

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON AND GALVESTON DIVISIONS

United States District Court
Southern District of Texas
ENTERED

September 17 2020

David J. Bradley, Clerk of Court

By Deputy Clerk 

IN RE: COURT OPERATIONS IN §
THE HOUSTON AND GALVESTON §
DIVISIONS UNDER THE EXIGENT §
CIRCUMSTANCES CREATED §
BY THE COVID-19 PANDEMIC §

SPECIAL ORDER H-2020-23

SEVENTH SUPPLEMENTAL ORDER

This Order applies in the Houston and Galveston Divisions of the Southern District of Texas and supersedes Special Order H-2020-20.

1. Criminal and civil jury trials may resume on October 13, 2020. The court will use a phased approach to resuming jury trials that recognizes the need to protect the health and safety of all participants and to minimize the risk of COVID-19 exposure.

2. Jury selections will be conducted in the Jury Assembly Room, to ensure adequate space for social distancing.

3. No more than one jury will be selected per day. Members of the venire will be contacted in advance and asked COVID-related screening questions before they must appear for jury selection. Any judge who wishes to rule on excuses for the panel that will be called for his or her case may do so; otherwise, the excuses will be reviewed by a judge designated by the Chief Judge, with a right of prompt appeal from a denied request. The appeals will be decided by the Chief Judge or her designee. The presiding judge will decide additional requests to be excused offered during voir dire.

4. Face masks will be required during all phases of each jury trial. In addition, plastic shields may also be worn over the mask. The presiding judge may allow jurors to wear only a shield while seated and a witness to testify wearing only a shield. Ample supplies of hand sanitizer will also be available.

5. Jury trials in the Houston Division courthouse will be conducted in one of the two largest courtrooms for trials with twelve or more jurors. Smaller courtrooms may be used for civil trials with smaller juries as long as social distancing is achievable. Clear plastic partitions in the jury boxes or adequate spacing throughout the courtroom will be used to ensure social distancing during the trial. The rooms the jury uses to gather before trial and during breaks, recesses, and for deliberations, will be large enough for social distancing.

6. Cleaning will take place every day using a disinfectant from the EPA-registered list of products identified as effective against Novel Coronavirus SARS-CoV-2, or other product containing the same active ingredient(s) at the same or greater concentration.

7. The court will begin with shorter jury trials to further reduce the risks related to COVID-19.

8. Jury selection and trials in the Galveston Division will be conducted in a similar manner adapted to that courthouse. The Galveston Division judges will handle their own juror excuses as they deem appropriate.

9. Individual judges may continue to hold virtual or in-person bench trials, hearings, sentencing proceedings, scheduling conferences, and other court proceedings. However, the use of telephone or videoconferencing for proceedings other than jury trials is encouraged when feasible, deemed appropriate by the presiding judge, and permitted by legal and technology constraints.

10. Counsel or self-represented litigants may seek to continue or defer jury trials or other in-person proceedings by appropriate requests or motions.

11. Magistrate judges will continue to preside over criminal and civil matters, other than jury trials, including initial appearances, arraignments, detention hearings, the issuance of warrants, and referred civil matters.

12. Grand juries for the Houston and Galveston Divisions resumed on May 26, 2020. The Houston and Galveston Divisions grand juries are not affected by this Order.

13. A judge may limit the number of individuals present in a courtroom or other room in the courthouse, as circumstances warrant.


14. In-person events involving the court that are not case-specific, including continuing legal-education courses, public tours, and naturalization ceremonies conducted by the court, scheduled to occur before December 31, 2020, are canceled. They will be rescheduled as appropriate.

15. This Order does not apply to Bankruptcy Court proceedings. Separate Bankruptcy Court Orders address those proceedings.

16. Unless extended, this Order remains in effect until December 31, 2020, absent further order or court action.

17. Our court will continue to meet its constitutional obligations, while taking steps to protect the public and our employees.

Signed this 17th day of September, 2020.



LEE H. ROSENTHAL
CHIEF JUDGE