mask.

A person entering the Security screening area will place all personal items in plastic disposable bags. Deputies wear gloves while handling the bag to send through the x-ray machine and then placing the bags on table for the public to retrieve. The deputies are not using the plastic trays when the public is entering through Security.

Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe Practice. In addition hand sanitizer is available for public use.

Staff are required to clean their work areas every day.

The Court has ensured adequate social distancing of at least six feet by removing chairs and separating the remaining chairs by at least six feet. Entrances and clerks' offices have been marked with six-foot floor decals. In courtrooms with pews, the pews

have been marked with six-foot decals. Public seating in the common areas have been adjusted to ensure seating is six feet apart.

Maximum of 4 people allowed in Clerk's Lobby and 2 people in Problem-Solving Courts' Lobby. Maximum occupancy signs are posted at the entrance and in each lobby which also includes social distancing marks on the floor. If the staff member determines there are more than the maximum occupancy in the lobby the person who last entered will be ask to wait in their car or the hallway after which they will be contacted once the lobby is below maximum capacity.

- D. Filing by attorneys in case types not currently available for e-filing WILL be allowed by email and fax.

Safety for in-person filing will be maintained by taking the following measures:

Scanners in lobby of clerk's office so public submitting in-person documents can file without person to person contact of said document.

Areas outside the courthouse and interior public hallways are marked, pursuant to current CDC guidelines, to ensure proper distancing and traffic flow.

Hand sanitizer and tissue are placed at Security screening counter, in the lobby of the Clerk and Program Offices, and in the Courtrooms.

Masks are required while in the courthouse and will be provided to anyone entering the courthouse if they are without a mask. Anyone refusing to wear a mask will not be allowed entrance to

the courthouse. Staff members will not go outside of the courthouse to assist those refusing to wear a mask.

A person entering the Security screening area will place all personal items in plastic disposable bags. Deputies wear gloves while handling the bag to send through the x-ray machine and then placing the bags on table for the public to retrieve. The deputies are not using the plastic trays when the public is entering through Security

Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe practice.

Maximum of 4 people allowed in Clerk's Lobby and 2 people in Problem-Solving Courts' Lobby. Maximum occupancy signs are posted at the entrance and in each lobby which also includes social distancing marks on the floor. If the staff member determines there are more than the maximum occupancy in the lobby the person who last entered will be ask to wait in their car or the hallway after which they will be contacted once the lobby is below maximum capacity.

- E. Scheduling will be coordinated in the following ways in order to reduce the number of people entering or congregating in the courthouse at any one period of time:

Divisions 8, 6, and 4 in San Juan County District Court have created a shared scheduling calendar to ensure jury trials are scheduled in a manner that allows for proper COVID crowd management. The divisions are currently testing the efficacy of this calendar.

At any one time, the maximum number of people allowed in Courtroom #1 is twenty-five. The maximum number of people allowed in Courtrooms #2, #3 and #4 is fifteen. The maximum number of people allowed in the Multipurpose Room is 20.

One jury trial per day is maximum allowed and all will be held in Courtroom #1.

Regardless of hearing type, no judicial officer will have large trailing dockets where large numbers of attorneys, litigants, and visitors are likely to gather. Instead, all hearings will provide adequate time in between settings to allow people involved in one case to exit the courthouse before the next hearing begins.

Notices of hearing for in-person proceedings will include a statement for the recipient to expect COVID-19 screening when entering the courthouse. If contacted, the judge's staff can make arrangements for the recipient to appear by Google Meets, video or phone.

The Multipurpose Room and/or an empty courtroom are set aside to give the public and press an opportunity to watch courtroom proceedings in real time, these areas will follow all social distancing guidelines. There are also media rooms attached to each courtroom for the press to utilize. Only one person allowed in the media rooms at one time.

## II. Safety: Keeping the public, employees and judges safe

- A. Work schedules to reduce the number of employees working at the courthouse at any given time:

Teleworking will continue to the greatest extent possible and will continue to be the default.

We have created a guide-chart type “conversation” form to use when an employee or household member, or both, tests positive. This form outlines what steps we as leaders would take to facilitate when to and when not to allow an employee to return to work.

If we learn that an employee has COVID-19 or that there has been workplace exposure, either through an employee or visitor to the court, the CEO in coordination with the Chief Judge will make a determination to activate a contingency plan. First and foremost, the Court will follow Supreme Court Order No. 20-8500-023. In addition, the Court’s internal protocol includes quarantining the affected employee until he/she has been symptom free without the use of fever-reducing medications for 72 hours (employee will be offered telework), closing the building for the remainder of the day and conducting a deep cleaning, assessing the level of workplace exposure, contact tracing and notifying anyone who might have been in close contact with the affected employee (or visitor), arranging for telework for 14 days for any employee who may have been in close contact with the employee, and notifying anyone else who may be affected (building owner, other programs housed in the same building).

- B. Screening at building entry - public, employees, judges
  - Each person’s temperature will be checked and screening questions ask in accordance with the following plan:

The court staff assigned to screen employees by taking temperatures and asking the screening questions will be masked.

Since the screener will only have a momentary incursion of the six-foot rule, to take the employee's temperature, full personal protective equipment is not required.

One entrance is being utilized by employees at this time. This is for consistency on where to report before entering the building requiring only one staff member to take temperatures and ask the screening questions.

Aztec District Court has one entrance for the public. Individuals coming in for hearings or trials are required to go through a security check-point. At this location, the public is screened utilizing a two-step procedure. First, temperatures are taken by court staff using an infrared thermometer. Second, no member of the public will be permitted to enter the courthouse if they answer yes to the following questions (copies will be available to the public to read before they enter the building):

Have you been ask to self-quarantine because of Covid-19 and are you still within the quarantine period?

Have you had a positive test result for Covid-19 and/or been diagnosed with Covid-19 by a doctor within the past 14 days?

Have you had contact with someone you know who has Covid-19 Within the past 14 days?

Have you had a fever above 100.4 degrees, chills, sore throat, body aches, headaches, shortness of breath,

difficulty breathing, dry cough or loss of taste and smell within the past 14 days?

Anyone (public, employees, judges) with a temperature of 100.4 degrees or over and/or answers yes to any screening question will be told they cannot enter the courthouse.

A phone number will be given to the public answering yes to the above questions or has a temperature of 100.4 or higher. That person will be able to call the courts number for information on how to proceed with their case.

An employee answering yes to the screening questions and/or has a temperature of 100.4 degrees or higher will be instructed to call their immediate supervisor for further instructions.

Detention Center inmates being transported from the jail to the courthouse by corrections personnel must be checked before transport. If an inmate answers yes to the screening questions or has a temperature of 100.4 or higher they will not be transported into the courthouse.

C. Vulnerable populations<sup>1</sup>

The Court will work with this population at the courthouse by taking the following measures:

Signs at entrance

Information on the Court's web page

Appearances by video or phone for hearings

The Eleventh Judicial District follows the procedures for juror excusals set forth in NMSA 1978, Section 38-5-2.

---

<sup>1</sup> Defined as those age 65 and older; individuals with serious underlying conditions such as high blood pressure, chronic lung disease, diabetes, obesity, asthma and those with compromised immune systems resulting from cancer treatment or other autoimmune disorders.

A litigant, witness or counsel who self-identifies as a member of vulnerable populations, or as someone experiencing COVID-19 related anxiety that would interfere with their appearance, and who requests accommodation will be allowed to appear via video either from a location within the courthouse or remotely when such accommodation is possible.

The Court will do the following to reduce the appearance of vulnerable populations in person at the courthouse:

Signs at entrance

Information on the Court's web page

Appearances by video or phone for hearings

The Eleventh Judicial District follows the procedures for juror excusals set forth in NMSA 1978, Section 38-5-2.

A litigant, witness or counsel who self-identifies as a member of vulnerable populations, or as someone experiencing COVID-19 related anxiety that would interfere with their appearance, and who requests accommodation will be allowed to appear via video either from a location within the courthouse or remotely when such accommodation is possible.

D. Social Distancing<sup>2</sup> will be maintained:

At the security station by:

Signs on the floor indicating 6' distance.

Signs informing public of social distancing

Deputy wears a mask at all times

In the public entry by:

Signs on the floor indicating 6' distance.

---

<sup>2</sup> Defined as a minimum distance of six (6) feet between people

## Signs informing public of social distancing

- ☒ At the clerk's counter by:
  - Tape marks 6' distance on the floor
  - Signs informing public of social distancing & hand washing
  - Only one counter in operation to maintain social distancing
  - Clerks wear masks at all times
  - Tissue and hand sanitizer is available to the public
  
- ☒ At the resource room by:
  - Resource Room use is limited to one individual at a time to ensure appropriate social distancing.
  
- ☒ At the jury clerk's window by:
  - Tape or signs on the floor indicating 6' distance.
  - Signs informing public of social distancing
  - Clerk wears mask at all times
  - Tissue and hand sanitizer is available to the public
  
- ☒ In the Problem-Solving Courts' office by:
  - Probation Officers will appear by Google Meets video or phone unless ordered to appear in person.

Office reporting will be kept at a minimum but will happen if issue needs to be dealt with in person.

Social Distancing guidelines will be met and only 1 staff member and 1 person will be allowed in the office. If office is too small to allow social distancing the meeting will take place in the hallway or multipurpose room.

All committee meetings will take place through Google Meets.

Drug testing will be done by a contract provider but if a UA needs to be done in person, management will need to approve.

Pre-trial Services UA's will resume only if the person is not complying with the conditions and substance use is suspected.

- ☒ At the public restrooms by:  
Signs on the floor indicating 6' waiting distance, signs on walls reminding public of social distancing. To ensure appropriate distancing, the court will encourage the public to limit restroom use to one individual at a time. To that effect, signs will be added to the public restroom doors.
- ☒ In the secure hallway by:  
Signs on walls informing employees of social distancing and wearing masks at all times.
- ☒ In the judicial processing area by:  
Tape or signs on the floor indicating 6' distance.  
Signs on walls informing employees of social distancing  
Wearing masks at all times
- ☒ In the employee break room by:  
Tape or signs on the floor indicating 6' distance.  
Signs on walls informing employees of social distancing  
Wearing masks unless eating or drinking

E. Plexiglass:

Courtrooms 1, 2, 3 and 4 at Aztec District Court are sufficiently large enough to operate and maintain proper social distancing without plexiglass barriers. There is a minimum of six (6) feet between the Judge and courtroom staff, the Judge and witness, the witness and counsel, and between each seated juror. Nonetheless, as soon as

materials are available, the Court will utilize plexiglass as an additional precaution.

F. Face coverings

Are required to be worn by any person entering the courthouse.<sup>3</sup>

The Court will ensure compliance by taking the following measures:

Masks are mandatory when staff, judges and hearing officers interact with other staff or the public. Everyone in the courthouse including the public, judges, court personnel, parties and attorneys, must wear masks or face coverings at all times. Masks must be worn even when individuals are not interacting with each other. The only time someone need not wear a mask is when that person is working alone in a separate individual office. Even then, the individual must put their mask on when people enter the office.

Masks will be provided to anyone entering the courthouse if they are without a mask. Anyone who refuses to wear a mask must be denied entry and will be unable to conduct business with the Court. Staff members may not go outside of the courthouse to assist those refusing to wear a mask.

The only exceptions to the mask requirement are set forth in Supreme Court Order No. 20-85000-17, Requiring Use of Face Masks in New Mexico Courts during COVID-19 Public Health Emergency.

Judicial Officers:

See Above.

Employees:

See Above.

---

<sup>3</sup> With limited exceptions according to the New Mexico Judiciary Policy effective May 15, 2020.

Public:

See Above. Additionally, the following protocol has been established for the service of DV TROs:

Service of DV TROs:

Litigants wearing a mask will meet the assigned DV clerk at the security desk where they will maintain proper social distancing. The DV clerk wears a mask and gloves when doing DV service. They hand the documents to the Sheriff's Deputy to serve the party. The Deputy serves the party while the DV clerk maintains a safe distance from the party while they are served. After service is effected, the Deputy hands the Return of Service back to the DV clerk. The Return of Service is not touched by anyone but the DV clerk and the Sheriff's Deputy.

