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

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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[1]

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.

[1] 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[2] 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.

[2] 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.[3]

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.

[3] 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/Tennant
- ☒ Competency
- ☒ Lower Court Appeals

This influx will managed by:

Adherence to the shared scheduling calendar and reevaluate 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[4]

☒ 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.

[4] Refers to petit jury trials. Grand juries are not typically utilized in the 11th 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 questions

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?

☒ 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
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2	Face Mask Required Sign
3	Social Distancing Sign

EXHIBIT B – Courtroom Seating Diagrams

EXHIBIT C - Pictures

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ELEVENTH JUDICIAL DISTRICT & MAGISTRATE COURTS

AZTEC DISTRICT COURT

EXHIBIT C - Pictures (Continued)

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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 COVI0-19 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		

CONTACT TRACING FORM - AZTEC DISTRICT COURT

DATE	NAME	PHONE #	LOCATION (Courtroom #, Clerk's Office, Programs, Etc.)

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	**Judge Marsh:** 1-800-747-5150	**Judge Townsend :** 1 -800-747-5150
Access Code: 8236204	Access Code: 8607015	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.

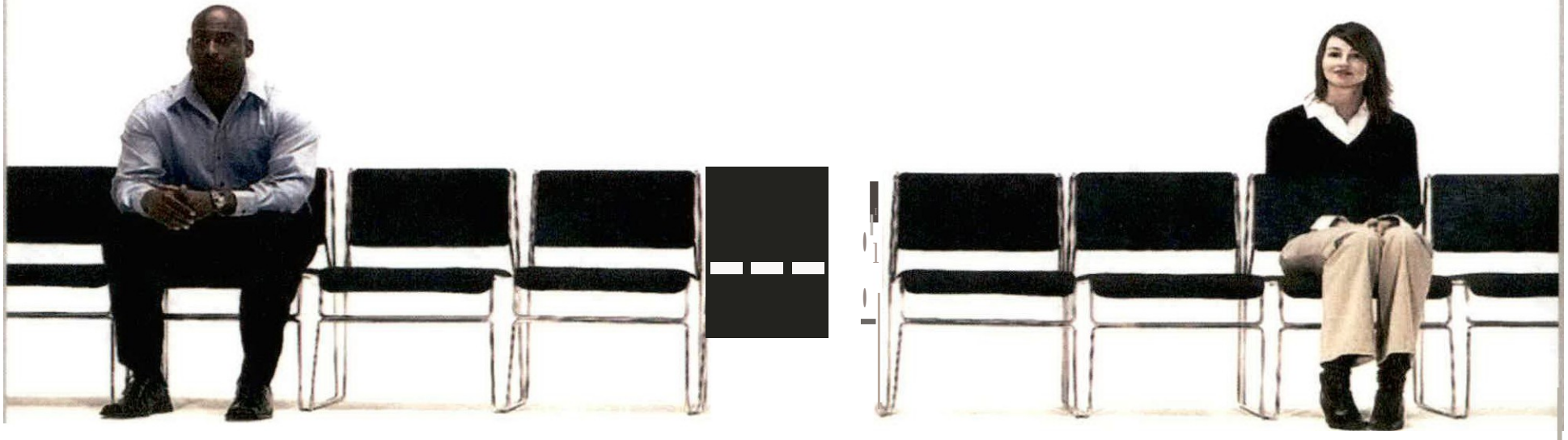
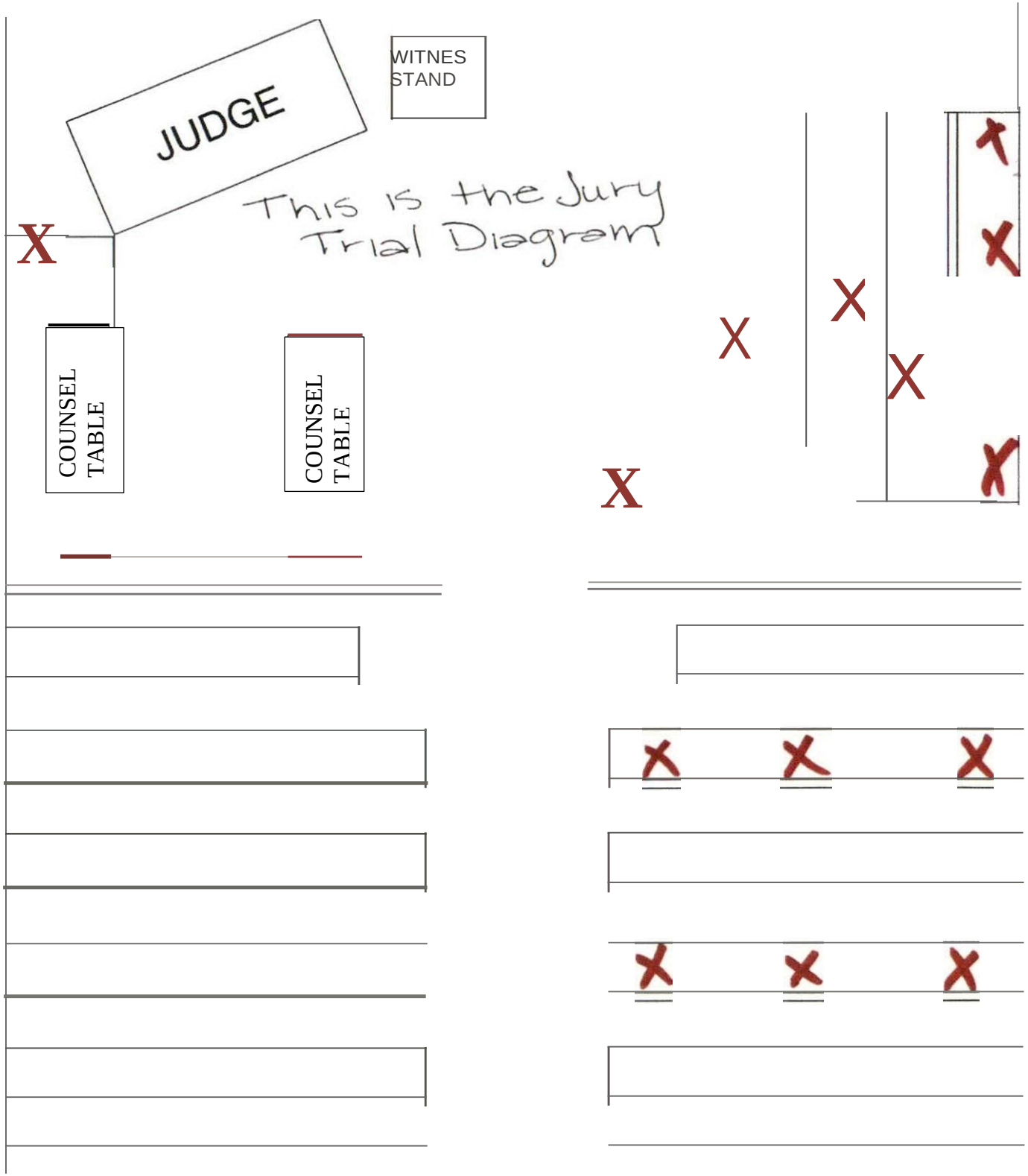


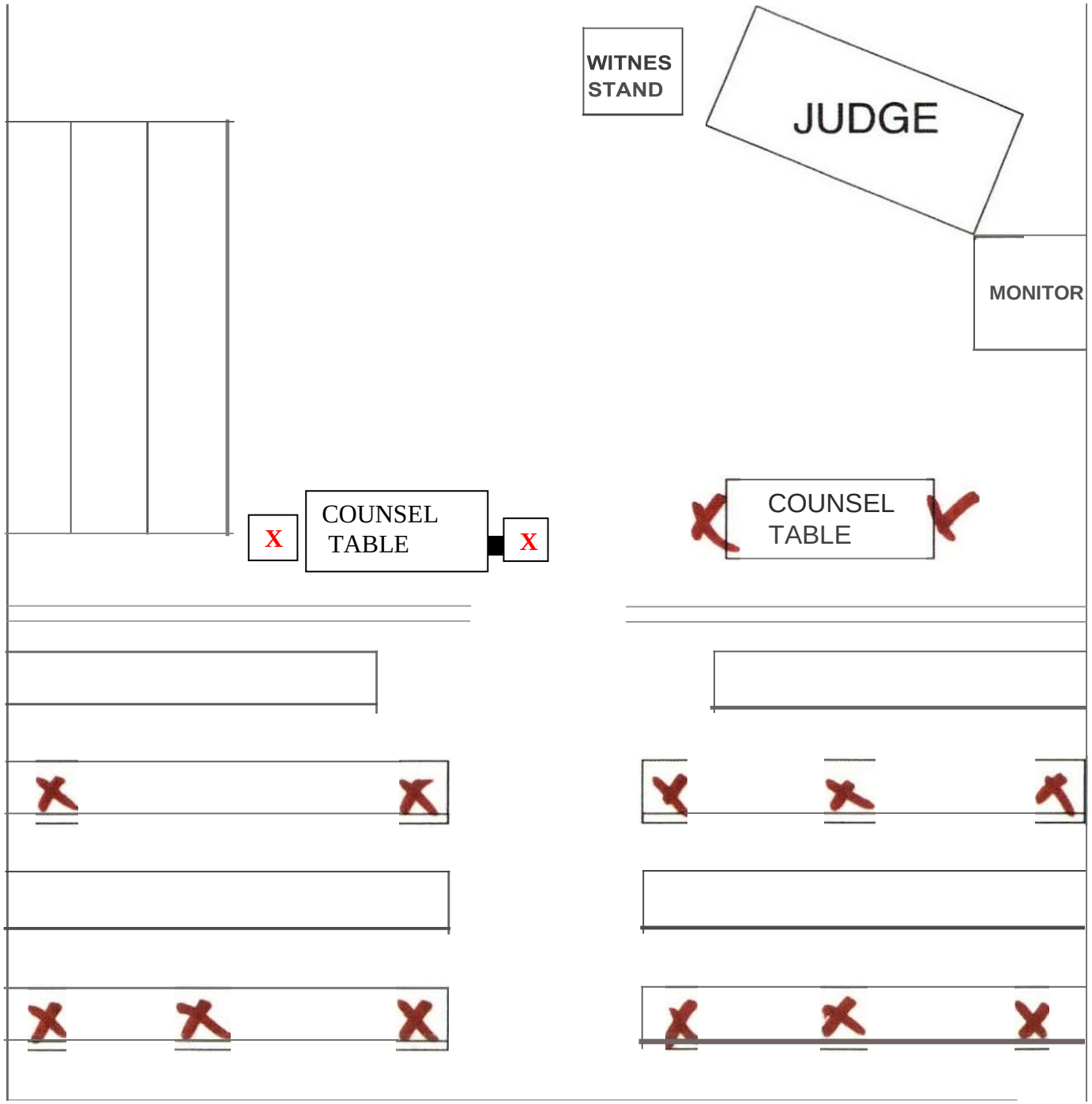
EXHIBIT B

Courtroom Seating Diagrams

Courtroom 1

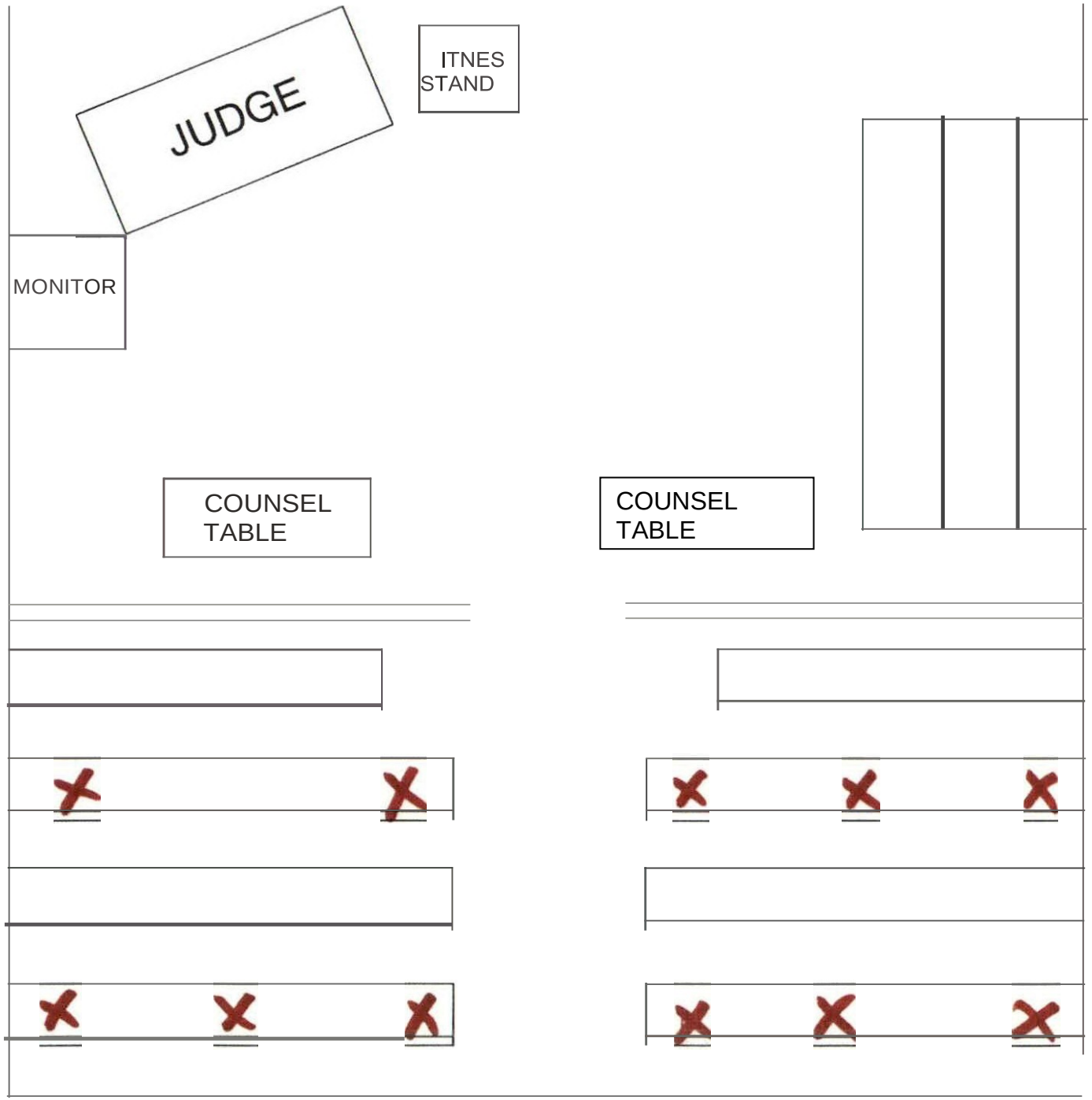

JUDGE
WITNES STAND
This is the Jury Trial Diagram
COUNSEL TABLE
COUNSEL TABLE

Courtroom 2



Courtroom 3

Each X represents the distance of 6 feet.



Courtroom 4

Each X represents the distance of 6 feet.

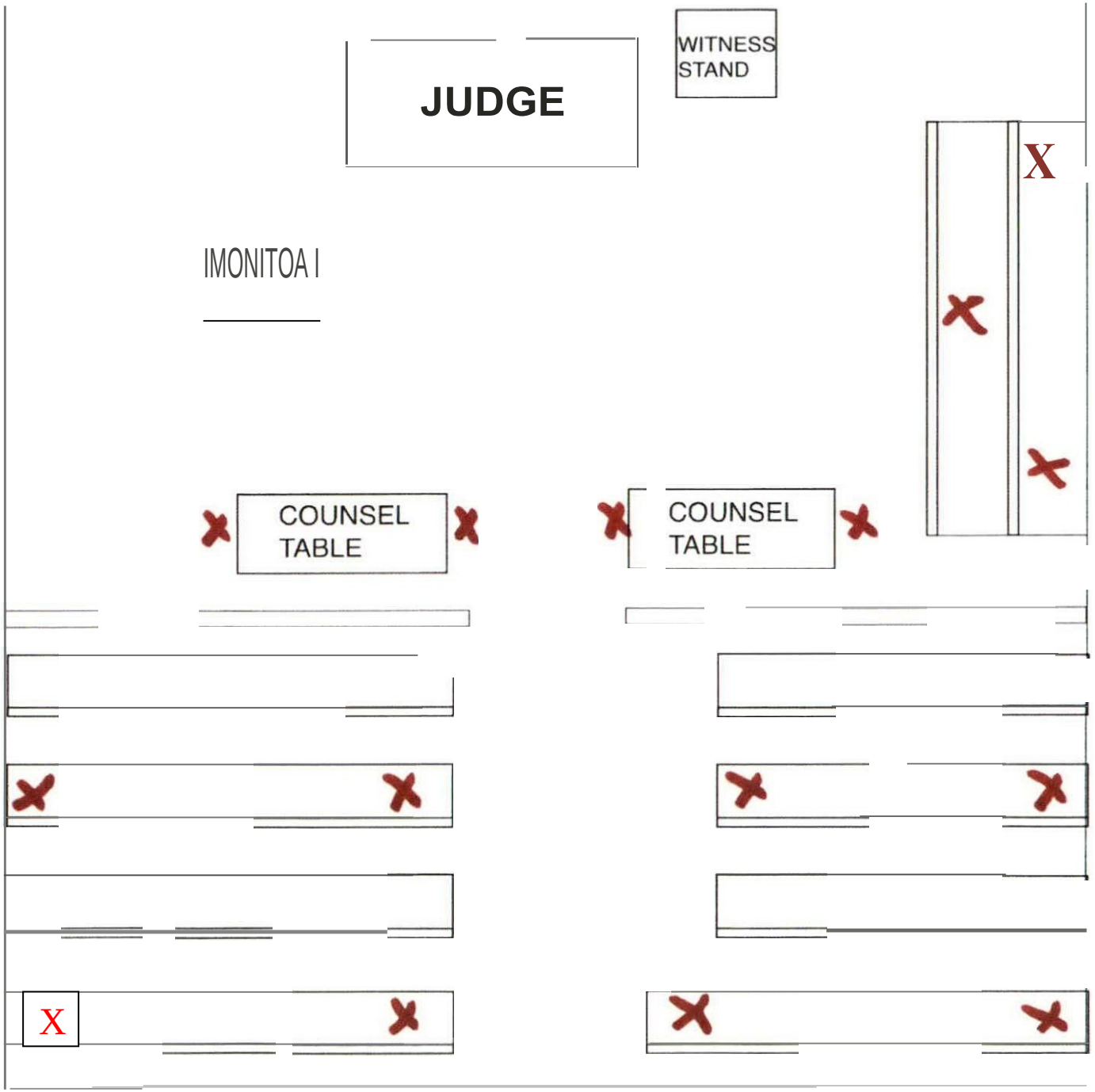
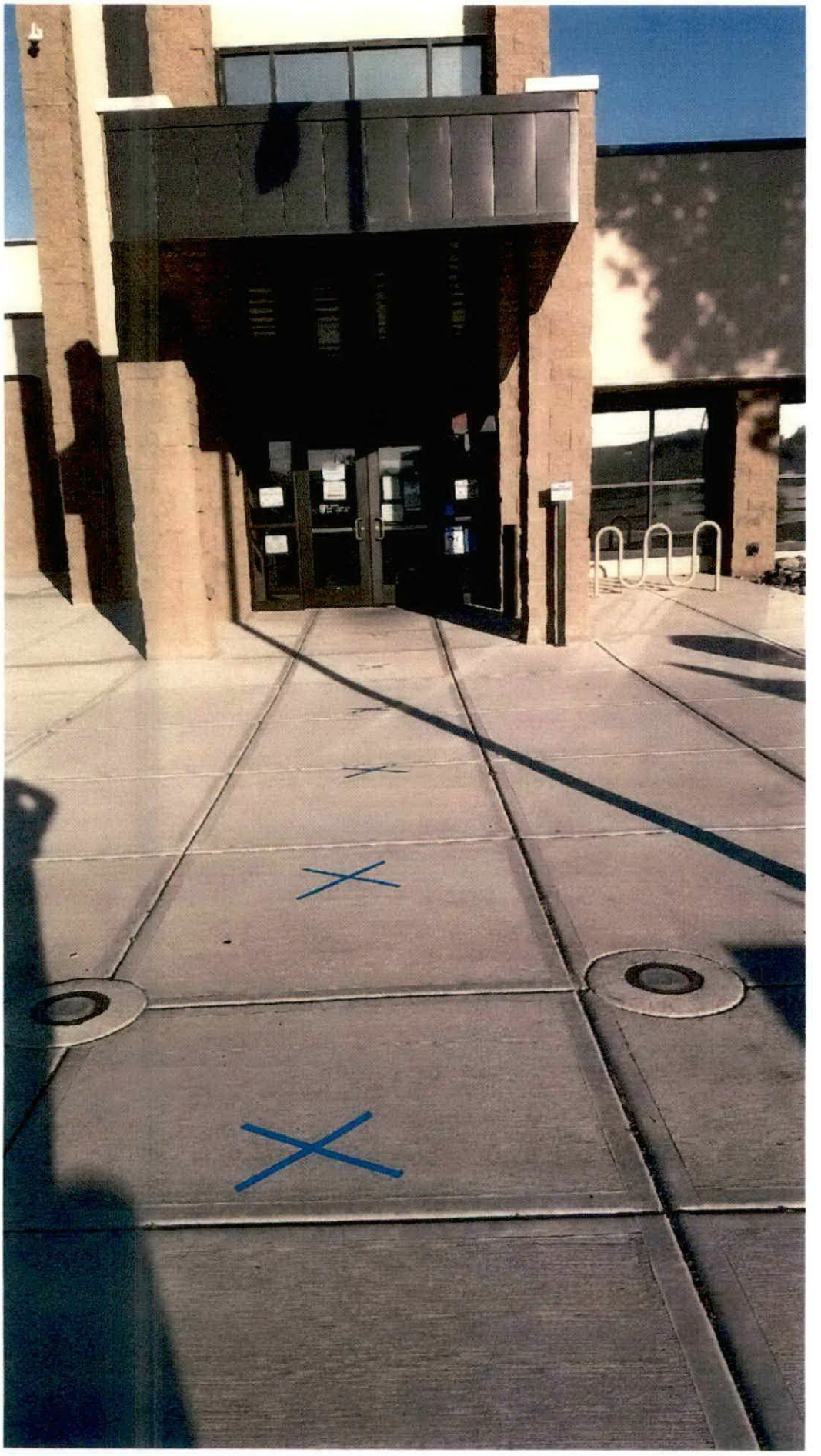
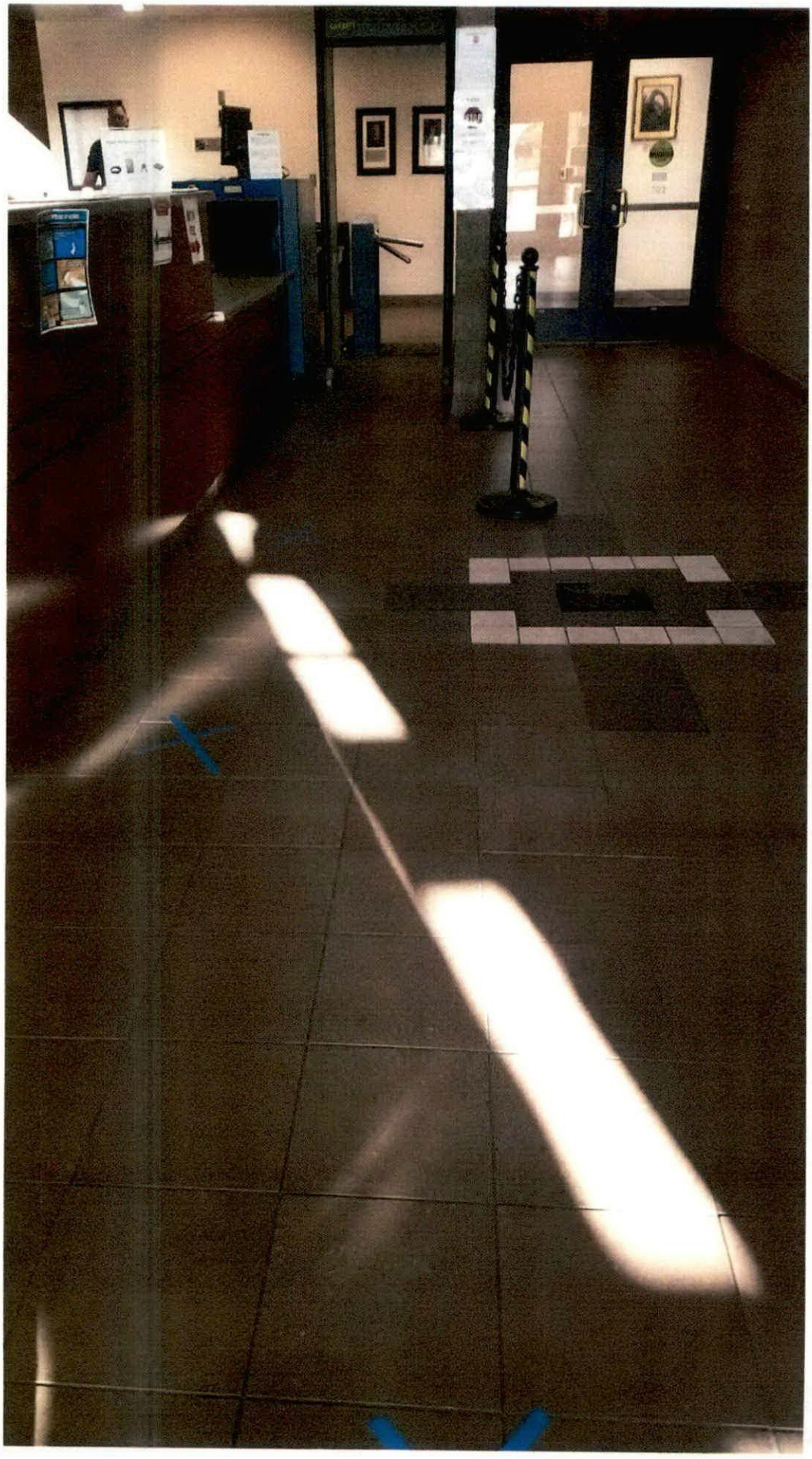


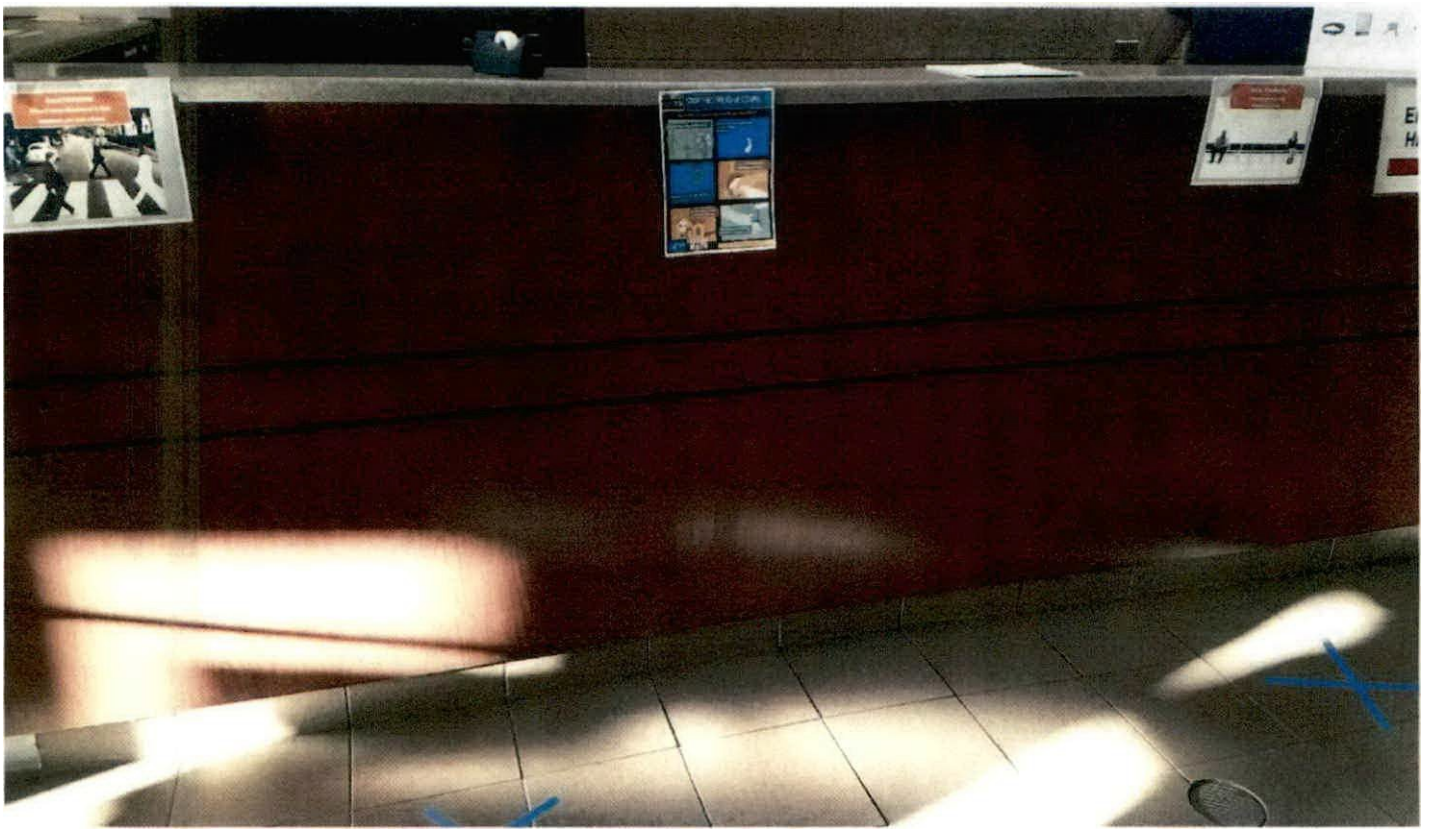
EXHIBIT C

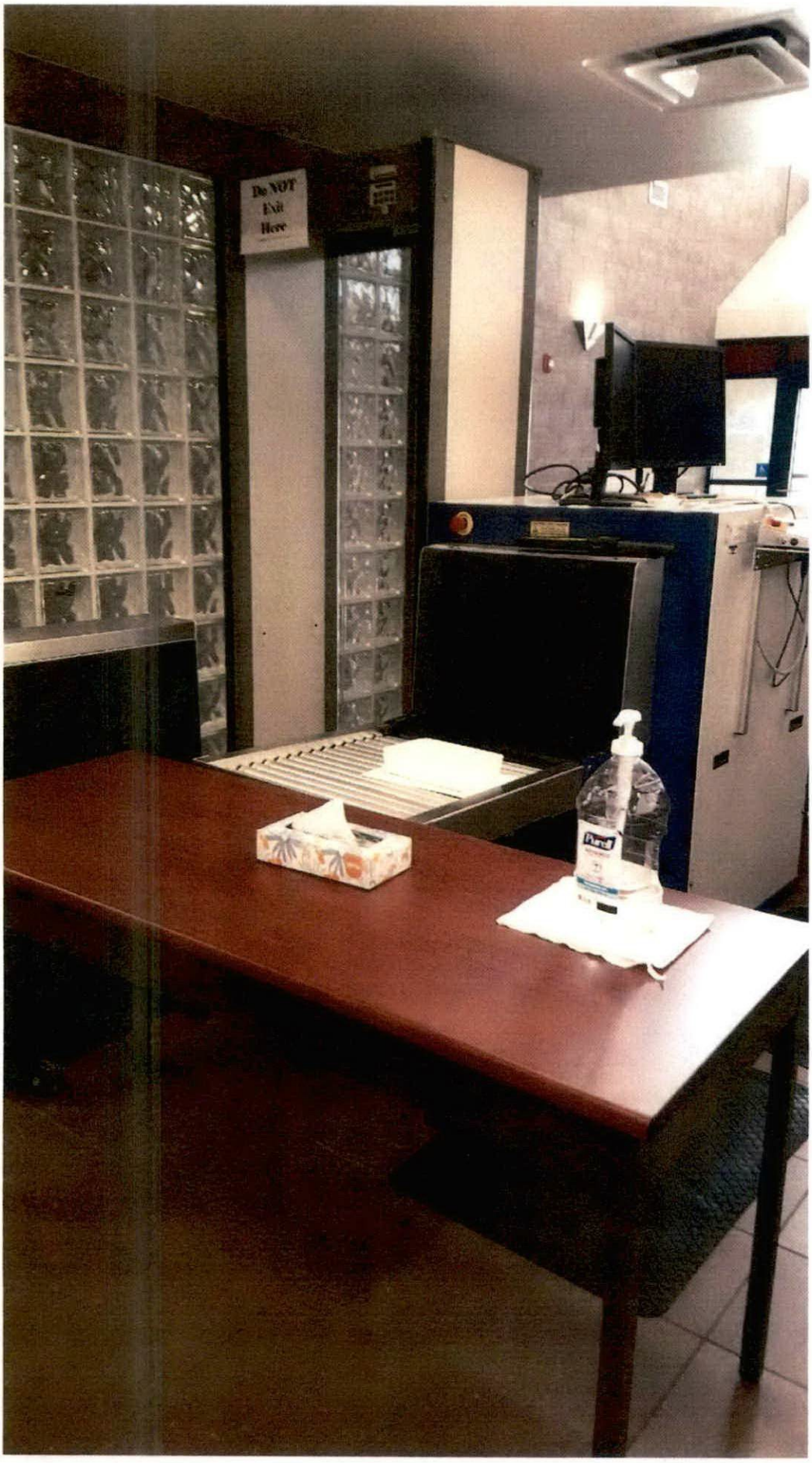
Pictures 1-39

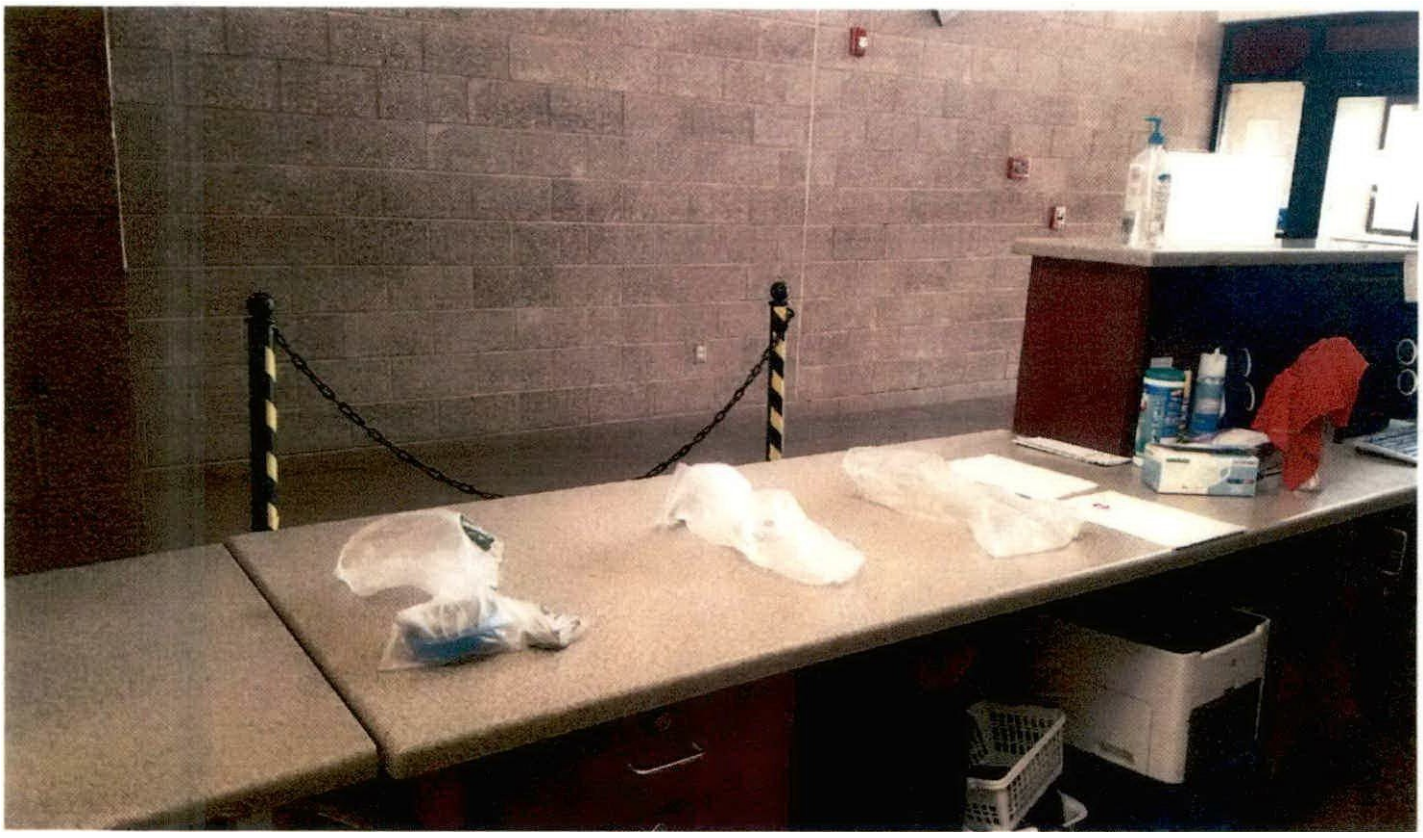


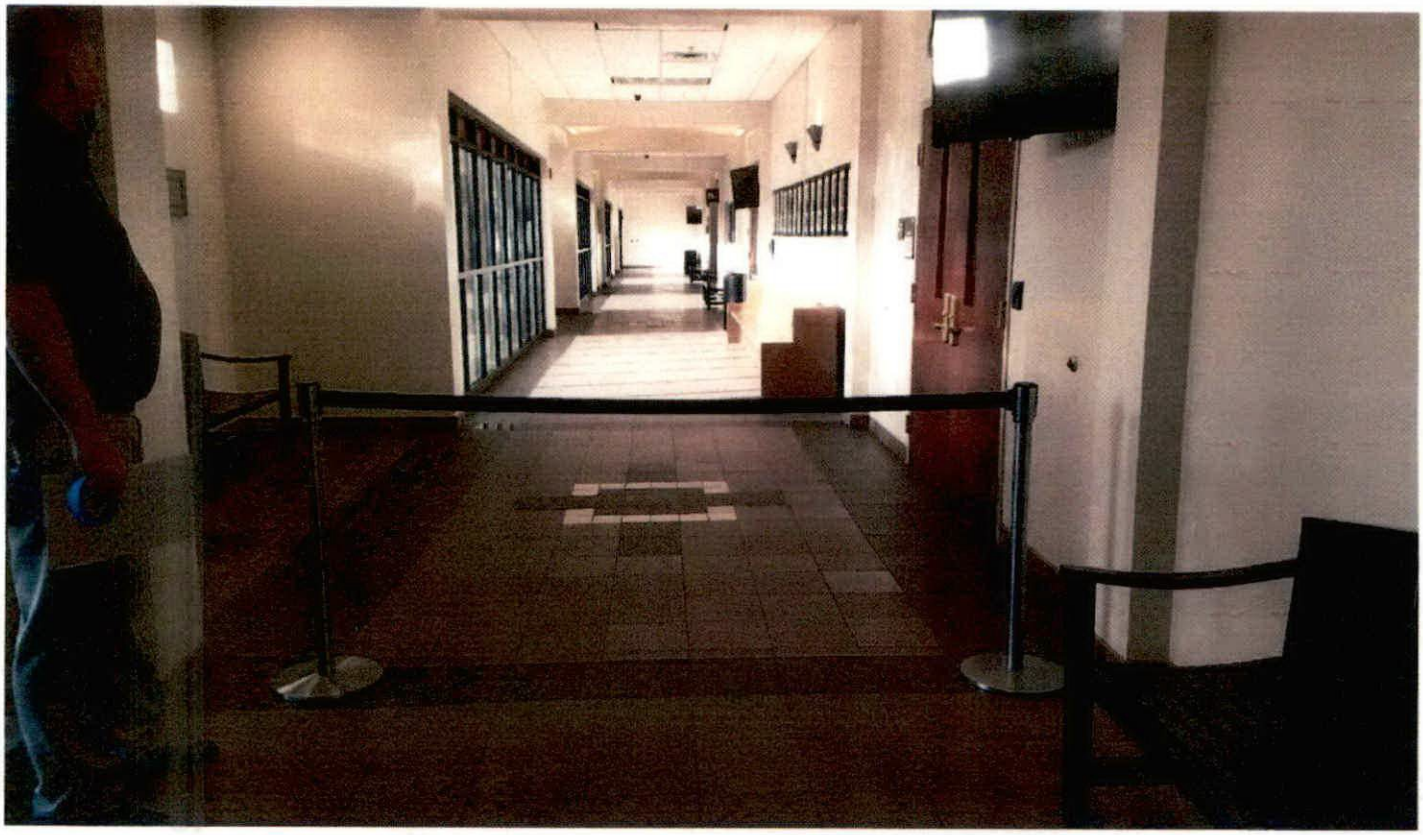
Help Keep Courts Safe
STOP
STOP
NO VISITE
EN CASO DE:
EDIFICIO? LLAMAR
MASKS
REQUIRED
PRIOR TO ENTRY

