

# **Addendum to the COVID-19 Operating Plan for the Delta County Judiciary— Non-jury Proceedings<sup>1</sup>**

Pursuant to the *Guidance for All Court Proceedings During COVID-19 Pandemic* as updated on December 17, 2020, the *Operating Plan for the Delta County Judiciary for Non-jury Proceedings* is amended for any in-person proceedings after January 1, 2021, as follows:

## **General**

1. Courts shall use all reasonable efforts to conduct proceedings remotely (such as teleconferencing, videoconferencing, or other means) unless litigants or other court participants are unable to successfully participate in a remote hearing for reasons beyond the court's control or when all reasonable efforts do not permit the proceeding to be conducted remotely.
2. In-person proceedings may occur, subject to all the safety protocols established by the local operating plan, under the following situations:
  - a. The parties are unable to participate due to a disability or lack of technology; or
  - b. The hearing is an essential hearing that cannot be conducted remotely because doing so is not possible or practicable.<sup>2</sup>

## **Face Coverings**

1. All individuals entering the court building will be required to wear a face covering at all times while in the building.<sup>3</sup>
2. Individuals will be informed that wearing face coverings is required. If the individual does not have a personal face covering, a disposable face mask will be provided.
3. Witnesses testifying will be permitted to remove their face covering while testifying if the judge of the court can ensure that it is safe to do so. Conditions ensuring safety to remove the face covering while testifying include glass or Plexiglas surroundings or sufficient distance from other courtroom participants while the testimony is given.

**Please note that any provision of the original Operating Plan that is not amended by this addendum is still in full force and effect.**

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<sup>1</sup> The original Operating Plan was submitted for approval on May 27, 2020 and approved by the Regional Presiding Judge for the 10<sup>th</sup> Administrative Judicial Region on May 28, 2020.

<sup>2</sup> Essential proceedings include, but are not limited to, criminal magistration proceedings, CPS removal hearings, temporary restraining orders/temporary injunctions, juvenile detention hearings, family violence protective orders, and certain mental health proceedings.

<sup>3</sup> The previous plan provision that "encouraged" face coverings was elevated locally to require face coverings once the state-wide mask mandate went into effect in July, 2020, and the county was no longer exempt from the mandate.