Litigants not wearing, or refusing to wear, a mask will not be allowed to enter the building. In this case, the above protocol would still be followed. The only exception would be the Sheriff's Deputy would serve the party as they waited outside and not at the security desk.

Jurors:

See Above. Additionally, a special thank you bag will be provided to the sitting jurors and will contain mask, water, hand sanitizer, a new pen, and pad of paper.

Witnesses:

See Above.

Attorneys:

See Above.

G. Hygiene

Hand sanitizer will be located at:

Clerk's Office Lobby, Mailroom, Counters, bathrooms (secured and public) and file room. Problem-Solving Courts' Lobby, Admin area and all offices and individual desks. Security Desk. All other individual offices and desks in the courthouse.

- ☒ Tissues and waste bins will be located at:  
Clerk's Office Lobby, Mailroom, Counters, all bathrooms and file room. Problem-Solving Courts' Lobby, Admin area and all offices and individual desks. Security Desk. All other individual offices and desks in the courthouse.
- ☒ Signs are posted that indicate:  
Wash your hands regularly  
Practice social distancing  
Masks are required in the building  
If you have symptoms of COVID-19 you will not be allowed to enter the building

The Court will maintain an adequate supply of hygiene products by:  
To ensure our courts are kept safe, the Finance Department maintains an inventory of the COVID supplies available onsite. This inventory is updated on a bi-weekly basis with each department providing input on their needs.

## H. Cleaning

Courtrooms:

Tables, microphones, pews, chairs and door handles are sanitized after each hearing.

High traffic areas:

- Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize

a minimum of once every 2 hours, which is a minimum COVID-Safe Practice.

- The Clerk’s office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible.

Frequently used items:

- Frequently used items, such as pens available for public use will be wiped down after each use or at a minimum of every 2 hours, which is a minimum COVID-Safe Practice.
- The Clerk’s office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible.

High touch surfaces:

- Bailiffs sanitize the witness area and microphone after each witness testifies.
- Bailiffs will sanitize the attorney tables, chairs, pews, microphones and door handles after each hearing.
- Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member be unable to sanitize after each person, they will sanitize a minimum of once every 2 hours, which is a minimum COVID-Safe Practice.
- The court is in conversations with the County for housekeeping staff to increase their cleaning protocols.

I. Contact tracing:

Pursuant to New Mexico Supreme Court Order No. 20-8500-023, the Eleventh will maintain a daily log (Exhibit A-2) of all persons, including judicial officers, and judicial employees entering a courtroom. The log will include the name, telephone number, and date of entry for each person. Logs will be maintained a minimum of four weeks.

### III. Docket Management and Scheduling

- A. The backlog of hearings and proceedings that have been delayed will be addressed by:  
Regardless of hearing type, no judicial officer will have large trailing dockets where large numbers of attorneys, litigants, and visitors are likely to gather. Instead all hearings will be provided adequate time in between settings to allow people involved in one case to exit the courthouse before the subsequent hearing begins.
- Judges divisions have created a shared scheduling calendar which allows hearings to begin and end at different times from other judicial division's hearings.
- B. Cases that have been delayed will be prioritized in this manner:  
Cases set for trial will be prioritized by incarceration of the defendant, age of the case, cases where the Victims' Rights Act is invoked, and other particularized prejudice to either the defendant or the State.
- C. It is expected there will be an influx of new cases of the following types:
- Domestic
  - Domestic abuse
  - Debt and money due
  - Criminal
  - Landlord/Tenant
  - Competency
  - Lower Court Appeals

This influx will be managed by:

Adherence to the shared scheduling calendar and reevaluation as needs required.

Resources needed to manage this influx are:

The Eleventh Judicial District and Magistrate Courts in San Juan County currently share two bailiffs among eleven judges, one

Commissioner, and four locations. This is a delicate balancing act in normal circumstances, but with the increased pressures created by COVID screenings and traffic control to ensure social distancing, as well as courtroom monitoring, it is a near impossibility. We require additional bailiffs to manage the increased demands. The court is currently advertising for a bailiff and intends to increase contract bailiff hours as budget allows.

Because a face mask muffles a person's voice, the court anticipates needing additional hearing devices for the public and jury to use during voir dire and jury trials.

#### IV. Jury Trials<sup>4</sup>

- Face coverings are required in the courtroom at all times, including by a judge when speaking.
- The occupancy limit in courtroom 1 is 25 persons in order to maintain a minimum of six (6) feet between every person in all directions.
- The occupancy limit in courtroom 2 is 15 persons in order to maintain a minimum of six (6) feet between every person in all directions.
- The occupancy limit in courtroom 3 is 15 persons in order to maintain a minimum of six (6) feet between every person in all directions.
- The occupancy limit in courtroom 4 is 15 persons in order to maintain a minimum of six (6) feet between every person in all directions.

---

<sup>4</sup> Refers to petit jury trials. Grand juries are not typically utilized in the 11<sup>th</sup> Judicial District

- ☒ The occupancy limit for each courtroom is posted in and outside the courtroom.
  
- ☒ Should physical structure of the courtroom preclude maintaining a distance of six (6) feet, a Plexiglass divider will be erected at a level sufficiently tall and wide to act as a barrier between coughs, sneezes, loud talking, and other potential actions that could spread the virus. Plexiglass will be utilized as an additional precaution and is not a substitute for the required wearing of masks.
  
- ☒ Usage of Interpreters.  
The Eleventh Judicial District remains committed to exploring alternate technologies to allow remote appearances by interpreters. When needed for hearings and trials, the placement of interpreters in courtrooms will follow COVID-Safe Practices. If possible, the Court will arrange for interpreters to appear remotely.
  
- A. Reduction of crowd measures
  - ☒ Jury panels have been reduced to allow for COVID-Safe Practices. Twenty jurors at one time will be in the courtroom for voir dire proceedings. Jurors will be split up into panels of 20 and times to appear at the courthouse will be staggered.
  
  - ☒ The court has made arrangements to utilize the largest courtroom available in the county which is:  
Courtroom #1 at the Aztec District Court
  
  - ☒ There will be a maximum of twenty jurors allowed in the courthouse at one time.
  
  - ☒ Jury trials are being scheduled to begin in the morning.

Each juror will be provided with their own set of jury instructions.

Exhibit viewing can be done on the large screen in the courtroom.  
In addition, each juror will be provided individual exhibit notebooks.

B. Trial efficiency

District and Magistrate judges will continue to schedule pretrial conferences to ensure cases are proceeding in a timely manner. Judges will also enter case management orders to ensure that jury trials operate as efficiently as possible, to reduce the number of jurors at the courthouse at any given time, and to reduce the amount of time jurors are in the courthouse. Case management orders will include, but not be limited to, the following case requirements:

1. Plea Meets – a mandatory plea conference will be held at least one month before the jury trial setting, with required attendance of the prosecutor, defense counsel, and the defendant. Counsel shall be responsible for scheduling the Plea Meets using Google Meets (or another agreed upon platform). A Certificate of Compliance affirming that the conference was held shall be signed by both attorneys and filed. Counsel shall indicate on the Certificate if the case is proceeding to jury trial or if a Change of Plea hearing is requested.

2. Plea Deadlines – Pursuant to New Mexico Supreme Court Order No. 20-8500-022, a plea agreement or settlement agreement must be submitted no later than five (5) business days before the scheduled date for jury selection or bench trial. An untimely submitted plea agreement or settlement agreement will not be granted without a written finding by the judge of extraordinary circumstances that excuse the untimely submission.

3. Jury Instructions – proposed jury instructions shall be submitted prior to trial and a hearing will be scheduled to resolve as many jury instruction issues as is possible before the day of trial.

4. Witness and Exhibit Lists – final witness and exhibit lists shall be submitted prior to the trial and a hearing will be set to identify stipulations and address issues.

5. Motions in Limine – motions in limine shall be addressed prior to the day of trial, unless the court makes a finding of good cause for the delay. It is the duty of counsel to request a hearing on motions in limine.

6. The need for bench conferences will be limited by – Speaking objections are prohibited per local rule and the court will make evidentiary determinations prior to trial or parties will stipulate to evidence. If a bench conference is necessary, the judge and attorneys will meet in the judge’s chambers or an adjacent conference room, maintaining six feet of social distance and wearing face masks. The court monitor will be present and use FTR to ensure a record is made.

7. Confidential Communications – notepads, texting and emailing will be allowed for confidential communications between attorneys and clients. The attorney will also be permitted to ask for a short recess to conference with their client outside the courtroom.

8. Mock Trials - To ensure that safety, social distancing, and constitutional protection issues are identified and addressed in advance of our resumption of jury trials, a mock trial was held on Thursday, June 18.

C. Juror utilization

The Court will actively engage in public outreach to promote jury service. The Court will appear on local radio stations and submit public service announcements recognizing jurors as the heroes of the criminal

justice system and thanking the community for fulfilling this civic duty. All of the precautions the Court is making to ensure their safety in our courthouses will be included on our website, posted in the courthouse and imported into the Code-O-Phone.

In addition to the procedures for juror excusals set forth in NMSA 1978, Section 38-5-2, the jury clerk has been given the authority to postpone jury service of a potential juror who self-identifies as falling into a vulnerable population prior to entering the courthouse.

D. Minimizing risk of contagion

- Jurors will be screened by:
  - having their temperatures taken
  - being asked the following questionsHave you been ask to self-quarantine because of Covid-19 and are you still within the quarantine period?  
Have you had a positive test result for Covid-19 and/or been diagnosed with Covid-19 by a doctor within the past 14 days?  
Have you had contact with someone you know who has Covid-19 Within the past 14 days?  
Have you had a fever above 100.4 degrees, chills, sore throat, body aches, headaches, shortness of breath, difficulty breathing, dry cough or loss of taste and smell within the past 14 days?
  
- A mask will be provided to any juror who does not have one.
  
- Hand sanitizer, tissue and trash bins are readily available to jurors.
  
- Check-in is conducted
  - by phone
  - outside the courthouse building
  - remotely
  - while in vehicles

- ☒ Inside courthouse with social distancing guidelines being followed.  
Checked in jurors will be placed in an empty courtroom that will have signs showing the 6' separation for social guidelines requirements. Only 20 jurors will check in at one time.
  
- ☒ Jurors wait
  - ☐ in their cars
  - ☐ parking area
  - ☒ designated space – (See below for details)
  
- ☒ To reconvene the jurors, the court uses:
  - ☐ text messaging
  - ☐ phone
  - ☐ intercom
  - ☐ paging system
  - ☒ Code-o-phone
  
- ☒ The designated space for jurors in this courthouse is:  
Courtroom #3 and #4 and the Multipurpose Room. Following COVID-safe practice guidelines Courtroom #3 has a maximum capacity of 15 people, Courtroom #4 has a maximum capacity of 15 people and the Multipurpose Room has a maximum capacity of 20 people.  
  
Social distancing in this space will be accomplished by:  
Places marked on courtroom benches for seating of jurors to comply with social distancing.
  
- ☒ Cleaning restrooms and other spaces used for jury selection is accomplished as follows:  
The court is in conversations with the county regarding posting and maintaining logs in the restrooms to track when they have

been cleaned and sanitized. This includes restrooms used by jurors during deliberation.

- Jury deliberations will not take place in the jury room, but in:  
An empty courtroom when available. If one is not available, the original trial courtroom will be cleared of everyone but the jurors and deliberation will take place in the empty courtroom maintaining 6' distance. The courtroom microphones will be shut off and the blinds pulled on any windows. The jury room will be open for bathroom breaks with only one juror allowed in the room at one time. Bailiffs will be located outside the door for jurors to contact.

E. Communication with jurors to reduce concerns about jury service

- Court's website has been updated
- Press releases scheduled for: The Court will work with AOC to schedule press releases.
- Scripted responses
- Posted cleaning processes and schedules
- Messages left on the Code-0-Phone

V. Resources

Each juror receives a bag with a mask, water, hand sanitizer, a new pen & pad of paper.