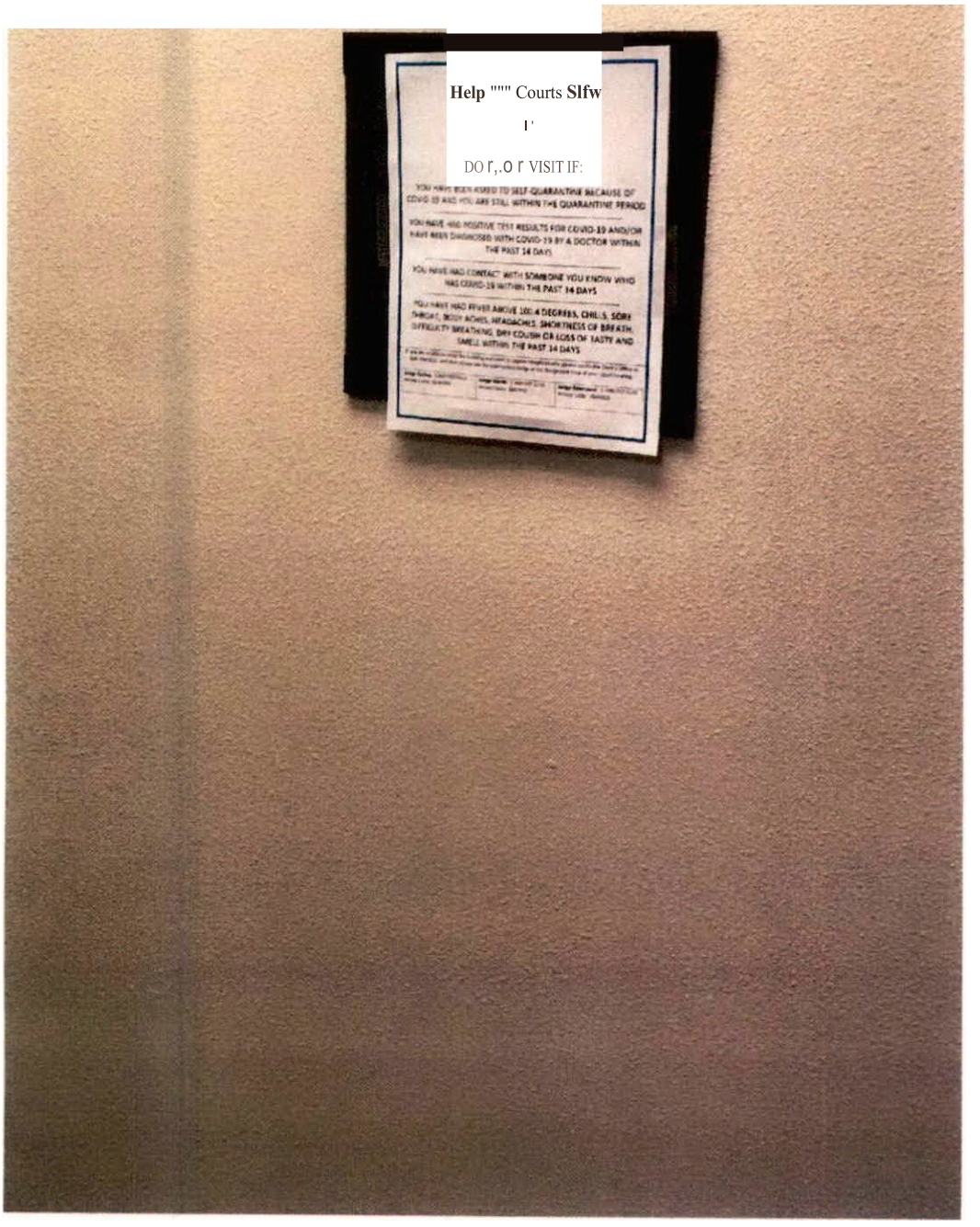




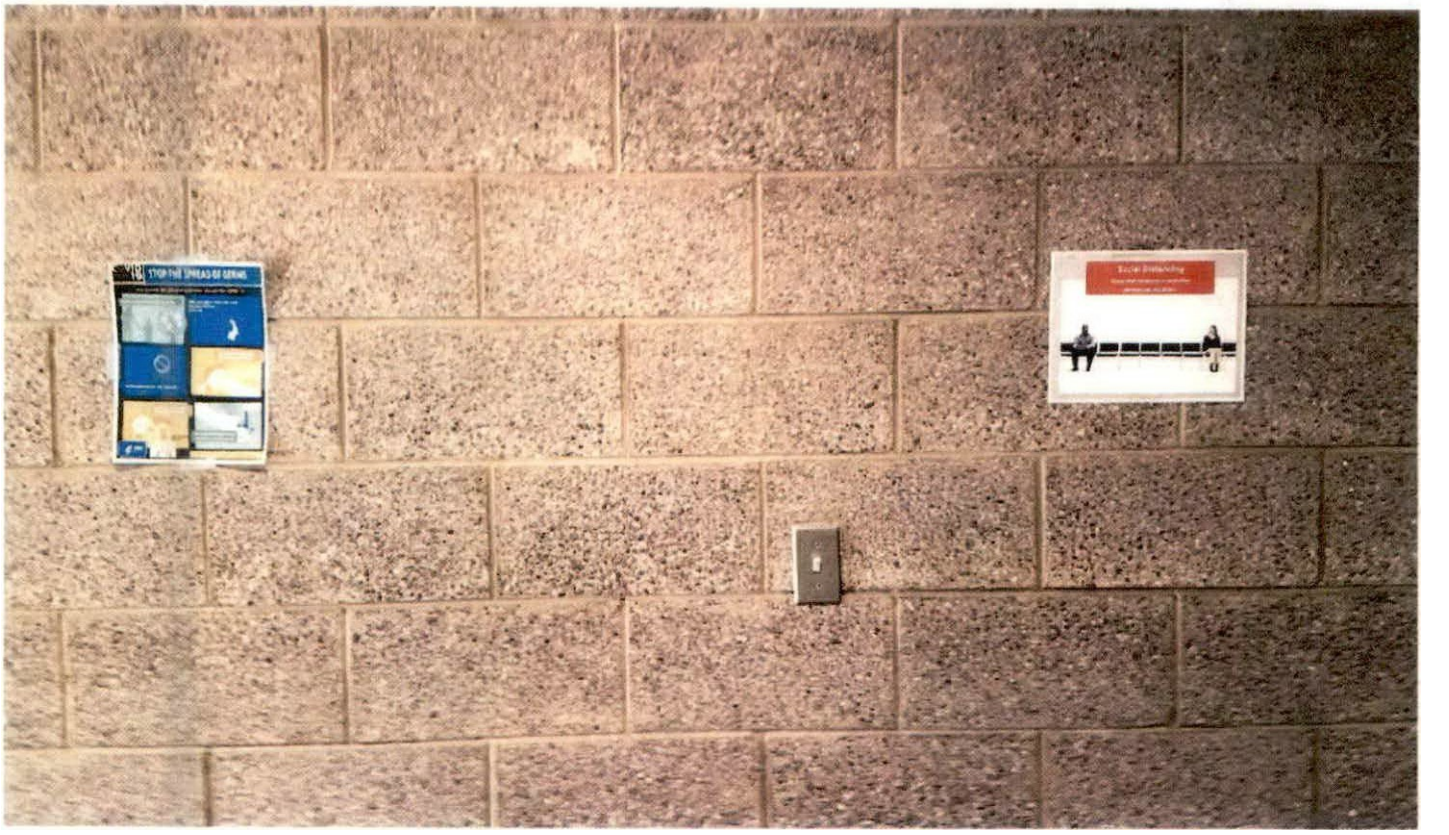

Do NOT
Exit
Here



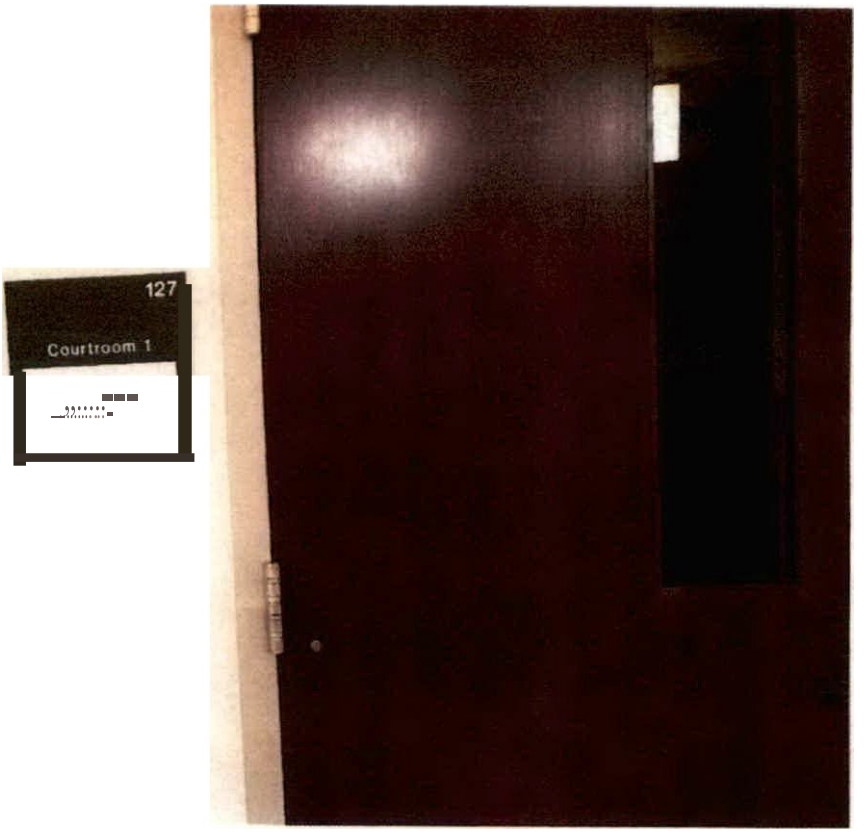


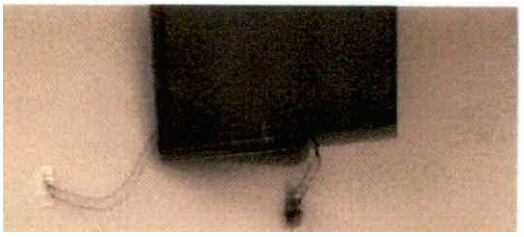

Help """ Courts Slfw
DO r,.o r VISIT IF:
YOU HAVE BEEN ASKED TO SELF-QUARANTINE BECAUSE OF COVID-19 AND YOU ARE STILL WITHIN THE QUARANTINE PERIOD
YOU HAVE HAD POSITIVE TEST RESULTS FOR COVID-19 AND/OR HAVE BEEN DIAGNOSED WITH COVID-19 BY A DOCTOR WITHIN THE PAST 14 DAYS
YOU HAVE HAD CONTACT WITH SOMEONE 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

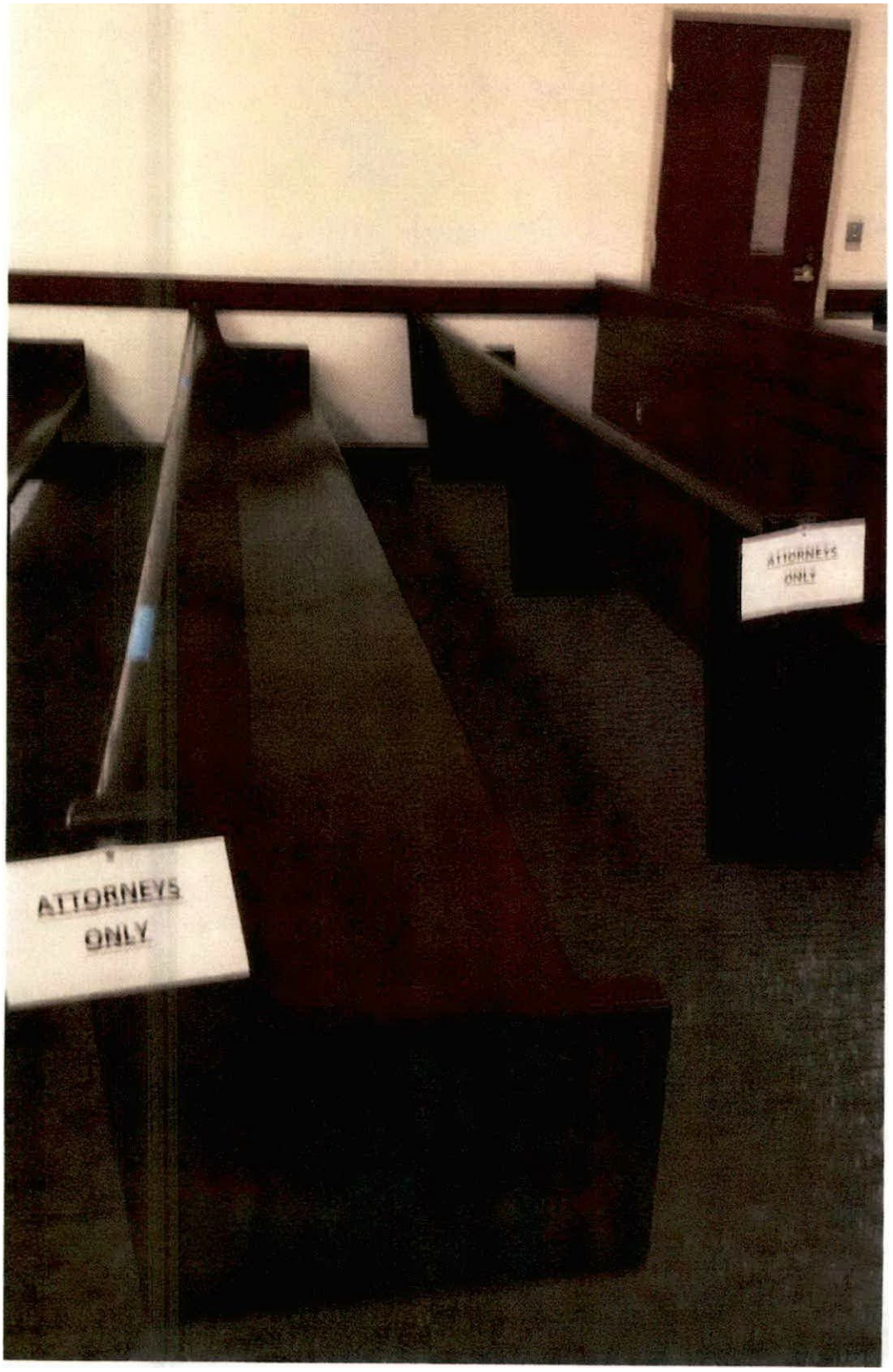
ID


STOP THE SPREAD OF GERMS
Social Distancing

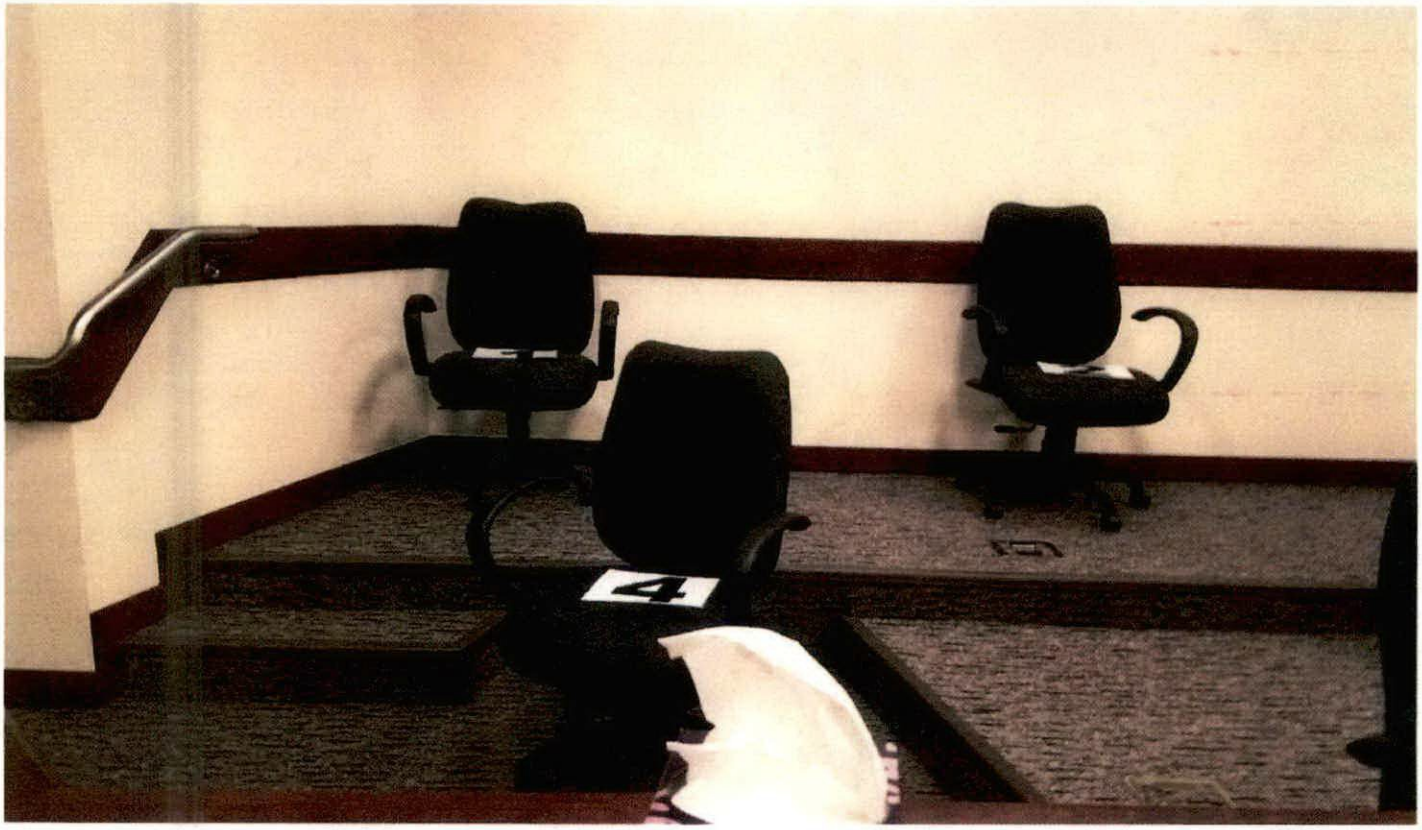
Maximum
Occupancy
25 **People**






ATTORNEYS
ONLY
ATTORNEYS
ONLY

/€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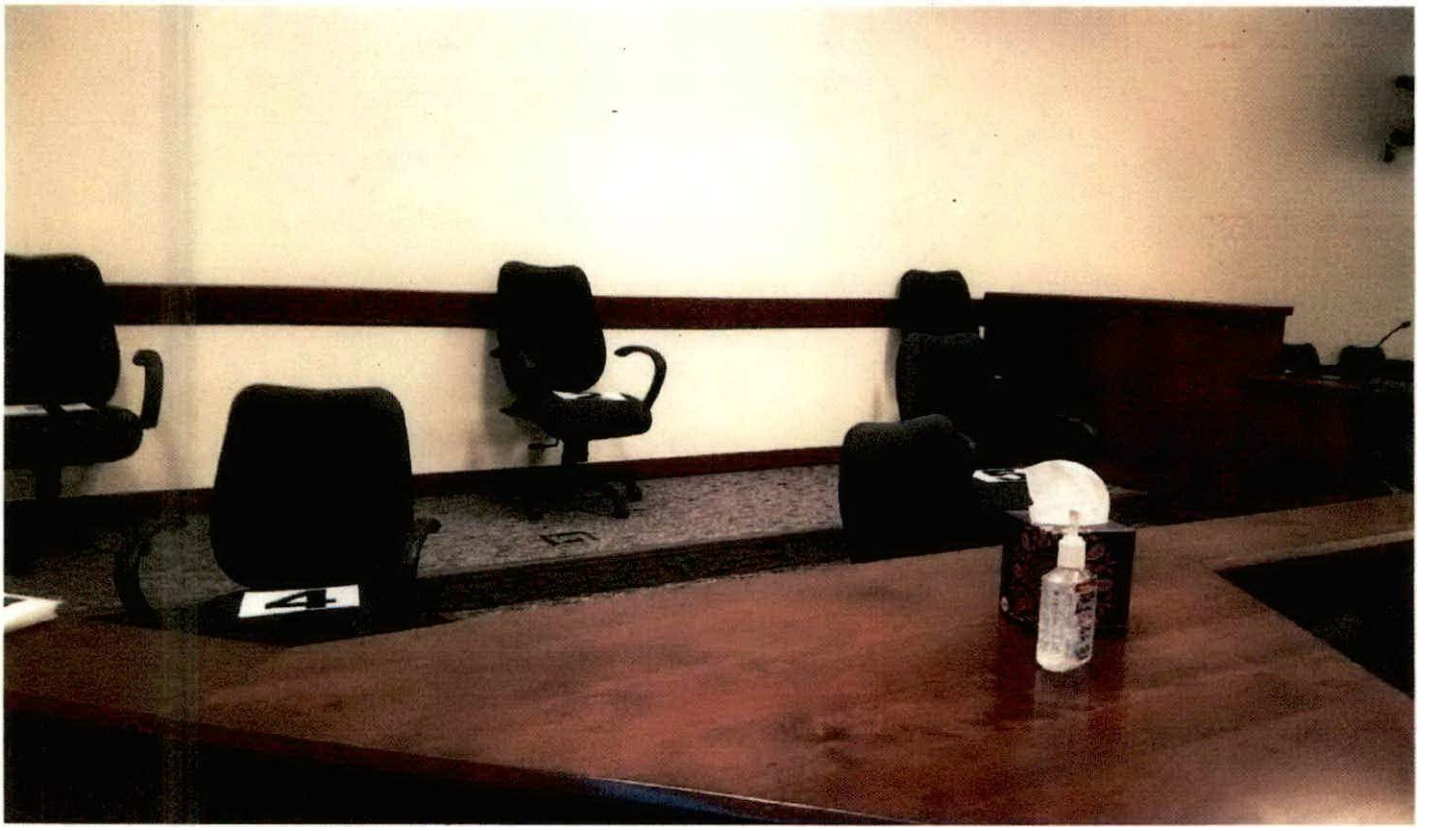
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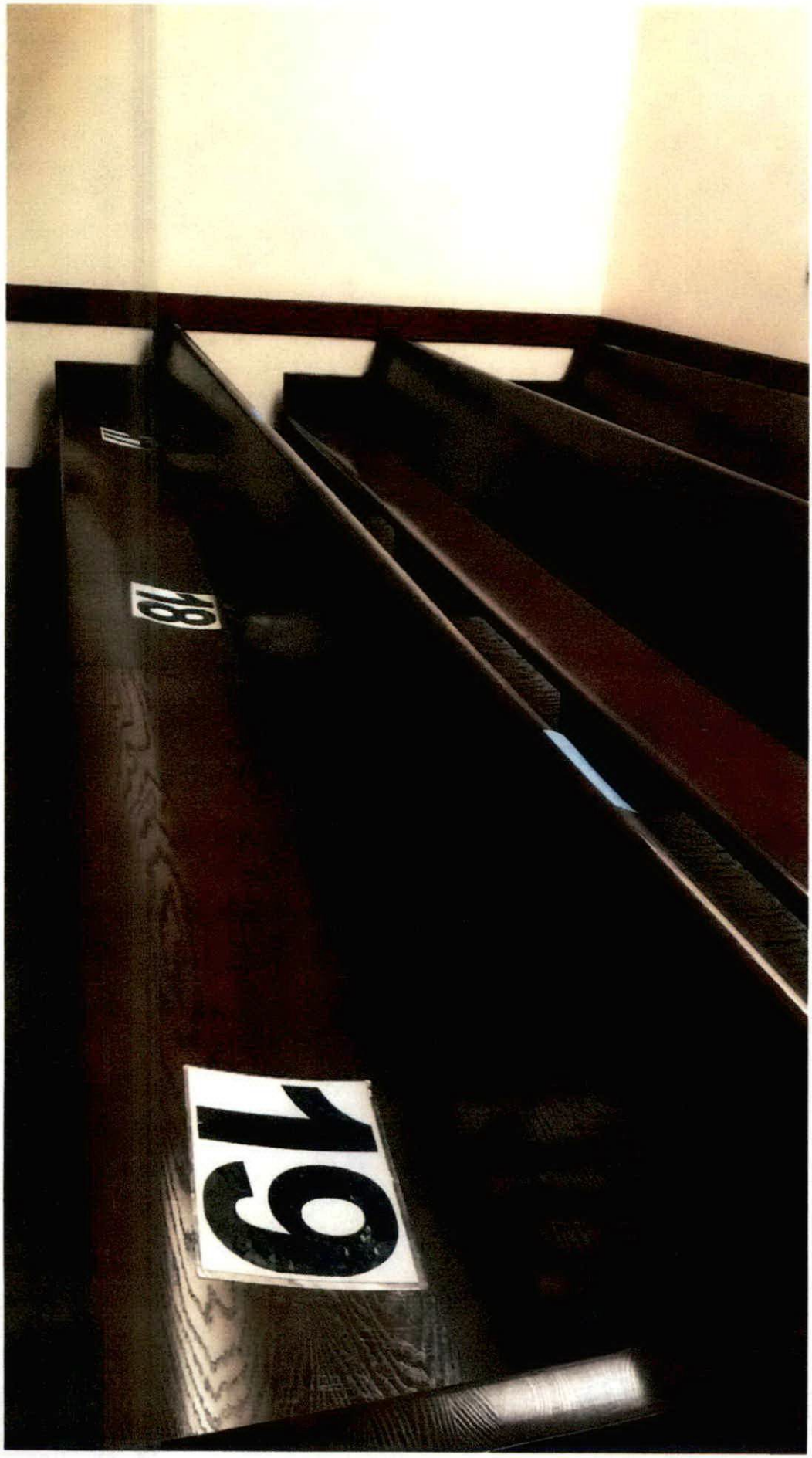
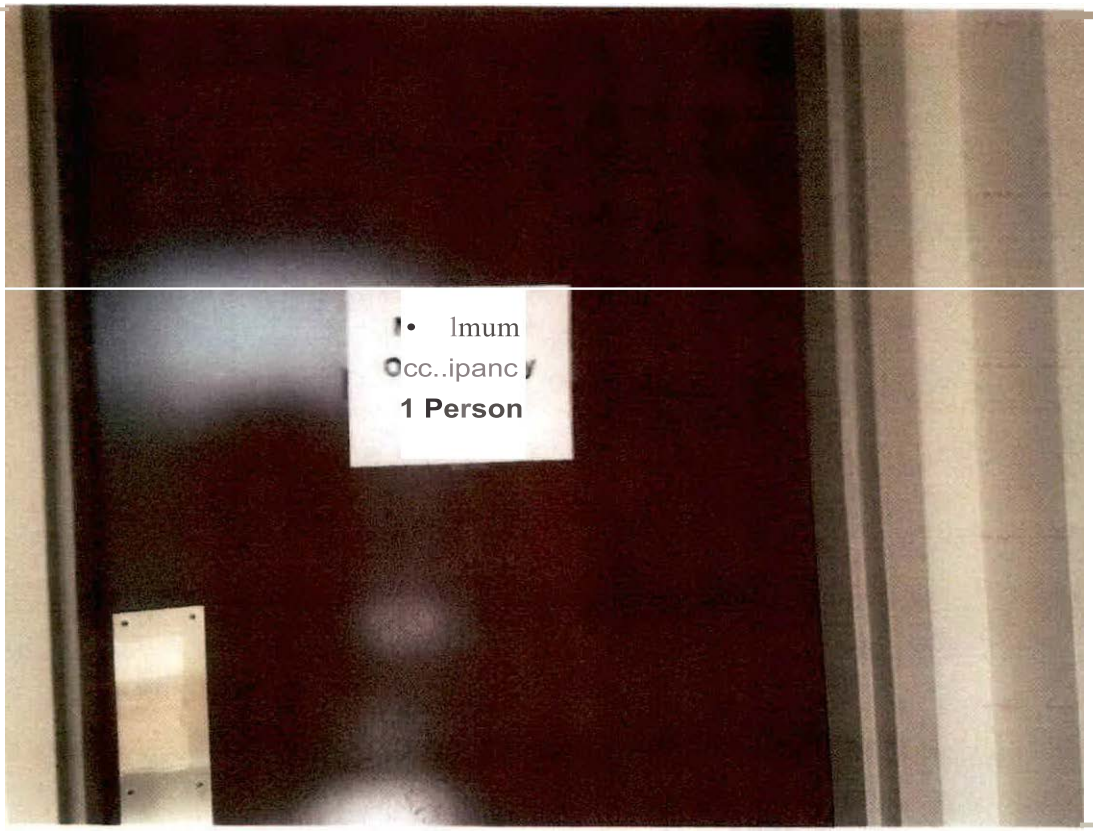

19
18

Maximum
Occupancy
1 Person
WOMEN
OCCUPIED

Maximum
Occupancy
1 Person
VACANT
MEN

RESTROOM
Maximum
Occupancy
1 Person

WOMEN


lmum
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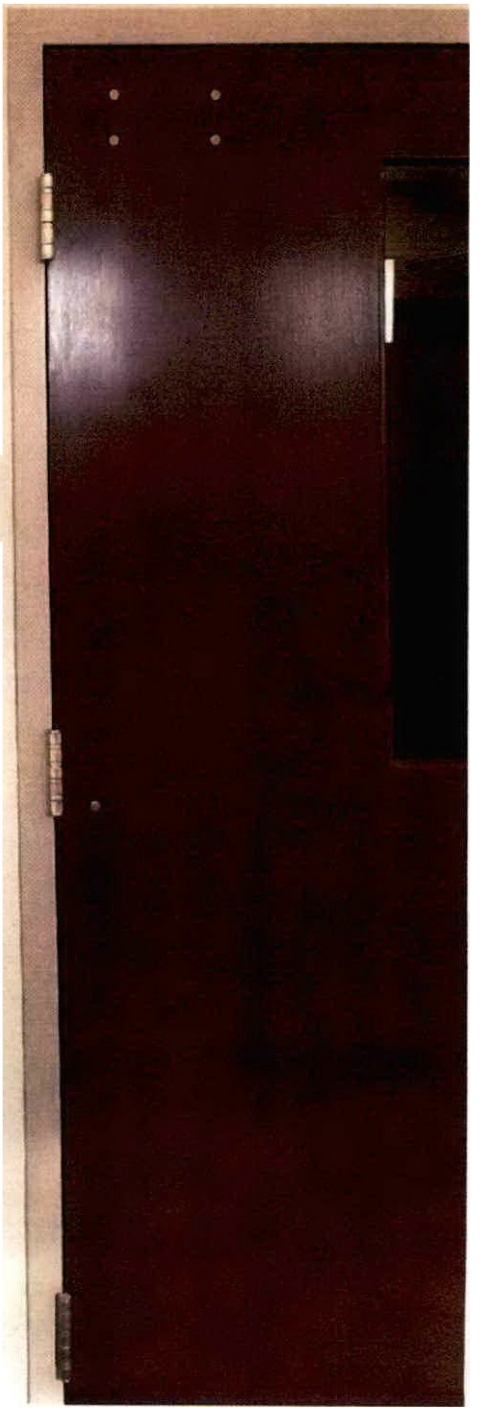
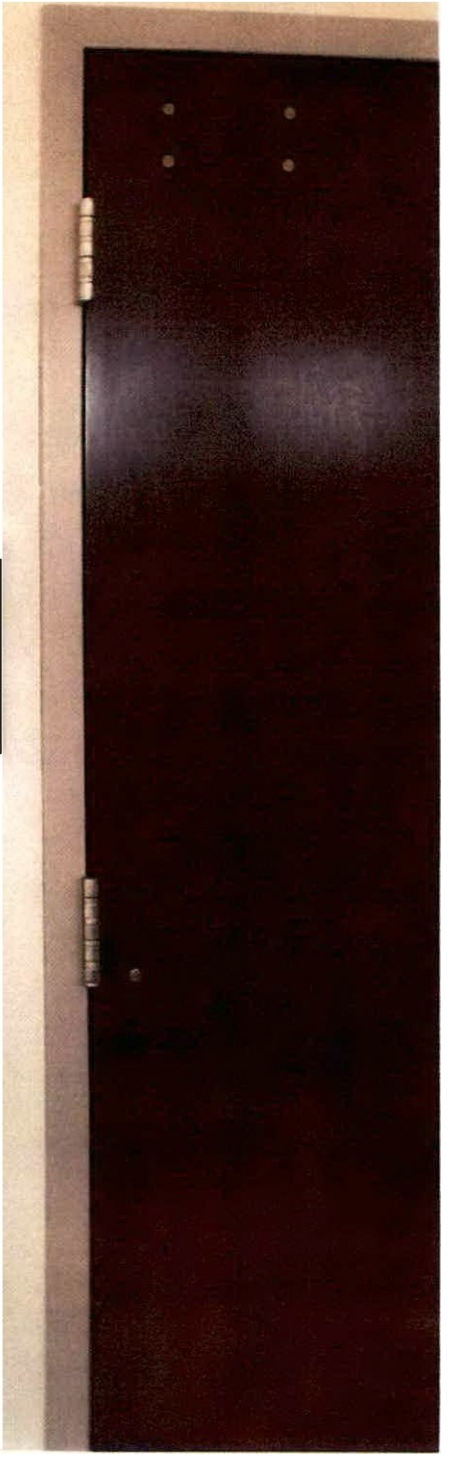
1 Person

