

Remote Detention Hearing Procedures

Potter County Juvenile Courts

A detention hearing under Section 54.01 of the Texas Family Code may be conducted as a remote proceeding in Potter County Juvenile Courts. Consent of the parties is not required unless required by the Texas or United States Constitution. The parties to a remote detention hearing will have the opportunity to cross-examine witnesses.

The court may allow or require a party, attorney, witness, court reporter, or any other individual to participate in a detention hearing conducted as a remote proceeding.

Physical evidence for remote detention hearings will be handled as follows:

(1) a party intending to introduce exhibits at a remote detention hearing must email the documents to the court reporter, the court coordinator, and opposing counsel no later than 4:00 p.m. the day prior to the hearing.

(2) a party intending to introduce "physical evidence" that cannot be emailed must contact the court reporter at least 48 hours prior to the remote detention hearing to make arrangements for "physical evidence" that is not capable of being provided through email.

(3) presentation of any physical evidence offered at a remote proceeding detention hearing shall be displayed so that the court, attorneys, parties, and witness can view it simultaneously.

The court will ensure that there is unobstructed audio and view of any party or witness who provides testimony from a remote location. No witness will be permitted to give any evidence who does not comply with the requirement.

A recording of the communications shall be made. The recording shall be preserved until the earlier of:

(1) the 91st day after the date on which the recording is made if the child is alleged to have engaged in conduct constituting a misdemeanor;

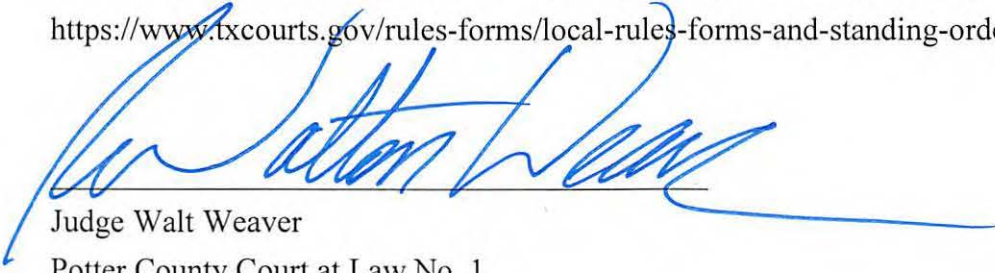
(2) the 120th day after the date on which the recording is made if the child is alleged to have engaged in conduct constituting a felony; or

(3) the date on which the adjudication hearing ends.

An attorney for the child may obtain a copy of the recording on payment of the reasonable costs of reproducing the copy.

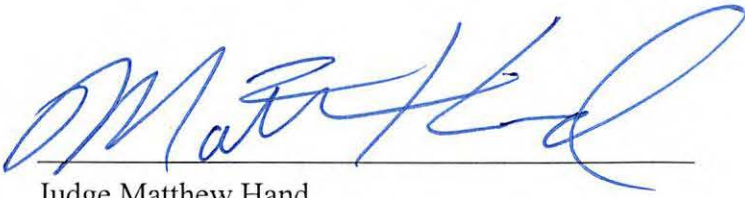
In this section, "remote proceeding" means a proceeding in which one or more of the participants, including a judge, party, attorney, witness, court reporter, or other individual, attends the proceeding remotely through the use of technology and the Internet, including through teleconferencing or videoconferencing.

In accordance with Texas Family Code Section 54.012, this plan was submitted to the Texas Office of Court Administration (OCA) on September 22, 2023, by posting on <https://www.txcourts.gov/rules-forms/local-rules-forms-and-standing-orders/>.



Judge Walt Weaver

Potter County Court at Law No. 1



Judge Matthew Hand

Potter County Court at Law No. 2