*Does your district have the resources it needs to implement its proposed plan?*

Due to the scarcity of materials and lengthy shipping timelines, the Eleventh needs the AOC's and the Supreme Court's continued support and assistance to obtain proper personal protection equipment and plexiglass.

VI. Other topics: *Are there other topics you would like to address in your plan?*

None.

# ELEVENTH JUDICIAL DISTRICT & MAGISTRATE COURTS

## AZTEC DISTRICT COURT

### EXHIBITS A- C

#### Table of Contents

#### **EXHIBIT A - Documents & Signage**

##### Document#

1	COVID-19 Return to Work Conversation Guideline (Removed)
2	Contact Tracing Log Document

##### Sign#

1	Help Keep Courts Safe
2	Face Mask Required Sign
3	Social Distancing Sign

#### **EXHIBIT B – Courtroom Seating Diagrams**

#### **EXHIBIT C - Pictures**

<u>Picture#</u>	<u>Description</u>
1	Front of Courthouse Public Entrance Doors
2	Social Distancing Marker s at Front of Court house Public Entrance Doors
3	Public Entrance Door Signage
4	Front Desk Security
5	Front Desk Security Signage
6	Front Desk Security Screening Station
7	Front Desk Security Screening Station
8	Detainee Bench at Front Desk Security Station
9	Court rooms 1-3 Corridor
10	Signage in Public Hallways
11	Signage in Public Hallways
12	Courtroom 1 Occupancy
13	Courtroom 1 - Defense Counsel Table 1
14	Courtroom 1 - Defense Counsel Table 2
15	Courtroom 1 - Attorney Seating

## ELEVENTH JUDICIAL DISTRICT & MAGISTRATE COURTS

### AZTEC DISTRICT COURT

#### EXHIBIT C - Pictures (Continued)

<u>Picture#</u>	<u>Description</u>
16	Courtroom 1 - Jury Box
17	Courtroom 1 - Jury Box
18	Courtroom 1 - Jury Box Extra Seating
19	Courtroom 1 - Jury Box Extra Seating
20	Courtroom 1 - Jury Selection Seating
21	Courtroom 1 - Jury Selection Seating
22	Public Restroom - Women's (Court Programs & Courtroom 4)
23	Public Restroom - Men's (Court Programs & Courtroom 4)
24	Public Restroom - Gender Neutral (Public Hallway Near Courtrooms 1-3)
25	Public Restroom - Women's (Public Hallway Near Court rooms 1-3)
26	Public Restroom - Men's (Public Hallway Near Courtrooms 1-3)
27	Courtroom 2 Occupancy Signage
28	Courtroom 3 Occupancy Signage
29	Courtroom 4 Occupancy Signage
30	Multi-Purpose Room - Jury Check-In Room
31	Clerk's Office Public Entrance Door
32	Clerk's Office Window/Scanner - Public Side
33	Clerk's Office Public Resource Room
34	Problem Solving Court Programs Public Entrance Door
35	Problem Solving Court Programs Window - Client Side
36	Employee Temperature Screening at Employee Entrance Door
37	Employee Kitchen/Break Room Table
38	Employee Kitchen/Break Room Seating

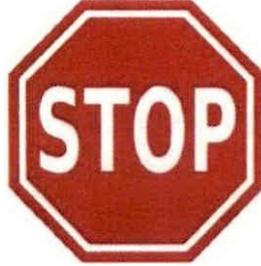
# **EXHIBIT A**

**Documents & Signage**

Screening Questions To Ask Employee				
Have you been asked to self-quarantine because of COVID-19? Are you still within the quarantine period?	If No Next Question	If Yes > DO NOT ENTER		
Within the past 14 days, have you been diagnosed with COVID-19 by a doctor?	If No Next Question	If Yes > Have you received a clearance letter from the Department of Health?	If No> DO NOT ENTER	If Yes, Next Question
Within the past 14 days, have you had a positive test results for COVID-19 from a testing center or by the Department of Health?	If No Next Question	If Yes > Have you received a clearance letter from the Department of Health?	If No> DO NOT ENTER	If Yes, Next Question
In the past 14 days, have you been in contact with anyone who you know has COVID-19?	If No Next Question	If Yes> OONOTENTER		
Within the past 14 days, have you had a fever above 100.4 degrees, chills, sore throat, body aches, or headaches?	If No Next Question	If Yes > DO NOT ENTER		
Within the past 14 days, have you developed new shortness of breath, difficulty breathing, or dry cough?	If No Next Question	If Yes > DO NOT ENTER		
Have you recently developed a loss of taste or smell?	If No CAN ENTER BUILDING	If Yes DO NOT ENTER		



# Help Keep Courts Safe



## DO NOT VISIT IF:

YOU HAVE BEEN ASKED TO SELF-QUARANTINE BECAUSE OF COVID-19 AND YOU ARE STILL WITHIN THE QUARANTINE PERIOD

YOU HAVE HAD POSITIVE TEST RESULTS FOR COVID-19 AND/OR HAVE BEEN DIAGNOSED WITH COVID-19 BY A DOCTOR WITHIN THE PAST 14 DAYS

YOU HAVE HAD CONTACT WITH SOMEONE YOU KNOW WHO HAS COVID -19 WITHIN THE PAST 14 DAYS

YOU HAVE HAD FEVER ABOVE 100.4 DEGREES, CHILLS, SORE THROAT, BODY ACHES, HEADACHES, SHORTNESS OF BREATH, DIFFICULTY BREATHING, DRY COUGH OR LOSS OF TASTE AND SMELL WITHIN THE PAST 14 DAYS

If you are unable to enter the building and need to appear telephonically, please notify the Clerk's Office at 505-334-6151 and then please call the appropriate Judge at the designated time of your court hearing.

**Judge Gurley:** 1-800-747-5150

Access Code: 8236204

**Judge Marsh:** 1-800-747-5150

Access Code: 8607015

**Judge Townsend :** 1 -800-747-5150

Access Code: 4344329

Courthouses in the **ELEVENTH JUDICIAL DISTRICT COURT** will remain open during regular court business hours. However, individuals should consider the following prior to entering court facilities:

1. Over the past two weeks, have you had signs of respiratory infection, fever, cough?
2. Have you recently been exposed or in contact with, anyone who has been diagnosed with a COVID-19 infection?
3. Have you traveled to a high-risk country?
4. Have you or a household member traveled out of state in the past 14 days?

If you answer "yes" to any of these questions and your business with the court is not urgent, you will not be permitted access. If you answer "yes" to any of these questions and you have a scheduled appointment or are otherwise required to appear at one of the courthouses, please contact the appropriate party prior to your scheduled appointment:

- If you are represented by an attorney, please contact your attorney;
- If you are an attorney and are scheduled to appear in court before a judge, please contact the Clerk's Office at **(505) 334-6151**.
- If you are a juror, please contact the Jury Division at **(505) 334-1120**.
- For other District Court matters, please contact the Clerk's Office at **(505) 334-6151**

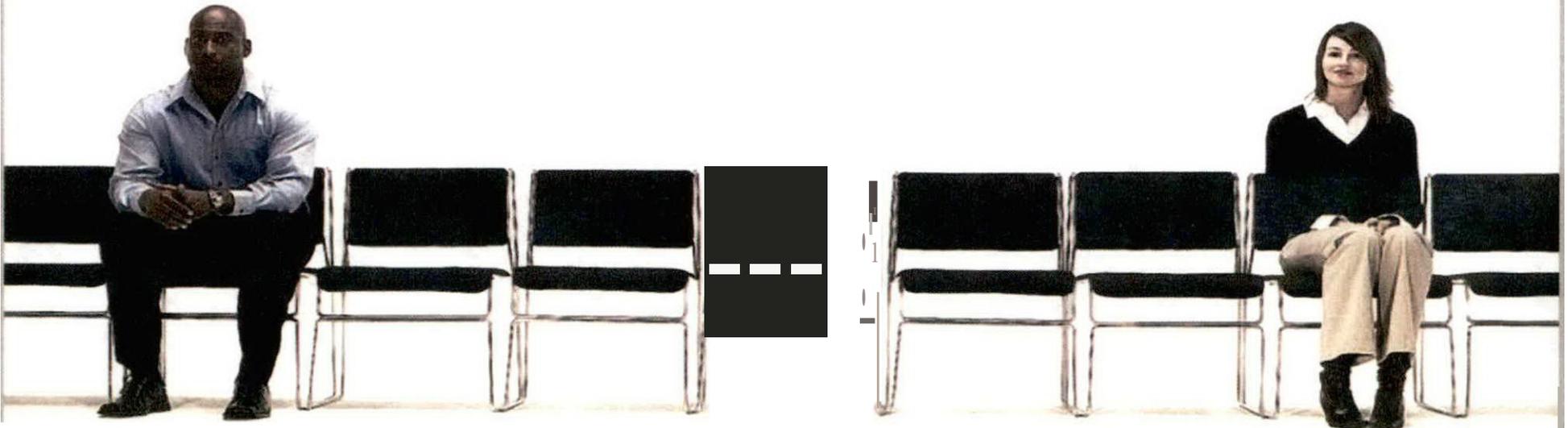
For the latest information on the Coronavirus, visit the New Mexico Department of Health's website at <https://cv.nmhealth.org/> or the Center for Disease Control and Prevention's website at <https://www.cdc.gov>

**NOTICE**

**FACE MASK  
REQUIRED**

# Social Distancing

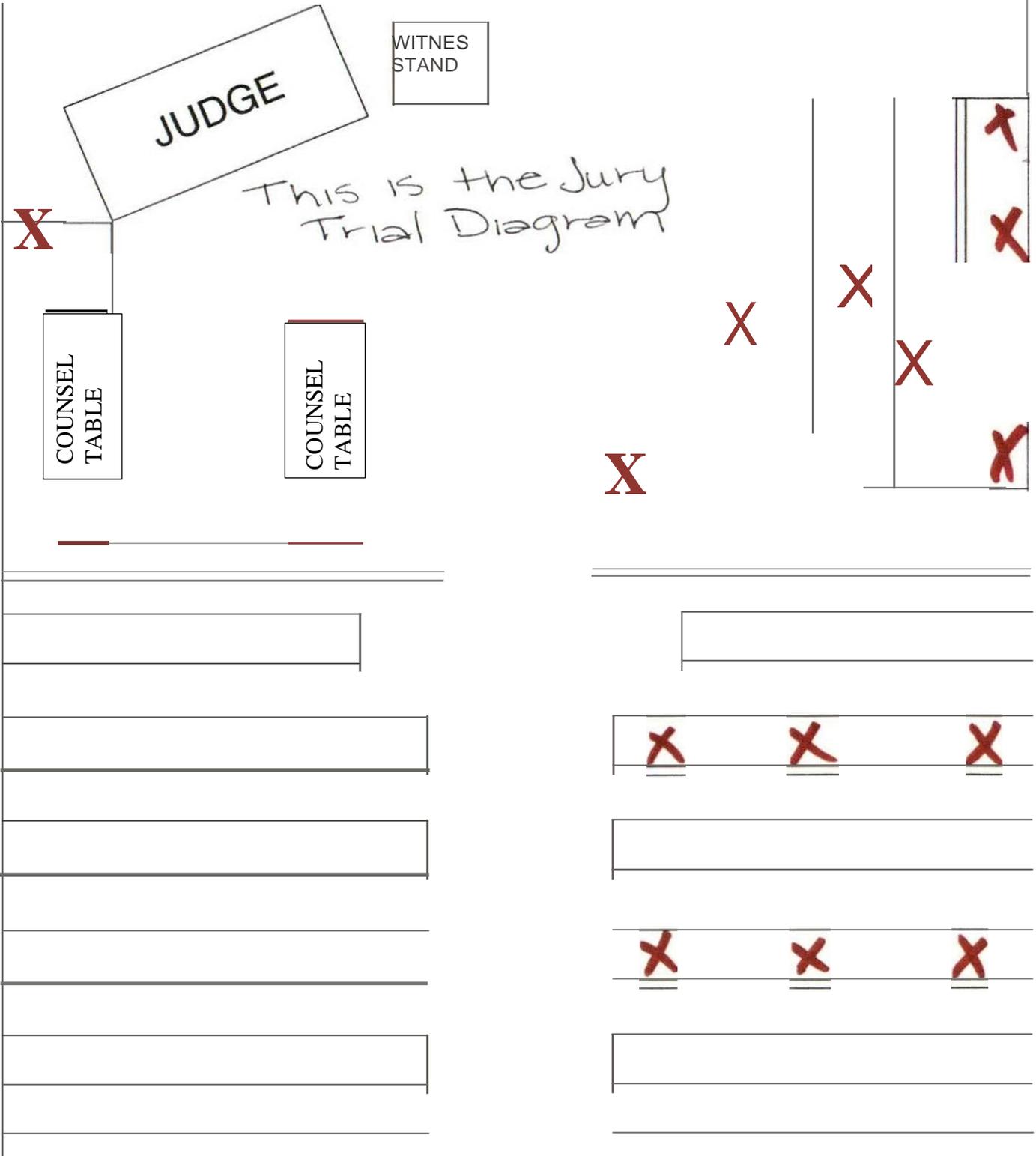
Please keep distance of 6 feet  
between you and others.