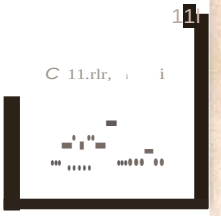
Maximum
Occupancy
1 Person

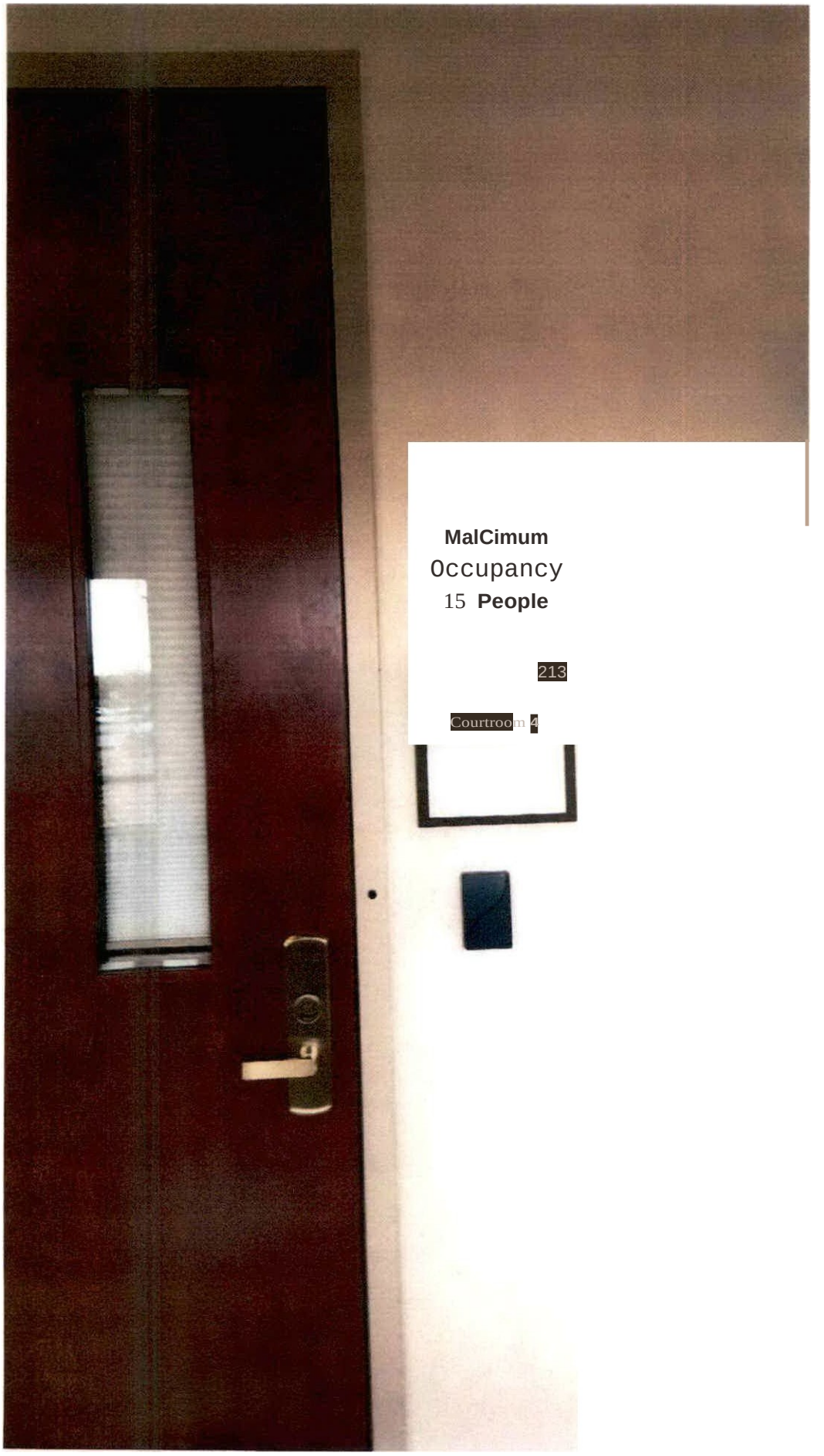
Maximum
Occupancy
15 **People**





Maximum
ccupancy
15 **People**



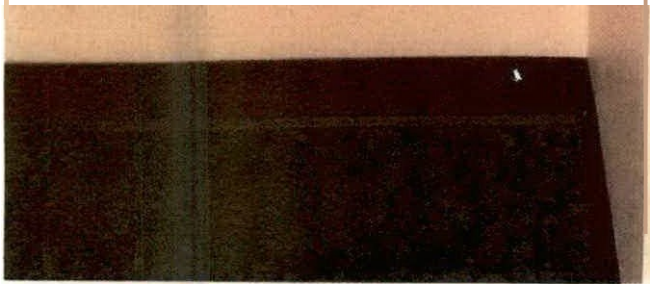

MalCimum
Occupancy
15 People
213
Courtroom 4

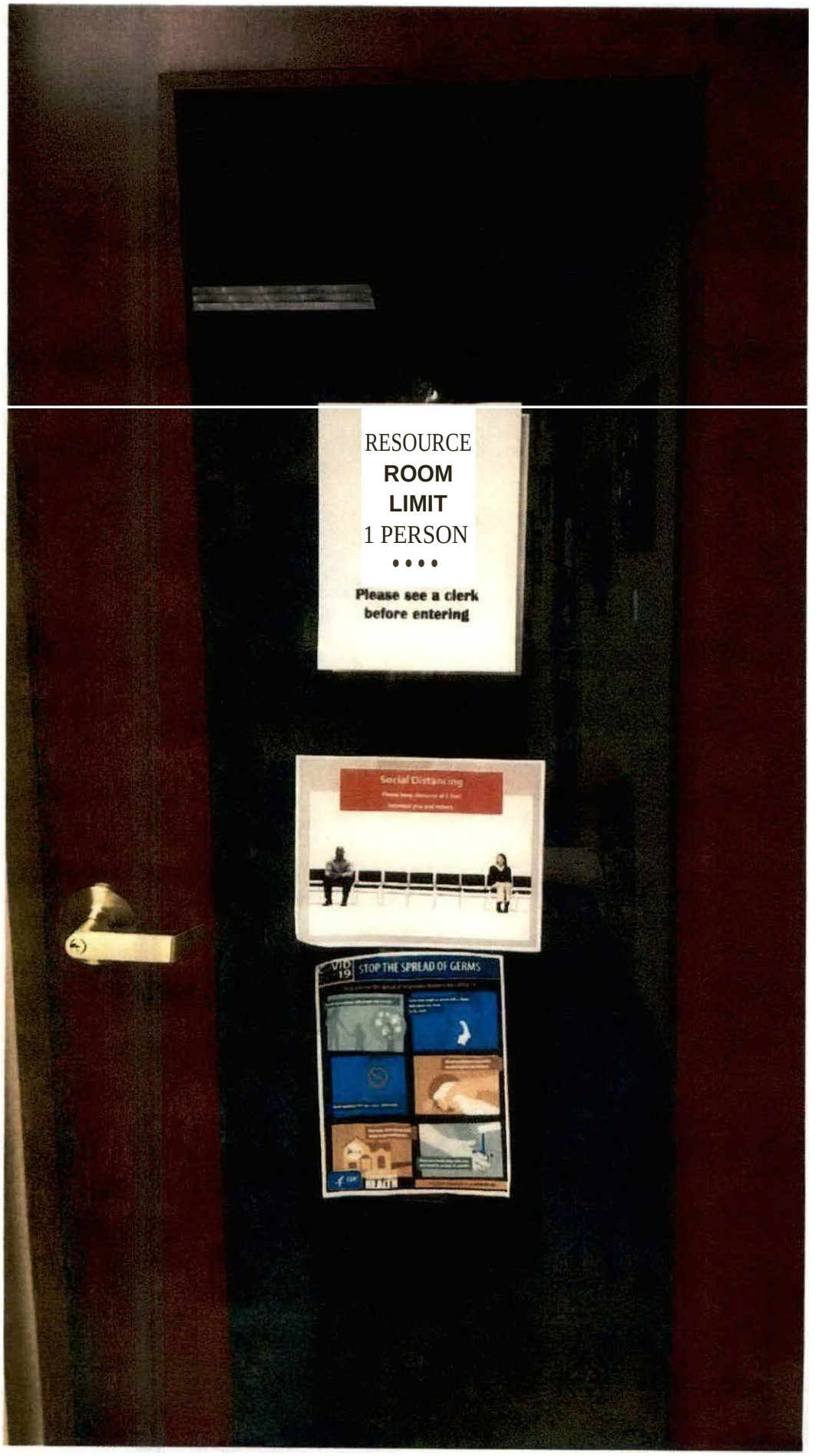
Maximum
Occupancy
20 People

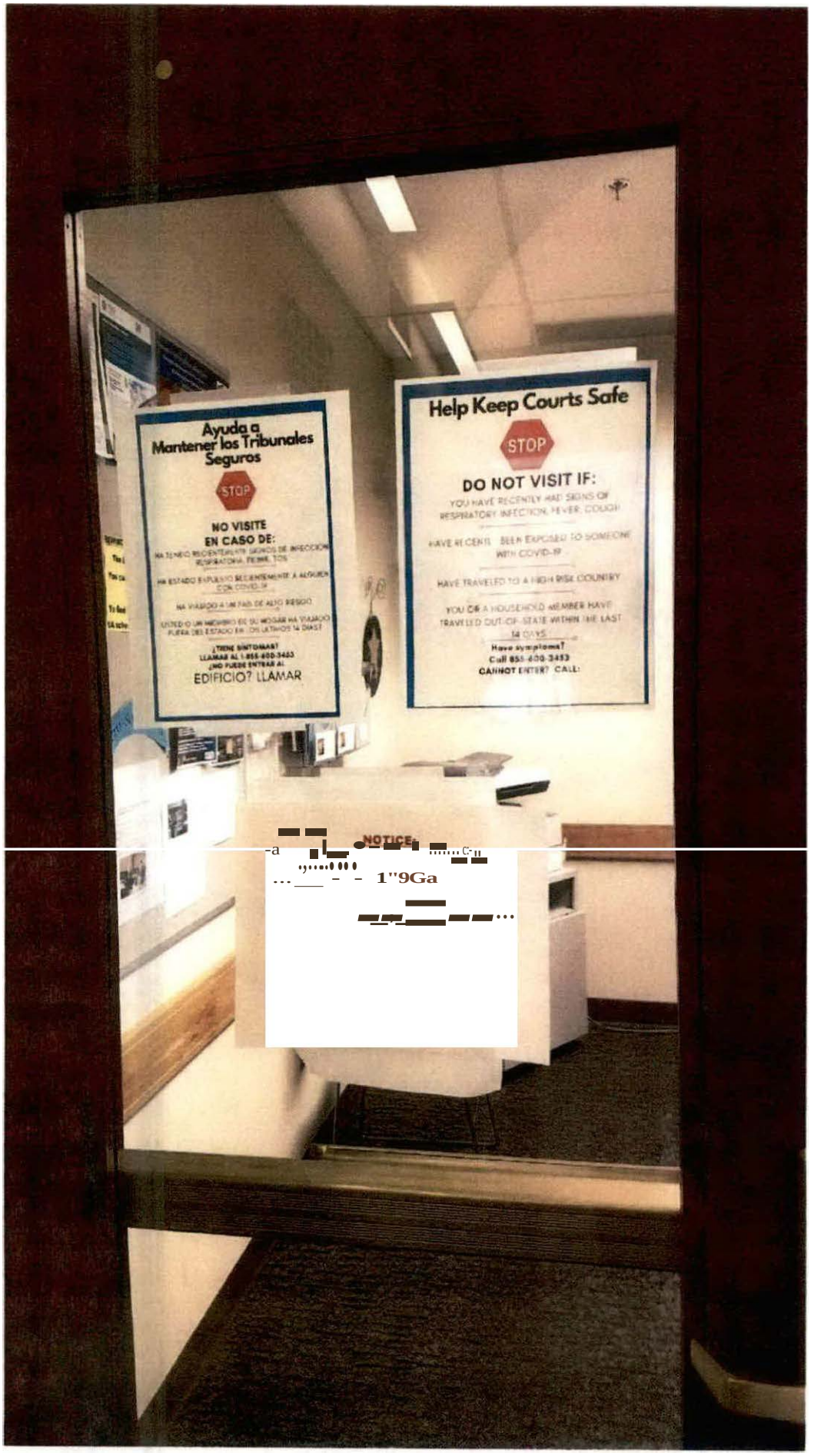
J l•lW=i
[redacted]
FACE MASK
REQUIRED
Help Keep Courts Safe
STOP
DO NOT VISIT IF:
Maximum
Occupancy
4 People

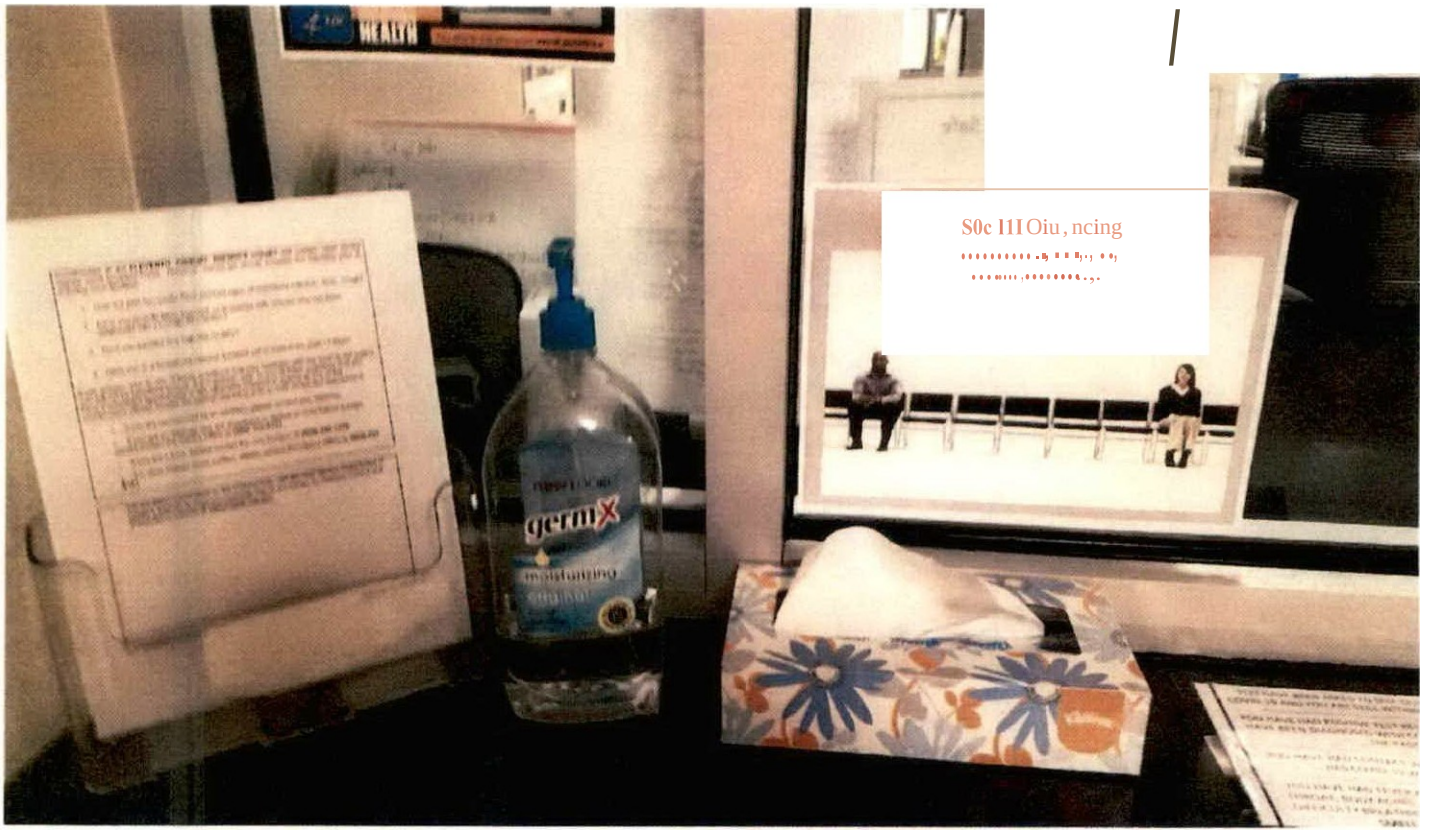
Bl

NOTICE
FACE MASK REQUIRED
NOTICl
NO MOR[THAN rouR PEOPLE IN THE UERK'S OFFICE AT ONE TIME.
PlfASE R£MAIN OUTSIDE TH(DOOR IF THCRE ARE MOR£ THAN 4 PEOPLE IN TH£ LOBBY
Help Keep Courts Safe
STOP
PENS




RESOURCE
ROOM
LIMIT
1 PERSON
Please see a clerk
before entering
Social Distancing
STOP THE SPREAD OF GERMS


Ayuda a Mantener los Tribunales Seguros
STOP
NO VISITE EN CASO DE:
EDIFICIO? LLAMAR
Help Keep Courts Safe
STOP
DO NOT VISIT IF:
YOU HAVE RECENTLY HAD SIGNS OF RESPIRATORY INFECTION, FEVER, COUGH
HAVE TRAVELED TO A HIGH RISK COUNTRY
Have symptoms?
Call 855-600-3453
CANNOT ENTER? CALL:
NOTICE:
1"9Ga



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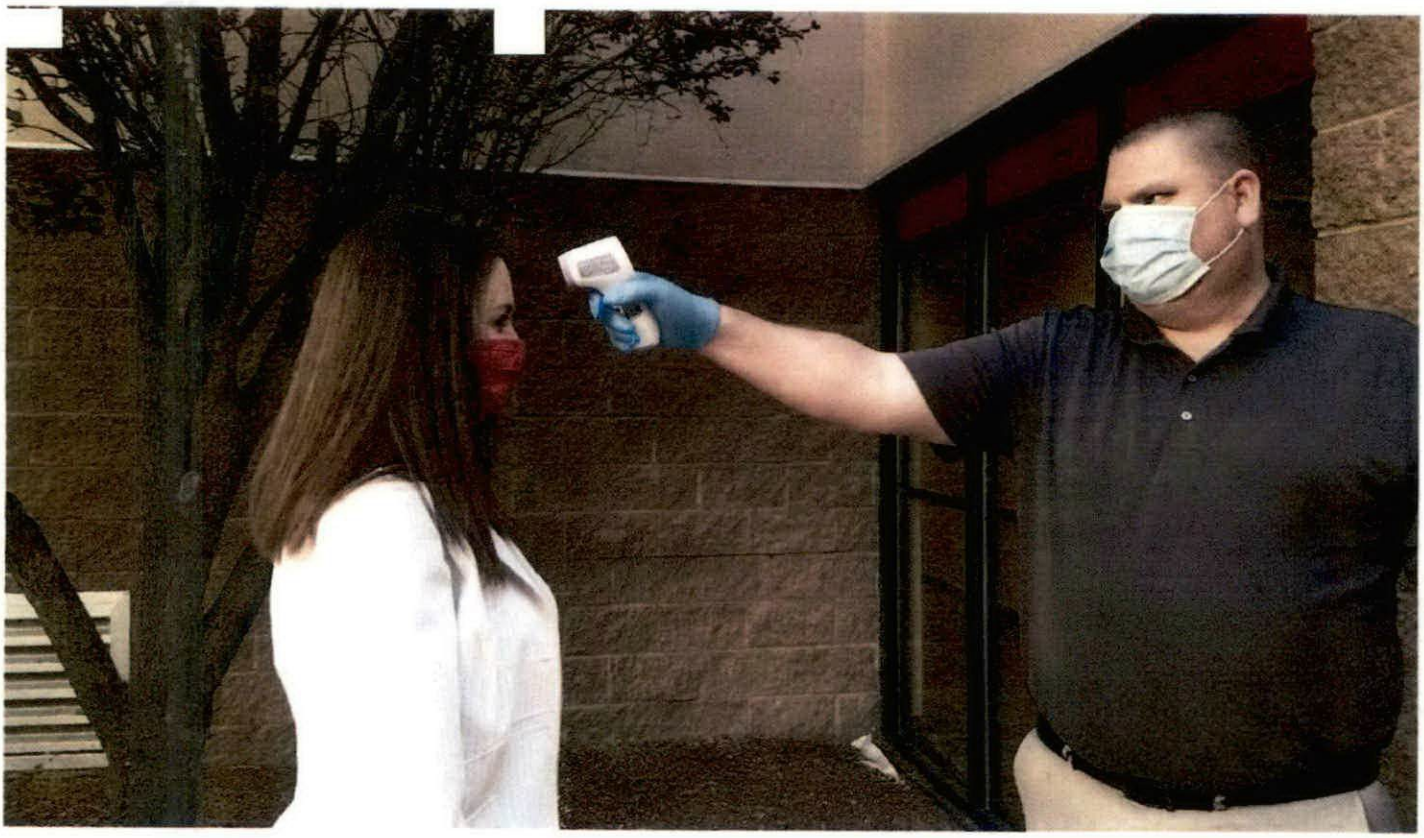

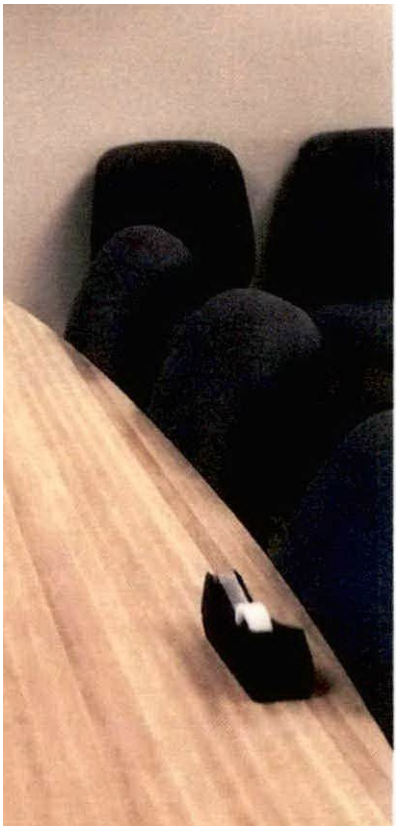

I

APPROVED PLAN
FOR RESUMING AND EXPANDING COURT OPERATIONS
Starting

July 13, 2020

Eleventh Judicial District

County: San Juan

Court type: Magistrate Court

City: Aztec

Date of submission: June 26, 2020

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:

- Google Meets (video)
- Google Meets (telephone line)
- 1-800 conference line

☒ Remote participation by the press and public will be accommodated by taking the following measures:
In order of preference:

- Google Meets (video)
- Google Meets (telephone line)
- 1-800 conference line

B. Criteria for in-person hearing

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

In-person hearing will remain the exception, but should expand beyond rare emergencies to include matters that are best addressed in-person. These types of hearings include hearings that involve significant documentary of physical evidence, and hearings with incapacitated persons as parties or minors as parties. Matters involving many parties or complex legal issues will also be eligible for in-person hearings. These could include pleas, sentencing, and suppression hearings for higher-profile cases, as well as some civil cases. More complex matters with unusually large numbers of parties will continue to be heard remotely.

Initially, all in-person hearings will require the approval of Chief Judge Karen Townsend. Eventually, the Eleventh proposes to give judicial officers discretion to set hearings in-person when the hearing meets these criteria. In particular, we anticipate the case types would mainly involve pretrial detention hearings, probation violations, jury trials, evidentiary, motion in limine, presentation and suppression hearings also in-person hearings as requested by the parties. Again the presumption is that all hearings continue remotely, and the Eleventh's direction to its judicial officers is that setting an in-person hearing is the exception, and not the general rule.

C. Filing by self-represented litigants WILL be allowed by email, fax, and scanner in the lobby.

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, interior public hallways, and lobby are marked, pursuant to current CDC guidelines, to ensure proper distancing and traffic flow.

Hand sanitizer and tissue are placed in the lobby of the Clerk Offices and in the Courtrooms. If available hand sanitizer stations will be installed in strategic locations throughout the hallways.

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

Lobby counters, public computers, door handles, pens and scanner are sanitized after each person leaves. Should the staff member 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. Public seating in the common areas has been adjusted to ensure seating is six feet apart.

Maximum of 5 people allowed in Clerk's Lobby. Maximum occupancy signs are posted at the entrance and in the 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 asked

to wait in their car or outside 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, fax and scanner at counter in lobby.

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

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

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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:

We will still hold telephonic and video hearings, adding more calendar sessions to dockets, spreading hearings out throughout day. Remote court dockets will consist of more sessions and will have 10 cases per session. We will not exceed 15 people in courtroom at a 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, staff can make arrangements for the recipient to 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 will work together on their schedules and ensure only one jury trial is scheduled and conducted at a time.

To reduce to amount of traffic within the building at one time, the Judges will stagger the start times of their in-person hearings.

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.

☒ These positions are more suitable for teleworking and will continue teleworking full time:

Judicial Specialist II positions will be on a rotating schedule. At any given time, 25% of staff will work from home and 75% in the courthouse.
In case of an emergency or if there is a need to reduce staff, we have developed a plan to have 25% staff working in the courthouse and 75% working from home.

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 Court will follow the COVID-19 Potential or Confirmed Case Checklist, and the CEO in coordination with the Chief Judge will make a determination to activate a contingency plan. The basic steps in the plan include 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 in accordance with the following plan:

A designee will screen the public by taking temperatures and asking the screening questions as they enter the building. If available, a bailiff from the 11th Judicial District will handle screening. Screening staff will be trained and provided with personal protective equipment (PPE).

Public, judges and court staff are required to be screened daily prior to entering the courthouse. Screening will include two

components: (1) temperature and (2) screening questions. 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, will be permitted entrance into the building. Screening staff will be trained and provided with personal protective equipment (PPE).

C. Vulnerable populations[1]

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

- Signs will be posted at entrance
- Information will be on the Court's web page
- Appearances by video or phone for hearings
- Jurors will be excused if of vulnerable population
- No pleas allowed day of Jury Trial
- Temperatures will be taken at entrance of building
- There is a window in front of the clerk's counter that shields the public from staff and staff from the public

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

- Signs will be posted at entrance
- Information will be on the Court's web page

[1] 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.

- Appearances by video or phone for hearings
- Jurors will be excused if of vulnerable population
- No pleas allowed day of Jury Trial
- Temperatures will be taken at entrance of building
- There is a window in front of the clerk's counter that shields the public from staff and staff from the public

Jurors who self-identify as members of vulnerable populations will be excused by jury clerk or judges upon request.

D. Social Distancing[2] will be maintained:

<u>In the public entry by:</u>

- Signs on the floor indicating 6' distance apart
- Signs Informing public of social distancing & hand washing

<u>At the Clerk's counter by:</u>

- Signs on the floor indicating 6' distance apart
- Signs Informing public of social distancing & hand washing

<u>At the public restrooms by:</u>

- Signs on the floor indicating 6' distance apart
- Signs Informing public of social distancing & hand washing

<u>In the secure hallway by:</u>

- Signs on the floor indicating 6' distance apart
- Signs Informing public of social distancing & hand washing

<u>In the judicial processing area by:</u>

- Signs on the floor indicating 6' distance apart
- Signs Informing public of social distancing & hand washing

[2] Defined as a minimum distance of six (6) feet between people

In the employee break room by:

- Signs on the floor indicating 6' distance apart
- Signs Informing public of social distancing & hand washing
- Wearing masks at all times when not eating or drinking

E. Plexiglass:

In areas of the courtroom where proper social distancing cannot be maintained, plexiglass will be utilized. 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 and social distancing.

F. Face coverings

☒ Are required to be worn by any person entering the courthouse.[3]

The Court will ensure compliance by taking the following measures:

If a person enters the courthouse without a mask an employee of the court will provide a mask

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 their 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

[3] With limited exceptions according to the New Mexico Judiciary Policy effective May 15, 2020.

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 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 able to conduct business with the court.

Jurors:

Everyone entering the courthouse must wear a mask or face covering at all times. The court has available masks for anyone entering the courthouse if they do not have one. Once selected, jurors will be provided a kit that includes, a mask, pen, hand sanitizer and notebook.

Witnesses:

Everyone entering the courthouse must wear a mask or face covering at all times. The court has available masks for 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 for 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:
Lobby at front counter by clerks window, in clerk's office, individual desks, judges' benches, jury boxes, jury room, break room, monitor's stations

☒ Tissues and waste bins will be located at:
In restrooms, clerk's counter, individual desks, judges' benches, jury boxes, jury room, break room, monitor's stations

☒ Signs are posted that indicate:
Social distancing
Hand washing
Wearing masks
Occupancy number
Six feet apart signs
New Mexico Department of Health Cleaning and Disinfecting of Public facilities
If you have COVID-19 symptoms 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:
Clerks will wipe down Courtrooms after each hearing with concentrate cleaning products If it is not possible to clean after each interaction, cleaning will be done at a minimum of every two hours.

High traffic areas:
Clerks will wipe down areas after use with high concentrate cleaning products. If it is not possible to clean after each interaction, cleaning will be done at a minimum of every two hours.

Frequently used items:
Clerks will wipe down items after use high concentrate cleaning products. If it is not possible to clean after each interaction, cleaning will be done at a minimum of every two hours.

High touch surfaces:
Clerks will wipe down surfaces after use high concentrate cleaning products.

Cleaning Contract state has with Landlord states:

State of New Mexico Judicial Branch Lease of Real Property: Schedule for Janitorial/Maintenance Services New Mexico Magistrate Court San Juan County Aztec, New Mexico:

Daily Tasks

- Empty all trash cans (dispose of trash and insert clean liners)
- Clean and maintain employee break room
- Clean all drinking fountains (using disinfectant cleaner)
- Clean all toilets and urinals (using disinfectant cleaner)
- Replenish restroom supplies (soap, toilet paper, paper towels)
- Clean all lavatories and counters (using disinfectant cleaner)
- Empty sanitary receptacles (insert clean liners)

- Wet mop floors in all restrooms (using disinfectant cleaner)
- Clean lobby thoroughly, including both sides of glass partition and counter tops
- Clean holding cells (including cleaning and disinfecting of toilets, floors, and benches)

Twice a Week Tasks

- Vacuum all carpets
- Wet mop all hard surface floors (using disinfectant cleaner)
- Thorough dusting of all space occupied by Lessee (including furnishings, window and door frames, and sills)
- Clean all mirrors
- Polish all metal (door handles, bars, etc.)
- Clean and polish soap dispensers in restrooms
- Clean all tile walls and partitions in restrooms (using disinfectant cleaner)
- Empty outside trash container

As Needed

- Shampoo carpets
- Wash windows (inside and out)
- Clean draperies
- Clean window blinds
- Wash or clean walls (touch up paint as necessary)
- Replace air filters and clean air vents monthly
- Replace non-functioning interior/exterior light bulbs
- Wax/polish all hard surface floors

I. Contact Tracing

Pursuant to New Mexico Supreme Court Order No. 20-8500-023, the court will maintain a daily log 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 retained for 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:

Scheduling Jury Trials according to priority and time limits while correlating with bailiffs to help with one trial per Magistrate Court in San Juan County and one trial per District Court in San Juan County go at the same time.

B. Cases that have been delayed will be prioritized in this manner:
Time limited cases will be set and heard in an expeditious manner, with those nearing time limits being heard first. Criminal case trials 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 that 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/Tennant

This influx will managed by:
Adapting a new calendar that works better with influx of case types, adding more calendar sessions throughout day

Resources needed to manage this influx are:
The Eleventh Judicial District and Magistrate Courts in San Juan County currently share two bailiffs between eleven Judges and 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 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[4]

- Face coverings are required in the courtroom at all times, including by a judge, witness, attorney when speaking except those who have permission upon approval from Chief Judge Townsend.

- The occupancy limit in Courtroom III is ___25___ persons in order to maintain a minimum of six (6) feet between every person in all directions.

- Courtroom I & II will be used for overflow needs for Jury Trials or other hearings. The occupancy limit in Courtroom I and II is 15 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. If we need more space we can utilize our conference room for the overflow. The occupancy limit of the conference room is 15 persons in order to maintain a minimum of six (6) feet between every person in all directions.

- 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.

[4] Refers to petit jury trials. Grand juries are not typically utilized in the 11th Judicial District

- Usage of Interpreters.
  When needed for hearings and trials, the placement of interpreters in courtrooms will follow Covid-Safe Practices. If possible, interpreters may appear remotely.

A. Reduction of crowd measures

- In order to allow for COVID-Safe Practices, Jury panels have been reduced to 35 people.

- 20 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 III

- The court has arranged for jury selection to take place at a larger venue if need be: Aztec District Court, Courtroom I

- There will be only one jury panel in the courthouse at one time.

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

- Exhibit viewing can be done on the large screen in the courtroom. If it is necessary to handle the exhibits, jurors will be provided gloves.

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 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. Any 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. 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 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 to recess to conference with their client outside the courtroom.

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.

- 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

Have you been asked to self-quarantine because of COVID-19 and 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			
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**		

- filling out a questionnaire with screening questions
- Masks and gloves will be provided to jurors who do not have them, Jury panel selected will be given a packet that consists of a mask, gloves, sanitizer, a new pen and paper. These bags will be handed to the jurors with the person handing them out will wear gloves. Also, individuals preparing packets will wear gloves while putting them together.
- Hand sanitizer, tissue and trash bins are readily available to jurors

☒ Check-in is conducted

In large conference room social distancing 6 feet apart and overflow will be moved to another courtroom

☒ Jurors wait

- in their cars
- parking area
- designated space

☒ To reconvene the jurors, the court uses:

- intercom
- paging system

☒ The designated space for jurors in this courthouse is:
Courtroom III and conference room. Social distancing in this space will be accomplished by setting up chairs or seats 6 feet apart and placing signs.

☒ Cleaning restrooms and other spaces used for jury selection is accomplished as follows:

- Clean all toilets and urinals (using disinfectant cleaner)
- Replenish restroom supplies (soap, toilet paper, paper towels)
- Clean all lavatories and counters (using disinfectant cleaner)
- Empty sanitary receptacles (insert clean liners)
- Wet mop floors in all restrooms (using disinfectant cleaner)
- Clean lobby thoroughly, including both sides of glass partition and counter tops

☒ Jury deliberations will not take place in the jury room, but in:
Courtroom III or Conference room according to the following plan to maintain confidentiality of the deliberations and social distancing:

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

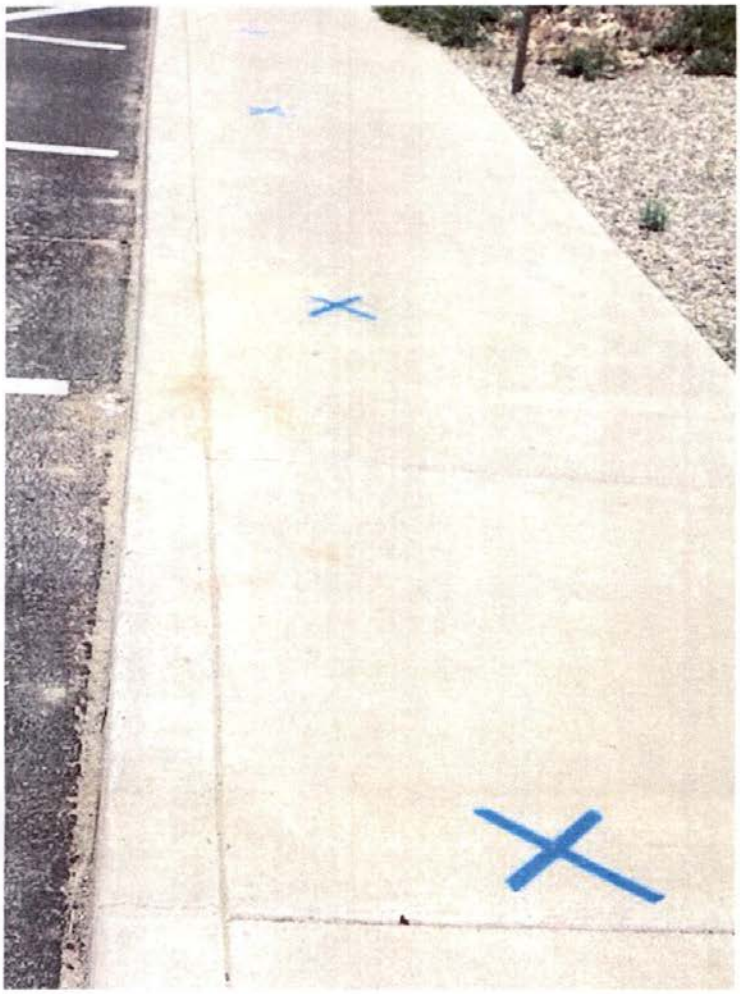
V. Resources *Does your district have the resources it needs to implement its proposed plan?*

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, juror bags, and plexiglass.

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

None at this time

Social Distancing Pictures & Courtroom Diagrams



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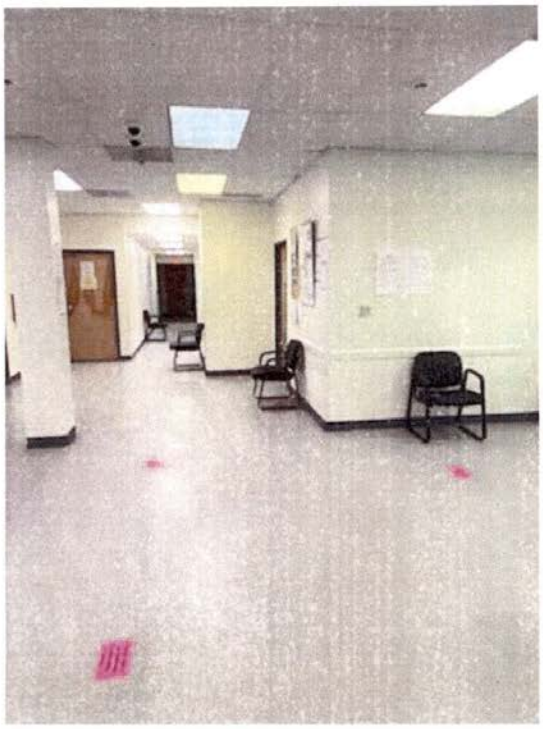
PLEASE
MAINTAIN A
DISTANCE OF
6 FEET APART



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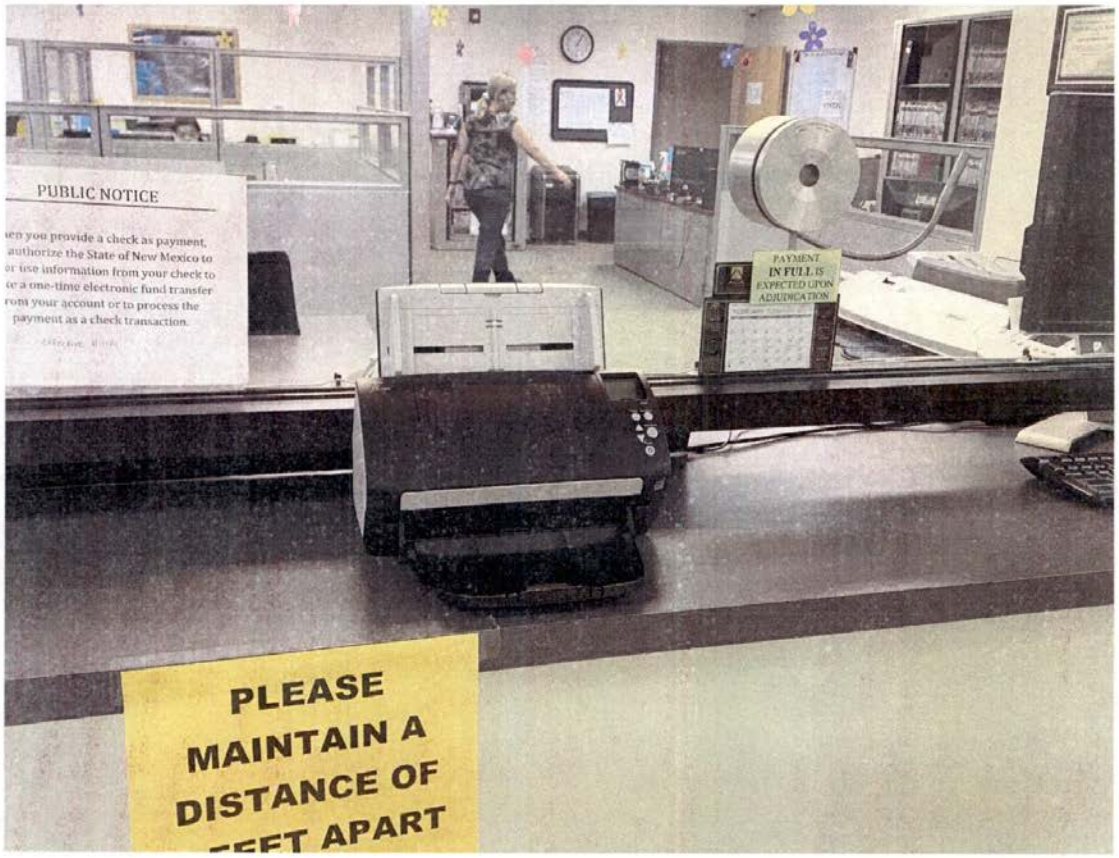
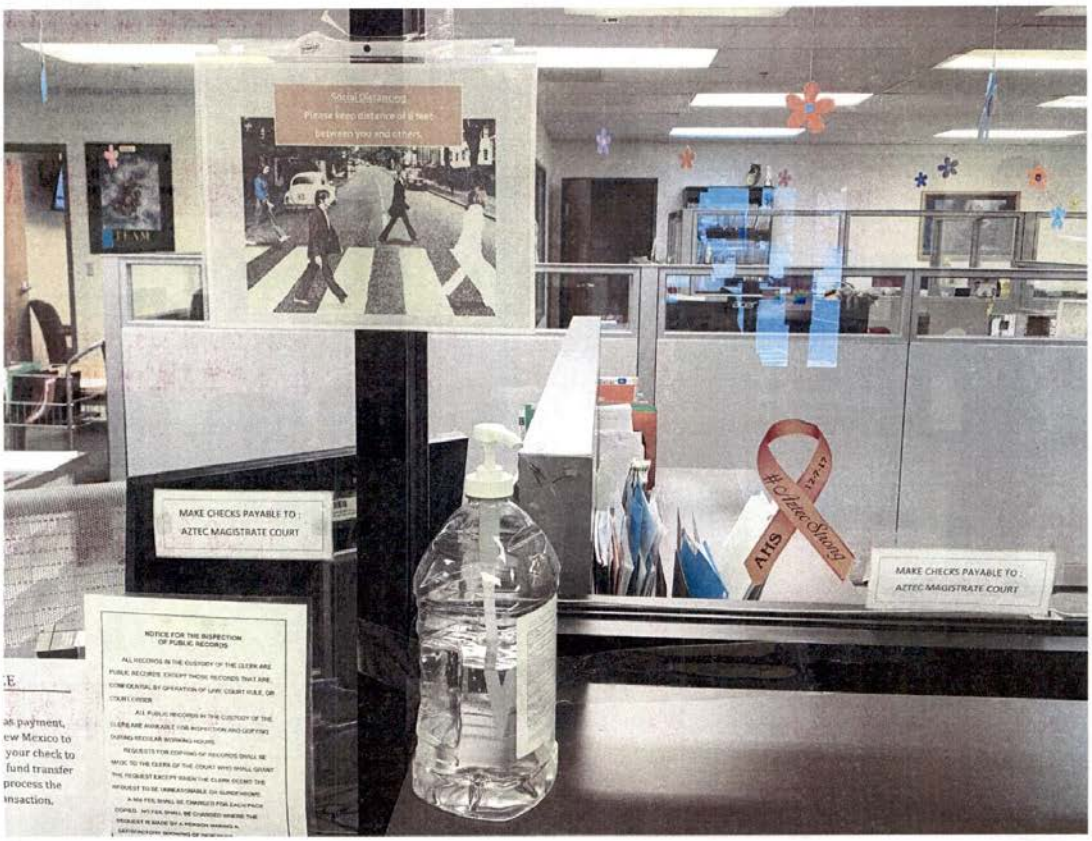
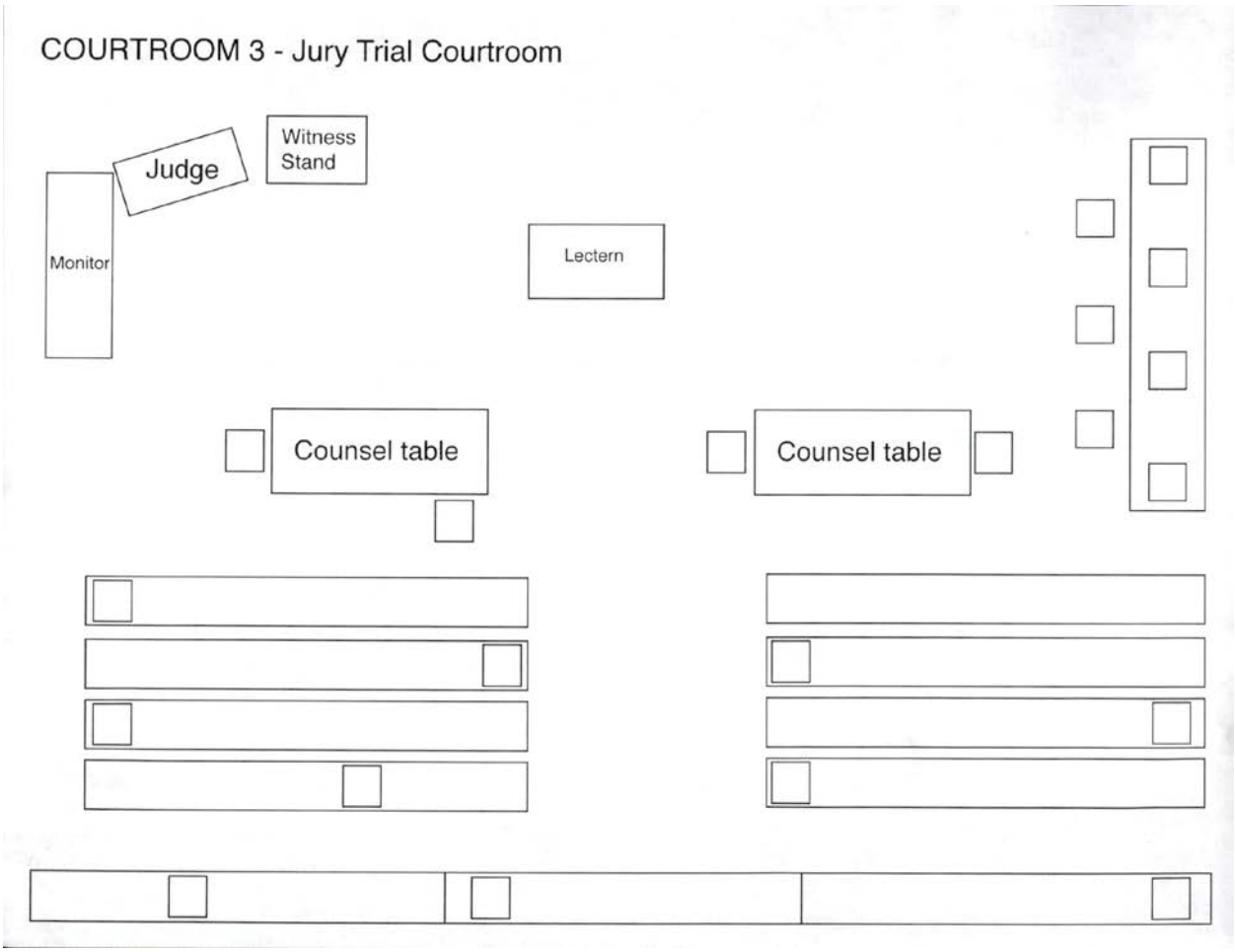
INCLUDE
EVERYONE!!!!!
THANK YOU
PAYMENT
IN FULL IS
EXPECTED UPON
ADJUDICATION
IF YOU HAVE A PROCEDURAL ISSUE
OR COMPLAINT,
PLEASE SEE THE CHIEF CLERK FOR
A COMPLAINT FORM.
CLEAN
DIRTY


