

423RD JUDICIAL DISTRICT COURT OF BASTROP COUNTY, TEXAS

COURT PROCEEDINGS PER TEXAS SUPREME COURT AND COURT OF CRIMINAL APPEALS FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

This Court hereby adopts and incorporates the **FIRST, SECOND, THIRD AND FOURTH EMERGENCY ORDERS REGARDING THE COVID-19 STATE OF DISASTER** dated (attached as Exhibit "A") into this ORDER. Pursuant to said ORDERS, this Court does hereby ORDER the following for all cases heard by the 423rd Judicial District Court of Bastrop County, Texas:

- (1) This Court's Order of March 16th, 2020, concerning procedures per the first emergency order is void.
- (2) JURY TRIALS: All jury trials that had been previously scheduled before the 423rd District Court for the weeks beginning March 23rd, 2020 and April 20th, 2020, are hereby cancelled and will be rescheduled.
- (3) ALL NON-JURY TRIAL HEARINGS AND TRIALS:
 - a. All 423rd District Court hearings and trials that had been previously scheduled between today's date (March 20th, 2020) through May 1st, 2020 are hereby CANCELLED and will be reset to a later date;
 - b. The 423rd District Court will not conduct non-essential proceedings in person until further notice;
 - c. Attorneys and/or litigants must contact the 423rd District Court [512-581-4037] to arrange a date and time for an in-person public hearing for an essential proceeding;
 - d. Procedure for essential hearings that do not require the parties to be present:
 - i. Attorneys and/or litigants must contact the 423rd District Court [512-581-4037] to arrange a time and place for an hearing for an essential proceeding;
 - ii. All telephonic appearances by attorneys, witnesses and/or parties must be previously set up by the attorney and/or party in advance of the hearing and receive prior approval by the Court;
 - iii. Attorneys and/or litigants must deliver to the Court paper copies of the pleading on the matter to be heard;
 - e. Continuances – the 423rd District Court will be very lenient with the granting of any continuances should they be requested by any party and/or by their attorney; Requests for continuances may be made in accordance with the Texas Rules of Civil Procedure, electronically, and/or telephonically;

f. Criminal Cases: All criminal cases set before the 423rd District Court on April 15, 2020, will be reset to a future court date. The 423rd District Court will have a criminal docket on May 4th, 2020 at 9:00 a.m. for individuals that are in custody.

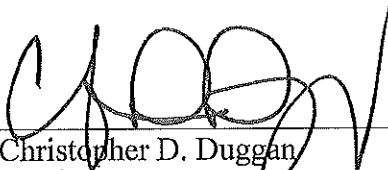
(4) All hearings and trials will be cancelled and rescheduled should the Bastrop County Judge decide at some point to totally close the Bastrop County Courthouse. Habeas Corpus proceedings and other emergency matters will be handled as the 423rd District Court directs in the event that the Bastrop County Courthouse is closed.

The 423rd District Court reserves the right to waive and/or modify any part of this Order at any time and modify this Order on a case by case basis.

THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL FURTHER ORDER OF THIS COURT.

IT IS SO ORDERED.

SIGNED and ENTERED this 20th day of March, 2020.



Christopher D. Duggan
423rd Judicial District Court, State of Texas

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9042

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

Misc. Docket No. 20-007

FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. Subject only to constitutional limitations, all courts in Texas may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant’s consent:

a. Modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than 30 days after the Governor’s state of disaster has been lifted;

b. Allow or require anyone involved in any hearing, deposition, or other proceeding of any kind—including but not limited to a party, attorney, witness, or court reporter, but not including a juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means;

Exhibit "A"

c. Consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means;

d. Conduct proceedings away from the court's usual location, but in the county of venue, and only with reasonable notice and access to the participants and the public;

e. Require every participant in a proceeding to alert the court if the participant has, or knows of another participant who has, COVID-19 or flu-like symptoms, or a fever, cough or sneezing;

f. Take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19.

3. All courts in Texas may extend the statute of limitations in any civil case for a stated period ending no later than 30 days after the Governor's state of disaster has been lifted.

4. This Order is effective as of March 13, 2020, and expires May 8, 2020, unless extended by the Chief Justice of the Supreme Court.