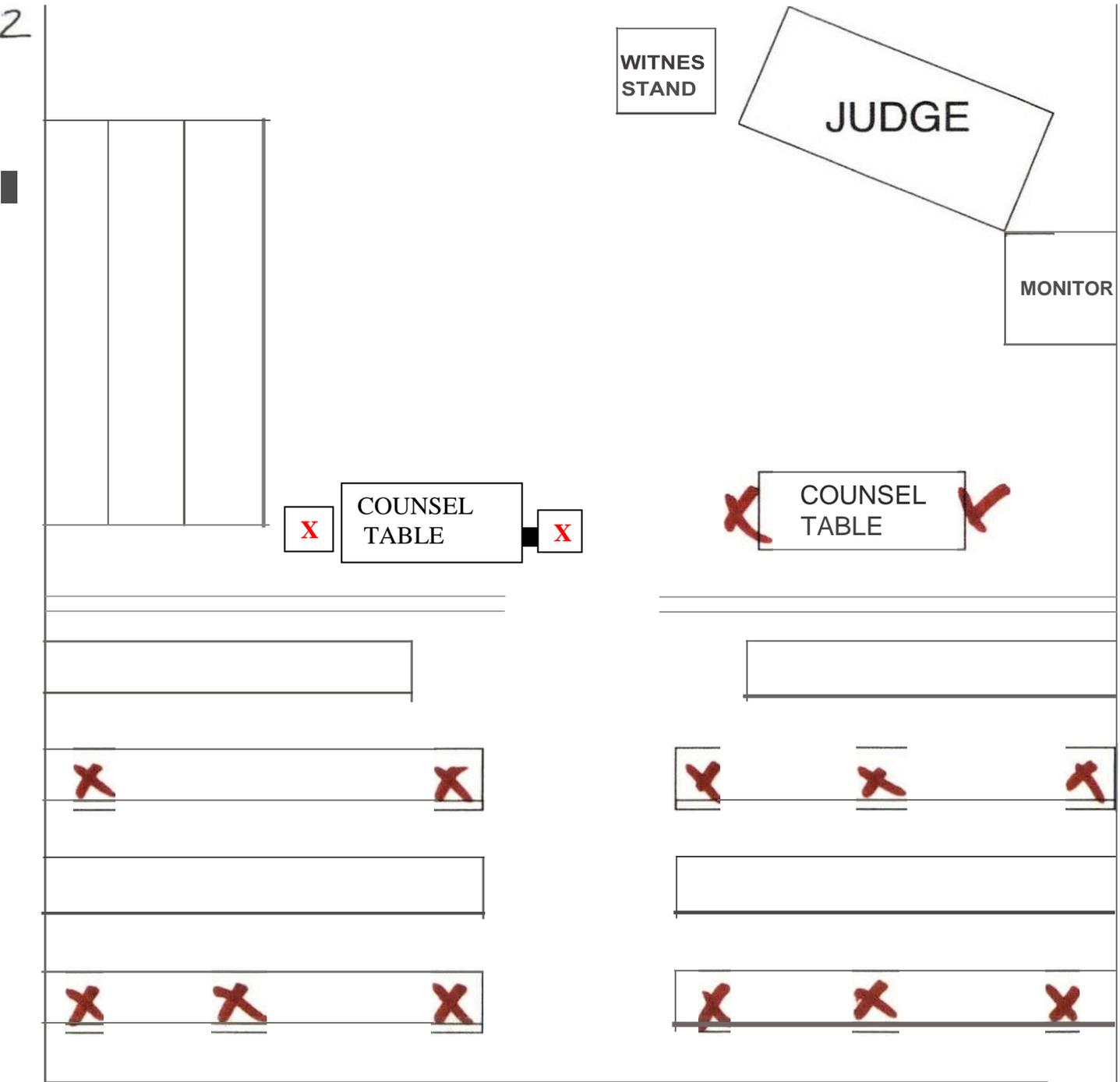
# **EXHIBIT B**

Courtroom Seating Diagrams

Courtroom 1



Courtroom 2



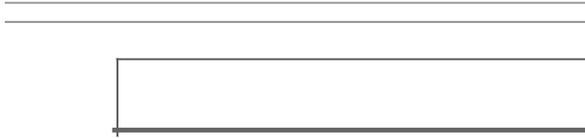
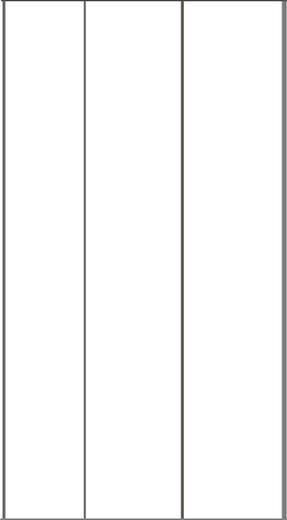
WITNES  
STAND

JUDGE

MONITOR

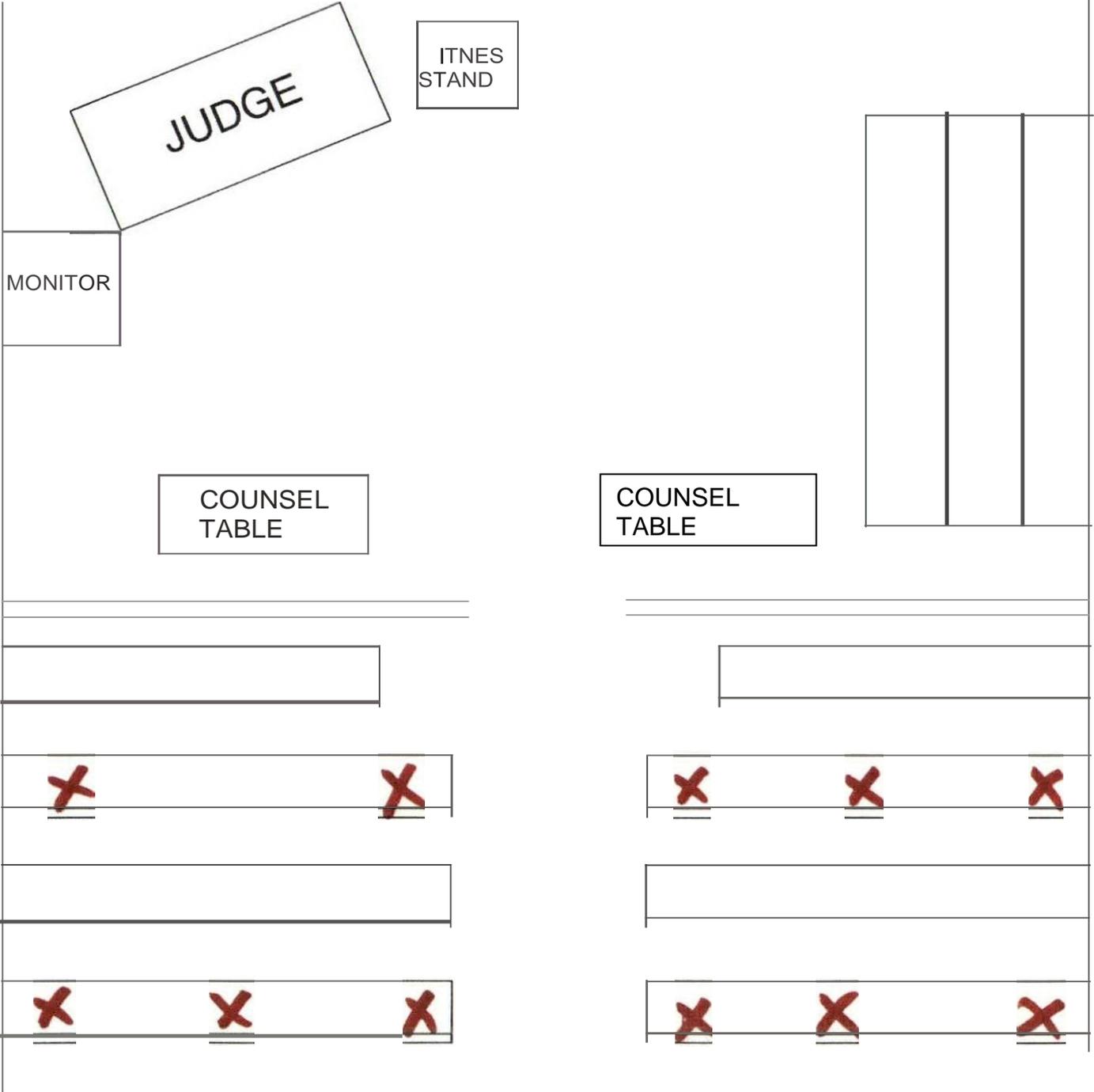
X COUNSEL  
TABLE X

X COUNSEL  
TABLE X



# Courtroom 3

Each X represents the distance of 6 feet.



Courtroom 4

Each X represents the distance of 6 feet.