PUBLIC NOTICE
en you provide a check as payment,
authorize the State of New Mexico to
or use information from your check to
te a one-time electronic fund transfer
rom your account or to process the
payment as a check transaction.
PAYMENT
IN FULL IS
EXPECTED UPON
ADJUDICATION
PLEASE
MAINTAIN A
DISTANCE OF
EET APART

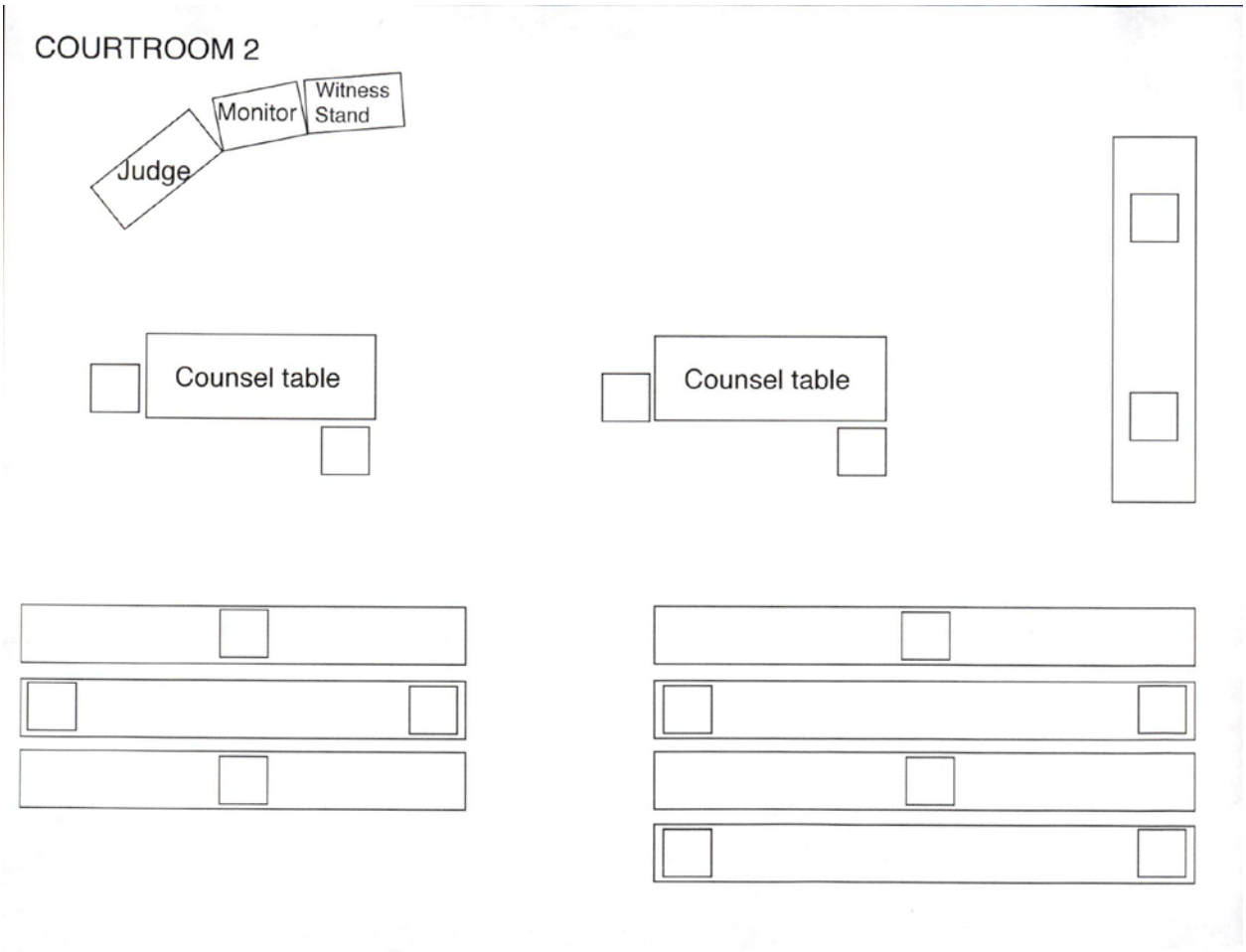

Social Distancing
Please keep distance of 6 feet between you and others.
MAKE CHECKS PAYABLE TO :
AZTEC MAGISTRATE COURT
NOTICE FOR THE INSPECTION OF PUBLIC RECORDS
AHS
#OpteeStrong
12-2-19
MAKE CHECKS PAYABLE TO :
AZTEC MAGISTRATE COURT

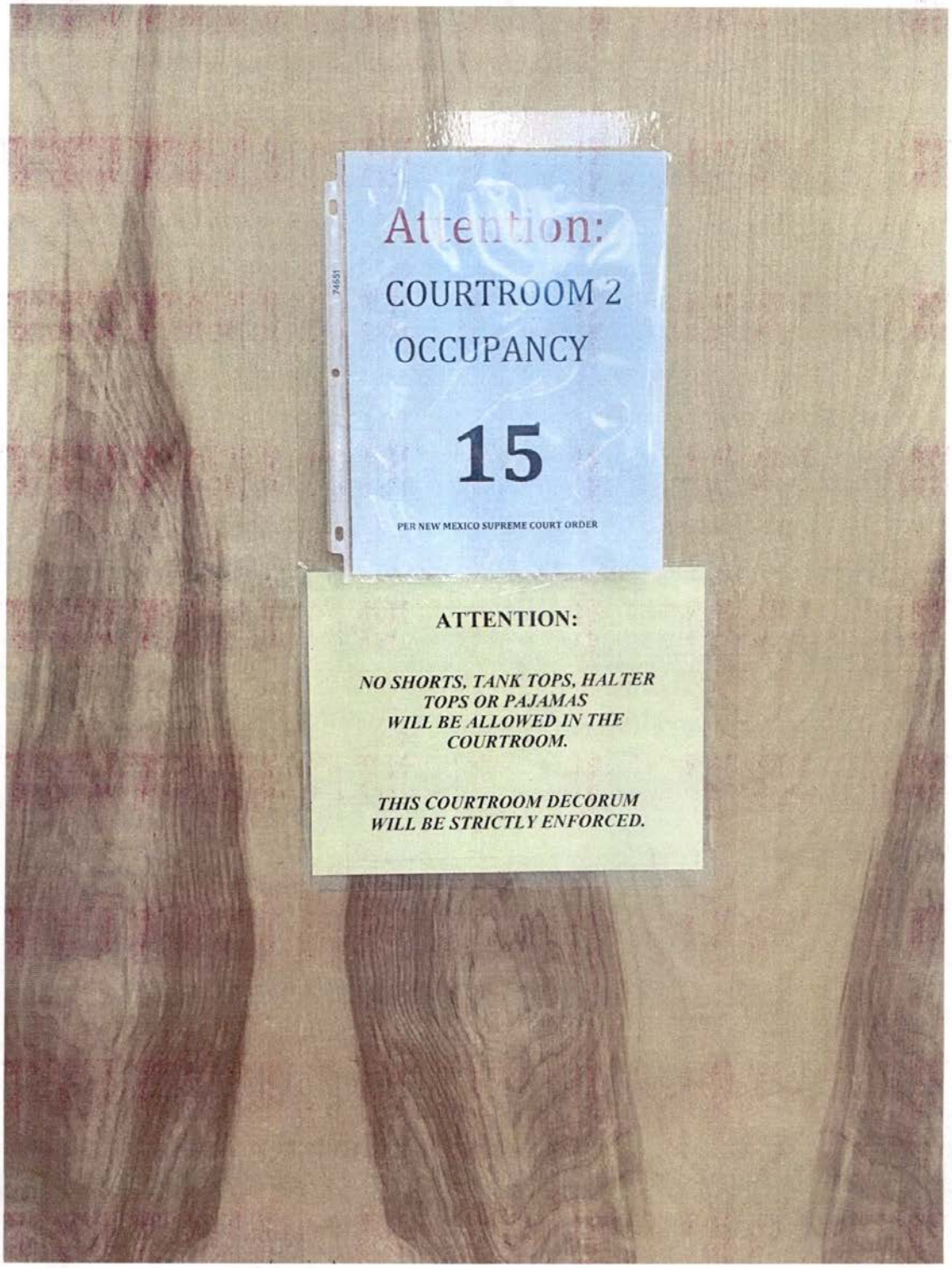
MEN
Attention:
BATHROOM
OCCUPANCY
1

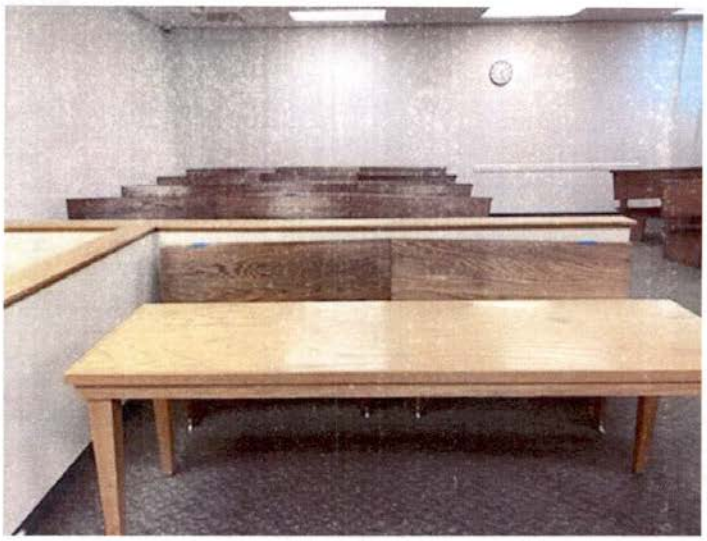
Attention:
BATHROOM
OCCUPANCY
1
WOMEN

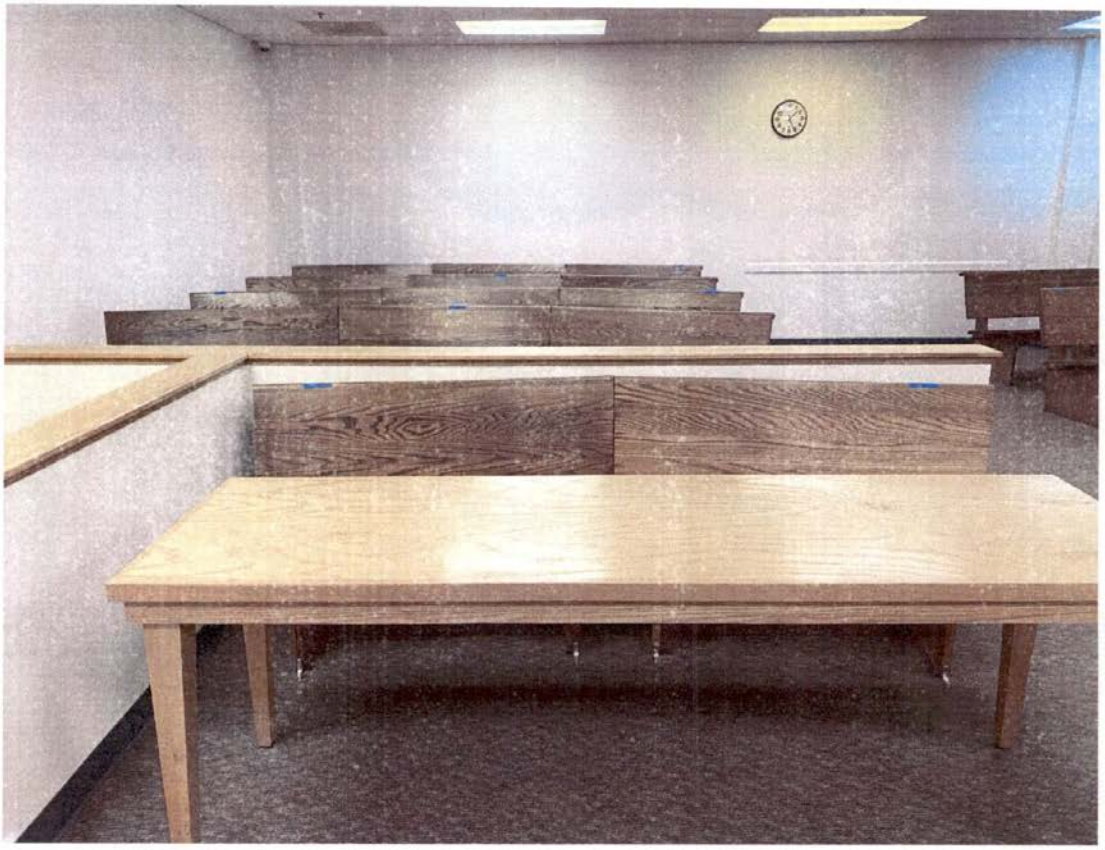

COURTROOM 3 - Jury Trial Courtroom
Judge
Witness Stand
Monitor
Lectern
Counsel table
Counsel table

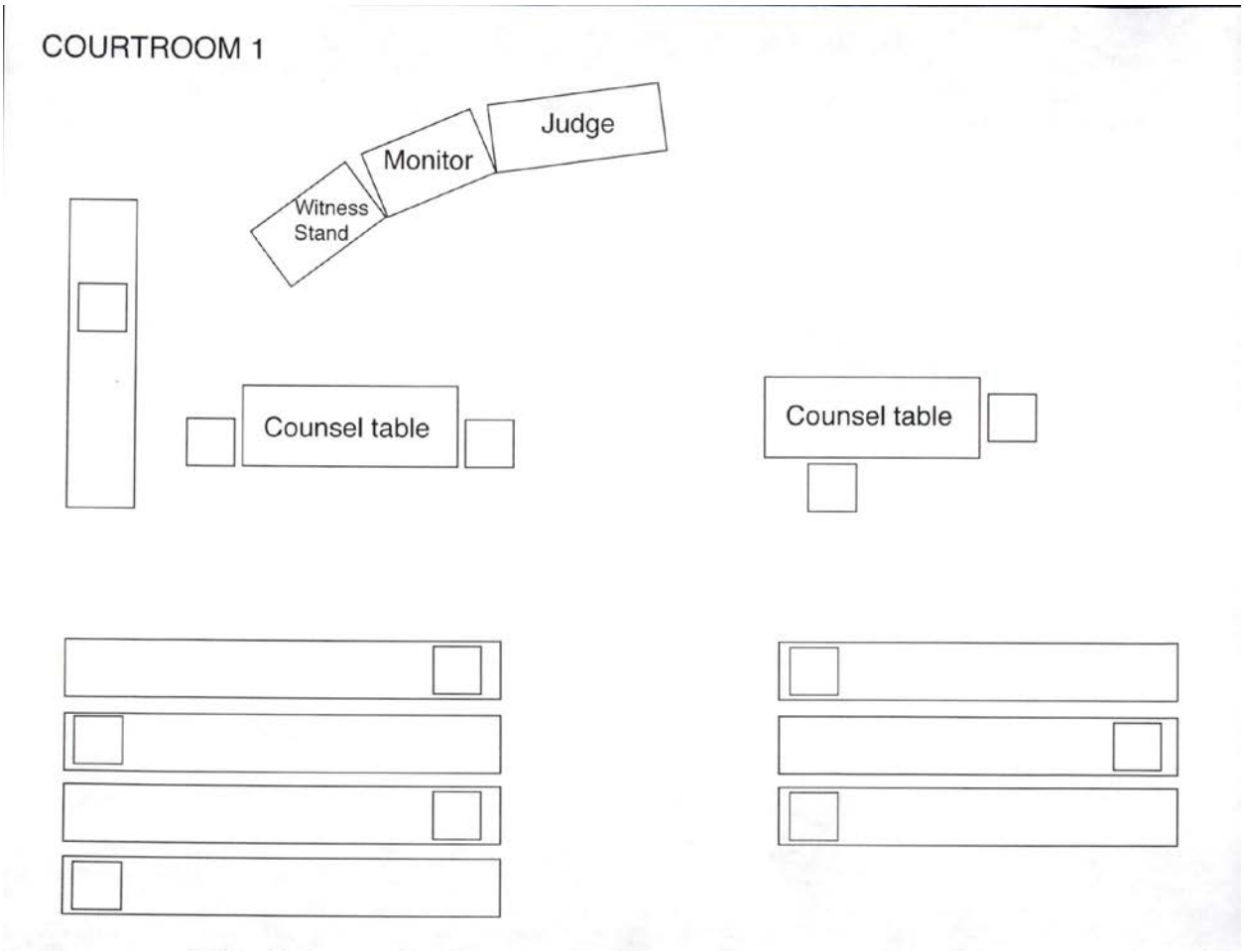
Attention:
COURTROOM 3
OCCUPANCY
15
PER NEW MEXICO SUPREME COURT ORDER
This facility is equipped with a hearing assistance system. Please ask for a receiver.
Listen.

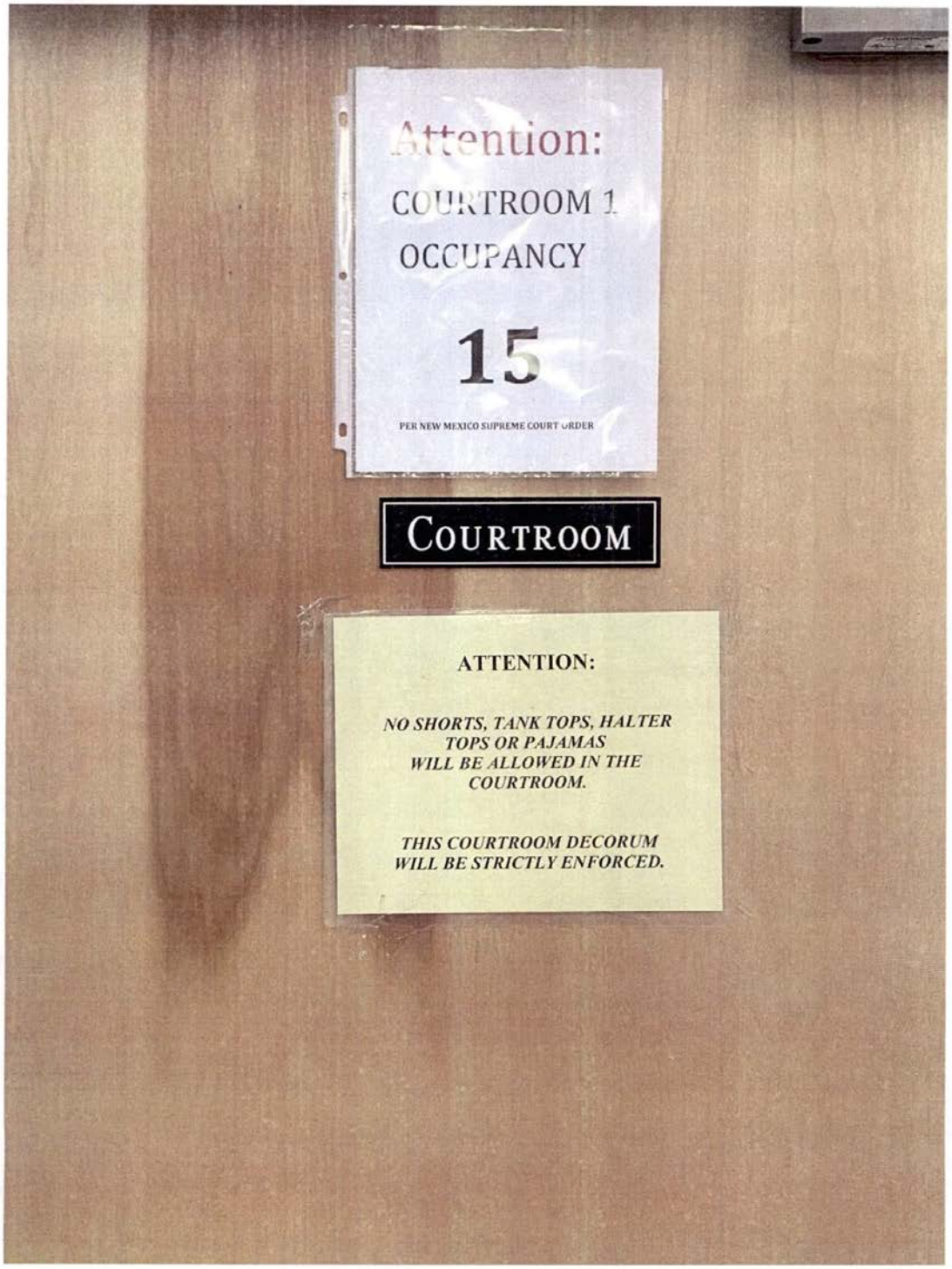

COURTROOM 2
Judge
Monitor
Witness Stand
Counsel table
Counsel table


Attention:
COURTROOM 2
OCCUPANCY
15
PER NEW MEXICO SUPREME COURT ORDER
ATTENTION:
NO SHORTS, TANK TOPS, HALTER TOPS OR PAJAMAS WILL BE ALLOWED IN THE COURTROOM.
THIS COURTROOM DECORUM WILL BE STRICTLY ENFORCED.






COURTROOM 1
Judge
Monitor
Witness Stand
Counsel table
Counsel table


Attention:
COURTROOM 1
OCCUPANCY
15
PER NEW MEXICO SUPREME COURT ORDER
COURTROOM
ATTENTION:
NO SHORTS, TANK TOPS, HALTER TOPS OR PAJAMAS WILL BE ALLOWED IN THE COURTROOM.
THIS COURTROOM DECORUM WILL BE STRICTLY ENFORCED.

Attention:
CONF. ROOM
OCCUPANCY
15
PER NEW MEXICO SUPREME COURT ORDER
MULTI-PURPOSE ROOM

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-feet 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-feet 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 spilt 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[1]

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

[1] 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[2] 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:

[2] 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.[3]

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

[3] 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/Tennant

This influx will 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[4]

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

[4] Refers to petit jury trials. Grand juries are not typically utilized in the 11th 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.

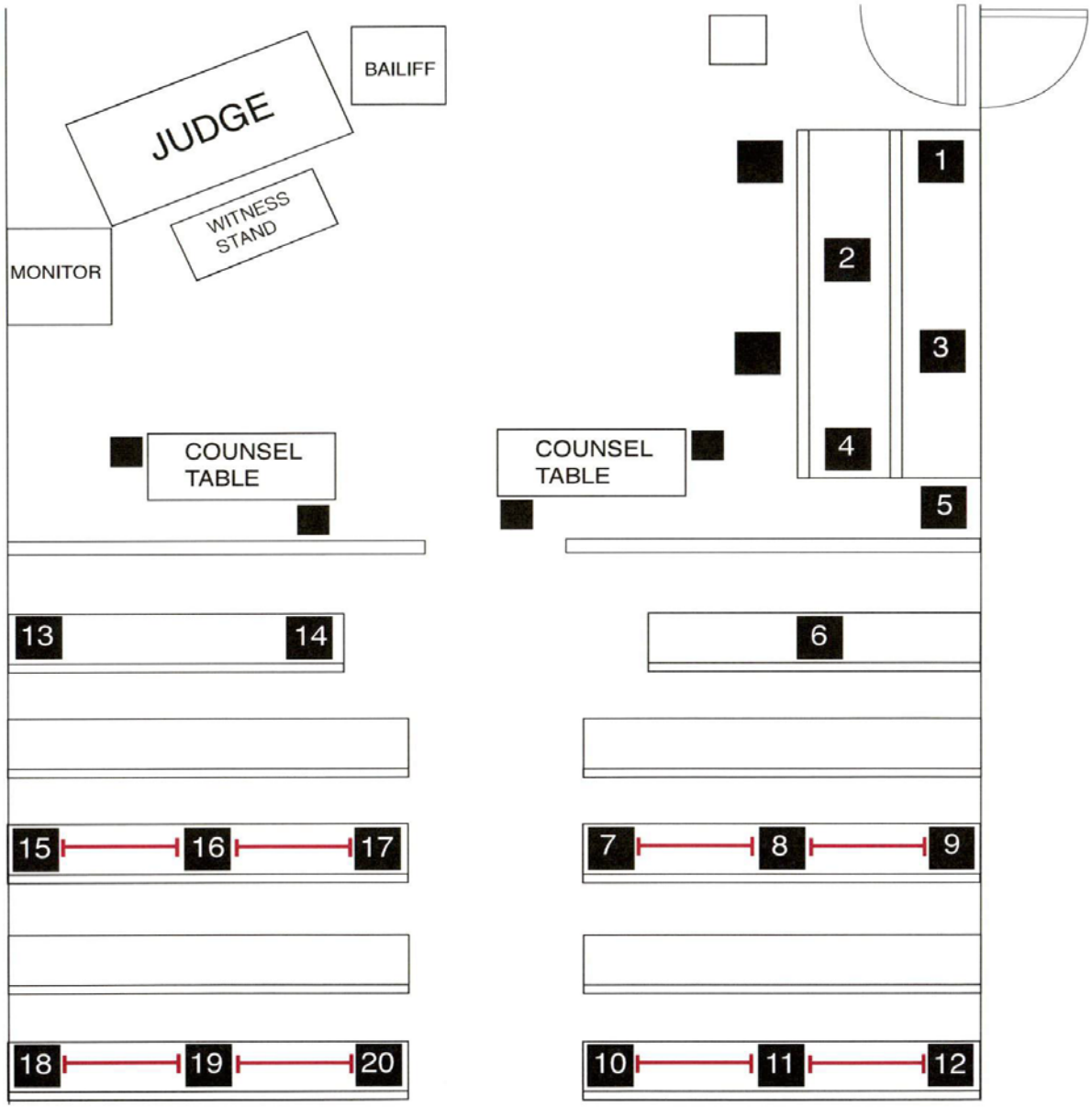
Addendum

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

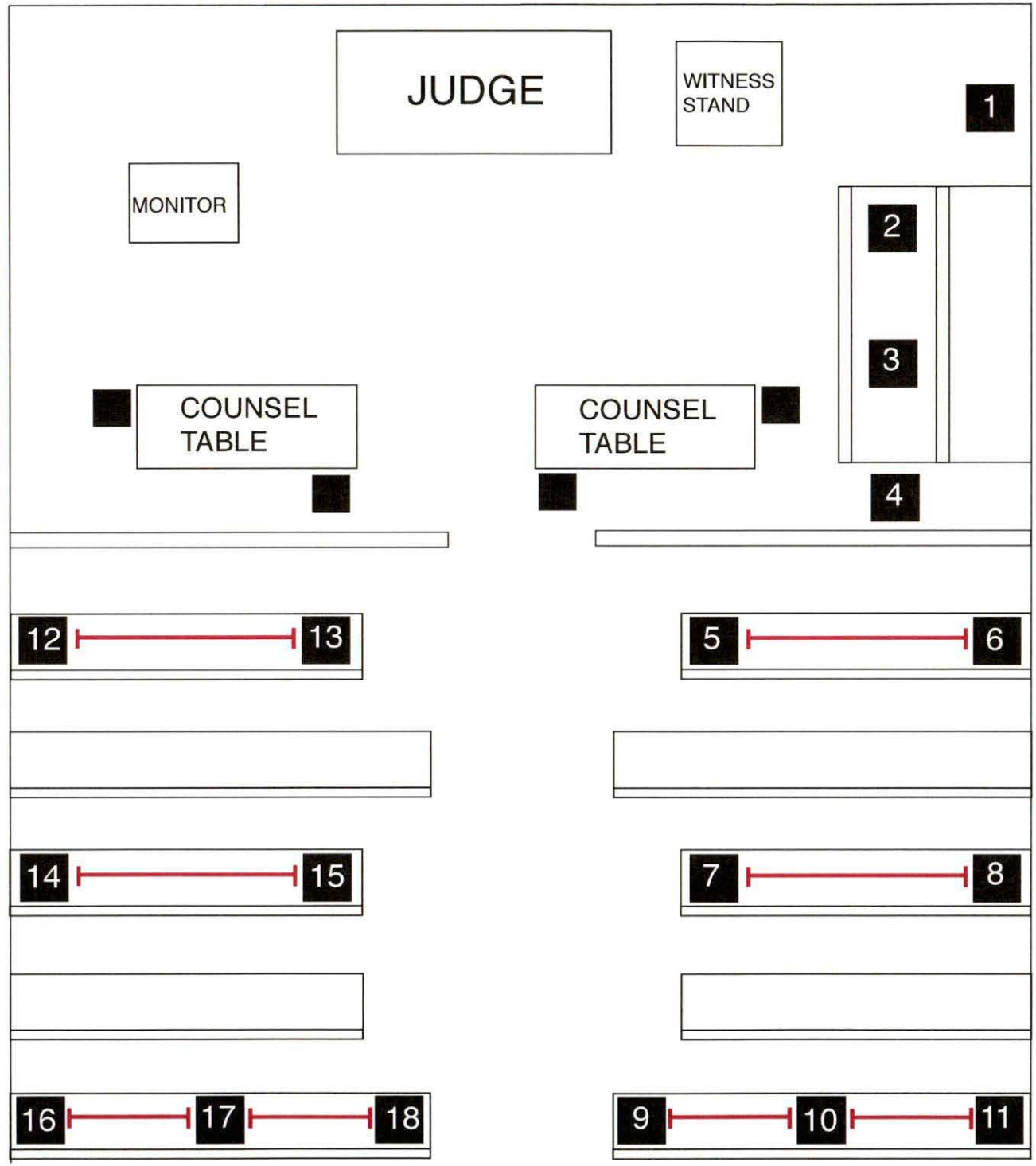


A

COURTROOM 2

People present

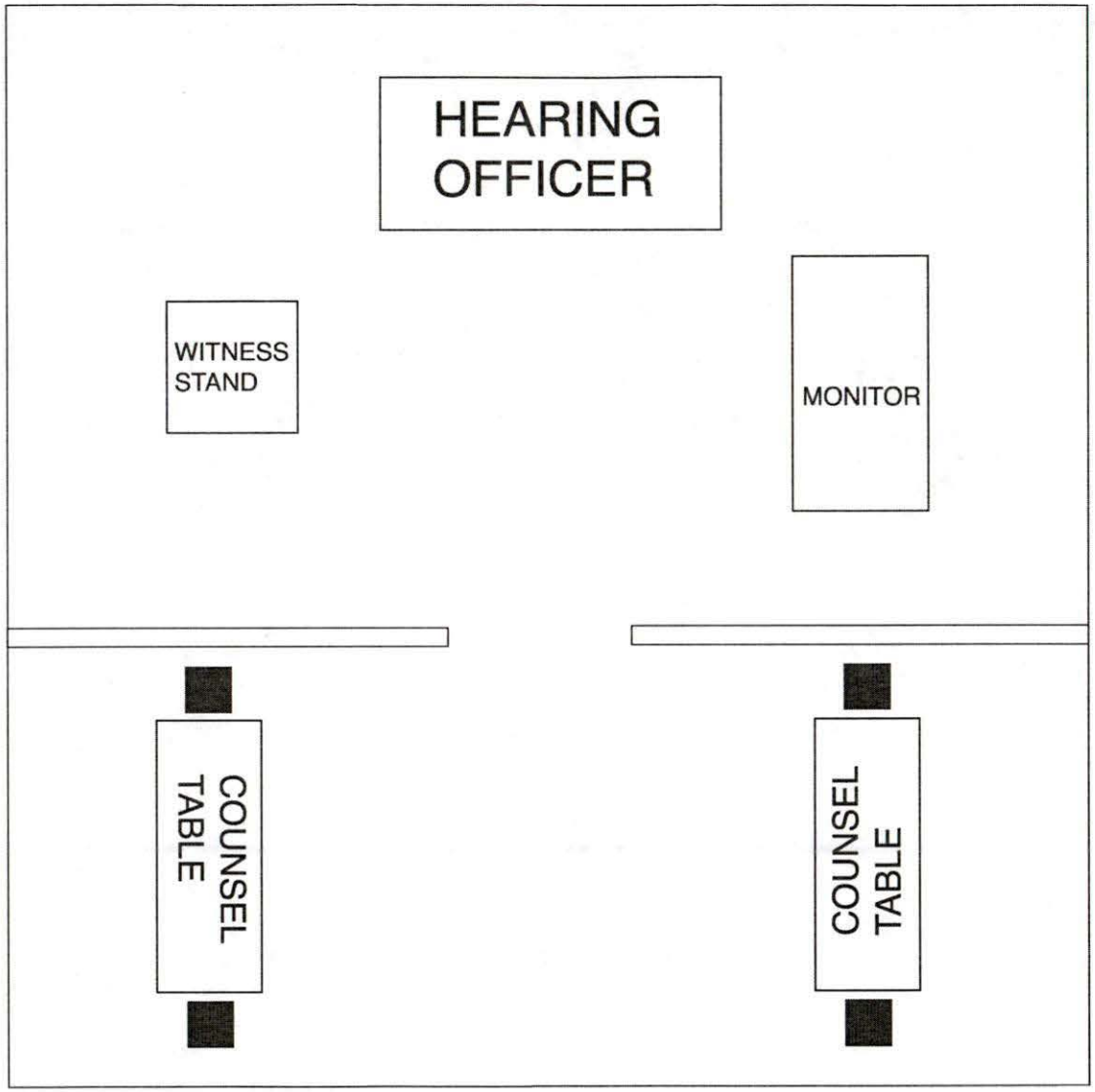
Spacing



B

HEARING ROOM

People present



C

Screening Questions				
Have you been asked to self-quarantine because of COVID-19 and 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 > 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		
With in 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	Judge Weaver	Commissioner Finch
1-800-747-5150	1-800-747-5150	1-800-747-5150
Access Code 5931553	Access Code 9901328	Access Code 9359211

CONTACT TRACING FORM - FARMINGTON DISTRICT COURT

DATE	NAME	PHONE #	LOCATION (Courtroom #, Clerk's Office, Programs, Etc.)

