

April 15, 2021

Nathan Ochsner, Clerk of Court

By Deputy Clerk 

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

IN RE: COURT OPERATIONS IN §  
THE HOUSTON AND GALVESTON §  
DIVISIONS UNDER THE EXIGENT § SPECIAL ORDER H-2021-12  
CIRCUMSTANCES CREATED §  
BY THE COVID-19 PANDEMIC §

TWELFTH SUPPLEMENTAL ORDER

This Order applies in the Houston and Galveston Divisions of the Southern District of Texas and supersedes Special Order H-2021-11.

1. Criminal and civil jury trials may resume on May 10, 2021. The court will use a phased approach to resuming jury trials that recognizes the need to protect the health and safety of all participants to minimize the risk of COVID-19 exposure and that gives priority to criminal matters.

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. Excuses will be reviewed by the miscellaneous judge, with a right of prompt appeal to the Chief Judge or her designee. The presiding judge for each case will decide additional requests to be excused offered during jury selection for that case.

4. Face masks will be required during each jury trial. The presiding judge may allow a witness to testify wearing only a plastic shield. Ample supplies of hand sanitizer will also be available.

5. Jury trials in the Houston Division courthouse will be conducted in courtrooms large enough to allow for social distancing. Clear plastic partitions in the jury boxes or adequate spacing throughout the courtroom will be used. 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.

7. 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.

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

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

10. Judges may continue to hold in-person or virtual bench trials, hearings, sentencing proceedings, scheduling conferences, and other court proceedings. This Order is intended to give each judge discretion to handle his or her docket on a case-by-case basis.

11. The Houston and Galveston Division grand juries are not affected by this Order.

12. This Order does not apply to Bankruptcy Court proceedings.

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

Signed this 15th day of April, 2021.



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LEE H. ROSENTHAL  
CHIEF JUDGE