JUDGE

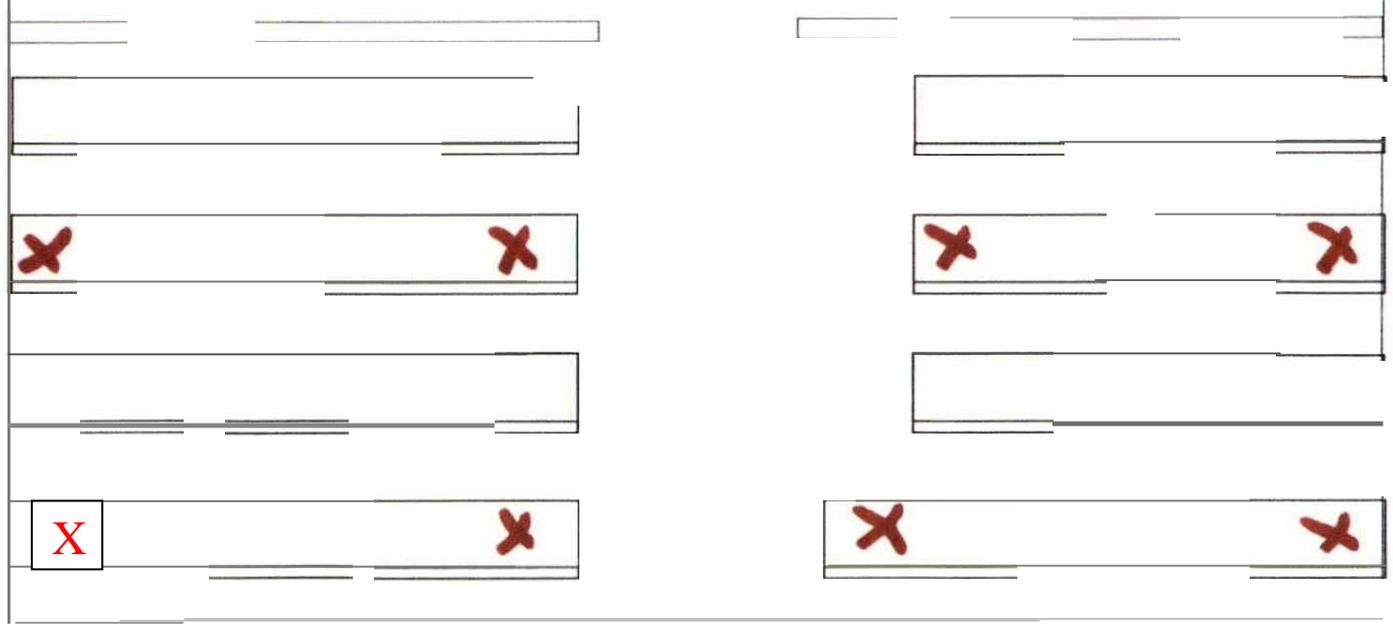
WITNESS STAND

MONITOR

COUNSEL TABLE

COUNSEL TABLE

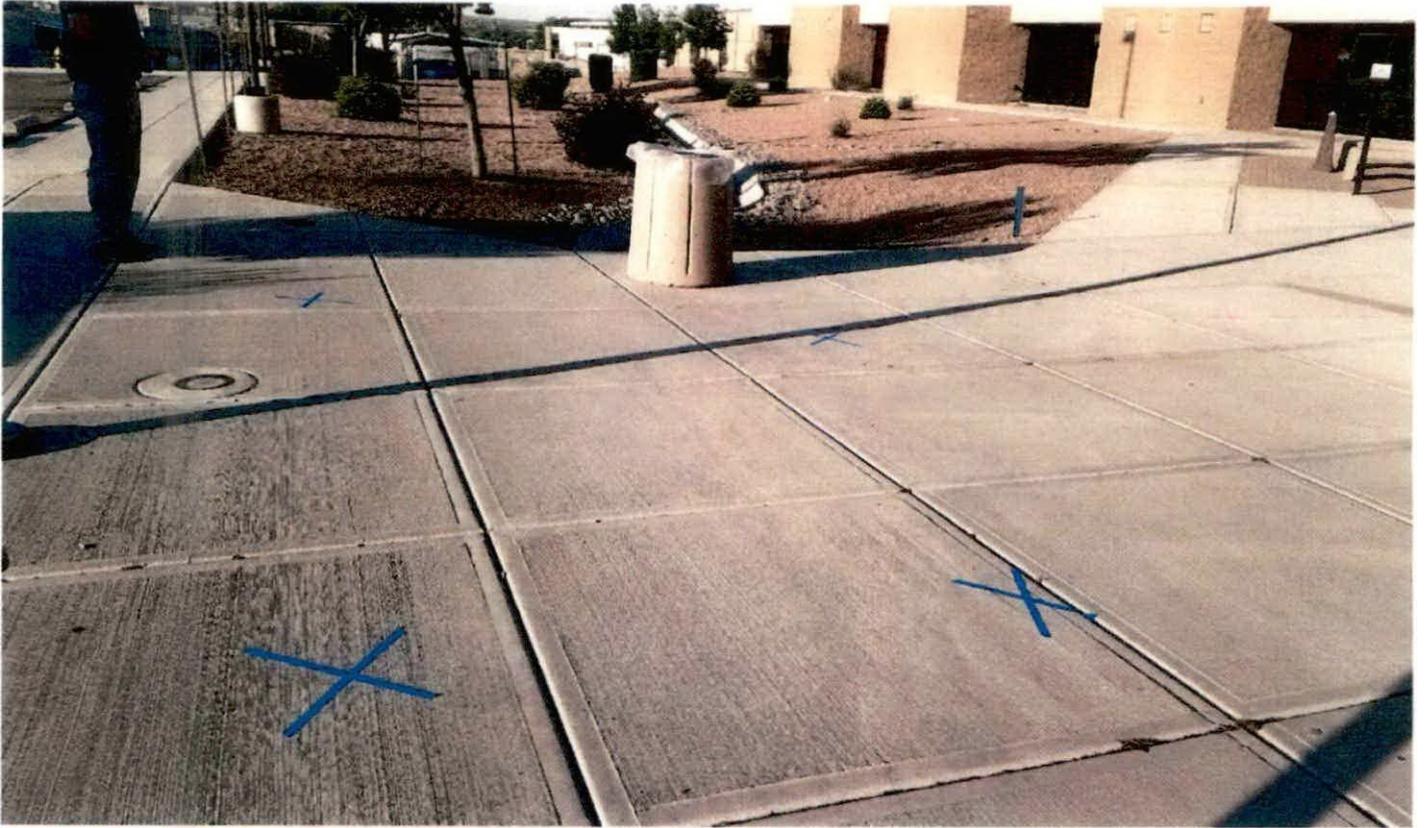
X



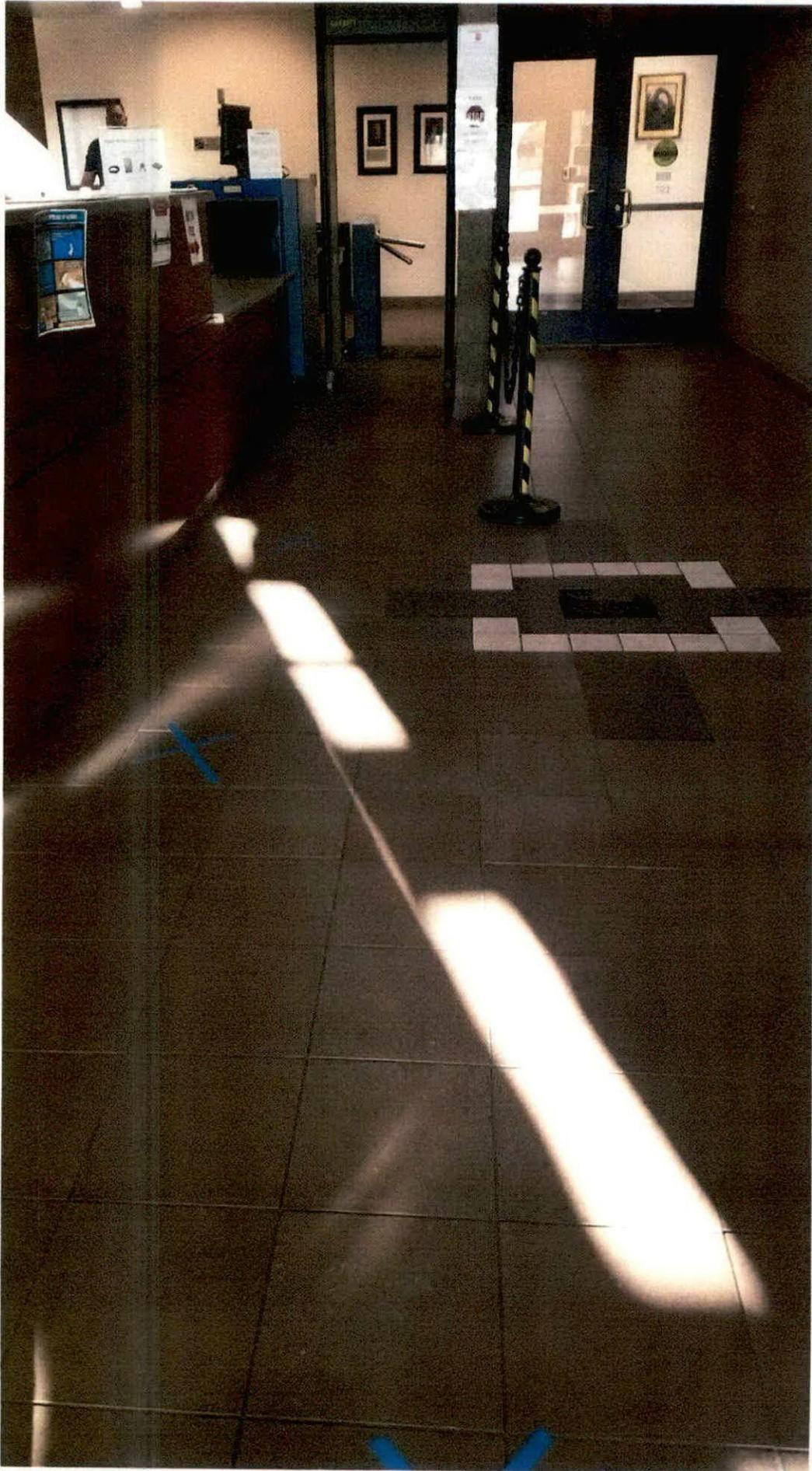
# **EXHIBIT C**

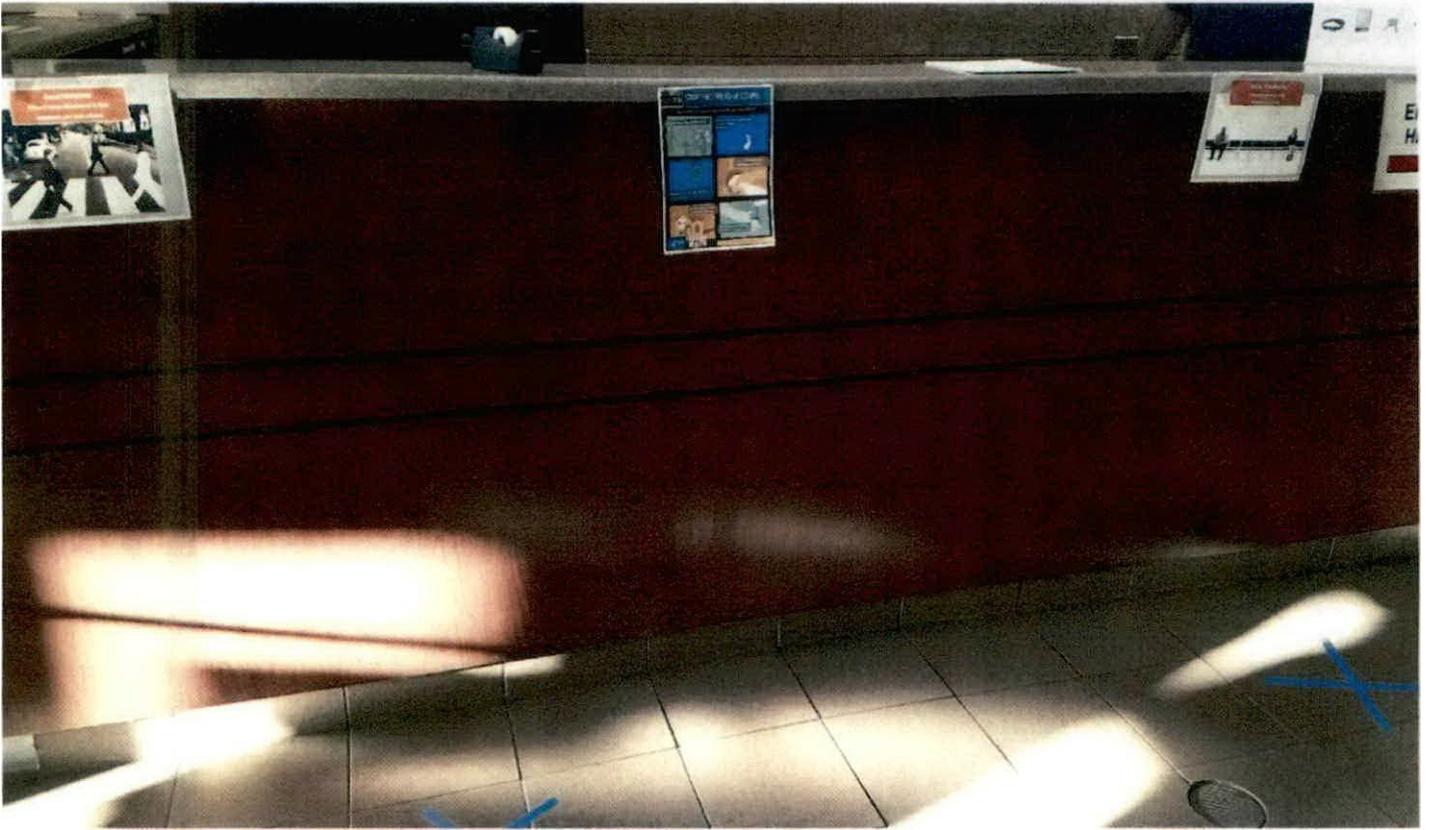
Pictures 1-39

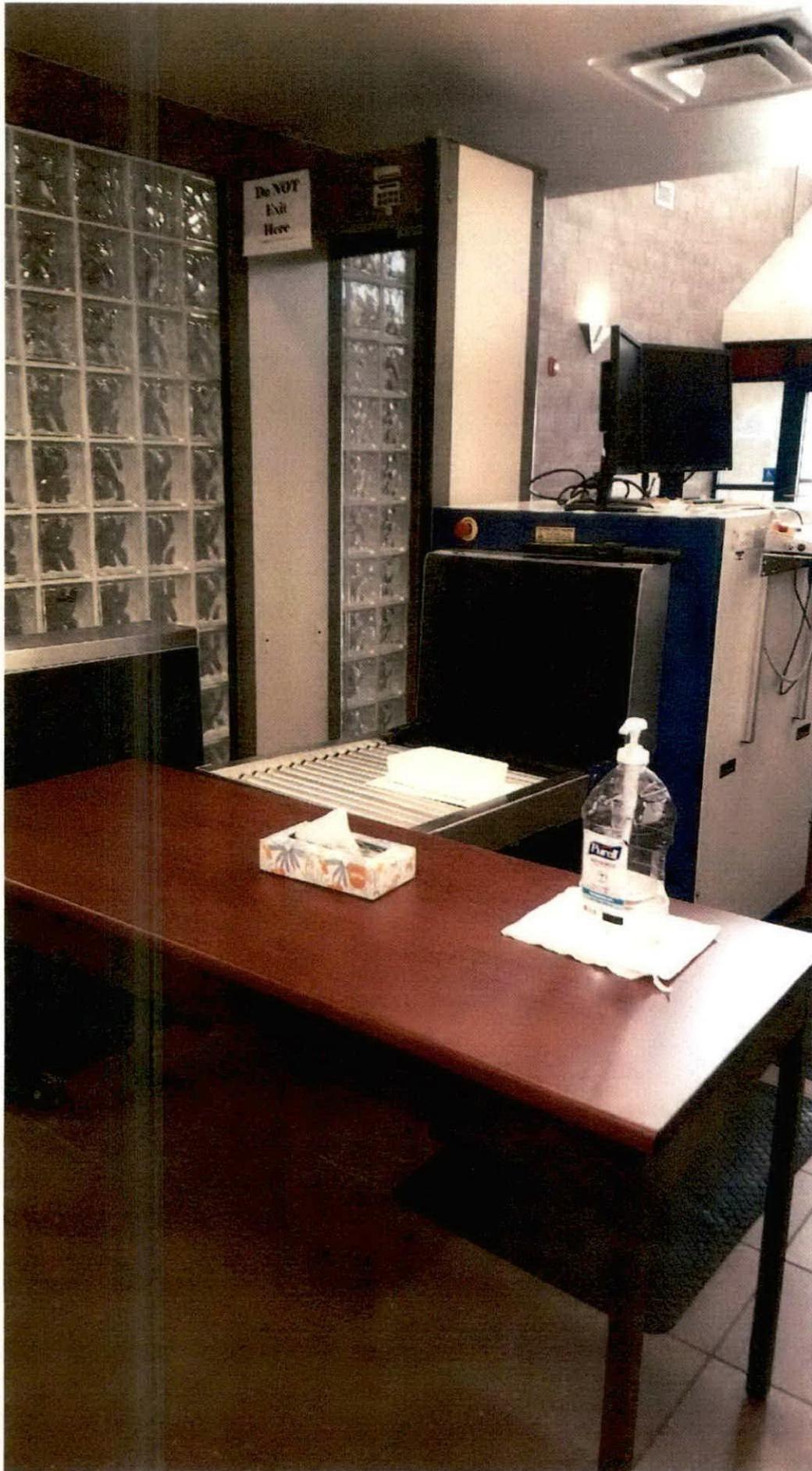


















Help "" Courts Slfw

I'

DO NOT VISIT IF:

YOU HAVE BEEN ASKED TO SELF-QUARANTINE BECAUSE OF COVID-19 AND YOU ARE STILL WITHIN THE QUARANTINE PERIOD

YOU HAVE HAD POSITIVE TEST RESULTS FOR COVID-19 AND/OR HAVE BEEN DIAGNOSED WITH COVID-19 BY A DOCTOR WITHIN THE PAST 14 DAYS