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**

G

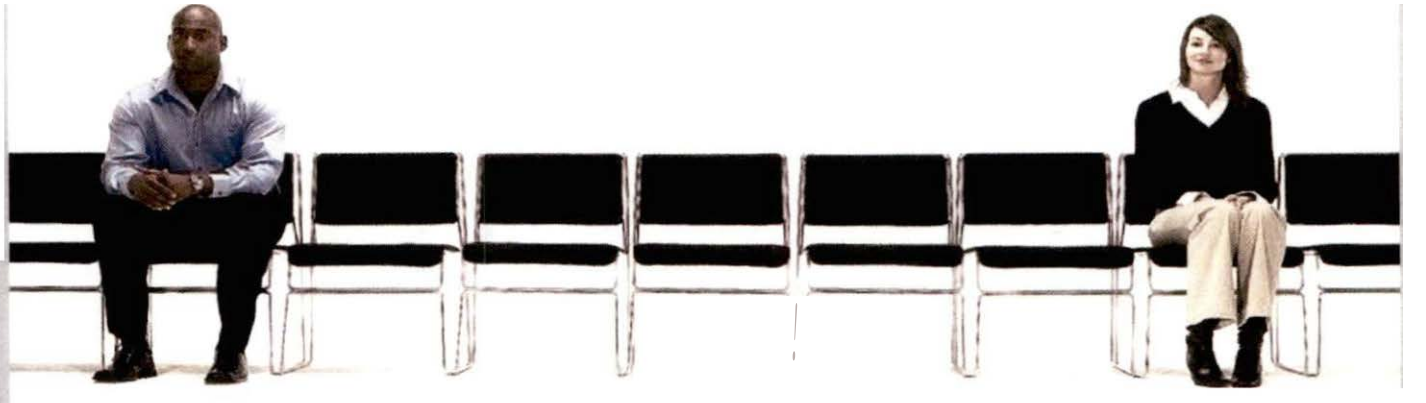
NOTICE

FACE MASK REQUIRED

Social Distancing

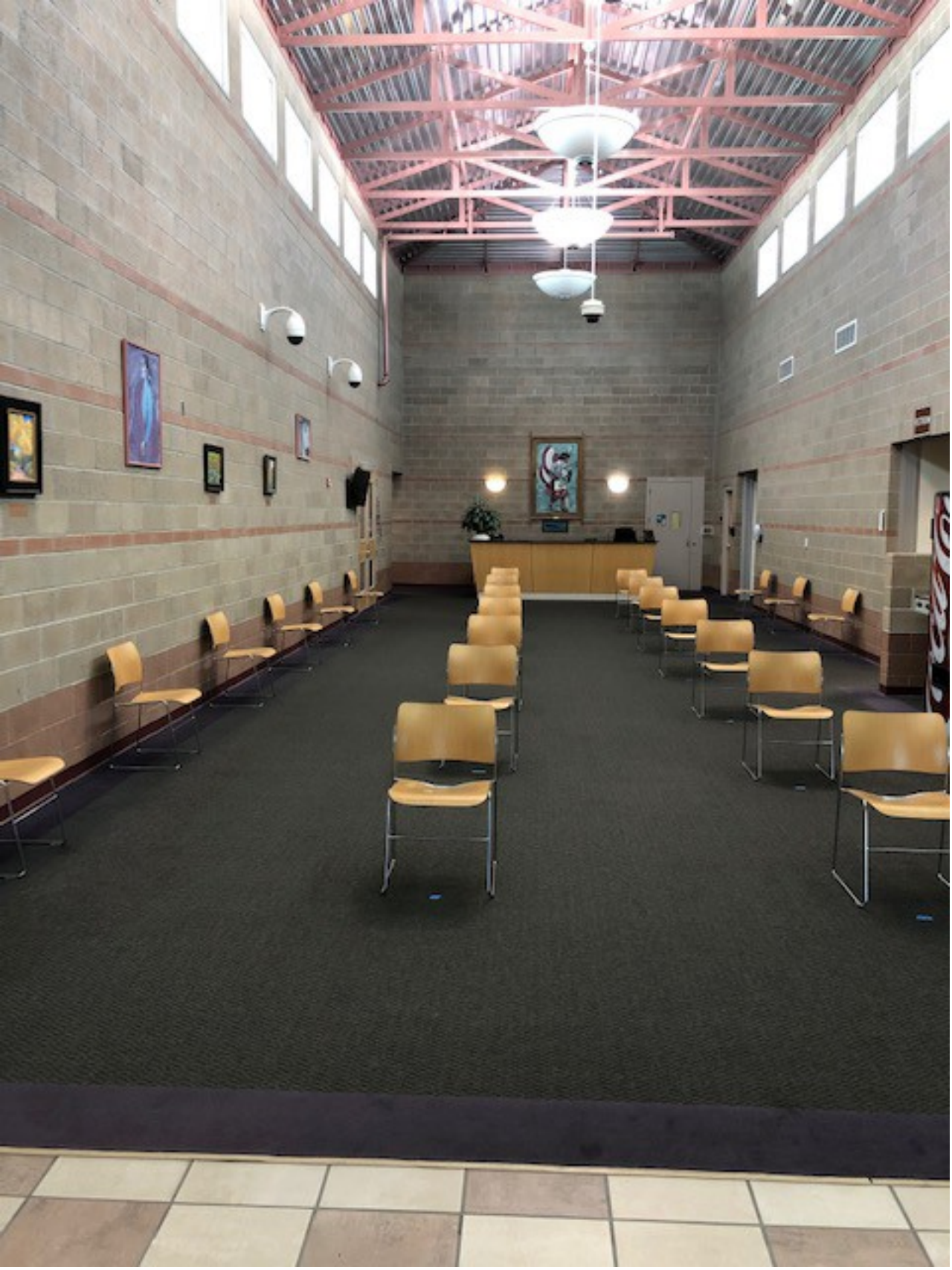
Please keep distance of 6 feet

between you and others.



NO SMOKING IN THIS BUILDING
NOTICE

GARRETT
No
exit
FACE MASK
PRIORITY
MAIL



EXIT

SELF HELP INFORMATION CENTER
HOPE HEALS

APPROVED PLAN
FOR RESUMING AND EXPANDING COURT OPERATIONS
Starting

07/13/2020

Eleventh Judicial District

County: San Juan

Court type: Magistrate Court

City: Farmington

Date of submission: 06/26/2020

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). Includes giving the parties the Google Meets telephone number in advance on their Notices and/or contacting the parties the day before
3. Polycom video meeting
4. Telephone conferencing in each courtroom

☒ Remote participation by the press and public will be accommodated by taking the following measures:

If an open hearing, staff will provide the public and press with the Google Meets information if requested.

B. Criteria for in-person hearing

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

In-person hearings will remain the exception, but should expand beyond rare emergencies to include matters that are best-addressed in-person. These type of hearings include hearings that involve significant documentary of physical evidence and/or hearings with incapacitated persons as parties. Matters involving many parties or complex legal issues will also be eligible for in-person hearings. These could include pleas, sentencing and suppression hearings for high-profile cases as well as some civil cases. Complex matters with unusually large numbers of parties will continue to be heard remotely.

The Eleventh proposes to give judicial officers discretion to set hearings in-person when the hearing meets these criteria. In particular, we anticipate the case types would mainly involve:

1. Evidentiary hearings, jury trials and civil
2. Any hearings as motioned by the parties
3. Approved by the Magistrate Judge & Presiding District Judge
4. Any parties that do not have a phone/computer/internet access

Again, the presumption is that all hearings continue remotely and the Eleventh's direction to its judicial officers is that setting an in-person hearing is the exception and not the general rule.

Problem Solving Court Dockets will continue by Google Meets (video or phone). However, if an issue arises with a participant that needs to be addressed in person, or may result in the participant being remanded, the Court Probation Officer will email or discuss the issue with the

judge prior to the hearing. The judge will decide if the participant should appear in person for court.

C. Filing by self-represented litigants WILL be allowed by email, fax and scanner in the lobby.

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

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

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

3. Hand sanitizer and tissue are placed 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.

4. 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.

5. 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.

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

7. 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.

8. 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, fax, and scanner in the lobby.

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

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

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

3. 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.

4. 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.

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8. 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 court 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 spacing the individual chairs 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 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. Family members and the public can view proceedings in an adjacent courtroom (subject to social distancing limits) and/or through Google Meets. Most hearings will continue to be heard via Google Meets, including traffic, simple motions, etc. The third courtroom will be used as an overflow space for hearings, and the Polycom will be used to bridge between courtrooms.

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

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

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

☒ These positions are more suitable for teleworking and will continue teleworking full time:

Courtroom assigned Judicial Specialists can continue to work from home utilizing Google Meets.

☒ These positions will have flexible work schedules or work in shifts:

All Judicial Specialists are flexible to work either in-office or telework and are willing to rotate schedules to reduce the number of staff in the office at one time.

☒ These positions will work evenings and/or weekends:

If hearings are staggered and go past closing time, management will stay to finish docket

☒ A combination approach will include:

Court staff is flexible and will work within group limits (5 or less in an enclosed area).

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. The basic steps in the plan include 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 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. A court designee (preferably a bailiff, if available) will also have an infrared thermometer and will be taking temperatures of individuals entering the courthouse. While taking temperatures, screening staff will be trained and provided with personal protective equipment (PPE). Note: if a bailiff is not available, Judicial Specialists will rotate screening duties.

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.

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, and will change PPE before the next person is allowed into the screening area

C. Vulnerable populations[1]

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

1. Use the CDC recommended guidelines for screening.

2. Include the vulnerable population verbiage on our jury summons/subpoenas/correspondence.

3. Continue to allow appearances by Google Meets.
   - Jurors who self-identify as members of vulnerable population will be excused by jury clerk or judges upon request
   - Litigants, witnesses or counsel who self-identify as a member of vulnerable populations or as 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.

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

- Signs will be posted at entrance
- Information will be on the Court's web page
- Appearances by video or phone for hearings
- Jurors will be excused if of vulnerable population
- No pleas allowed day of Jury Trial
- Temperatures will be taken at entrance of building
- Continue to allow appearances by Google Meets
- Set hearings out further in the year and/or special settings

D. Social Distancing[2] will be maintained:

☒ <u>In the public entry by:</u>

- Limit entry to defendants/parties only, public or press can appear by Google Meets
- Distancing measured by floor markers
- Courtroom chairs are distanced 6 ft from one another

☒ <u>At the clerk's counter by:</u>

- Distancing measured by floor markers and screening signs

☒ <u>At the jury clerk's window by:</u>

- Same as clerk's counter

☒ <u>At the public restrooms by:</u>

- Limiting amount of people by only allowing defendants and parties into courthouse
- Signs informing public of social distancing & hand washing

[2] Defined as a minimum distance of six (6) feet between people

☒ <u>In the secure hallway by:</u>

- Limiting staff to 50% and social distancing signs posted in back secure hallway & break room

☒ <u>In the judicial processing area by:</u>

- Posting social distancing signs

☒ <u>In the employee break room by:</u>

- Limiting number of clerks in the break room at one time
- Wearing masks at all times when not eating or drinking

E. Plexiglass:

In areas of the courtroom where proper social distancing cannot be maintained, plexiglass will be utilized. 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 and social distancing.

F. Face coverings

☒ Are required to be worn by any person entering the courthouse.[3]

The Court will ensure compliance by taking the following measures:

<u>Judicial Officers:</u>

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

[3] With limited exceptions according to the New Mexico Judiciary Policy effective May 15, 2020.

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 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 able to conduct business with the court.

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 kit that includes, a mask, pen, hand sanitizer and note book.

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.

F. Hygiene

☒ Hand sanitizer will be located at:

1. For public: on front counter and one in courtroom
2. For attorneys/parties: one in each courtroom and in lobby
3. For staff/Judges, multiple located in clerk's office

☒ Tissues and waste bins will be located at:

1. At all tables in lobby and in all courtrooms

☒ 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.

G. Cleaning

Courtrooms:
A bottle of hospital grade disinfectant, rags and gloves will be available in each courtroom. Court clerks 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 clerk is unable to clean, a bailiff (if available) or Judge will ensure the cleaning is completed. The State's cleaning contractor will clean according to CDC guidelines every evening.

High traffic areas:
The Clerk's office will clean the counter at the transaction window, public computer, door handles, pens and scanner every 2 hours. A bottle of hospital grade disinfectant, rags and gloves will be available in the clerks' office for them to use.

The Clerk's office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible. The State's cleaning contractor will clean according to CDC guidelines every evening.

Frequently used items:
Frequently used items will be cleaned every 2 hours. A bottle of hospital grade disinfectant, rags and gloves will be available in the clerks' office for them to use. The Clerk's office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible. The State's cleaning contractor will clean according to CDC guidelines every evening.

High touch surfaces: High touch surfaces will be cleaned every 2 hours. A bottle of hospital grade disinfectant, rags and gloves will be available in the clerks' office for them to use.
The Clerk's office will also have hand sanitizer readily available at each counter in case cleaning between uses is not possible. The State's cleaning contractor will clean according to CDC guidelines every evening.

I. Contact Tracing

Pursuant to New Mexico Supreme court order No. 20-8500-023, the court will maintain a daily log of all persons, including judicial officers, and judicial employees, entering the courthouse. The log will include the name, telephone number, date of entry and location and/or purpose for each person. Logs will be retained for 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:

1. Scheduling jury trials by priority (in custody) and time limits
2. Stagger jury trials to limit contact
3. If jury trial occurring, other courtrooms will use Google Meets for their hearings
4. If viable, use District Court for jury selection, only bring selected jurors to Magistrate Court for actual trial
5. Use Google Meets if needed for ill witnesses/parties

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

1. Cases with defendant incarcerated
2. Trials running close to time limits will be heard first
3. Time limited civil cases will be set and heard in an expeditious manner.
4. 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 abuse
- Debt and money due
- Criminal

- Landlord/Tenant
- DWI
- Traffic

This influx will managed by:

1. Increasing staff presence at the Court with less teleworking
2. Efficient Calendaring and constant reevaluation as needs require

Resources needed to manage this influx are:

1. The Eleventh Judicial District and Magistrate Courts in San Juan County are currently share two bailiffs among eleven Judges and 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 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.

2. 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[4]

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

☒ The occupancy limit in courtroom 1 is 18 persons in order to maintain a minimum of six (6) feet between every person in all directions. (15 chairs available for defendants with adequate spacing, clerk/Judge and attorneys)

[4] Refers to petit jury trials. Grand juries are not typically utilized in the 11th Judicial District

☒ The occupancy limit in courtroom 2 is 20 persons in order to maintain a minimum of six (6) feet between every person in all directions. (15 chairs available for defendants with adequate spacing, clerk/Judge and attorneys)

☒ The occupancy limit in courtroom 3 is 20 persons in order to maintain a minimum of six (6) feet between every person in all directions. (15 chairs available for defendants with adequate spacing, clerk/Judge and attorneys)

☒ The occupancy limit for each courtroom is posted in and outside the courtroom. A diagram will be posted and markers will be indicated on courtroom seats

☒ 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.
When needed for hearings and trials, the placement of interpreters in courtrooms will follow Covid-Safe Practices. If possible, interpreters may appear remotely.

A. Reduction of crowd measures

☒ In order to allow for COVID-Safe Practices, jury panels have been reduced to 20 people for domestic violence and misdemeanor cases and 25 people for DWI cases.

☒ The court has made arrangements to utilize the largest courtroom available in the county which is: In house will be Courtroom 3. If needed, Aztec District Court.

☒ The court has arranged for jury selection to take place at a larger venue, namely: Aztec or Farmington District Court if needed.

☒ There will be only one jury panel in the courthouse at one time.

☒ Jury trials are being scheduled only in the morning. Farmington Mag trials are only on Friday and check-in time is 8:45 a.m.

☒ Jury selection is being scheduled only in the afternoon with selected jurors to report the following morning for trial. (possible).

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 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 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. 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.

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 jury hotline.

The jury clerks have 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 hotline, 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.

☒ Masks and gloves will be provided to jurors who do not have them.

☒ 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

☒ Jurors wait

- in their cars
- parking area
- designated space

☒ To reconvene the jurors, the court uses:

- text messaging
- phone

☒ The designated space for jurors in this courthouse is: Courtroom 3 with overflow into Courtroom 2. Social distancing in this space will be accomplished by spacing chairs 6 feet apart on trial days.

☒ Cleaning restrooms and other spaces used for jury selection is accomplished as follows:
Landlord's contracted cleaning crew every evening

☒ Jury deliberations will not take place in the jury room, but in:

The designated Courtroom, according to the following plan to maintain confidentiality of the deliberations and social distancing:

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

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, juror bags, plexiglass, and microphones/speakers for speaking over the plexiglass

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

None at this time.

ELEVENTH JUDICIAL DISTRICT
FARMINGTON MAGISTRATE COURT

PROPOSED PLAN FOR RESUMING AND EXPANDING COURT OPERATIONS

ADDENDUM

A. Screening poster (English and Spanish)

B. Face mask sign

C. Hearing notice verbiage

D. Courtroom 1 layout

E. Courtroom 2 layout

F. Courtroom 3 layout

G. Screening questions

H. Contact tracing log sheet

I. Return to work conversation guideline

J. Social distancing signs

K. Handwashing signs

L. Photos

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
505-326-4338.

Ayudar a mantener seguros los tribunales

NO VISITE SI:

SE LE HA PEDIDO QUE SE PONGA EN CUARENTENA DEBIDO A COVID-19 Y TODAVIA ESTAS DENTRO DEL PERIODO 0E CUARENTENA

HA TENIDO RESULTADOS POSITIVOS EN LAS PRUEBAS DE COVID-19 Y/0 HA SIDO DIAGNOSTICADO CON COVID-19 POR UN MEDICO EN LOS ULTIMOS 14 DIAS

HA TENIDO CONTACTO CON ALGUIEN QUE CONOCE TIENE COVID-19 EN LOS ULTIMOS 14 DIAS

_____

HA TENIDO FIEBRE POR ENCIMA DE 100,4 GRADOS, ESCALOFRIOS, DOLOR DE GARGANTA, DOLORES CORPORALES, DOLORES DE CABEZA, DIFICULTrAD PARA RESPIRAR, DIFICULTAD PARA RESPIRAR, TOS SECA O PERDIDA DE SABOR Y OLOR EN LOS ULTIMOS 14 DIAS

Si no puede entrar en el edificio y necesita aparecer por telefono, notifiquelo a la Oficina del Secretario en 505-326-4338.

Face coverings required.

Please keep 6 ft apart.

Non-medical masks, bandanas, scarves,
and cloth can be used.

Hearing Notice verbiage:

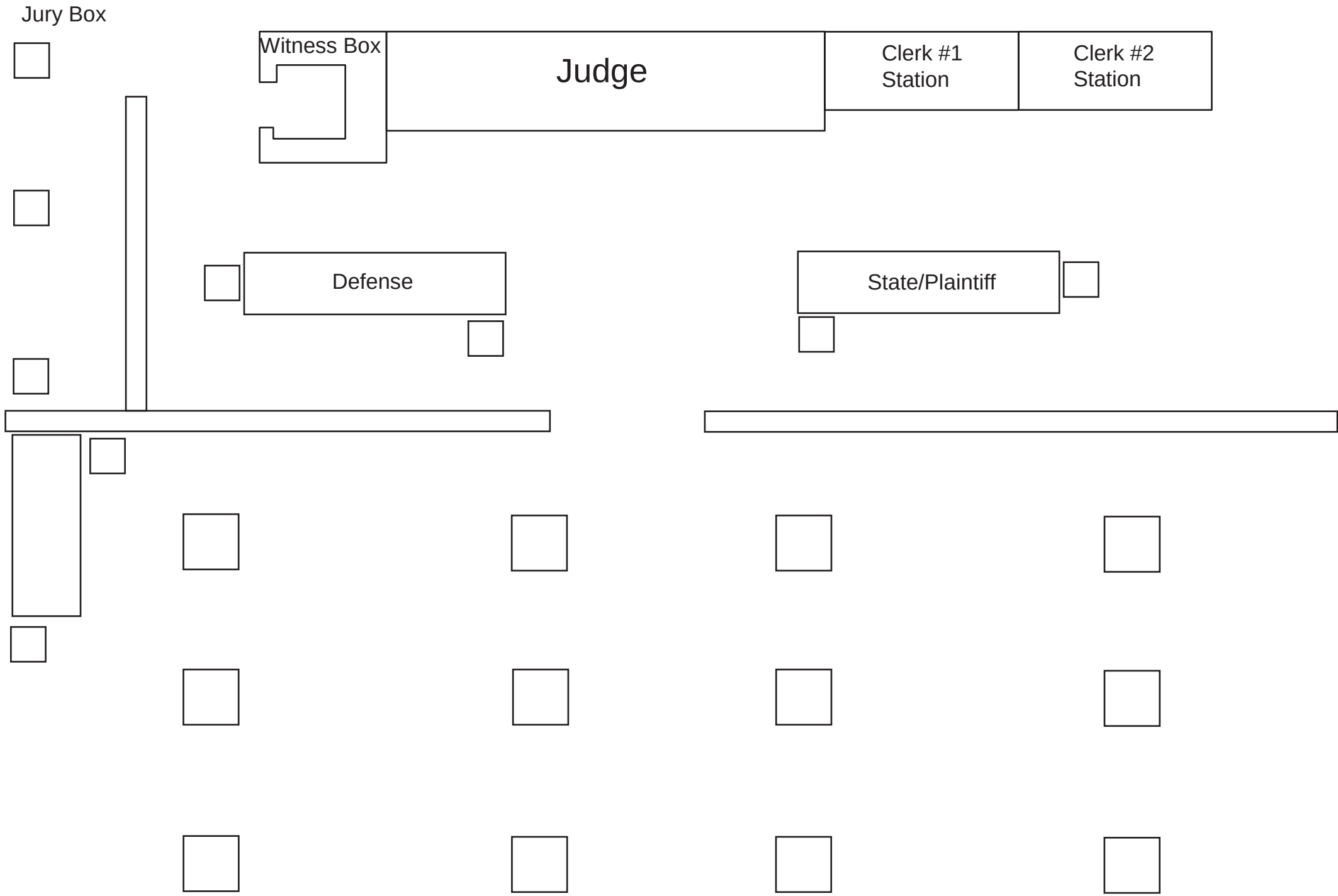
Crimin al:

FAILURE TO CALL INTO HEARING MAY RESULT TN BENCH WARRANT BEING ISSUED. If ordered to appear in person, ANY and ALL persons will be subjected to COVfD-19 screening with questions and/or temperature checks at the front door and will be REQUIRED to wear a face mask at all times in the building. Due to limited capacity and adequate spacing, non-parties to a case will be asked to wait outside and/or can appear by Google Meet. If you have any questions, concerns or trouble with these instructions or connecting, please feel free to contact the Court at 505-326-4338.

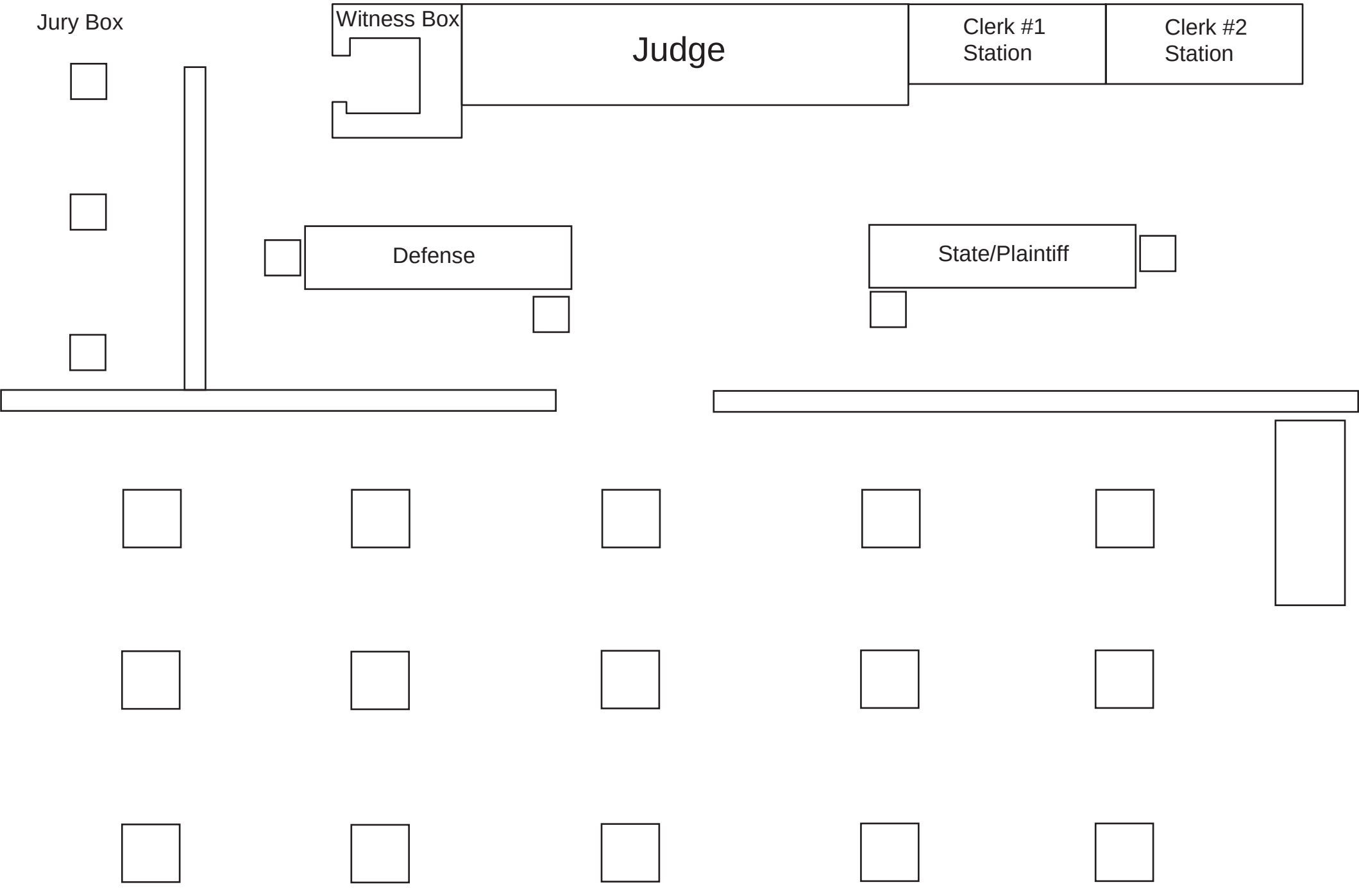
Civil :

FAILURE TO CALL INTO HEARf G MAY RESULT fN JUDGME TBEING ISSUED. If ordered to appear in person. A Y and ALL persons will be subjected to COVID-I 9 screening with questions and/or temperature checks at the front door and will be REQUIRED to wear a face mask at all times in the building. Due to limited capacity and adequate spacing, non-parties to a case will be asked to wait outside and/or can appear by Google Meet. If you have any questions. concerns or trouble with these instructions or connecting, pleasefeel free to contact the Court at 505-326-4338.

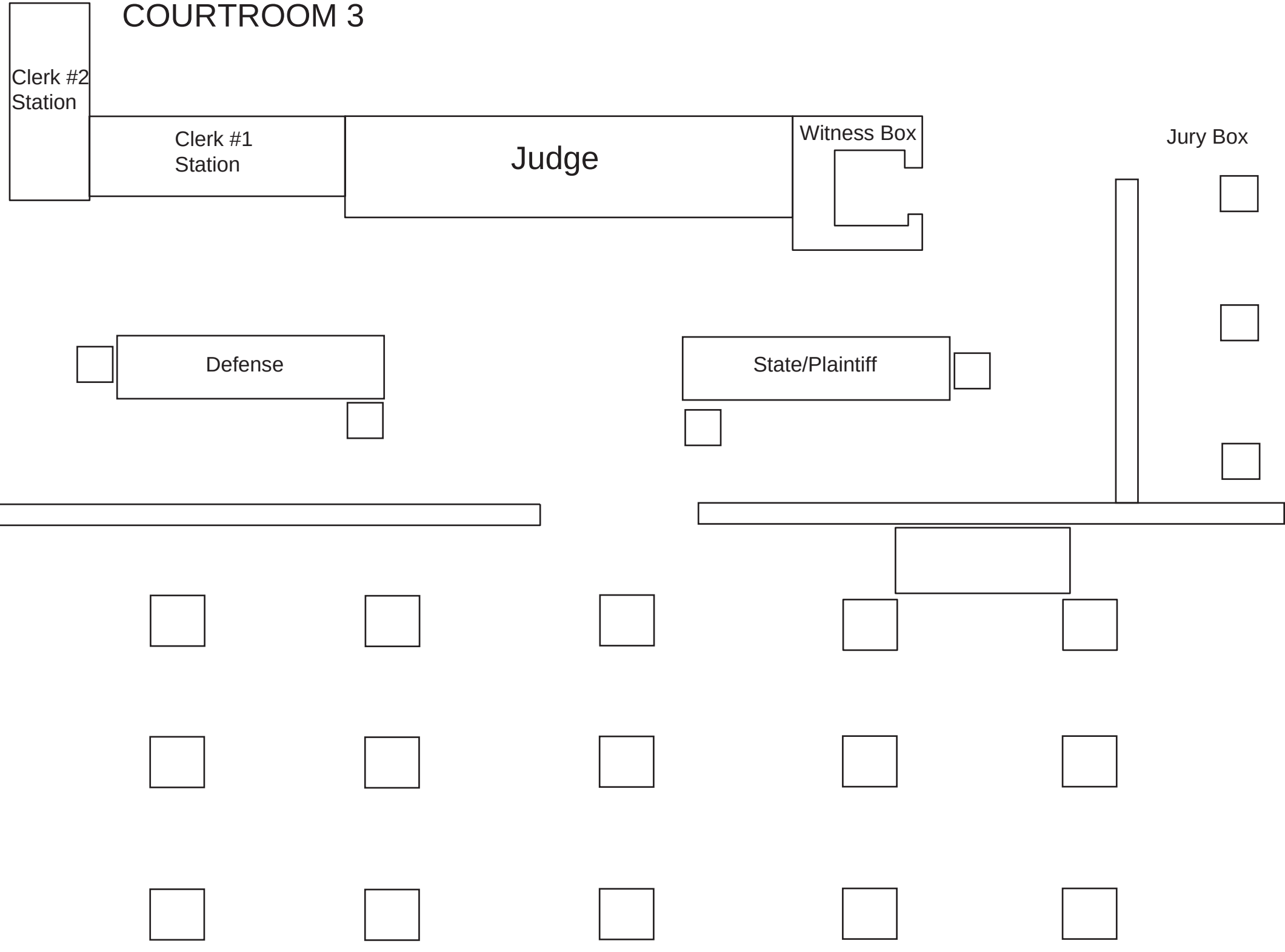
COURTROOM 1


Jury Box
Witness Box
Judge
Clerk #1 Station
Clerk #2 Station
Defense
State/Plaintiff

COURTROOM 2


Jury Box
Witness Box
Judge
Clerk #1 Station
Clerk #2 Station
Defense
State/Plaintiff

COURTROOM 3


Clerk #2
Station
Clerk #1
Station
Judge
Witness Box
Jury Box
Defense
State/Plaintiff

Screening Questions				
Have you been asked to self-quarantine because of COVID-19 ***and*** 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 Ye s > 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 > DO NOT ENTER		
W ithin 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		
With in 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		

ONTACT TRACING FORM - FARMINGTON MAGISTRATE COURT

DATE	NAME	PHONE #	LOCATION (Courtroom #, Clerk's Office, Programs, Etc.)

Social Distancing

Please keep distance of 6 feet

1 Wet

Hands that look clean can still have icky germs!

2 Get Soap

Wash Your Hands!

3 Scrub

4 Rinse

5 Dry

This material was developed by CDC. The Life is Better with Clean Hands campaign is made possible by a partnership between the CDC Foundation, GOJO, and Staples. HHS/CDC does not endorse commercial products, services, or companies.

U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

1 Moja

¡Aunque las manos se vean limpias pueden tener microbios asquerosos!

2 Enjabona

¡Lávate las manos!

3 Restriega

4 Enjuaga

5 Seca

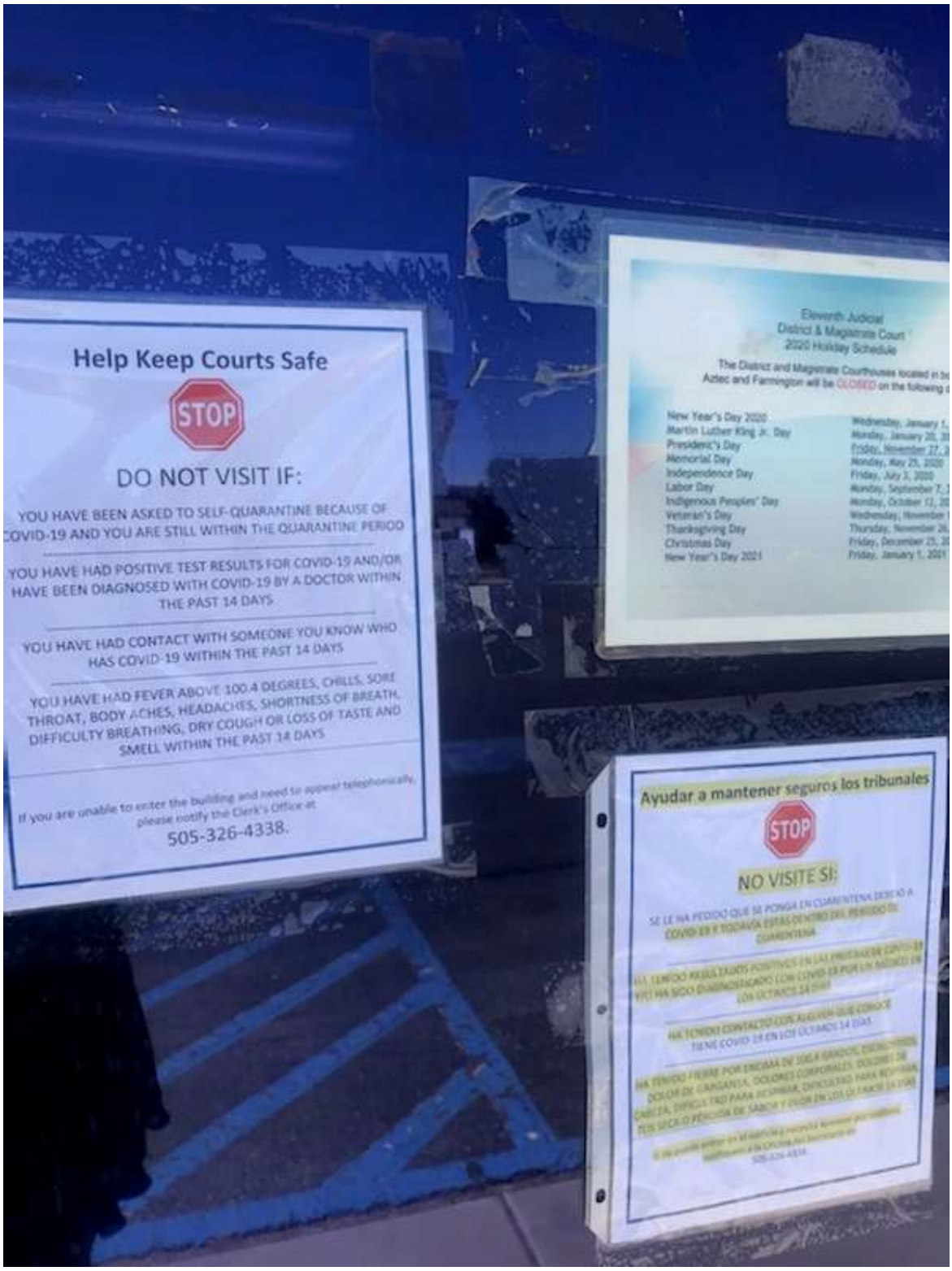
U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

Este material fue elaborado por los CDC. La campaña "La Vida es Mejor con las Manos Limpias" es posible gracias a una asociación entre la Fundación de los CDC, GOJO Industries y Staples. Los CDC y el HHS no respaldan productos, servicios ni empresas comerciales.