5. The Clerk of the Supreme Court is directed to:

a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

6. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

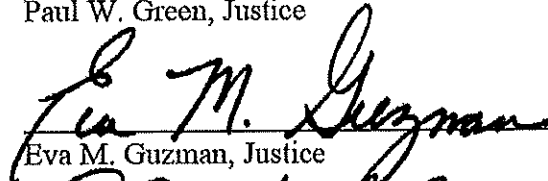
Dated: March 13, 2020



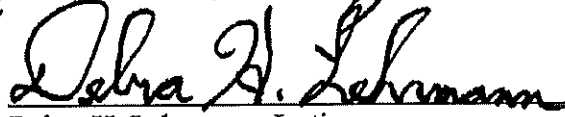
Nathan L. Hecht, Chief Justice



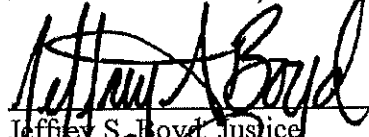
Paul W. Green, Justice



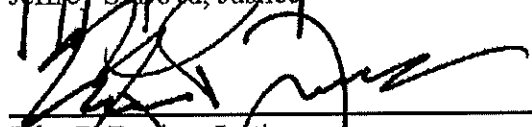
Eva M. Guzman, Justice



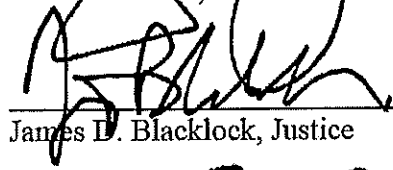
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



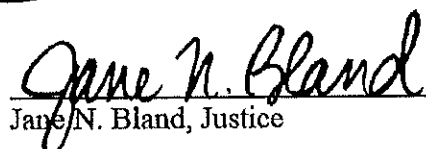
John P. Devine, Justice




James D. Blacklock, Justice

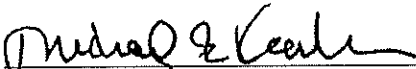



J. Brett Busby, Justice

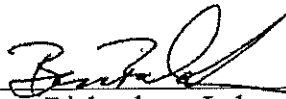


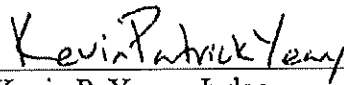
Jane N. Bland, Justice


Sharon Keller, Presiding Judge

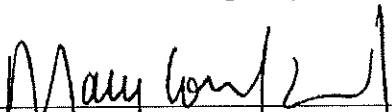

Michael Keasler, Judge



Barbara P. Hervey, Judge

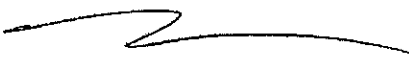

Bert Richardson, Judge


Kevin P. Yeary, Judge


David Newell, Judge


Mary Lou Keel, Judge


Scott Walker, Judge


Michelle M. Slaughter, Judge

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9043

SECOND EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. This order applies to and clarifies possession schedules in Suits Affecting the Parent–Child Relationship. For purposes of determining a person’s right to possession of and access to a child under a court-ordered possession schedule, the original published school schedule shall control in all instances. Possession and access shall not be affected by the school’s closure that arises from an epidemic or pandemic, including what is commonly referred to as the COVID-19 pandemic.

3. Nothing herein prevents parties from altering a possession schedule by agreement if allowed by their court order(s), or courts from modifying their orders.

4. This Order is effective as of March 13, 2020, and expires May 8, 2020, unless extended by the Chief Justice of the Supreme Court.

5. The Clerk of the Supreme Court is directed to:

- a. post a copy of this Order on www.txcourts.gov;
- b. file a copy of this Order with the Secretary of State; and
- c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

6. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

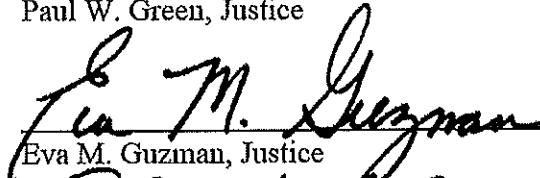
Dated: March 17, 2020



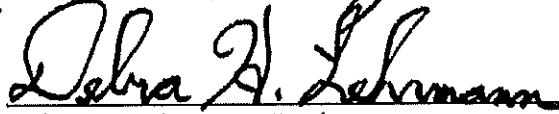
Nathan L. Hecht, Chief Justice



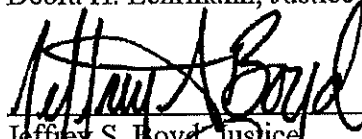
Paul W. Green, Justice



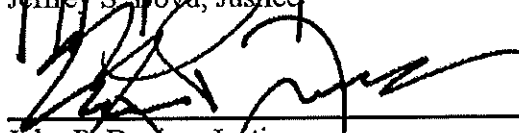
Eva M. Guzman, Justice



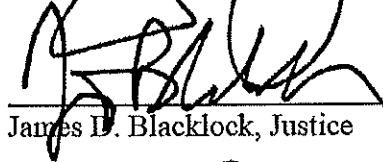
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



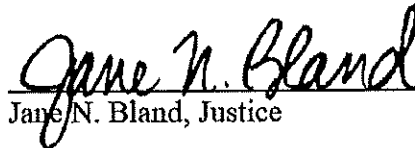
John P. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9044

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

Misc. Docket No. 20-008

THIRD EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. With respect to the First Emergency Order Regarding the COVID-19 State of Disaster issued March 13, 2020:

a. Paragraph 2(d) is amended as follows: Conduct proceedings away from the court's usual location with reasonable notice and access to the participants and the public;

b. Only to clarify, Paragraph 2(a) of the Order applies to all proceedings under Subtitle E, Title 5, of the Family Code, and specifically, to the deadlines in Section 263.401, which may or must be modified or suspended, as clearly stated in the Order, to avoid the risks of disaster and still protect the interests of all involved in these difficult circumstances.

3. Courts must not conduct non-essential proceedings in person contrary to local, state, or national directives, whichever is most restrictive, regarding maximum group size.


4. This Order expires May 8, 2020, unless extended by the Chief Justice of the Supreme Court.

5. The Clerk of the Supreme Court is directed to:

- a. post a copy of this Order on www.txcourts.gov;
- b. file a copy of this Order with the Secretary of State; and
- c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

6. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

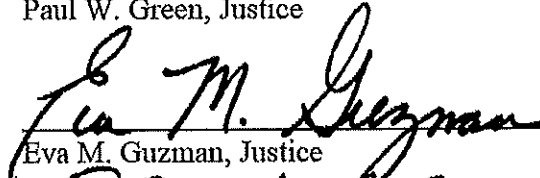
Dated: March 19, 2020



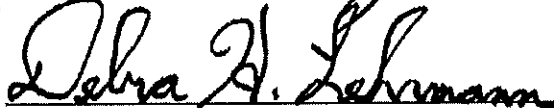
Nathan L. Hecht, Chief Justice



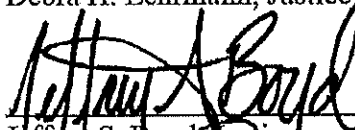
Paul W. Green, Justice



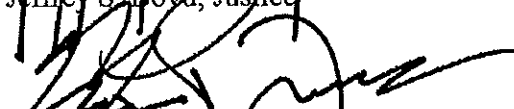
Eva M. Guzman, Justice



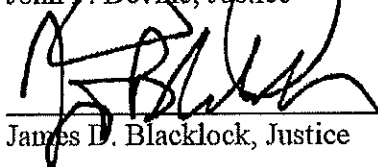
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