YOU HAVE HAD CONTACT WITH SOMEONE YOU KNOW WHO HAS COVID-19 WITHIN THE PAST 14 DAYS

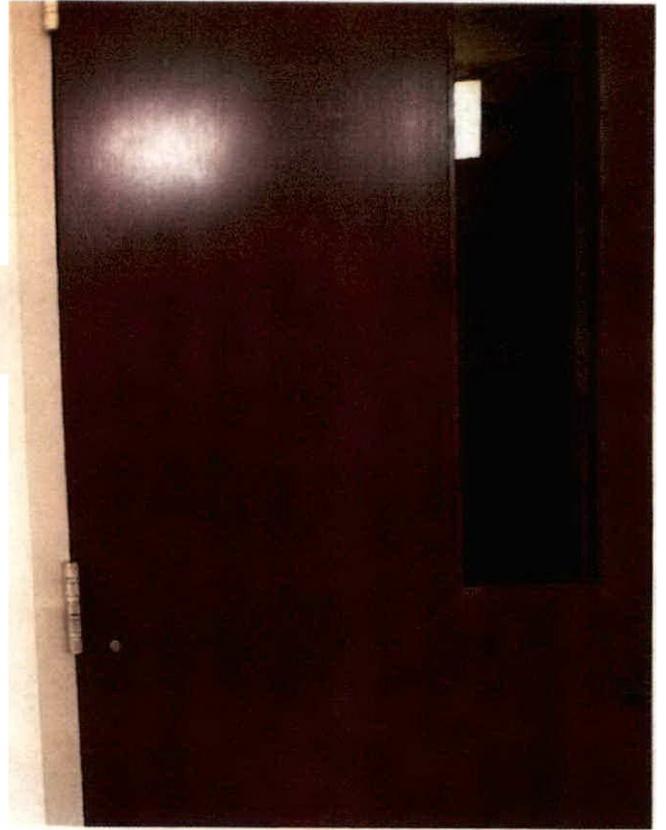
YOU HAVE HAD FEVER ABOVE 100.4 DEGREES, CHILLS, SORE THROAT, BODY ACHES, HEADACHES, SHORTNESS OF BREATH, DIFFICULTY BREATHING, DRY COUGH OR LOSS OF TASTE AND SMELL WITHIN THE PAST 14 DAYS

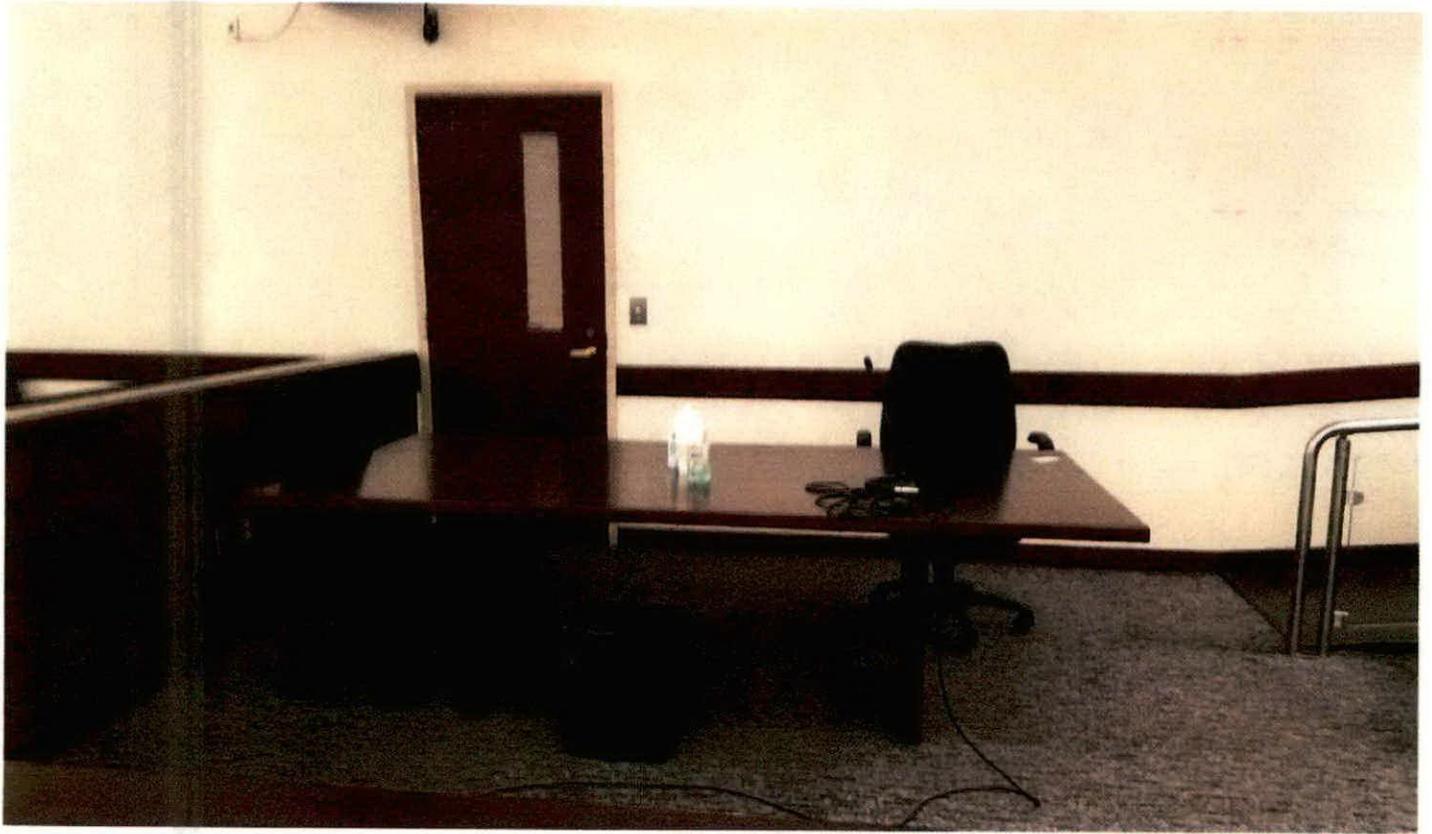
If you are unsure if you have COVID-19, please call the CDC at 1-800-CDC-2323 or visit www.cdc.gov/coronavirus for more information.