Farmington Magistrate Court Reopening plan photos

Front entrance signs:

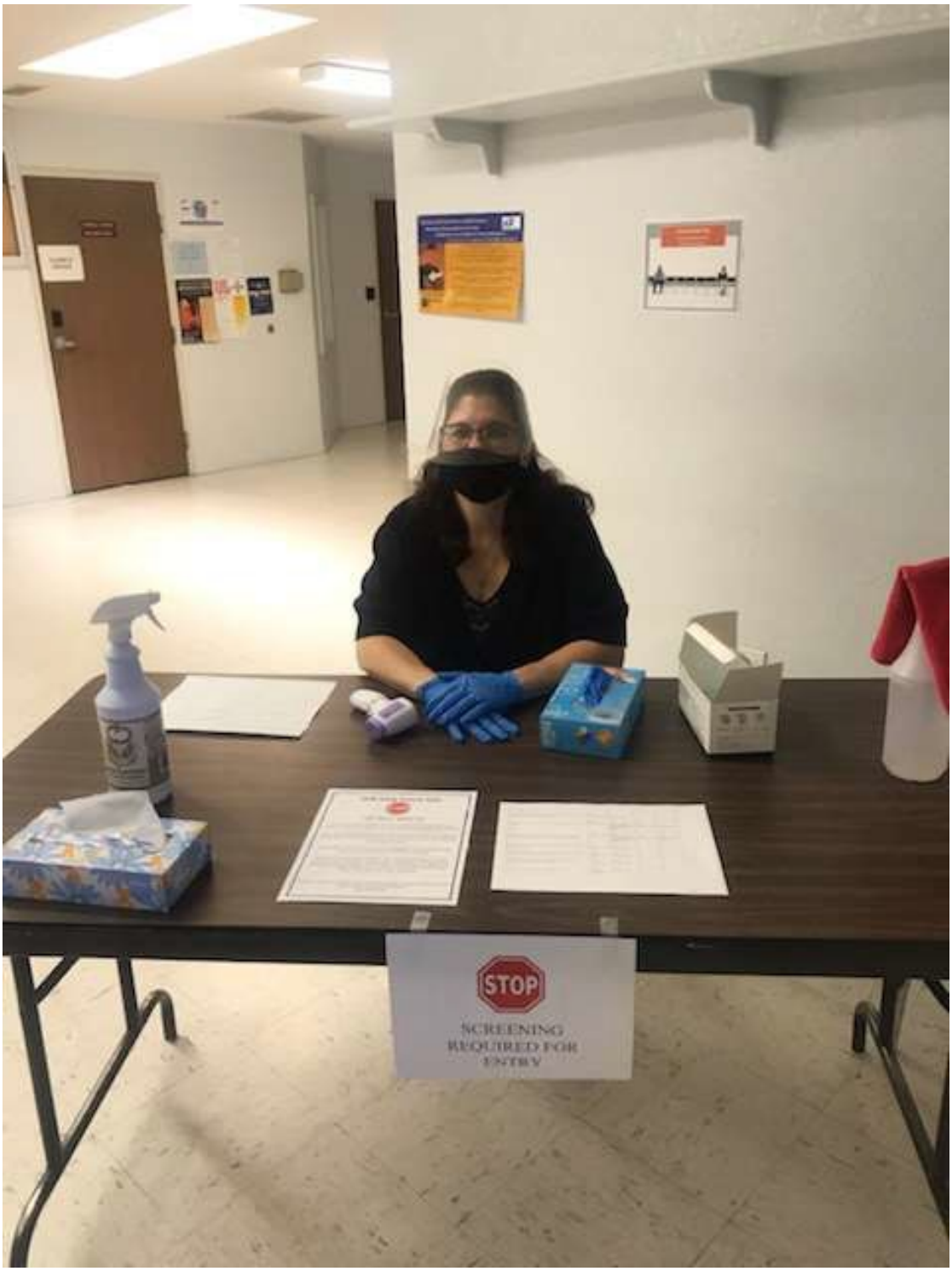
Farmington Magistrate Court Reopening plan photos



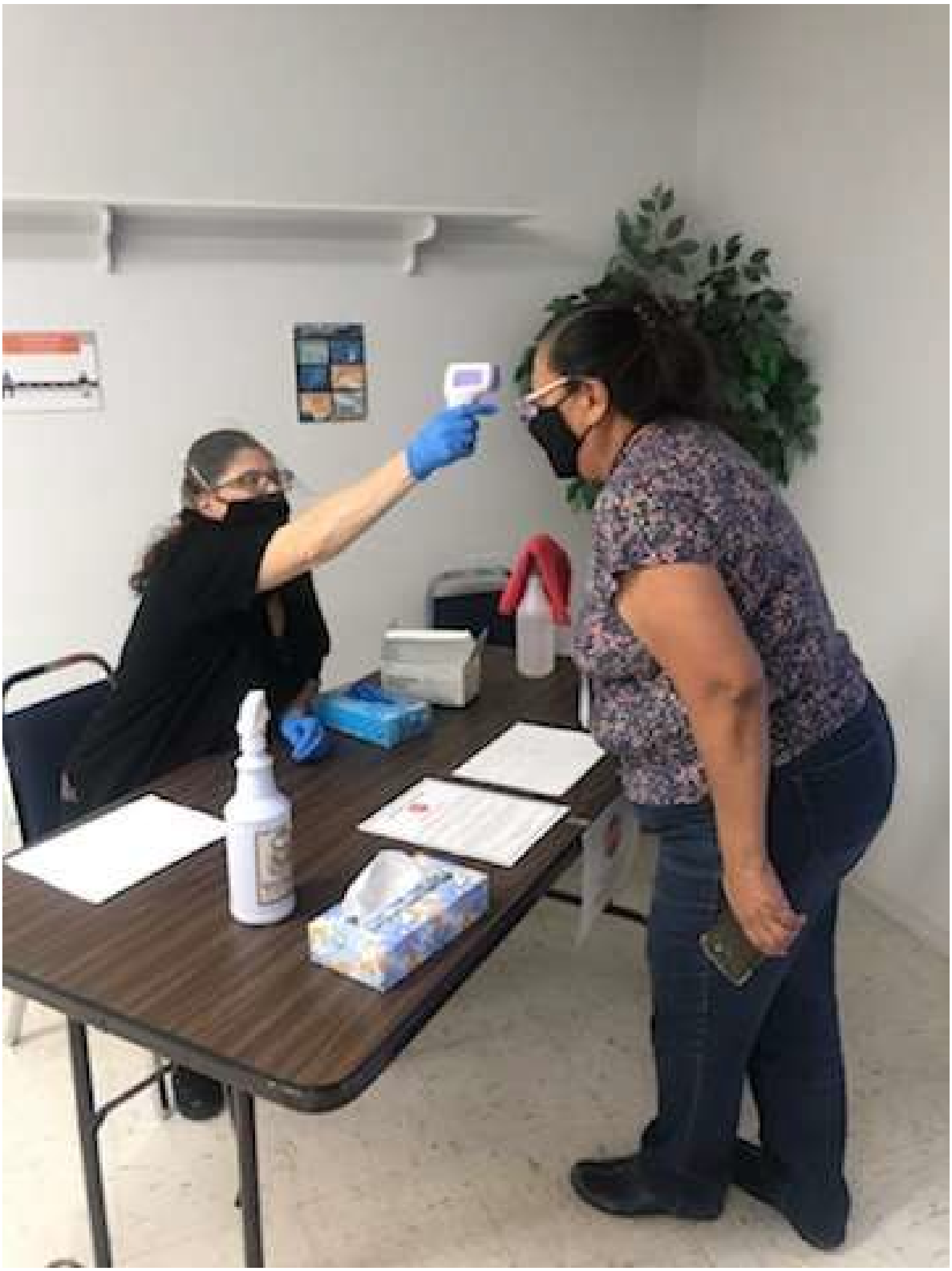
Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Screening station located at front entrance:



Farmington Magistrate Court Reopening plan photos



Farmington Magistrate Court Reopening plan photos

Front Counter and civil counter:

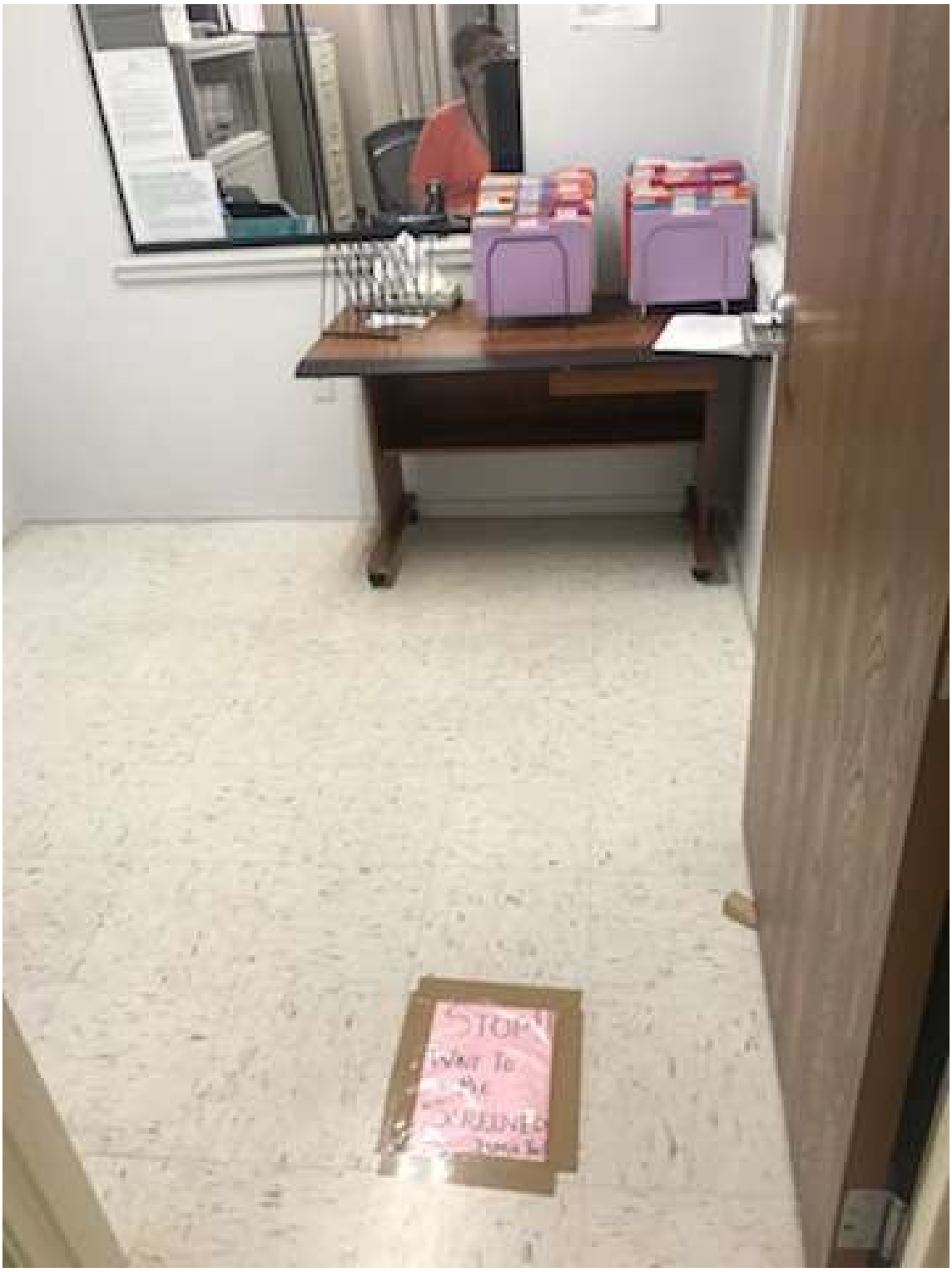
Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

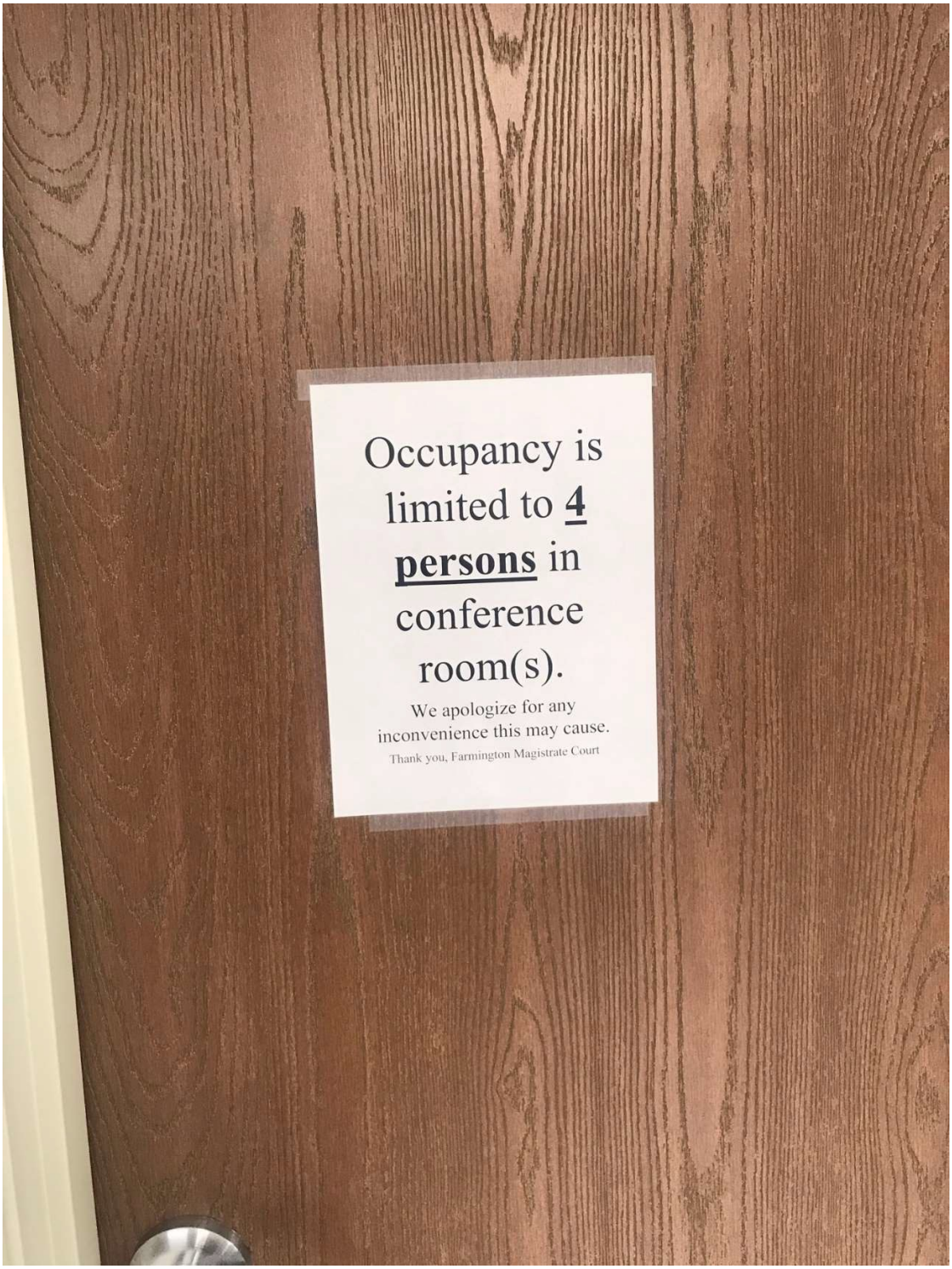
Farmington Magistrate Court Reopening plan photos



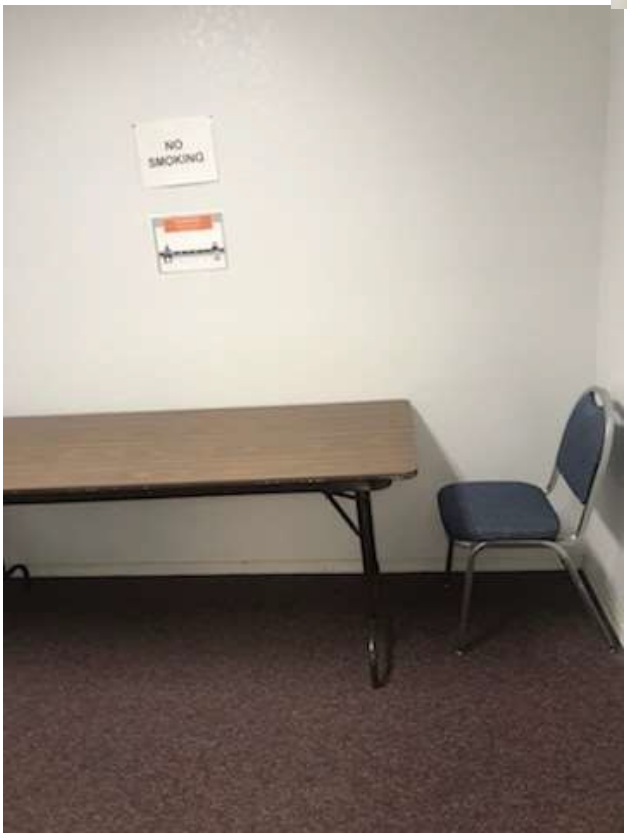
Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Public conference rooms:



Farmington Magistrate Court Reopening plan photos



Farmington Magistrate Court Reopening plan photos

Courtroom 1:

All courtroom doors have occupancy limits & required face masks signs

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Chairs are not stackable & no room for storage. Sections are taped off for spacing

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Courtroom 2:

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

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Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Courtroom 3:

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

Farmington Magistrate Court Reopening plan photos

PLAN FOR RESUMPTION OF LIMITED OPERATIONS
starting

JULY 29, 2020

Eleventh Judicial District

County:	McKinley
Court type:	District Court
City:	Gallup
Date of submission:	July 15, 2020

The Eleventh Judicial District Court in Gallup's commitment to protecting the health and welfare of each Judiciary employee, contractor, and member of the public that enters our facilities has been paramount in the decisions we have made in drafting this plan. With the plan we have designed, we feel well prepared to begin hearing in-person cases, including jury trials in a safe and effective manner.

McKinley County and the surrounding reservations have been particularly impacted by the COVID-19 pandemic. At this time, new COVID-19 cases seem to be trending downward in McKinley County, but with the increase of new cases in Arizona, the Navajo Nation has re-implemented curfews and restrictions, and continues to recommend that individuals on the Navajo Nation stay home except to conduct essential activities. The Pueblo of Zuni also remains under a stay at home order. These safety concerns and restrictions impact many people in and around McKinley County from which we draw our jury pools. This will create difficulty in empaneling juries due to decreased juror response rates.

We propose to begin hearing necessary in-person bench trials and hearings on July 29, but continue to suspend jury trials until shutdown orders by the Navajo Nation and Zuni Pueblo have been lifted. Our intent is that this cautious approach will lead to a safe and successful reopening of services that will not only protect our employees and the public but will support the public's trust and confidence in the judicial system.

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. 20-8500-25. In-person hearing will remain the exception but should expand beyond rare emergencies to include matters that are best addressed in-person. These types of hearings include hearings that involve significant documentary of physical evidence, and hearings with incapacitated persons as parties or minors as parties. Matters involving many parties or complex legal issues will also be eligible for in-person hearings. These could include pleas, sentencing, and suppression hearings for higher-profile cases, as well as some civil and family cases. More complex matters with unusually large numbers of parties will continue to be heard remotely.

We anticipate the case types that might require in-person hearings would mainly involve domestic violence order of protection cases, juvenile abuse and neglect cases, select domestic relations matters, pretrial detention hearings, jury trials, evidentiary, motion in limine, presentation and suppression hearings also in-person hearings as requested by the parties. Again, the presumption is that all hearings continue remotely, and the Eleventh's direction to its judicial officers is that setting an in-person hearing is the exception, and not the general rule.

C. Filing by self-represented litigants:

☒ Will be allowed by: ☒ email ☒ 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 and in the Courtrooms. If available hand sanitizer stations will be installed in strategic locations throughout the hallways.

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 occupancy signs are posted at the entrance and in each lobby as well as outside each courtroom 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 asked 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 ☒ fax

Safety for in-person filing will be maintained by taking the following measures: See "C" above.

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:

Trailing dockets: Arraignments and pretrial conferences will be held by video conferencing.

Hearings will be scheduled at staggered times rather than on huge trailing dockets.

Jury trials: The court will conduct only one jury trail per location per day until the process is worked out completely.

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.

A maximum of one jury trial will be held each week with the judges being assigned weeks on a rotating basis. Judges may utilize another judge's trial week if the week is not being utilized by the judge assigned that week.

Court calendars will be examined by the other judges or their TCAAs when setting in-person hearings.

When setting in-person hearings, judges and TCAAs shall consider the other judge's calendar to determine if social distancing requirements can be maintained. Bailiffs and security personnel will be timely provided with court calendars so that they may anticipate the arrival of interested persons and safely direct them and ensure social distancing guidelines.

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.

☒ These positions are more suitable for teleworking and will continue teleworking full time: Staff Attorney will telework full time unless presence is required in the courthouse.

☒ These positions will have flexible work schedules or work in shifts: Judicial Specialists, At least two people should staff the court clerk's office under a schedule set by the Court Manager of the local court_

☒ A combination approach will include:
At least one judicial staff should staff the judge's offices at all times under a schedule set by the judge. Both judicial staff should work in-person when jury trials are occurring or when court monitors are required in the courtroom for more than two hours per day.

All judges should be at the office most days under a schedule each judge determines will adequately accomplish his duties and tasks

Contingency Planning:

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. 20-8500-025. In addition, the Court's internal protocol includes quarantining the affected employee for a minimum of 14 days, 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 in accordance with the following plan:

Temperature checks will be performed by bailiff(s) using a laser thermometer. They will wear a mask. 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. The court staff assigned to screen employees by taking temperatures and asking the screening questions are trained.

Gallup District Court has one entrance for the public. Individuals coming in for hearings or trials are required to go through a security checkpoint. At this location the public is screened and not permitted to enter the courthouse if they answer yes to any of the most current questions set out by the Supreme Court. (Copies of the questions will be available to the public to read prior to entering the building.)

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 any member of the public answering yes to the above questions or who has a temperature of 100.4 or higher. That person will be able to call the court's number for information on how to proceed with their case.

An employee answering yes to the screening questions and/or who has a temperature of 100.4 degrees or higher will be instructed to call their immediate supervisor for further instructions. Per Supreme Court Order 20-8500-25, such employees will be required to self-isolate for 14 days, obtain a test for COVID-19 and disclose the test results to the chief judge. Telework will be offered.

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[1]

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

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.

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

[1] 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.

Appearances by video or phone for hearings

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.

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[2] will be maintained: Proper signage where people stand. In courtroom, marking seating for maximum safe distance between people. Markings on floors and courtrooms.

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

☒ In the public entry by:
Signs on the floor indicating 6' distance.
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

[2] Defined as a minimum distance of six (6) feet between people

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:
Reducing the number of people in the building by teleworking
Signs on walls informing employees of social distancing
Chairs and benches are moved to be at least 6 feet apart.

☒ In the employee break room by:
Reducing the number of people in the building by teleworking
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 and the Historic Courtroom 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. The plexiglass is expected to arrive and be installed in late July.

Plexiglass dividers will be erected on the courtroom benches and between the judge and courtroom staff 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. Plexiglas will be utilized as an additional precaution and is not a substitute for the required wearing of masks and social distancing.

F. Face coverings

☒ Are required to be worn by any person entering the courthouse.[3]

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. 20-85000-25, The Safe and Effective Administration of the New Mexico Judiciary during the Covid-19 Public Health Emergency.

G. Hygiene

☒ Hand sanitizer will be located at: Entry to courthouse, Clerk's windows, counsel tables, and jury boxes.

☒ Tissues and waste bins will be located at: Entry to courthouse, Clerk's windows, counsel tables, and jury boxes.

[3] With limited exceptions according to the New Mexico Judiciary Policy effective July 6, 2020.

☒ Signs are posted that encourage hand washing, using hand sanitizer, COVID-19 symptoms, mandatory mask wearing

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: In accordance with Supreme Court Order No. 20-8500-25, the courthouse and all facilities will be maintained in accordance with the guidelines issued by the New Mexico Department of Health for the cleaning and disinfection of public facilities during the current public health emergency. Maintenance cleans thoroughly every day and comes in periodically throughout the day spraying disinfectant on high touch areas of the court.

Courtrooms: When Judges and staff complete each hearing, bailiffs and security spray those areas where Judge, staff and security were and wipe areas if necessary. If security is unavailable, Judges' staff will be responsible for courtrooms when finished.

High traffic areas: Security goes throughout the 2nd floor spraying hallways, door knobs on average 3-4 times a day. Judicial Specialists also spray high touch areas and public areas at least every two hours throughout the day.

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: new pens will be used at the counter as much as possible. Judicial Specialists will spray pens with disinfectant after each use by customer.

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, such as lobby counters, public computers, door handles, pens and scanner will be sanitized by maintenance, bailiffs and Judicial Specialists throughout the day every two hours, at a minimum. 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.

I. Contact tracing:
Pursuant to New Mexico Supreme Court Order No. 20-8500-025, the Eleventh will maintain a daily log of all persons, including judicial officers, and judicial employees entering the court. 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:

A case by case review of all case types by the judge with input from TCAAs and counsel if counsel requests.

Pending criminal case trials will be prioritized by the NMRA Rules of criminal procedure (incarceration and age of case), the seriousness of the allegations against the defendant, litigant preparedness, length and complexity of trial, and any particularized concerns of either the Defendant or the State.

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/Tennant

This influx will be managed by:
Efficient Calendaring and constant reevaluation as needs require.
Adherence to Global Calendar and reevaluate as needs required.

Resources needed to manage this influx are:
The Eleventh Judicial District and Magistrate Courts in McKinley County currently share two bailiffs among six judges and two 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 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. The Court will work with AOC on the number of devices anticipated.

IV. Jury Trials[4]

[4] Refers to petit jury trials. Grand juries are not typically utilized in the 11th Judicial District

☒ 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 25 persons in order to maintain a minimum of six (6) feet between every person in all directions.

☒ The occupancy limit in the Historic courtroom is 45 persons in order to maintain a minimum of six (6) feet between every person in all directions.

☒ The occupancy limit in the small courtroom is 13 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, 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 50 people to 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: The Historic Courtroom.

☒ There will be only one jury panel in the courthouse at one time.

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

☒ Exhibit viewing can be done on the large screen in the courtroom. If viewing exhibits on the screen is not sufficient each juror will be provided a separate copy.

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 New Mexico Supreme Court Order No. 20-8500-025, 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 at least 48 hours prior to the trial per Supreme Court Order 20-8500-25, 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 needed, bench conferences will occur by the Judge and attorneys leaving the courtroom to meet in the Judge's chambers. The court monitor will 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 as 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 will be held prior to the first jury trial.

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 temperature taken
   - being asked the most current questions set out by the Supreme Court

   ☒ A mask will be provided to any jurors who do not have one.

☒ Hand sanitizer, tissue and trash bins are readily available to jurors.

Check-in is conducted

☒ 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

☒ empty courtroom

☒ 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. High touch areas in restrooms are to be cleaned at a minimum every two hours.

□ 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 the 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.
- ☒ Posted cleaning processes and schedules
- ☒ Messages left on the Code-O-Phone

V. Resources *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.

ADDENDUM

PLAN FOR RESUMPTION OF LIMITED OPERATIONS

MCKINLEY COUNTY - GALLUP DISTRICT COURT

PHOTOGRAPHS

Building Entrance

Corridor to Courtrooms 1 and 2

Occupancy Signs, Courtrooms 1 and 2

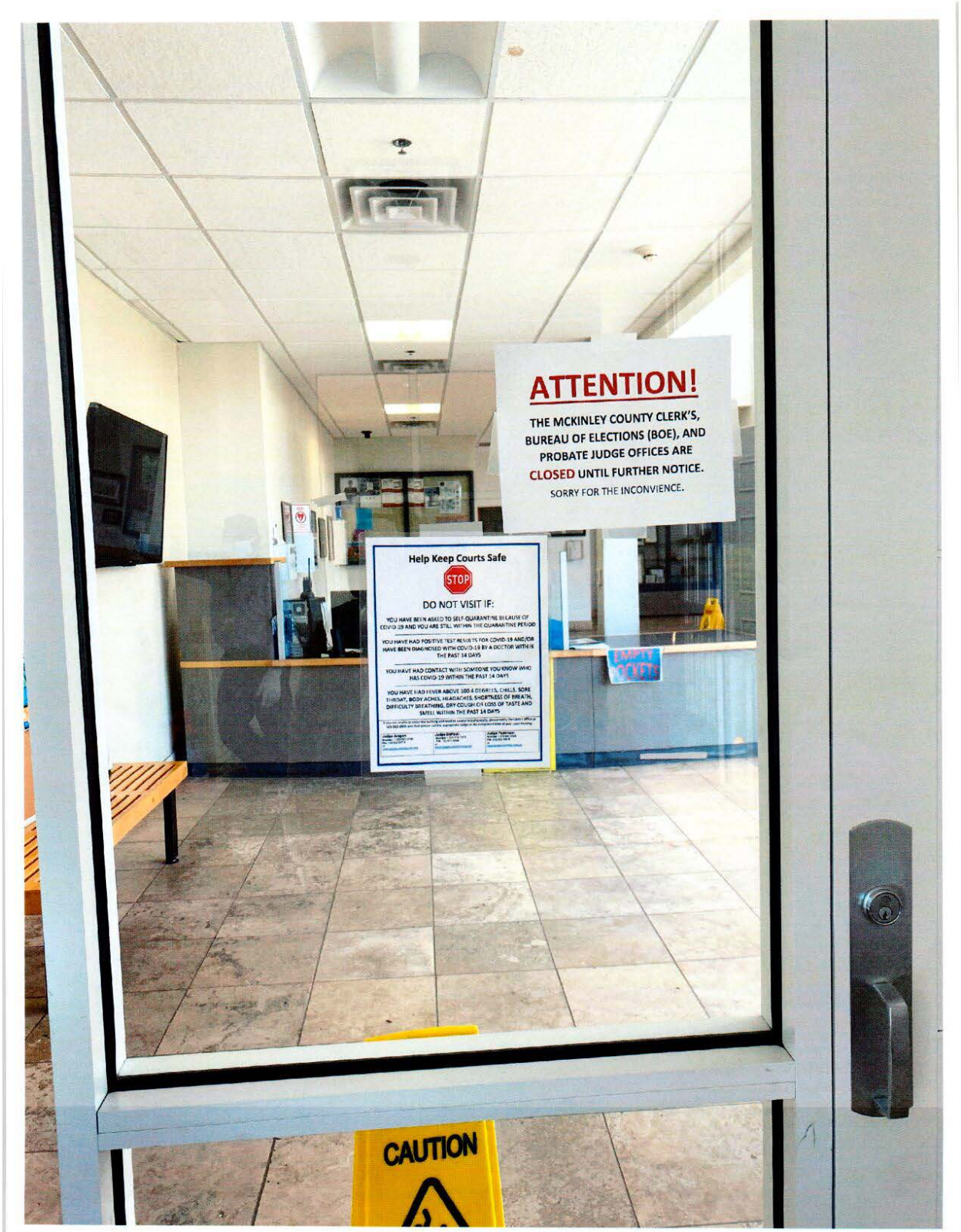
Courtroom 1 (Courtroom 1 and 2 are identical)

Corridor to Historical Courtroom and Hearing Room

Occupancy Signs, Hearing Room and Historical Courtroom

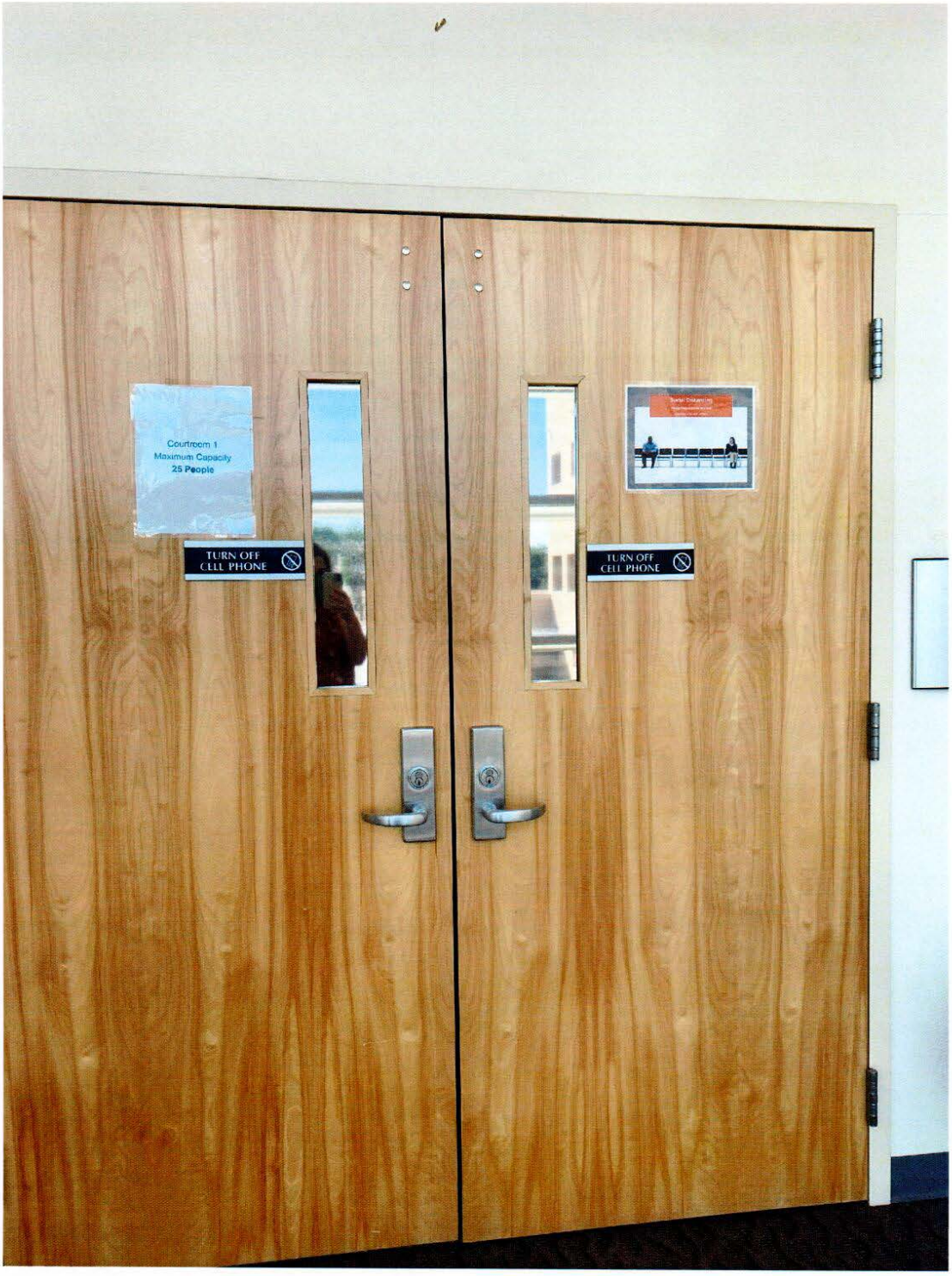
Historical Courtroom

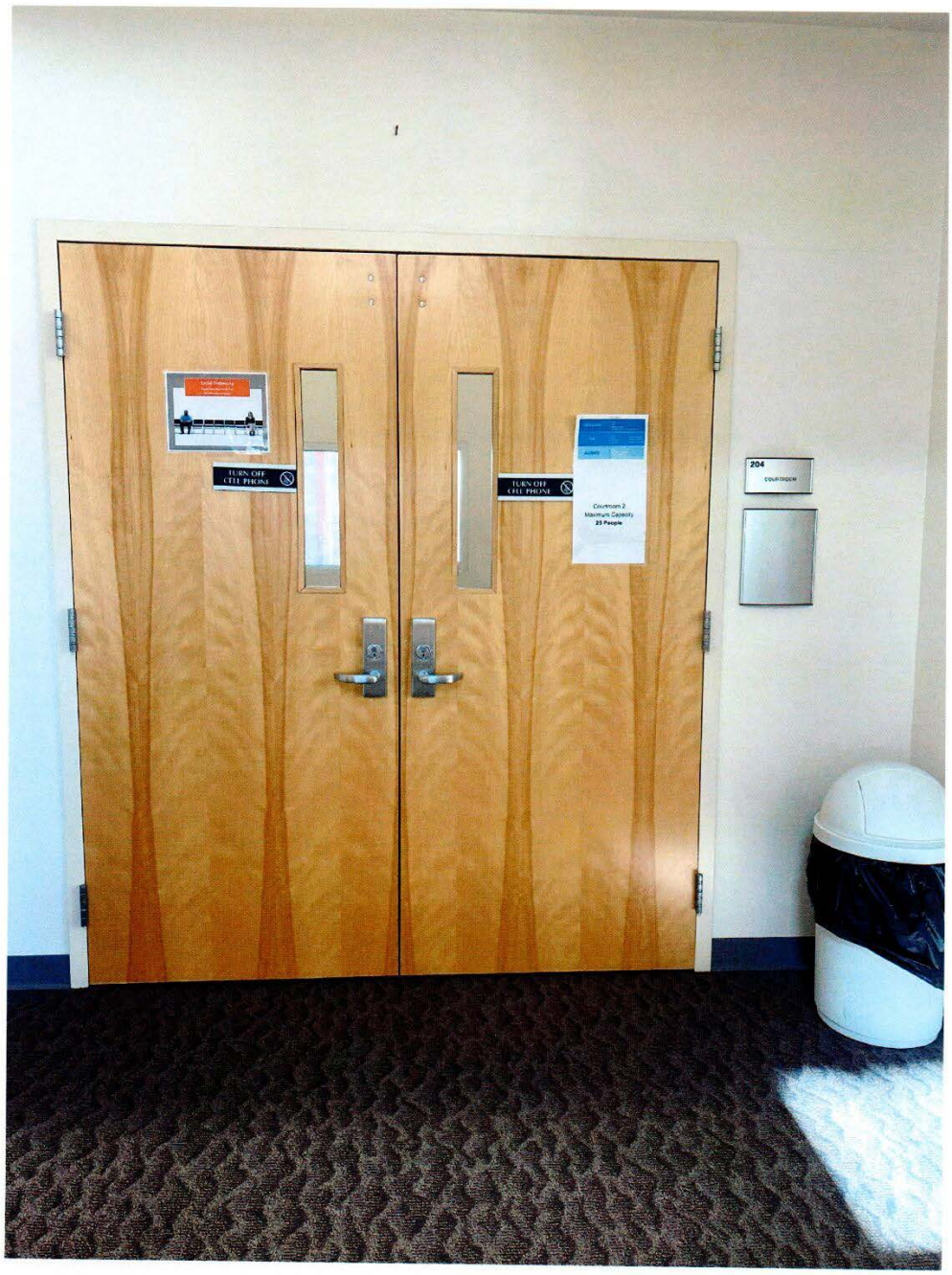
Public Resource Room

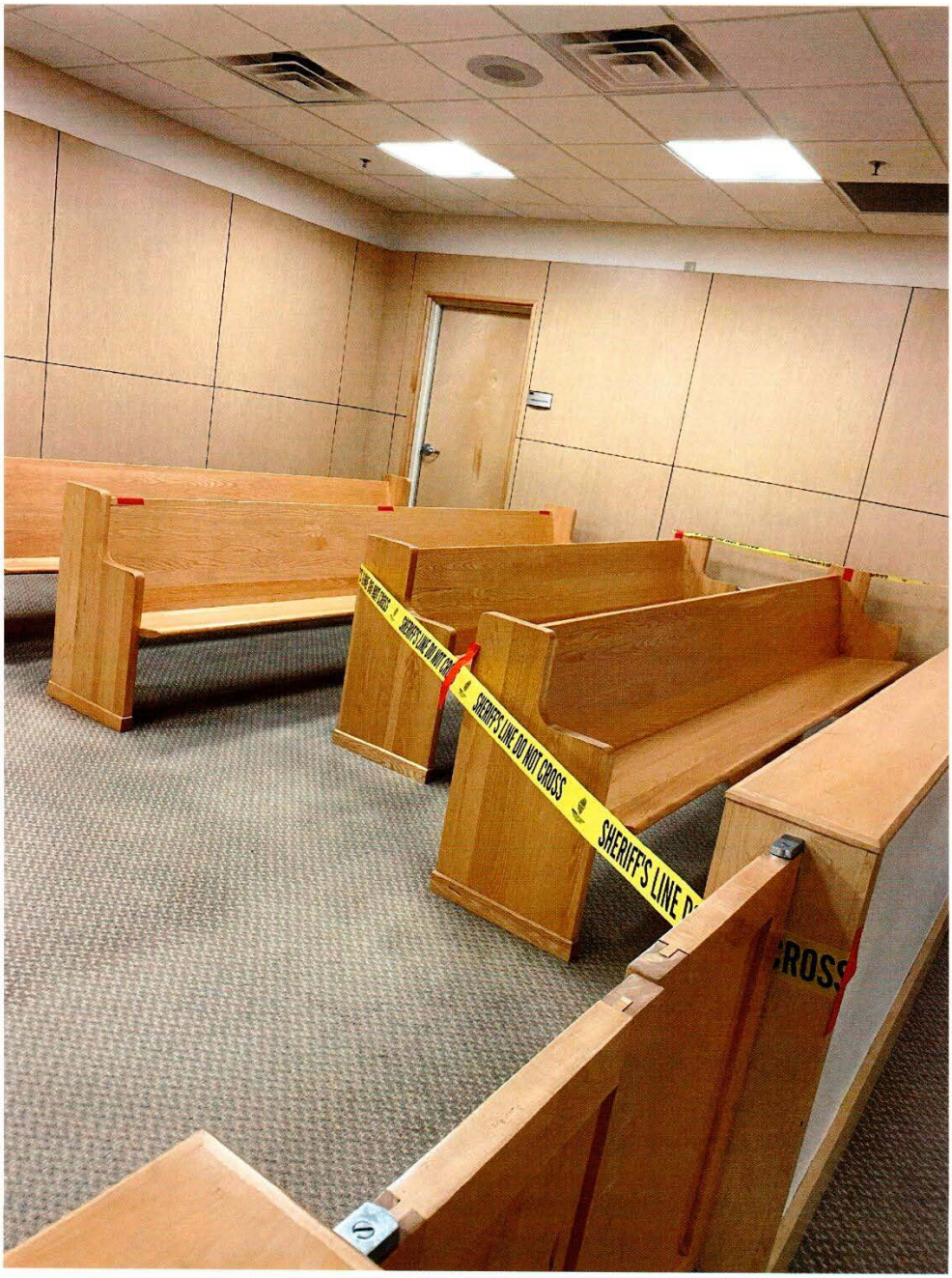

ATTENTION!
THE MCKINLEY COUNTY CLERK'S, BUREAU OF ELECTIONS (BOE), AND PROBATE JUDGE OFFICES ARE CLOSED UNTIL FURTHER NOTICE.
SORRY FOR THE INCONVIENCE.
Help Keep Courts Safe
STOP
DO NOT VISIT IF:
YOU HAVE BEEN ASKED TO SELF QUARANTINE BECAUSE OF COVID-19 AND YOU ARE STILL WITHIN THE QUARANTINE PERIOD
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
CAUTION

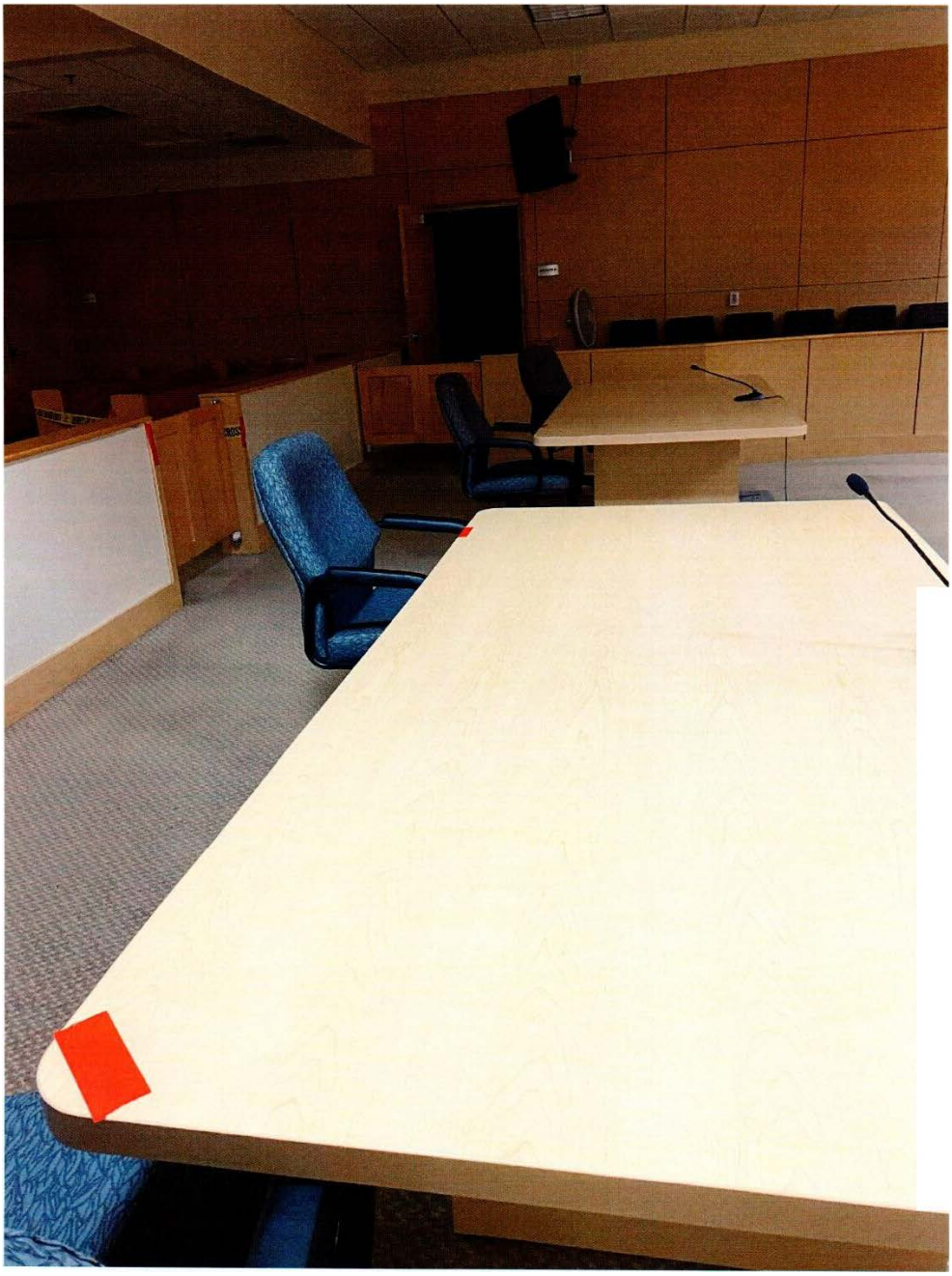
NO ENTRY WITHOUT A MASK!
Masks shall be worn at all times!

