

Colorado County Court
Sitting as a Juvenile Court

FILED FOR RECORD
COLORADO COUNTY, TX
2023 AUG 18 AM 8:30
KIMBERLY MENKE
COUNTY CLERK

**STANDING ORDER REGARDING PROCEDURES
FOR ALL REMOTE CONDUCT OF DETENTION HEARINGS**

On this date, the Court sitting as a Juvenile Court enters this Standing Order Regarding Procedures for Remote Conduct of Detention Hearings.

The Court finds that given the desirability of remote detention hearings when appropriate, this order concerning procedures for remote juvenile court detention hearings is necessary and the following procedures are therefore ORDERED.

General Procedures for Remote Hearings. The Court will conduct remote hearings by Zoom video.

These procedures are in addition to the Texas Rules of Civil Procedure, Texas Rules of Evidence, Colorado County Local Rules, and the Court's instructions during the hearing, all of which are applicable in remote hearings. **Violations of these Procedures may be punishable by contempt of court.**

- 1. Communications with the Court.** All communications regarding scheduling a hearing should be directed to Sharon Marsalia (sharon.marsalia@co.colorado.tx.us).
- 2. Videoconferencing.** The Court will utilize Zoom videoconferencing. It is free to download at <https://zoom.us>, or you can download the App directly to your mobile phone. To participate in the hearing no account need be created. Please ensure your computer or mobile phone has working internet access, video camera, and microphone or headset with microphone. If you do not have a computer a phone number will be provided for you to participate by phone.
- 3. Hearing Link Emailed.** A separate meeting will be created for each hearing. The Court will email the hearing participants an invitation with a link (and possibly a password) to the Zoom hearing. **It is the responsibility of the juvenile probation officer to ensure that parents of the respondent are provided a copy of the invitation with instructions on how to join the meeting to participate. If the victim wishes to attend the hearing, it is the responsibility of the state's attorney to provide the copy of the hearing invitation with instructions on how to join the meeting. For any contested hearing, it is the responsibility of the attorneys to provide to the witnesses they intend to call notice of how to join the Zoom hearing.** Only counsel, the parties, and witnesses for a contested hearing shall be provided the Zoom link and permitted to attend the Zoom hearing. No one shall

forward a zoom hearing invitation to anyone unless expressly authorized in this Order or permission of the court is requested and granted in advance.

4. **Exhibits.** If you intend to offer any exhibits during the hearing, you must email an exhibit list and the exhibits to all parties and the Court at least 24 hours in advance of the hearing, and you must:
 - Ensure that you pre-mark your exhibits in numerical order notating the appropriate title of ‘State’ or ‘Respondent’
 - Each exhibit must be saved separately in PDF format
 - The pages of each PDF exhibit must be separately numbered so that the Court can quickly access specific pages of each exhibit
 - The Court will not consider any exhibits not provided to the Court and other parties at least 24 hours before the hearing. If you fail to follow this requirement, the Court will not consider the exhibits, absent good cause, and the documents will not be maintained in the record.
5. **Other Materials.** Non-evidentiary materials, including demonstratives, affidavits and summaries of the evidence, etc. and/or case law for the judge’s reference should be emailed to the Court and other parties at least two hours before the hearing.
6. **Unobstructed View.** During the hearing the respondent, the respondent’s attorney, the state’s attorney and the Court shall have an unrestricted view of any party or witness who provides testimony from a remote location.
7. **Test Your Setup.** Prior to the hearing, you should test your internet connection, camera, and microphone with Zoom through a test meeting at <https://zoom.us/test>.
8. **During the Hearing.**
 - **Wear Appropriate Attire.** Although the hearing is conducted remotely, the Court expects participants to dress appropriately. Attorneys are expected to wear appropriate business attire while others may wear business casual clothing.
 - **Speak One at a Time.** During the hearing, participants must speak one at a time and pause prior to speaking, in case there is any audio/video lag, and so that the court reporter can make a clear record.
 - **Use Mute When Not Speaking.** Participants must mute themselves when not speaking in order to avoid any potential background noise.
9. **Public Access to Remote Court Proceedings.** The Court finds that it has authority under numerous federal and state statutes to limit public access to juvenile proceedings, specifically including, but not limited to, Tex. Fam. Code §54.08(a)

which states “the court shall open hearings under this title to the public unless the court, *for good cause shown*, determines that the public should be excluded.”

Nothing in this order shall prohibit any victim or the victim’s family from personally attending and participating in any juvenile hearing, absent exceptions set forth in Tex. Fam. Code §54.08(b), and subject to the existing orders of the Court.

10. Attorney Access to Video Recordings of Detention Hearings. Detention hearings conducted by interactive video recording shall be recorded pursuant to Tex. Fam. Code §54.012. An attorney for the child may obtain a copy of the video recording on payment of the reasonable costs of reproducing the copy by making a written request by the 91st day after the date of the hearing if the alleged offense is a misdemeanor and by the 120th day after the date of the hearing if the alleged offense is a felony. The attorney for the child seeking a copy of the video recording of the detention hearing should email the request to the Colorado County Clerk at kimberly.menke@co.colorado.tx.us. Video recordings of detention hearings will be deleted if the attorney for the child does not make a request for a copy of the recording by the 91st/120th day after the date of the hearing.

WARNINGS: VIOLATIONS OF THESE PROCEDURES ARE PUNISHABLE BY CONTEMPT OF COURT.

- **VIDEO OR AUDIO RECORDING OF ALL OR ANY PART OF A HEARING BY ANYONE OTHER THAN A COURT OFFICIAL IS EXPRESSLY PROHIBITED**
- **ANY PERSON WHO RECEIVES A ZOOM INVITATION IS PROHIBITED FROM DISSEMINATING THE LINK TO ANYONE OTHER THAN THOSE LISTED HEREIN AND ARE FURTHER PROHIBITED FROM POSITNG THE LINK ON ANY SOCIAL MEDIA ACCOUNT OR OTHER PUBLIC FORUM OR WEBSITE.**

ORDERED this 18th day of August, 2023.


Ty Frause
Judge Presiding