Page 1 of 1

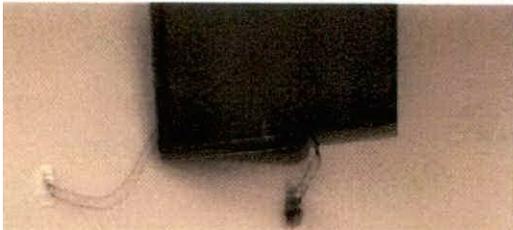


**Maximum  
Occupancy  
25 People**

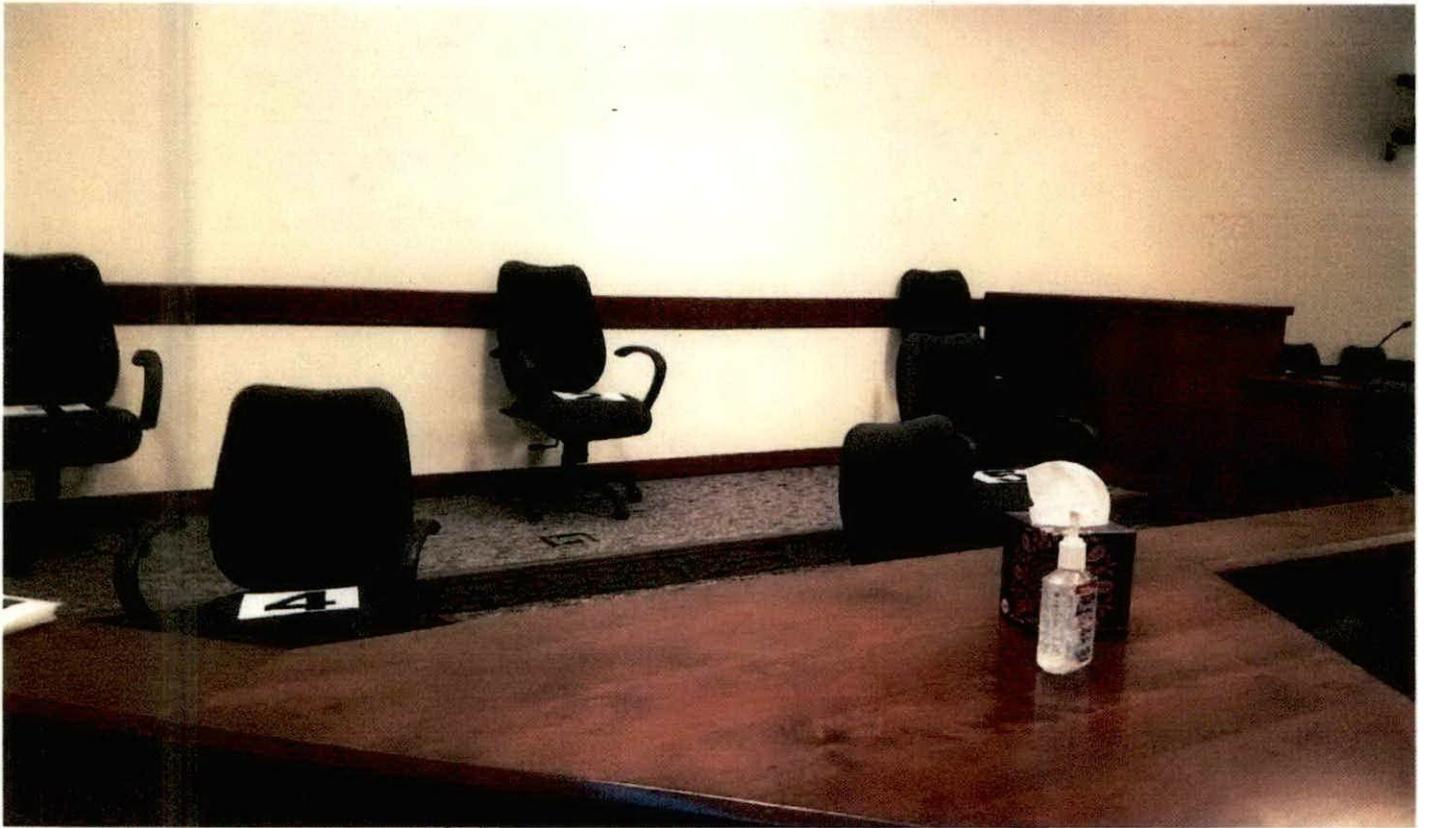












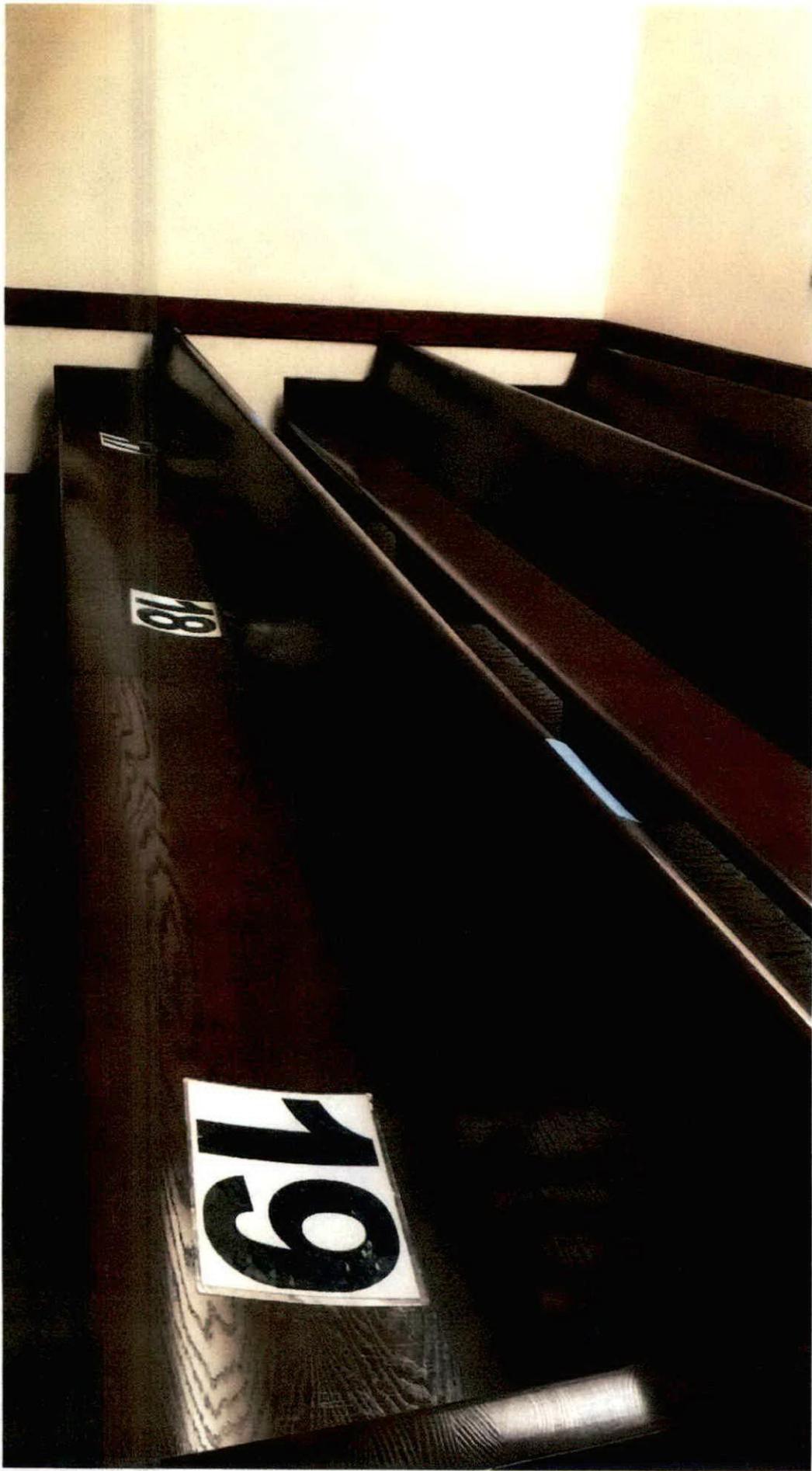




C







**Maximum  
Occupancy  
1 Person**



**WOMEN**



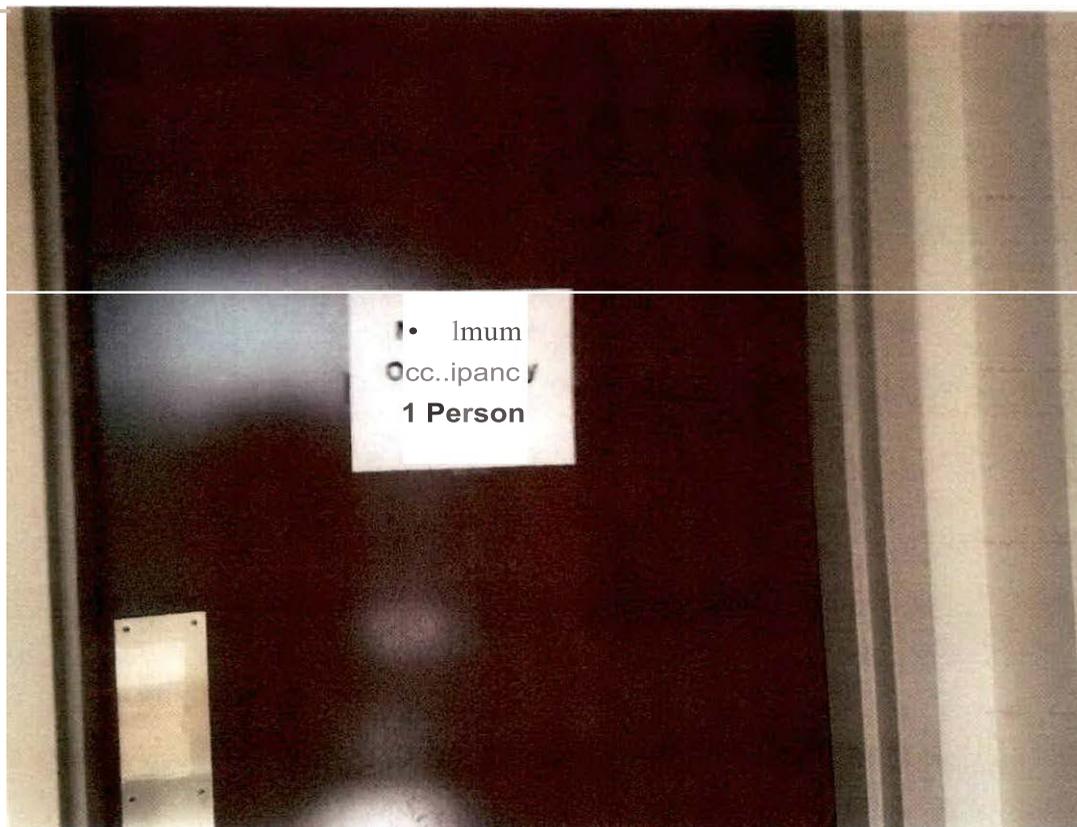
Maximum  
Occupancy  
1 **Person**



MEN







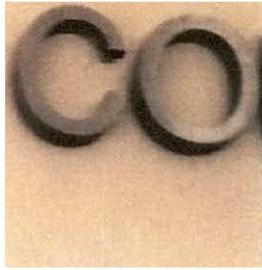


**Maximum  
Occupancy  
1 Person**



**Maximum  
Occupancy  
15 People**





Maximum  
Occupancy  
15 People



**MalCimum**  
Occupancy  
**15 People**

213

Courtroom 4







# NOTICE

## FACE MASK REQUIRED

### NOTICE

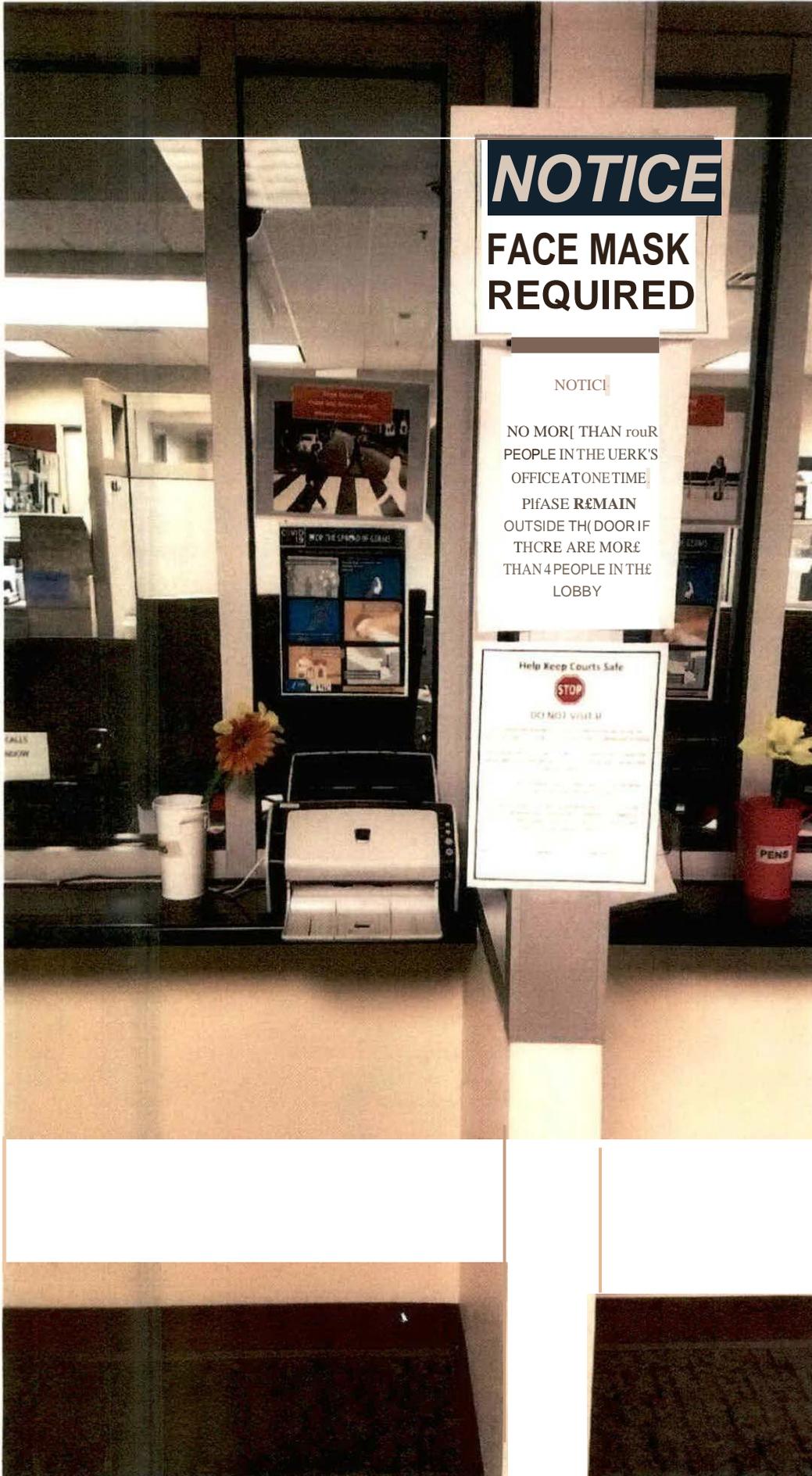
NO MORE THAN FOUR  
PEOPLE IN THE CLERK'S  
OFFICE AT ONE TIME.

PLEASE REMAIN  
OUTSIDE THE DOOR IF  
THERE ARE MORE  
THAN 4 PEOPLE IN THE  
LOBBY

### Help Keep Courts Safe



DO NOT VISIT



RESOURCE  
ROOM  
LIMIT  
1 PERSON

••••

Please see a clerk  
before entering

Social Distancing

Please keep distances of 2 feet  
between you and others



COVID-19 STOP THE SPREAD OF GERMS

Help prevent the spread of the disease caused by COVID-19

Wash your hands often with soap and water for at least 20 seconds.	Wear a face mask in public places.