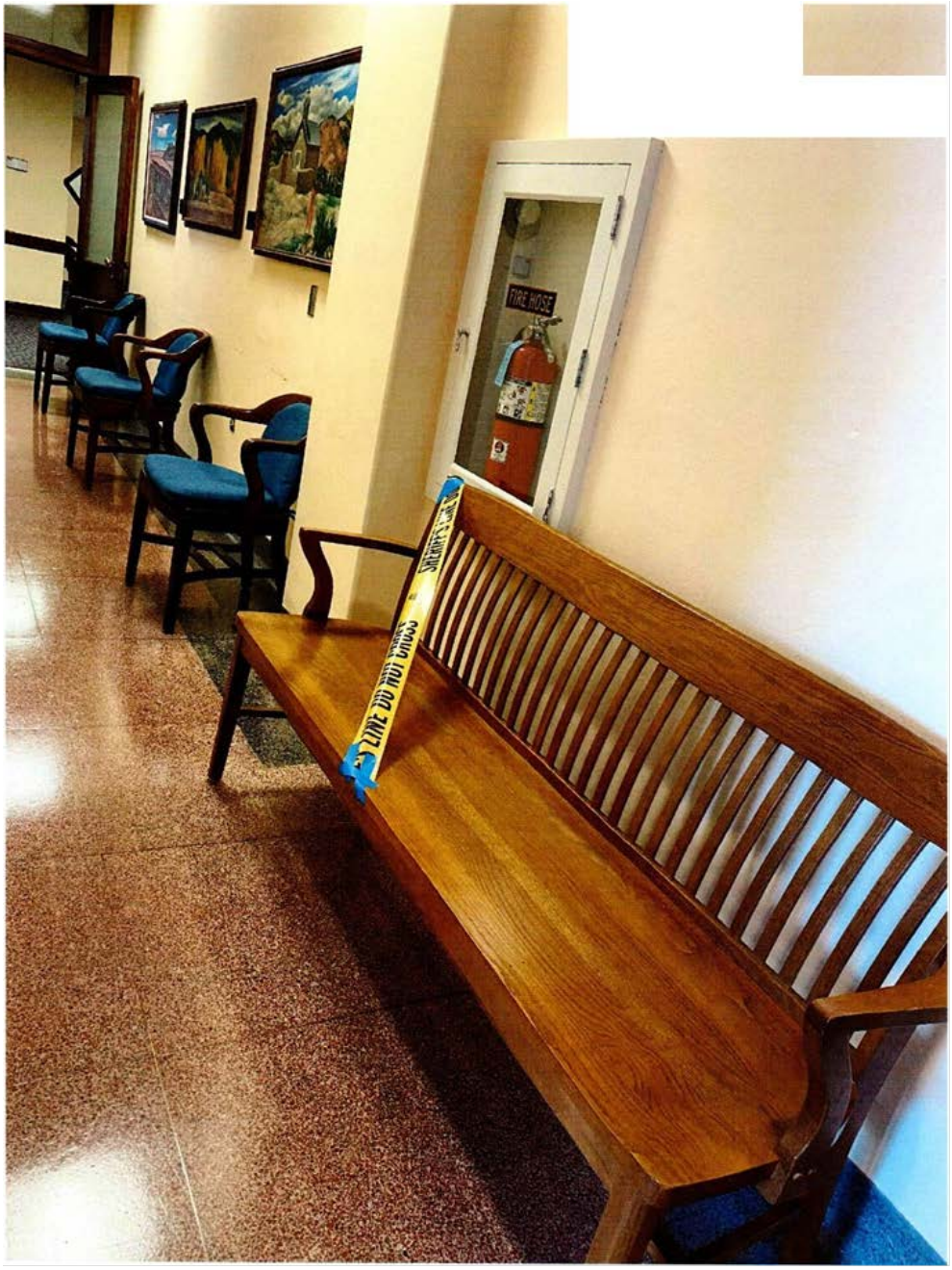
EXIT
COURT ROOM 1


Courtroom 1
Maximum Capacity
25 People
TURN OFF
CELL PHONE
TURN OFF
CELL PHONE

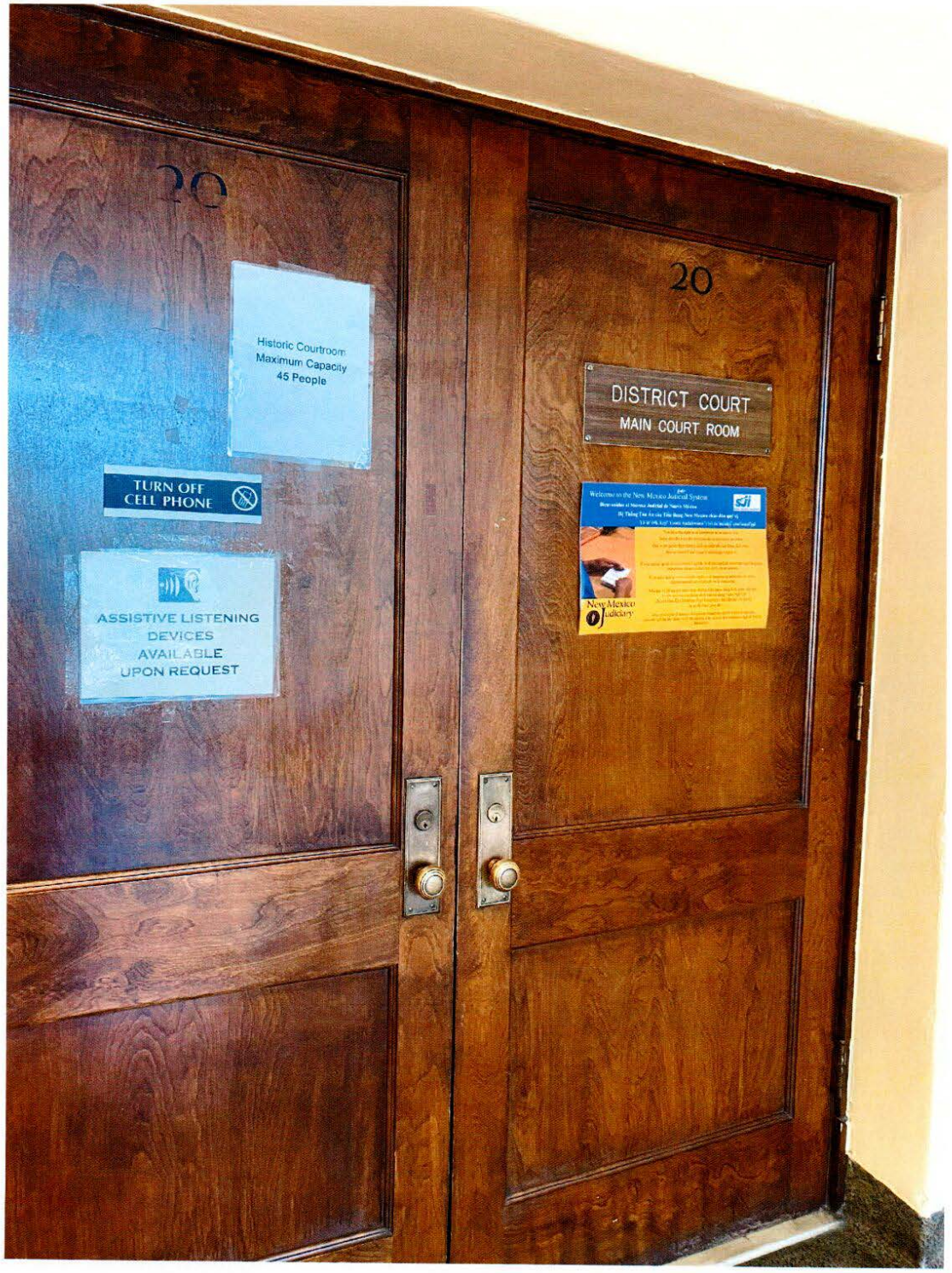

TURN OFF
CELL PHONE
TURN OFF
CELL PHONE
Courtroom 2
Maximum Capacity
25 People
204
courtroom

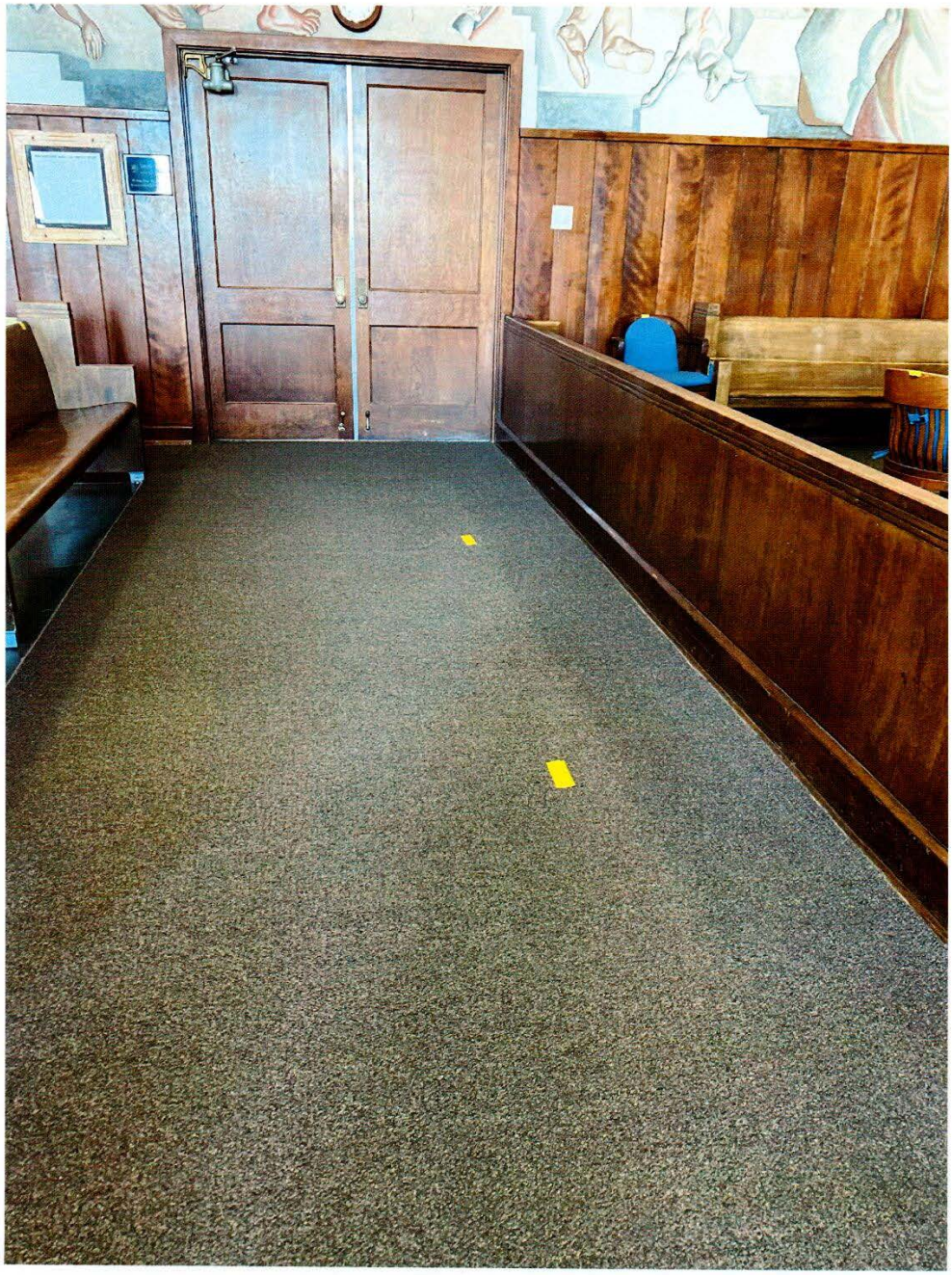

SHERIFF'S LINE DO NOT CROSS

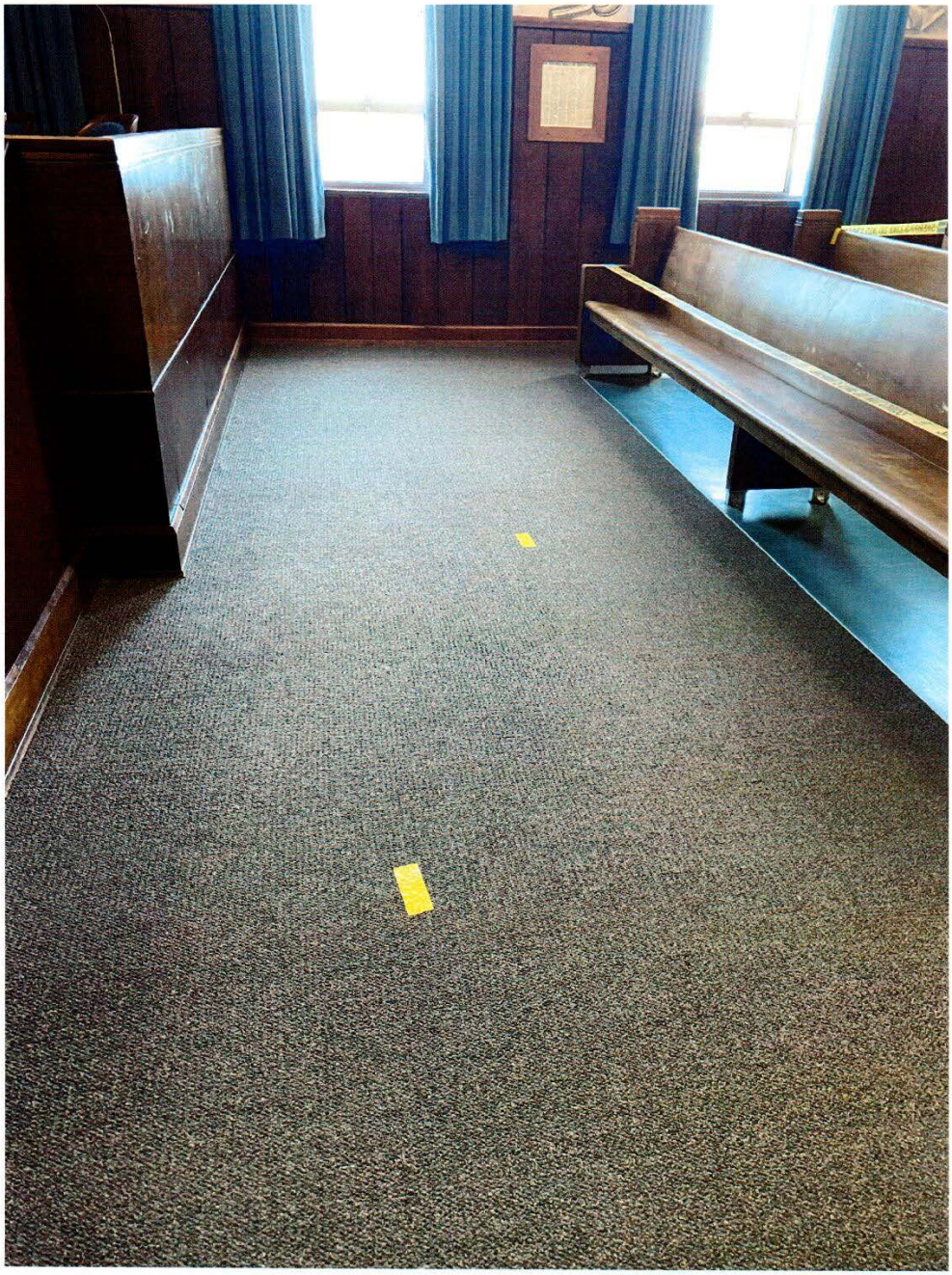



FIRE HOSE

205
HEARING ROOM
Small Courtroom
Maximum Capacity
13 People


20
Historic Courtroom
Maximum Capacity
45 People
TURN OFF
CELL PHONE
ASSISTIVE LISTENING
DEVICES
AVAILABLE
UPON REQUEST
20
DISTRICT COURT
MAIN COURT ROOM
New Mexico
Judiciary





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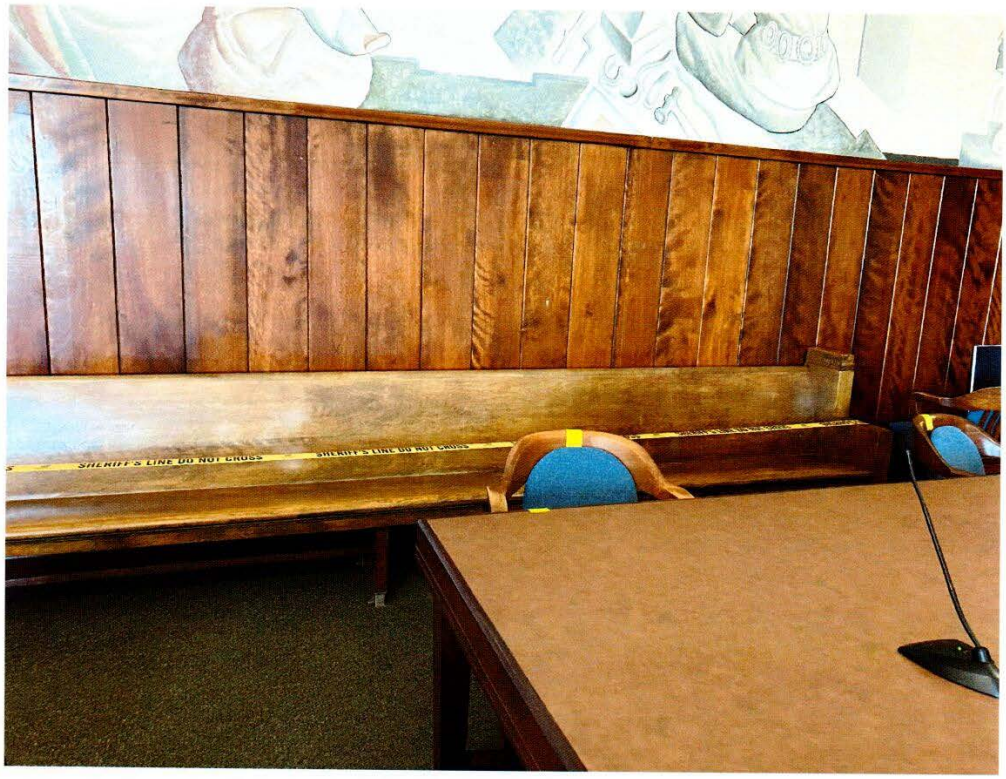
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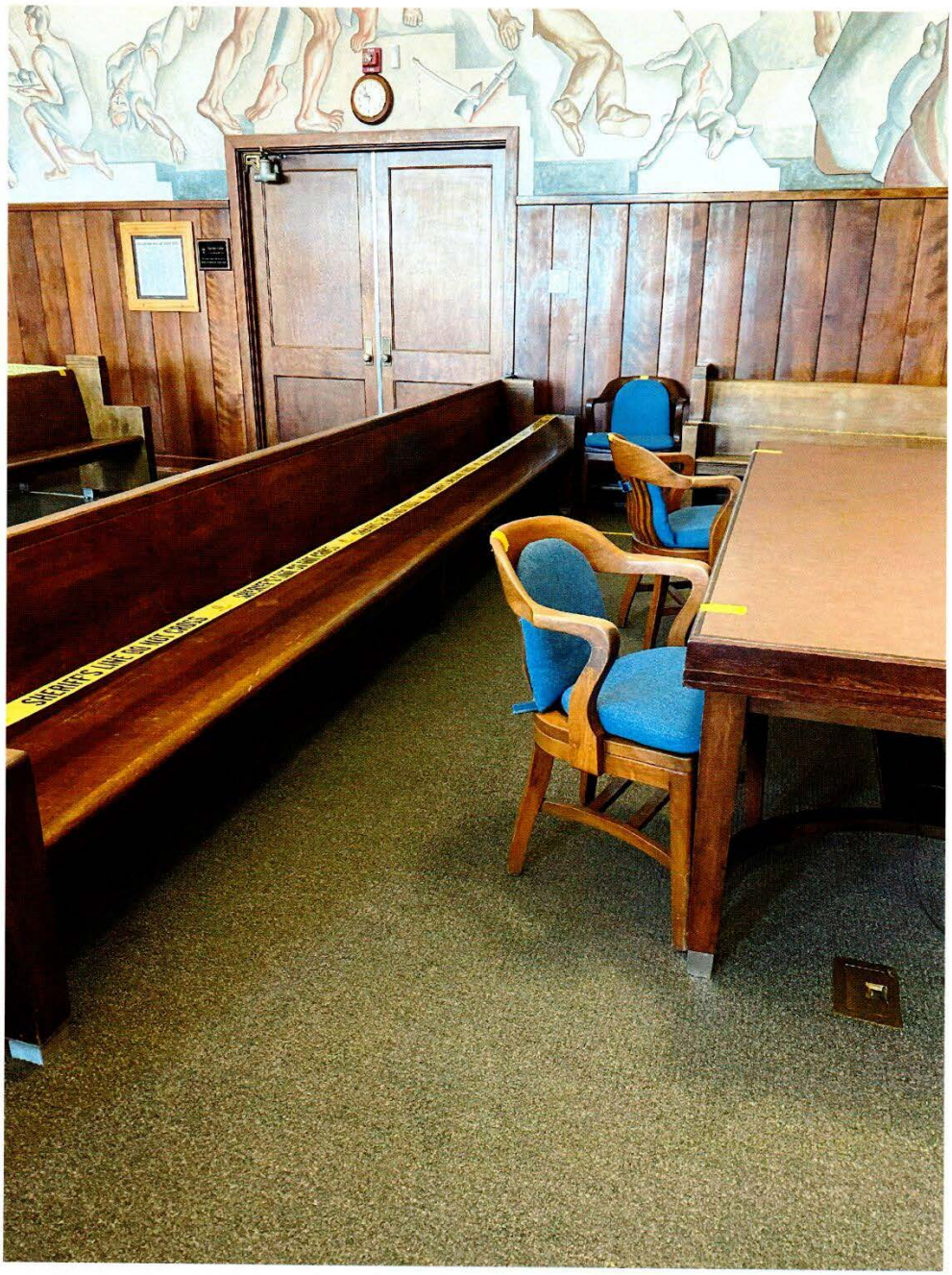
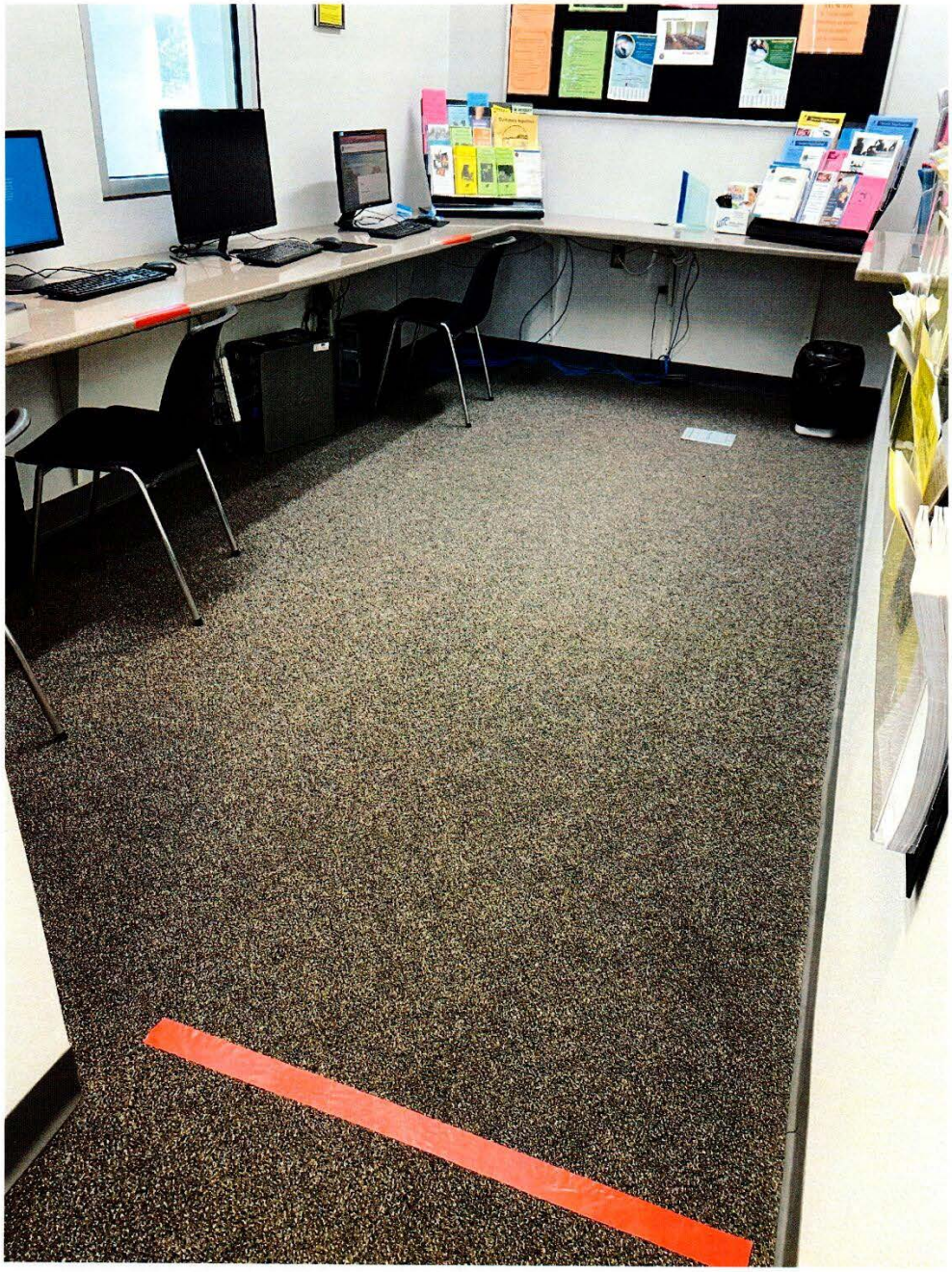

SHERIFF'S LINE COUNTY OFFICE



PLAN FOR RESUMPTION OF LIMITED OPERATIONS

Starting: July 29, 2020

Eleventh Judicial District

County:	McKinley
Court type:	Magistrate Court
City:	Gallup
Date of submission:	July 15, 2020

The Eleventh Judicial Magistrate Court in Gallup's commitment to protecting the health and welfare of each Judiciary employee, contractor, and member of the public that enters our facilities has been paramount in the decisions we have made in drafting this plan. With the plan we have designed, we feel well prepared to begin hearing in-person cases, including jury trials in a safe and effective manner.

McKinley County and the surrounding reservations have been particularly impacted by the COVID-19 pandemic. At this time, new COVID-19 cases seem to be trending downward in McKinley County, but with the increase of new cases in Arizona, the Navajo Nation has re-implemented curfews and restrictions, and continues to recommend that individuals on the Navajo Nation stay home except to conduct essential activities. The Pueblo of Zuni also remains under a stay at home order. These safety concerns and restrictions impact many people in and around McKinley County from which we draw our jury pools. This will create difficulty in empaneling juries due to decreased juror response rates.

We propose to begin hearing necessary in-person bench trials and hearings on July 29, but continue to suspend jury trials until shutdown orders by the Navajo Nation and Zuni Pueblo have been lifted. Our intent is that this cautious approach will lead to a safe and successful reopening of services that will not only protect our employees and the public but will support the public's trust and confidence in the judicial system.

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. 20-8500-25.

The presumption is that all hearings continue remotely, and the Eleventh's direction to its judicial officers is that setting an in-person hearing is the exception, and not the general rule. When an in-person hearing is necessary, 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.

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:

Scanner 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, 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 5 people allowed in Clerk's 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:

Scanner 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. Security Guards 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 5 people allowed in Clerk's Lobby. Maximum occupancy signs are posted at the entrance and in each lobby which also includes social distancing marks on the floor. If a 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 outside, 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:

At any one time, the maximum number of people allowed in any Courtroom is twenty-five.

One jury trial per day is maximum allowed.

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, court staff can make arrangements for the recipient to appear by Google Meets, video or phone.

If an empty courtroom is set aside to give the public and press an opportunity to watch courtroom proceedings in real time, this area will follow all social distancing guidelines.

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.

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. 20-8500-025. 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 will have flexible work schedules or work in shifts:

Clerk's Office staff will work in the office at 50% and 50% teleworking. The schedule switches every week. As workloads increase so will the clerk staff working in the office. Manager and Supervisors work alternate weeks in the office and teleworking. Teleworking schedules are encouraged and flexible

☒ A combination approach will include

Division III

Judge is at the office when necessary, but teleworks when possible.

Division I

Judge is at the office when necessary, but teleworks when possible.

Division II

Judge is not expected to return to the bench until 2021. In the interim, the Court will utilize pro tem judge(s) who will hear Judge's docket remotely.

Pre-trial Services Officers and Probation Officers will work alternate days, but if necessary for them to be in the office, they will be working in individual offices.
Teleworking schedules are encouraged and flexible

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:

Public: Gallup Magistrate 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 the following two-step procedure:

First, temperatures are taken by a security guard (screener) using an infrared thermometer. The screener will be masked. Since the screener will only have a momentary incursion of the six-foot rule to take the person's temperature, full personal protective equipment is not required. After each use, the thermometer will be cleaned and disinfected according to the manufacturer's instructions.

Second, no member of the public will be permitted to enter the courthouse if they answer yes to the screening questions mandated by the NM Supreme Court (copies will be available to the public to read before they enter the building).

Any member of the public 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. NOTE: The screener may wait 2-3 minutes following a "fever" reading, and retest the individual to verify that the first reading was not anomalous due to outside temperature, physical exertion, etc.

Employees and Judges: 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. 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.

An employee/judge 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. Per NM Supreme Court Order No. 20-8500-25, such employee will be required to self-isolate for 14 days, obtain a test for COVID-19, and disclose the test results to the Chief Judge. NOTE: The screener may wait 2-3 minutes following a "fever" reading, and retest the individual to verify that the first reading was not anomalous due to outside temperature, physical exertion, etc.

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[1]

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.

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.

[1] 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.

D. Social Distancing[2] will be maintained:

☒ At the security station by:
Signs on the floor indicating 6' distance.
Signs informing public of social distancing
Security Guard wears a mask at all times

☒ In the public entry by:
Signs on the floor indicating 6' distance.
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
Every other counter in operation to maintain social distancing
Clerks wear masks at all times
Tissue and hand sanitizer is available to the public

☒ 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

[2] Defined as a minimum distance of six (6) feet between people

☒ 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 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

☒ In the public and employee elevator by:
Tape on the floor and signs indicating 6' distance.
Signs on walls informing the public and employees of social distancing.
Signs limiting elevator occupancy to two individuals at the same time.

E. Plexiglass:
The courtrooms at Gallup Magistrate 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.[3]

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. 20-85000-25, Requiring Use of Face Masks in New Mexico Courts during COVID-19 Public Health Emergency.

Judicial Officers:
See Above.

[3] With limited exceptions according to the New Mexico Judiciary Policy effective May 15, 2020.

Employees:
See Above.

Public:
See Above.

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), file room, and 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, file room, and 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

In accordance with NM Supreme Court Order No. 20-8500-25, the courthouse and all facilities will be maintained in accordance with the guidelines issued by the New Mexico Department of Health for the cleaning and disinfection of public facilities during the current public health emergency.

Courtrooms:

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

High traffic areas:

- Lobby counters, public computers, door handles, pens, scanner, and chairs 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:

- The court clerk will sanitize the witness area and microphone after each witness testifies.
- The court clerk will sanitize the attorney tables, chairs, pews, microphones and door handles after each hearing.
- Lobby counters, public computers, door handles, pens, scanner, and chairs 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.
- Hand sanitizer is readily available near each high-touch surface.

I. Contact tracing:

Pursuant to New Mexico Supreme Court Order No. 20-8500-025, all courts in the Eleventh Judicial District will maintain a daily log 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.

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 abuse
- ☒ Debt and money due
- ☒ Criminal
- ☒ Landlord/Tennant

This influx will managed by:

All three Judges will manage the influx by maintaining their dockets, making sure that cases are being heard in a timely manner.

Resources needed to manage this influx are:

The Eleventh Judicial District and Magistrate Courts in McKinley County currently share two bailiffs among six judges and two 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 it is even more difficult. We will deal with the additional pressure by assigning court staff to handle the additional duties where necessary. However, in the long term, we will require additional bailiffs to manage increased demands.

Because a face mask muffles a person's voice, the court anticipates needing 4 additional hearing devices for the public and jury to use during voir dire and jury trials. The Court will work with AOC to obtain this equipment.

IV. Jury Trials[4]

☒ 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 ____25____ persons in order to maintain a minimum of six (6) feet between every person in all directions.

☒ The occupancy limit in courtroom 3 is ____25____ persons in order to maintain a minimum of six (6) feet between every person in all directions.

☒ The occupancy limit in courtroom 4 is ____25____ 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, a Plexiglass divider will be erected at a level

[4] Refers to petit jury trials. Grand juries are not typically utilized in the 11th Judicial District

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: The Historic Courtroom at Gallup District Court.

☒ There will be a maximum of twenty jurors allowed in the courthouse at one time. Jury selection is being scheduled in the afternoon with selected jurors to report the following morning.

☒ Jury trials are being scheduled to begin in the morning.

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

☒ In addition, each juror will be provided individual exhibit notebooks.

B. Trial efficiency

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. 20-8500-025, 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 at least 48 hours prior to the trial per NM Supreme Court Order 20-8500-25, 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.

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 will be held prior to the first jury trial.

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 current screening questions mandated by the NM Supreme Court.

- ☒ 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 #2. Following COVID-safe practice guidelines, Courtroom #2 has a maximum capacity of 25 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 the 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. The court clerk 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-O-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.

ADDENDUM

PLAN FOR RESUMPTION OF LIMITED OPERATIONS

MCKINLEY COUNTY - GALLUP MAGISTRATE COURT

PHOTOGRAPHS

Building Entrance

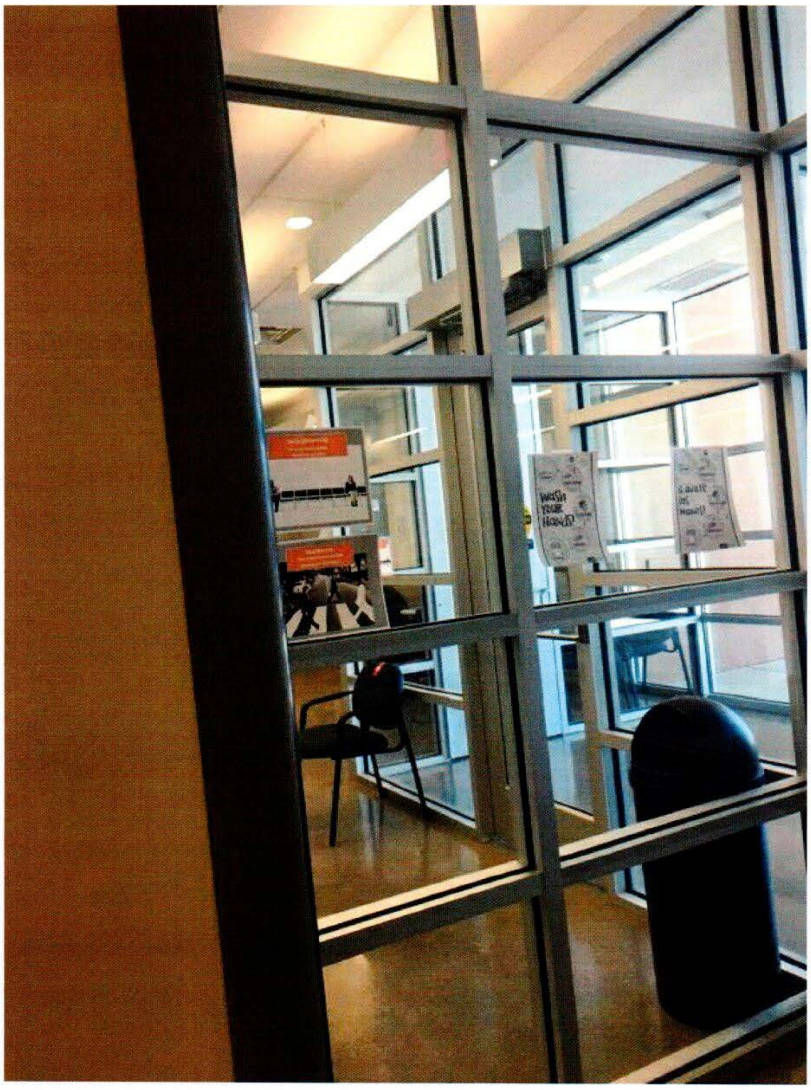
Public Lobby

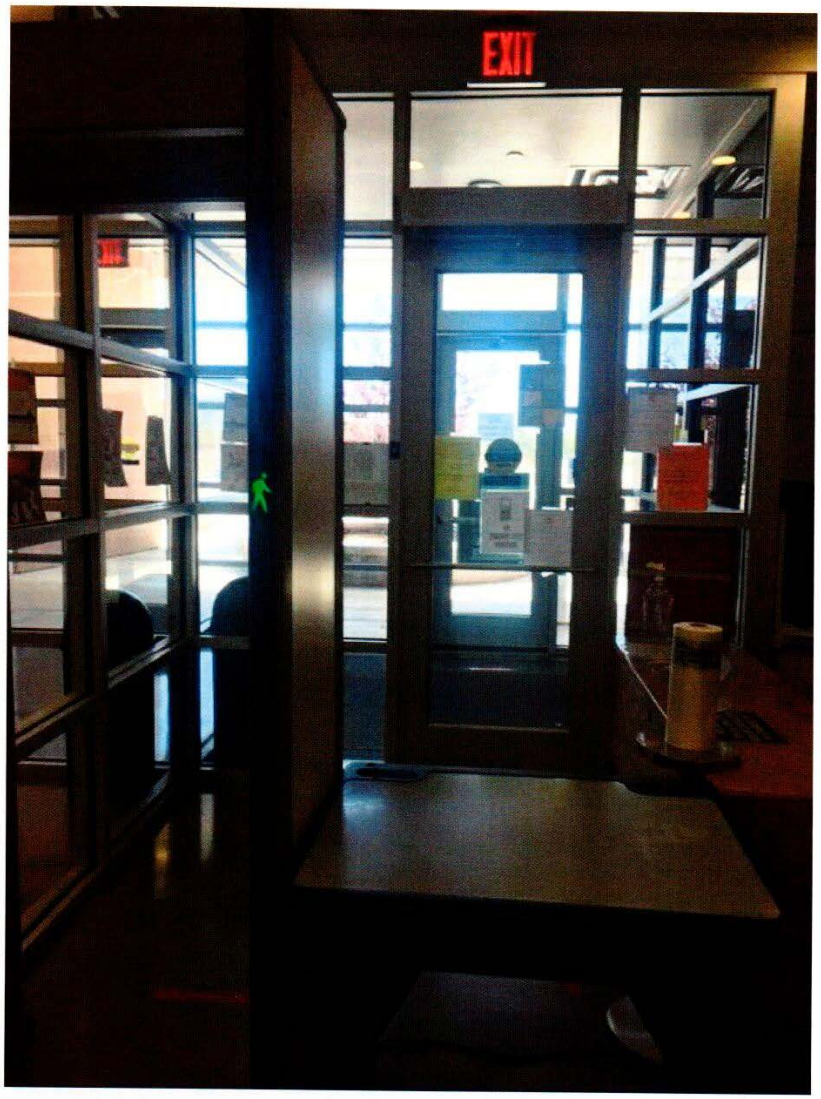
Elevator

Courtroom (Courtrooms are identical)

Public Corridors

ALL PERSONS
SUBJECT TO
SEARCH.
EXPLOSIVES,
KNIVES,
FIREARMS
AND OTHER
WEAPONS
WILL BE TAKEN
AND NOT
RETURNED.

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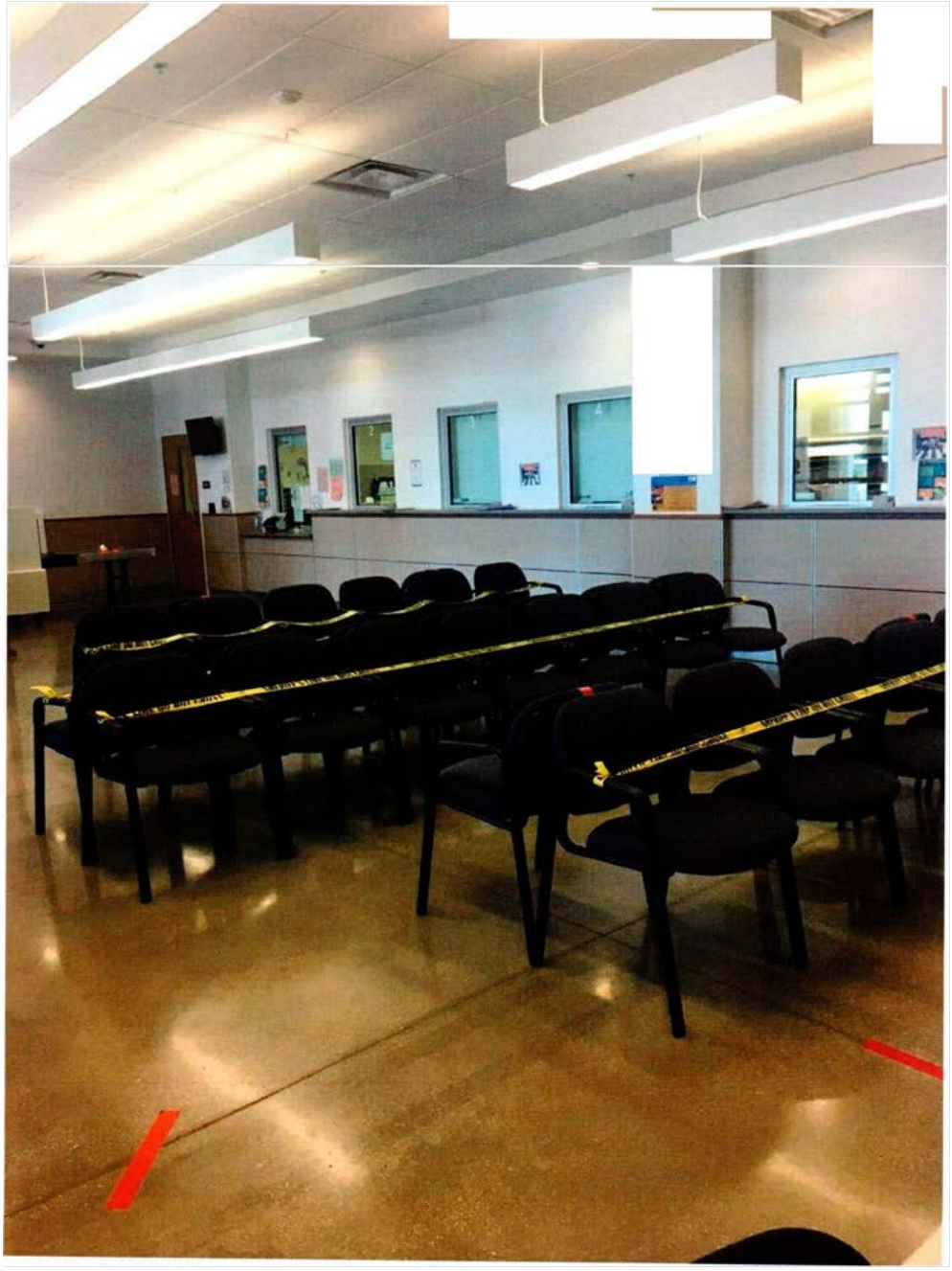

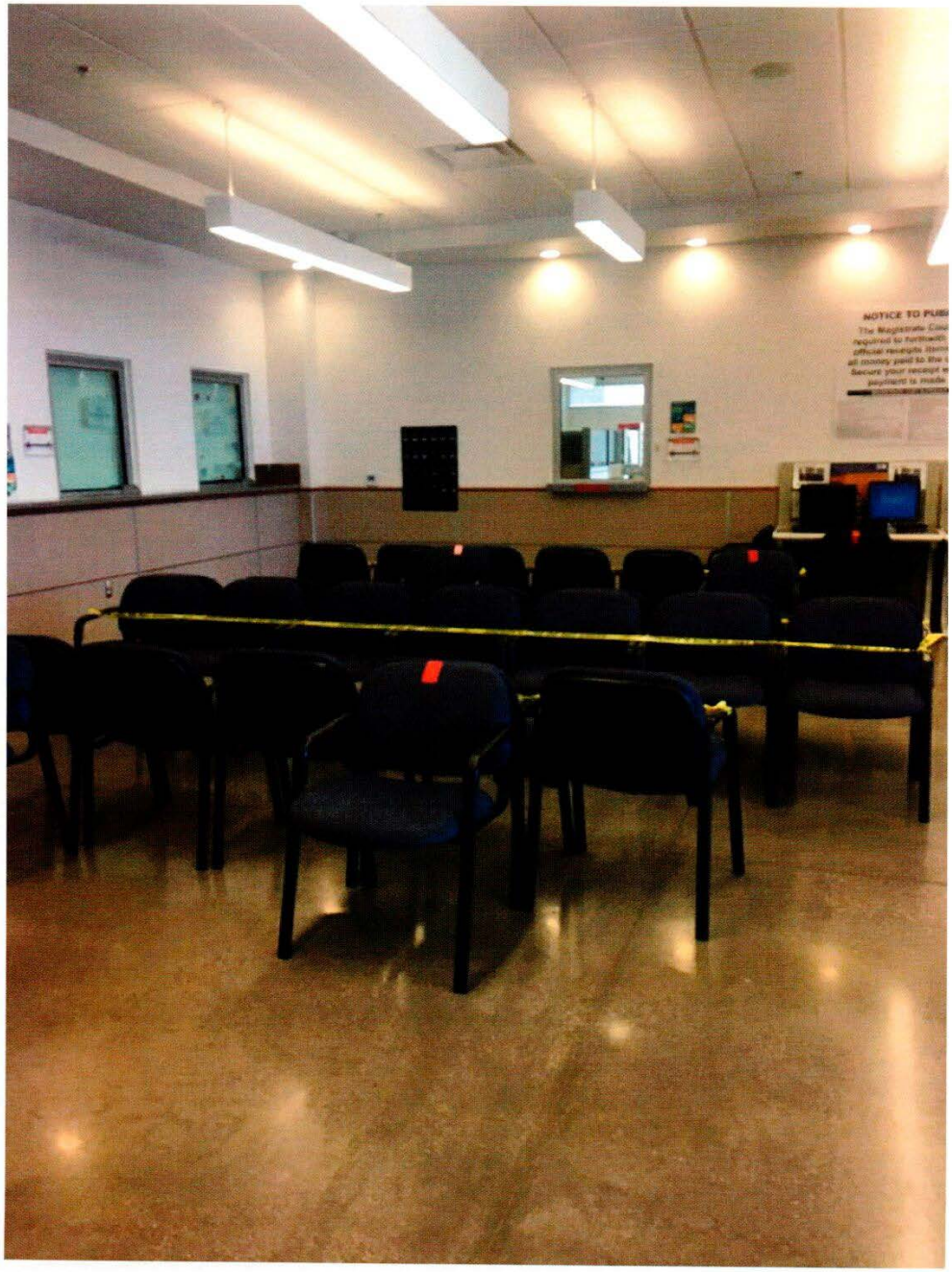

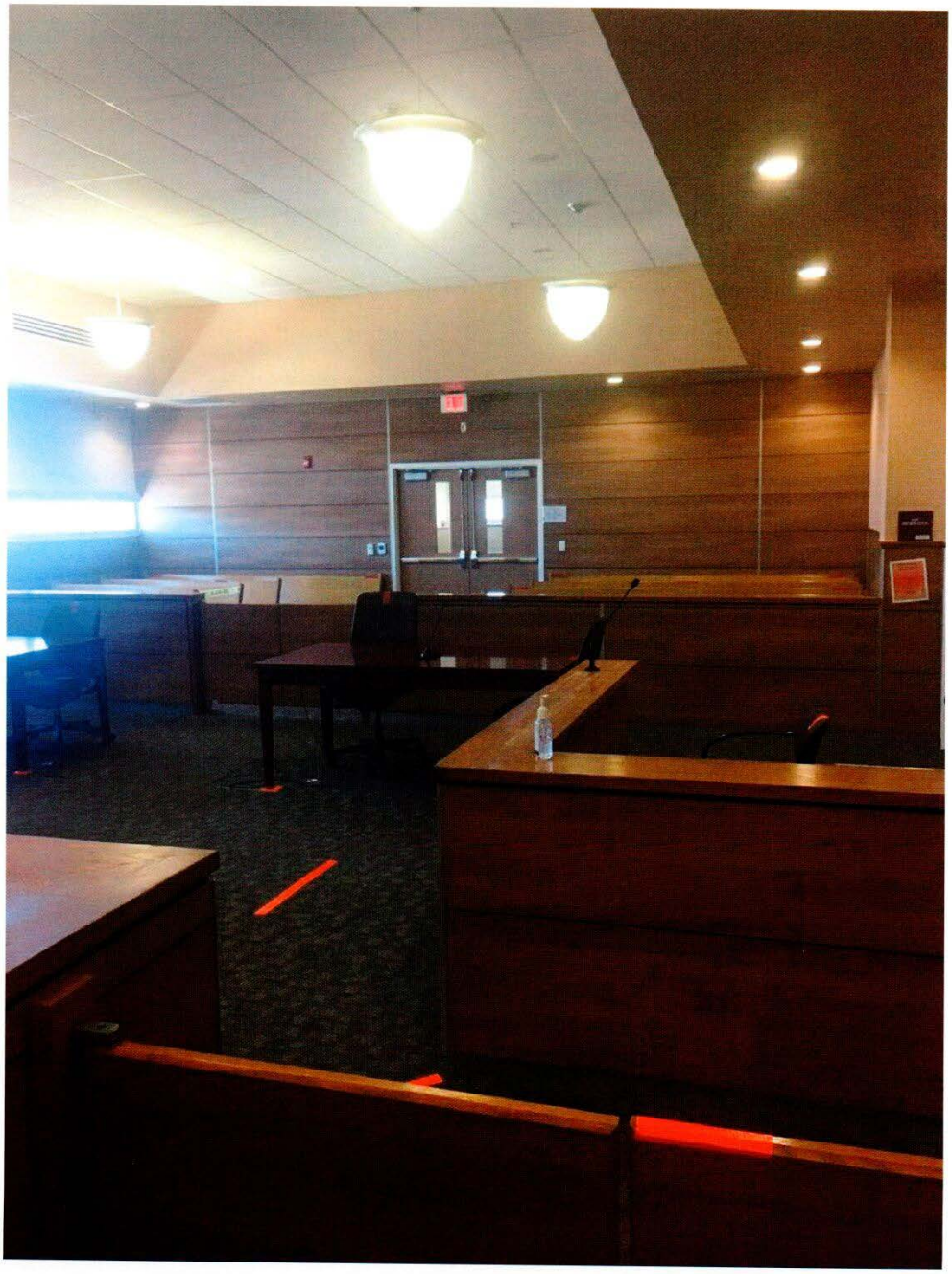

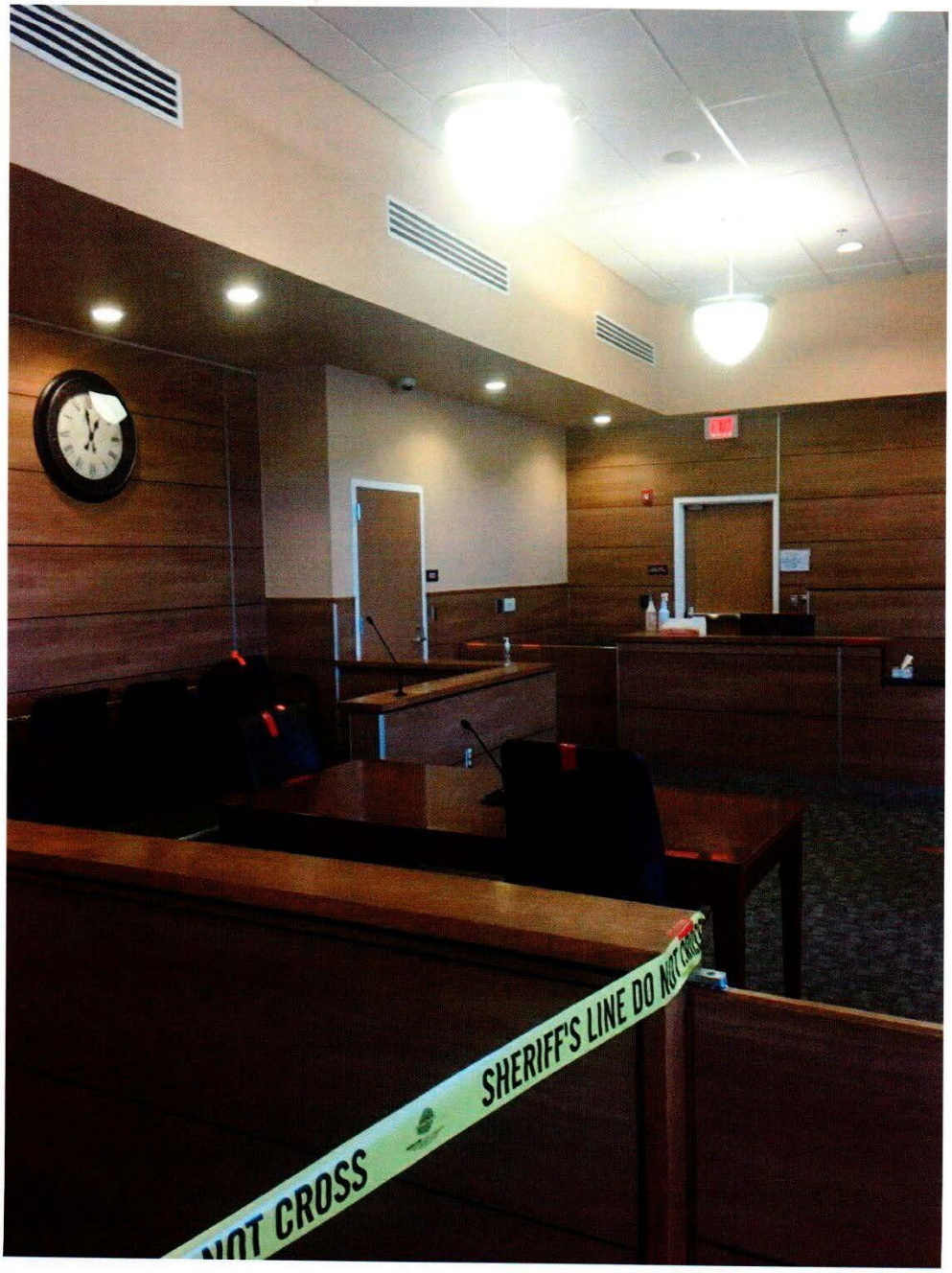
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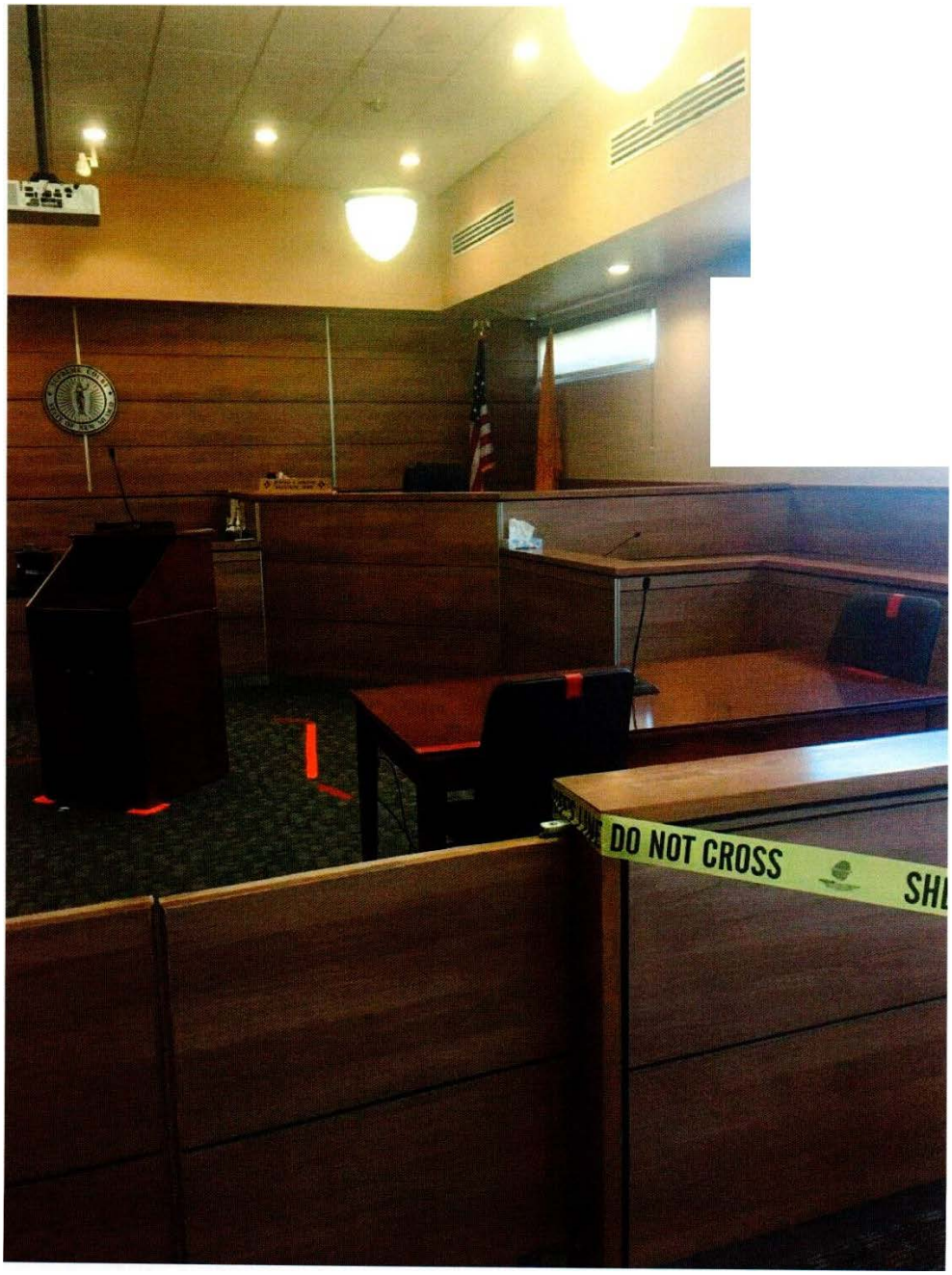
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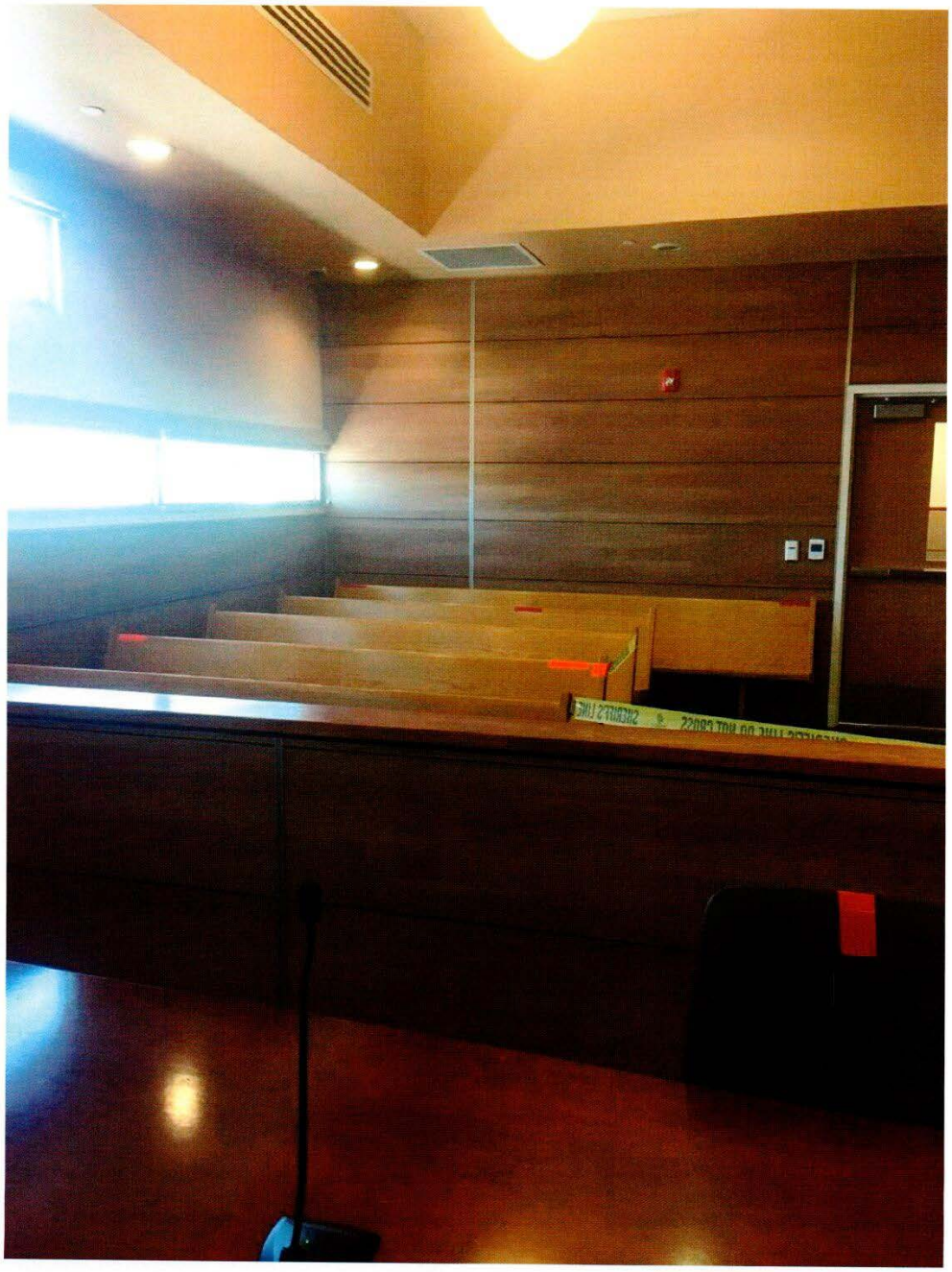

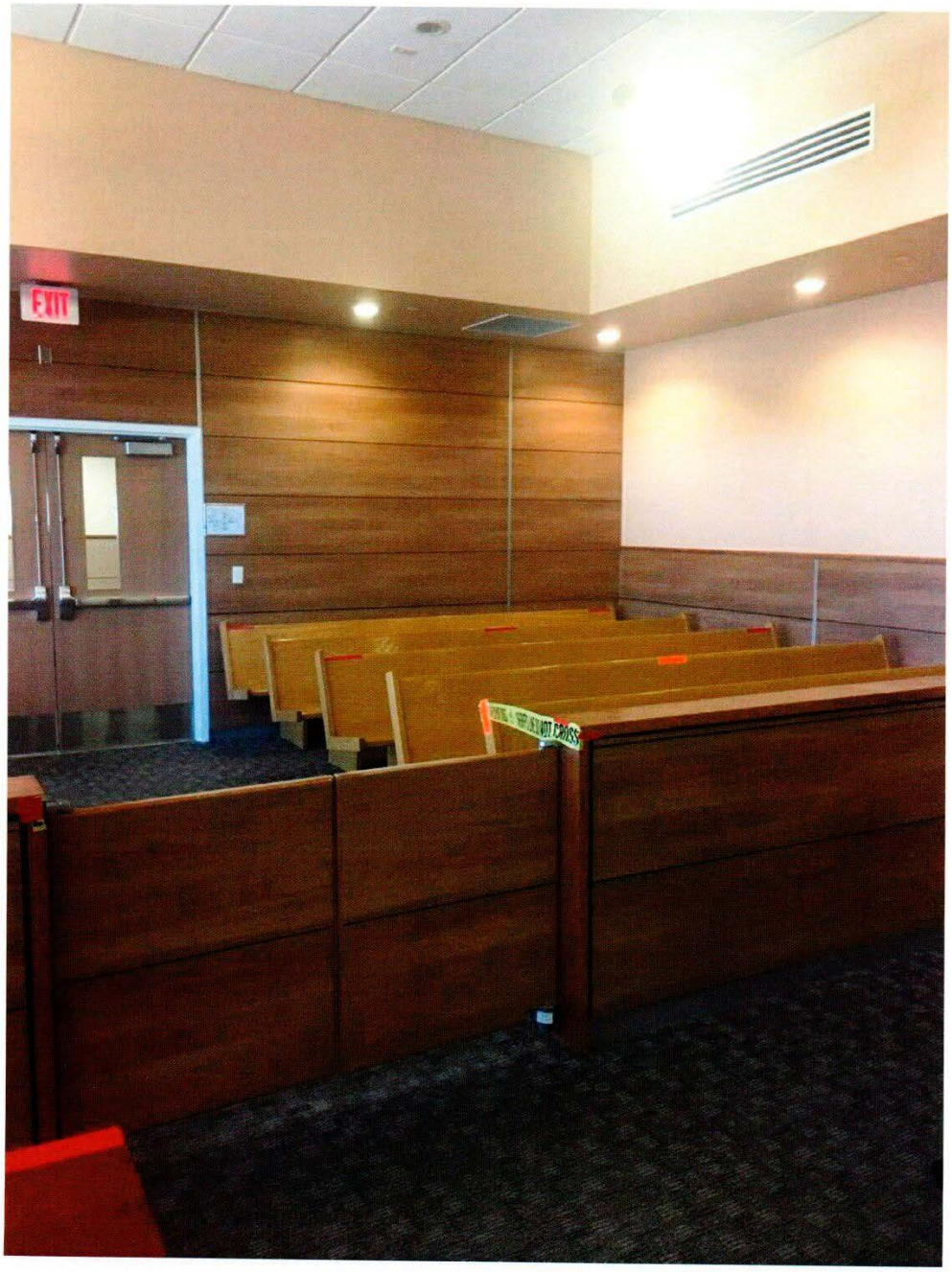
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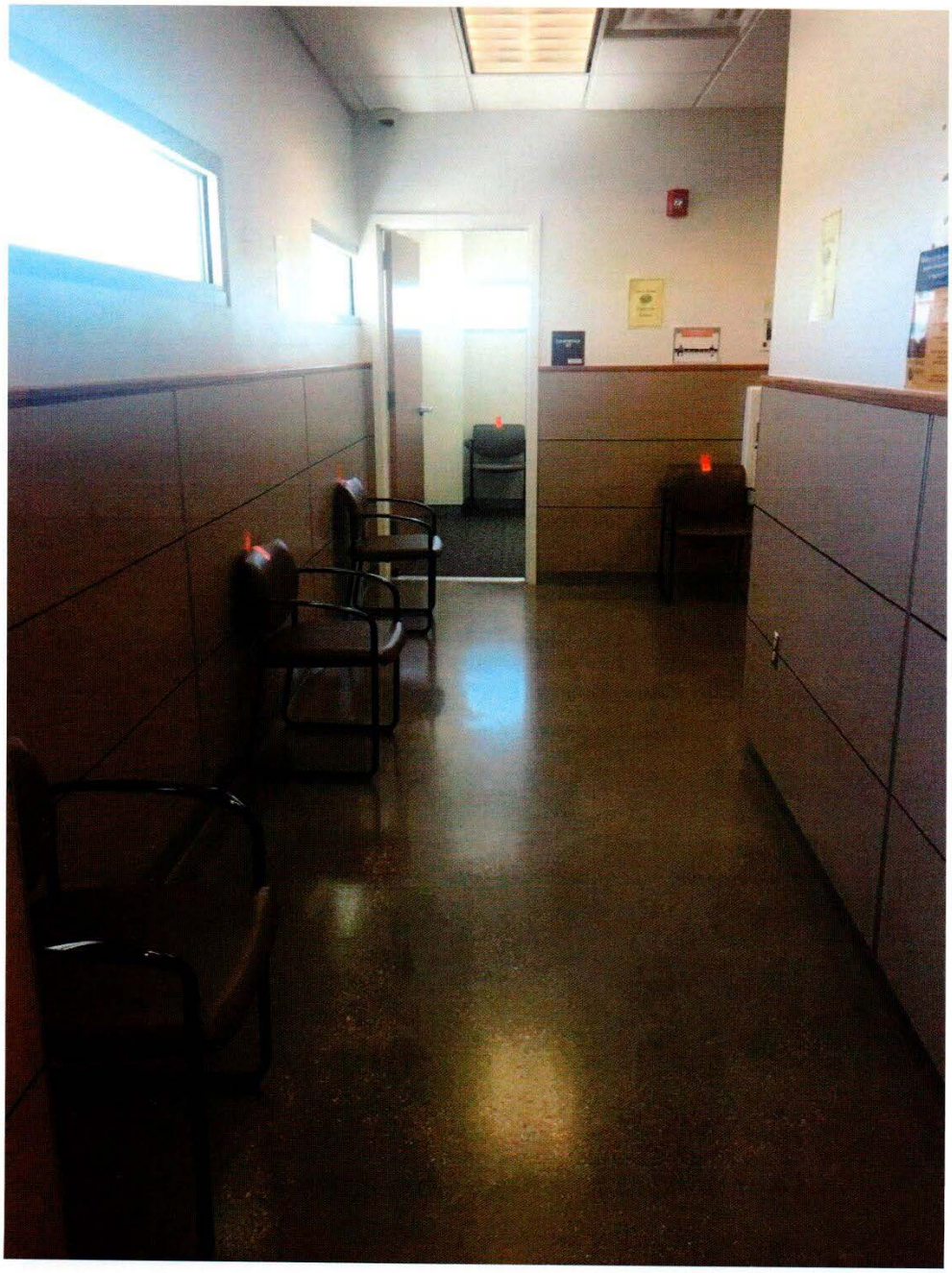

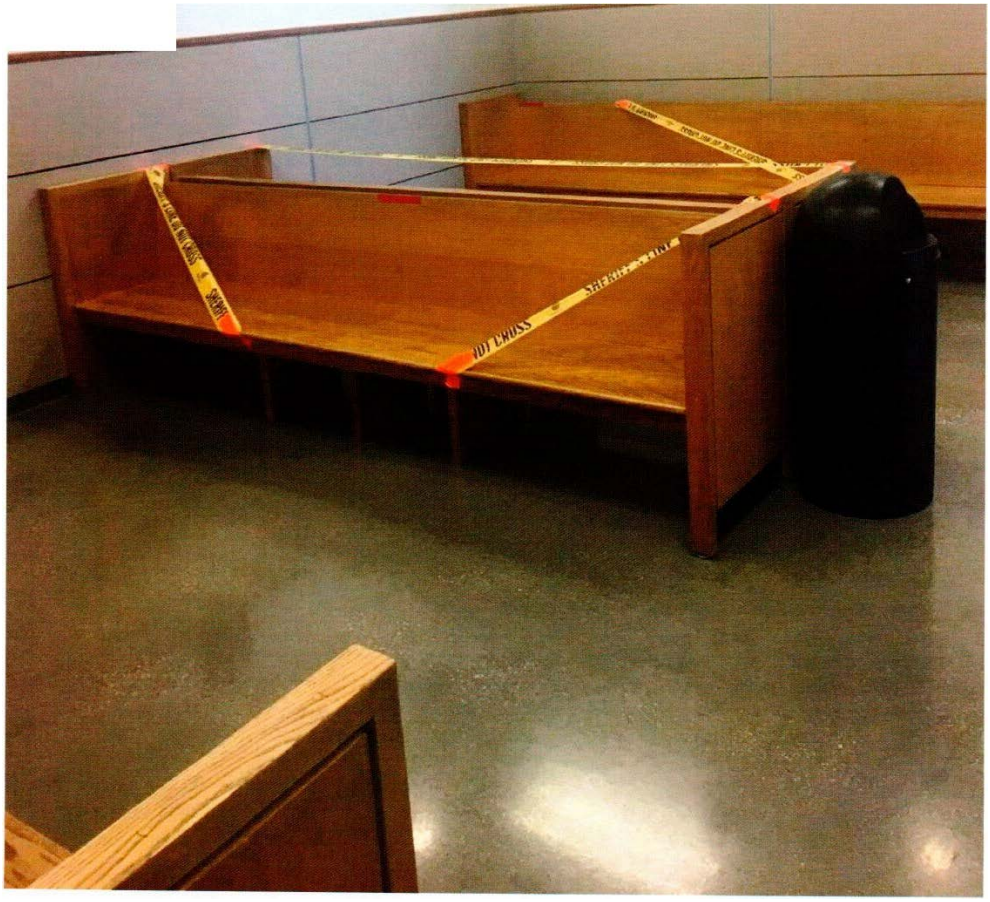
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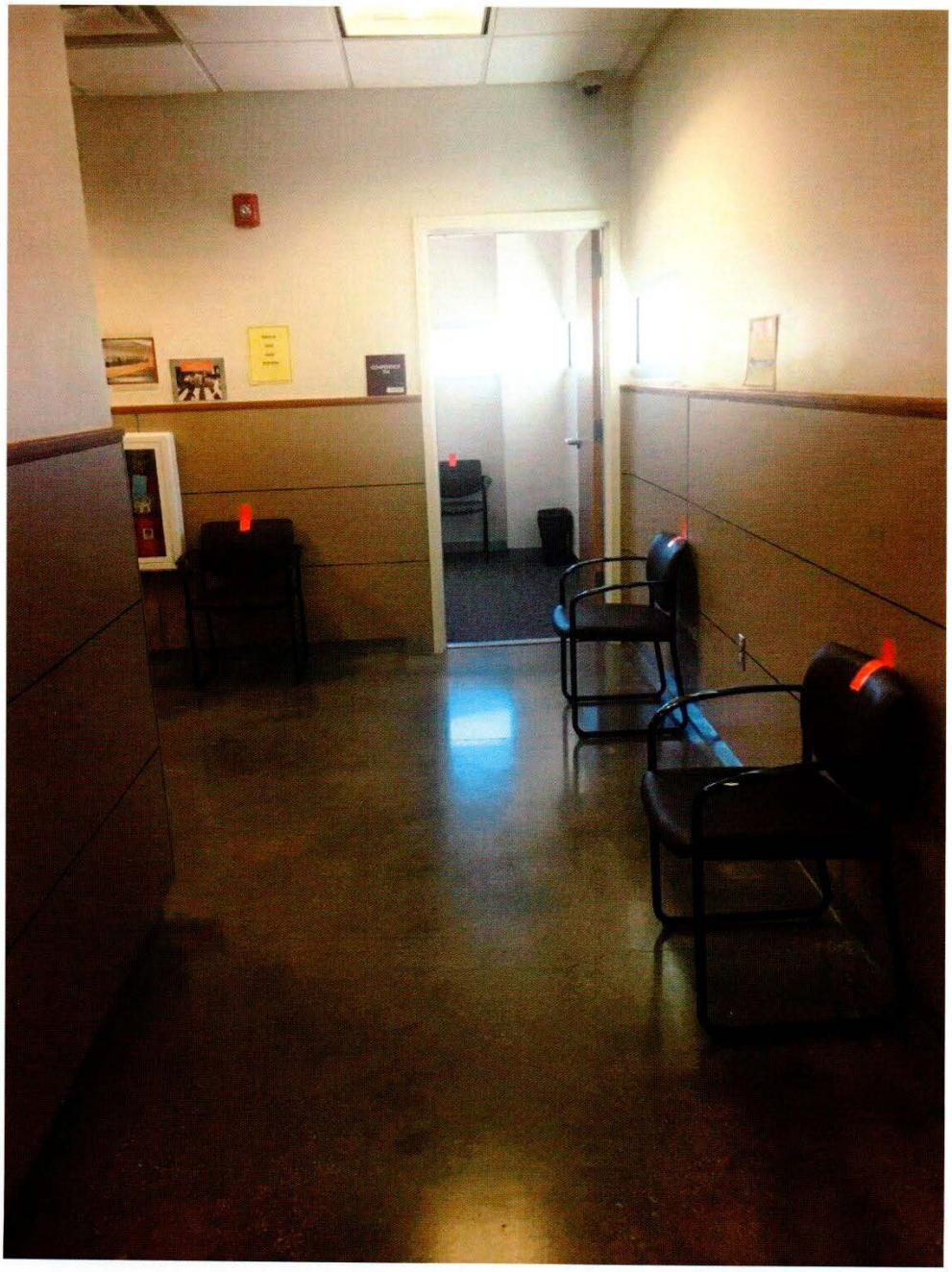

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