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EMERGENCY STANDING ORDER REGARDING CASES ARISING UNDER TITLE 1, CHAPTER 45, TITLE 4 OR TITLE 5, TEXAS FAMILY CODE 3:52

WHEREAS, on 13 March 2020 Governor Abbott 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;

WHEREAS, on that same date, the Texas Supreme Court and Court of Criminal Appeals issued an administrative order instructing all courts in Texas to take appropriate measures to facilitate the continued operation of the civil and criminal justice system and to avoid risk to court staff, parties, attorneys, jurors and the public (*First Emergency Order Regarding the Covid-19 State of Disaster*, Misc. Docket Nos. 20-9042 and 20-007); and

WHEREAS, pursuant to the Courts' administrative order, and the recommendation of the Presiding Judge for the 3rd Administrative Judicial Region of Texas, the District Courts of Hays County, Texas have determined that the following orders are necessary and appropriate with respect to the administration of family law matters.

THEREFORE, IT IS ORDERED:

1. All non-essential hearings in family law matters currently scheduled between 17 March 2020 and 12 April 2020 are cancelled and will need to be rescheduled to a later date through the District Judge's Office or, if approved by the Court, set to be heard by teleconference. This includes all non-jury trials and all non-essential hearings in family law matters. All contact with the Court regarding settings should be handled by phone or email. **Attorneys and self-represented parties are instructed to not appear in person at the District Judges Office for the purpose of attempting to schedule a hearing.**
2. All requests for *ex parte* relief in a matter arising out of the Texas Family Code shall be presented to the Court by submission. Except with respect to a request presented under Subchapter B of Chapter 262 of the Texas Family Code, every application for *ex parte* relief shall contain a certificate signed by counsel or a party that: (a) to the best of his or her knowledge the party against whom relief is sought *ex parte* is not represented by counsel in the matter made the basis of the relief sought; (b) counsel for the party against whom relief is sought *ex parte* has been notified of the

application and has stated whether he or she wishes to be heard; or (c) diligent attempts to notify counsel for the party against whom *ex parte* relief is sought have been unsuccessful and the circumstances do not permit additional efforts to give notice. Attorneys and self-represented parties seeking *ex parte* relief from the Court shall e-file a relevant pleading or motion and a proposed order and then contact the Court Administrator to request that the pleading or motion for *ex parte* relief be brought to the attention of the Court. Attorneys and self-represented parties are ordered not to contact the Court Administrator unless the relevant pleading or motion and a proposed order have been e-filed. Attorneys and self-represented parties are ordered not to send motions or proposed orders directly to the Court Administrator unless expressly instructed to do so.

3. Essential hearings in family law cases include protective order hearings, CPS removals, temporary restraining order hearings, proceedings under Subchapter H of Chapter 157, Texas Family Code and any other matter that the Court may deem as essential. Attorneys and self-represented parties needing a hearing on any matter they consider to be essential are instructed to contact the Court Administrator and request a setting in writing. The Court Administrator will then present the request to the Court so the Court may review the matter and determine whether a hearing is necessary. If the Court determines that a hearing is necessary, a hearing will be set as soon as possible. These hearings may be in person or by video as the circumstances and availability dictate.
4. Agreed orders and uncontested matters in family law cases that do not require "prove ups" may be entered by submission. Attorneys and self-represented parties are ordered to e-file the agreed order (signed by all necessary parties) and then contact the Court Administrator to request that the order be presented to the Court. Attorneys and self-represented parties are ordered not to contact the Court Administrator unless the proposed order has been e-filed. Attorneys and self-represented parties should not send motions or proposed orders directly to the Court Administrator unless expressly instructed to do so.
5. Agreed orders in family law cases that require "prove ups," including divorce decrees, original SAPCR orders and modifications, may be proved up by sworn

affidavit of at least one party or by remote teleconference hearing. Unsworn declarations under section 132.001 of the Texas Civil Practice & Remedies Code shall not be considered as proper proof. Attorneys and self-represented parties are ordered to e-file the agreed order (signed by all necessary parties) and then contact the Court Administrator to request that the order be presented to the Court. Attorneys and self-represented parties are ordered not to contact the Court Administrator unless the proposed order and affidavit have been e-filed. Attorneys and self-represented parties are ordered not to send motions or proposed orders directly to the Court Administrator unless expressly instructed to do so. If the Court determines that a matter involving self-represented parties cannot be finalized without a hearing, the Court will set a hearing as soon as feasible.

6. Every participant in a proceeding before the Court is required to alert the Court if a participant has or knows of another participant who has COVID-19 or flu-like symptoms or a fever, cough or sneezing.
7. This Order is subject to amendment as applicable to ensure the health and safety of all persons.

Signed this 19th day of March, 2020.

JUDGE GARY L. STEEL
274TH DISTRICT COURT

SIGNED ON BEHALF OF

JUDGE JACK ROBISON, 207th District Court

JUDGE WILLIAM HENRY,428th District Court

JUDGE BRUCE BOYER, 22nd District Court

JUDGE DAVID JUNKIN, 453rd District Court

ASSOCIATE JUDGE KARL E. HAYS