Avoid touching your eyes, nose, and mouth.	Avoid close contact with people who have COVID-19.
Stay home, work from home, or telework if you have COVID-19 symptoms.	Avoid crowded places and indoor spaces with poor ventilation.

FOR REALITY

**Ayuda a Mantener los Tribunales Seguros**

**STOP**

**NO VISITE EN CASO DE:**

- HA TENIDO RECENTEMENTE SIGNOS DE INFECCION RESPIRATORIA, FIEBRE, TOS
- HA ESTADO EN PUEBLO RECIENTEMENTE A ALGUIEN CON COVID-19
- HA VIAJADO A UN PAIS DE ALTO RIESGO
- ENTRE O UN MIEMBRO DE SU HOGAR HA VIAJADO FUERA DEL ESTADO EN LOS ULTIMOS 14 DIAS

**¿TIENE SINTOMAS? LLAMAR AL 1-855-600-3453 ¿NO PUEDE ENTRAR AL EDIFICIO? LLAMAR**

**Help Keep Courts Safe**

**STOP**

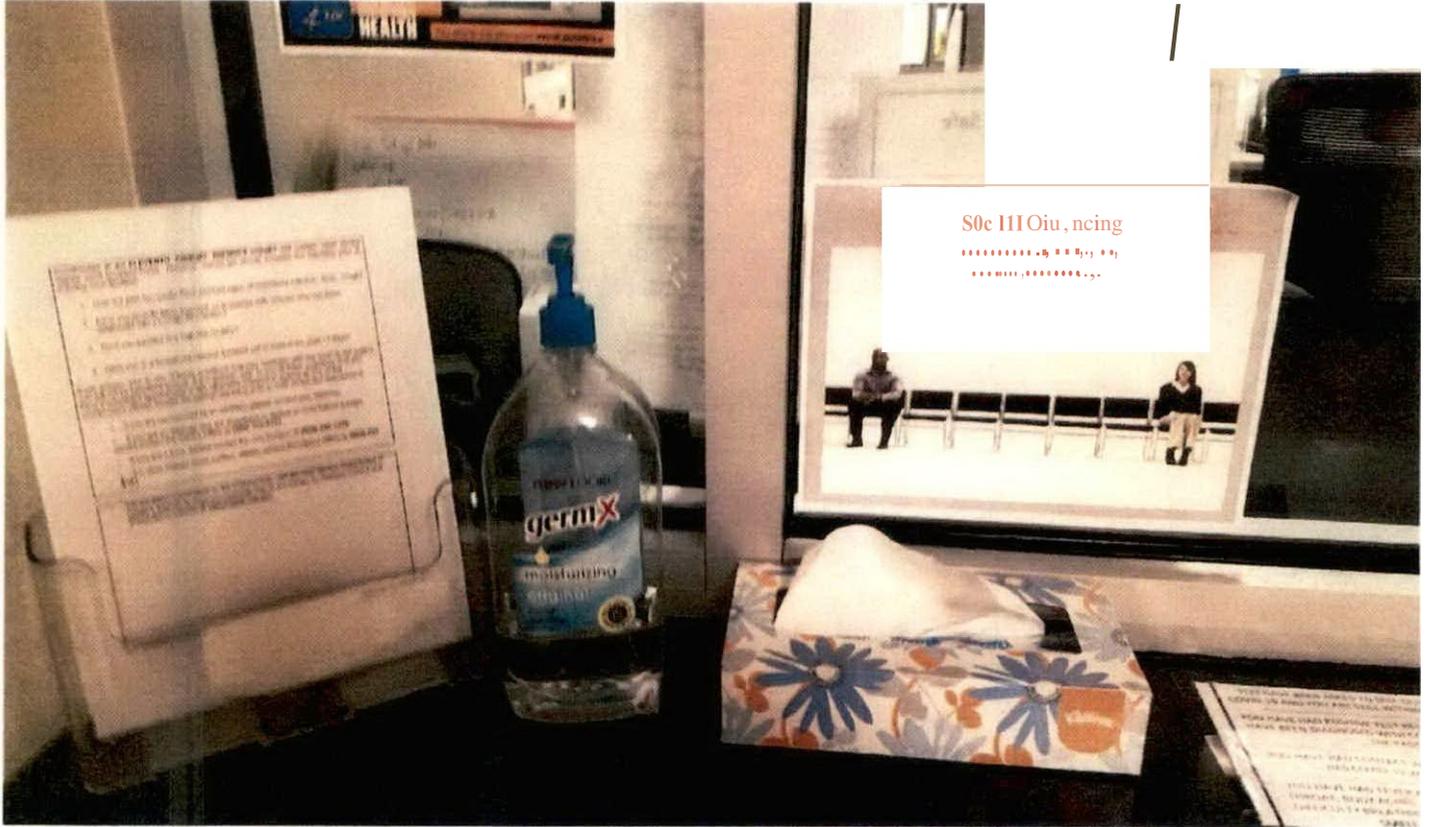
**DO NOT VISIT IF:**

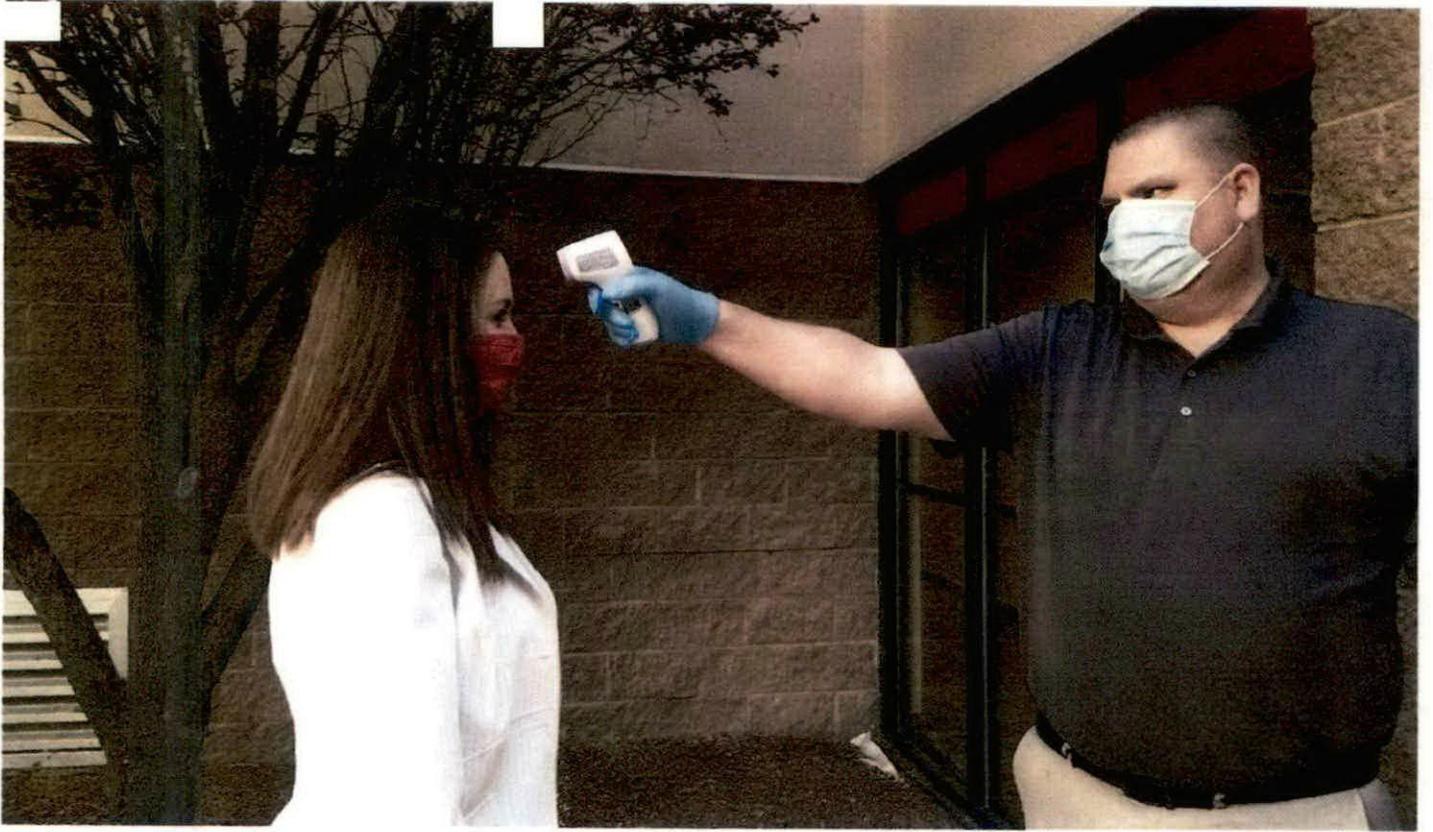
- YOU HAVE RECENTLY HAD SIGNS OF RESPIRATORY INFECTION, FEVER, COUGH
- HAVE RECENTLY BEEN EXPOSED TO SOMEONE WITH COVID-19
- HAVE TRAVELED TO A HIGH RISK COUNTRY
- YOU OR A HOUSEHOLD MEMBER HAVE TRAVELED OUT-OF-STATE WITHIN THE LAST 14 DAYS

**Have symptoms? Call 855-600-3453 CANNOT ENTER? CALL:**

**NOTICE**

1'9Ga







*I*

---