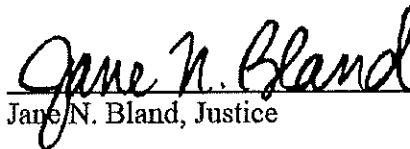
John P. Devine, Justice



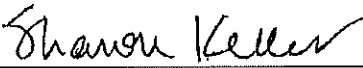
James D. Blacklock, Justice

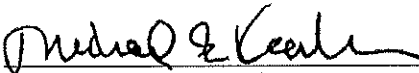


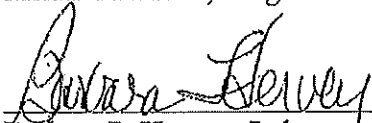
J. Brett Busby, Justice

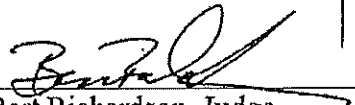


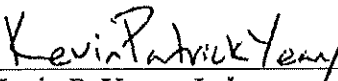
Jane N. Bland, Justice


Sharon Keller, Presiding Judge

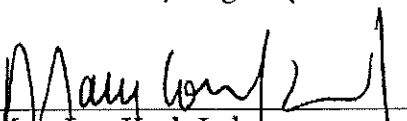

Michael Keasler, Judge

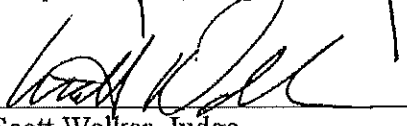

Barbara P. Hervey, Judge



Bert Richardson, Judge


Kevin P. Yeary, Judge


David Newell, Judge


Mary Lou Keel, Judge


Scott Walker, Judge


Michelle M. Slaughter, Judge

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9045

FOURTH EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. This Order supplements and does not replace or amend the First, Second, or Third Emergency Orders Regarding the COVID-19 State of Disaster.

3. In any action for eviction to recover possession of residential property under Chapter 24 of the Texas Property Code and Rule 510 of the Texas Rules of Civil Procedure:

a. No trial, hearing, or other proceeding may be conducted, and all deadlines are tolled, until after April 19, 2020;

b. A writ of possession may issue, but the posting of the written warning required by § 24.0061(d)(1) of the Property Code and the execution of the writ of possession may not occur until after April 26, 2020, and the deadlines in Rules 510.8(d)(1)-(d)(2) are tolled while this Order remains in effect; and

c. New filings may be accepted, but the time period in Rule 510.4(a)(10) is suspended, and issuance and service of citation may not occur until after April 19, 2020.

4. A case covered by Paragraph 3 may nevertheless proceed if, but only if:

a. The plaintiff files a "Sworn Complaint for Forcible Detainer for Threat to Person or For Cause";

b. The court determines that the facts and grounds for eviction stated in the Complaint, under oath with personal knowledge, taken as true, show that the actions of the tenant, or the tenant's household members or guests, pose an imminent threat of (i) physical harm to the plaintiff, the plaintiff's employees, or other tenants, or (ii) criminal activity; and

c. The court signs an order stating procedures for the case to proceed.

5. This Order is effective immediately and expires April 19, 2020, unless extended by the Chief Justice of the Supreme Court.

6. The Clerk of the Supreme Court is directed to:

a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

7. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

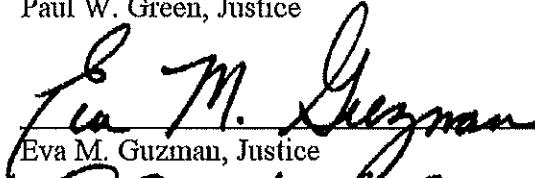
Dated: March 19, 2020



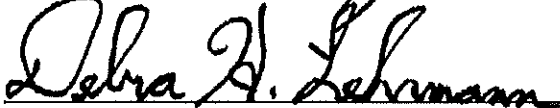
Nathan L. Hecht, Chief Justice



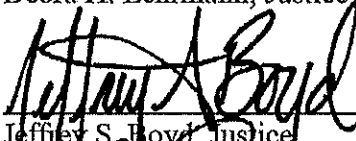
Paul W. Green, Justice



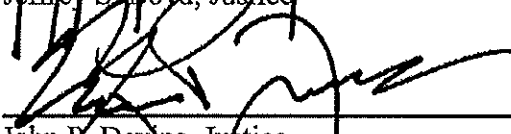
Eva M. Guzman, Justice



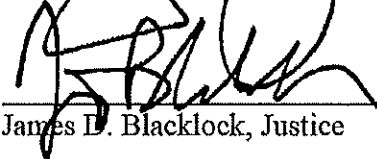
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



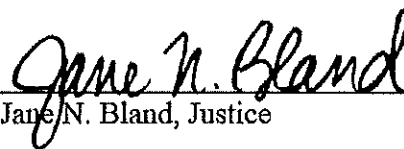
John P. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice