



**394th Judicial District Court
The Honorable Roy Ferguson
Judge Presiding**

**IN THE DISTRICT COURT OF
HUDSPETH COUNTY, TEXAS**

STANDING ORDER REGARDING PUBLIC ACCESS TO DFPS COURT RECORDS

This Order limits public access to all documents filed in suits brought by the Department of Family and Protective Services, (hereinafter referred to as "DFPS") pursuant to Chapters 261, 262, and 264 of the Texas Family Code. The Court finds that:

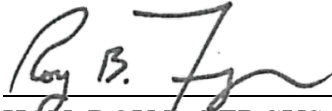
1. The Child Abuse Prevention and Treatment Act (CAPTA) requires that states preserve the confidentiality of all reports and records of child abuse and neglect, in order to protect the rights of the child and the child's parents or guardians. 42 U.S.C.A. 5106a(b)(2)(B)(viii).
2. CAPTA provides for the use of discretion regarding public access to court proceedings involving child and abuse cases, provided that the State, "at a minimum, ensure(s) the safety and well-being of the child, parent, and families." 42 U.S.C.A. 5106a(b)(2).
3. Reports of alleged or suspected child abuse and neglect, the identity of any person who makes such report, and documents used or developed in an investigation of such reports (which includes pleadings, orders, reports, DFPS records, and other documents filed in DFPS cases) are confidential and not subject to public inspection or release absent a court order issued after a hearing and an in-camera inspection of the records by the Court. Tex. Fam. Code Ann. § 261.201.
4. Documents filed in DFPS cases contain sensitive information regarding children who have been or may have been abused or neglected and their family members who may be alleged perpetrators of abuse or neglect.
5. Because of the sensitive information contained within these documents, it is necessary to restrict public access to court records in DFPS cases.
6. Restricting public access to these pleadings, orders, and documents protects the privacy rights of children, parents, and other family members.
7. This Court has the authority to control access to these court records.

IT IS THEREFORE ORDERED that:

1. Public access to pleadings, orders, and documents filed in suits brought by DFPS pursuant to Chapters 261, 262, and 264 of the Texas Family Code is restricted.

2. The District Clerk shall maintain, preserve, and protect court records in these cases.
3. The District Clerk shall prohibit and prevent access to court records in these cases to anyone other than DFPS, the parties, their attorneys, the child's attorney ad litem, and the guardian ad litem, unless specifically authorized and so ordered by this Court.

SIGNED this 13th day of May, 2024.



HON. ROY B. FERGUSON

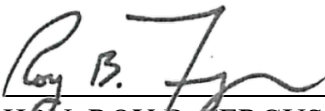
LOCAL ADMINISTRATIVE DISTRICT JUDGE

DIRECTIVE TO DISTRICT CLERK

The Clerk is directed to immediately:

- a. File a copy of this order in the administrative records of each district court with jurisdiction over child welfare cases in the County;
- b. Post a copy of this order in the office of the District Clerk and ensure that each employee of the Clerk's office has reviewed it;
- c. Provide a copy of this order to each attorney ad litem for children or parents; and
- d. Send a copy of this order to the appropriate CASA agency for this Court.

SIGNED this 13th day of May, 2024.



HON. ROY B. FERGUSON

LOCAL ADMINISTRATIVE DISTRICT JUDGE