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O-10-001

In the County Courts at Law of Hays County, Texas

STANDING ORDER REGARDING REMOTE JUVENILE DETENTION
HEARINGS

In accordance with Section 54.012 of the Texas Family Code, the Hays County Courts at Law, sitting as a Juvenile Court, adopt the following Standing Order for remotely conducted detention hearings held in Hays County, Texas.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. Applicability.

This Order applies to only juvenile detention hearings held in Hays County, Texas

2. Authorization.

Participants in adjudication and disposition hearings must appear in person unless the Court otherwise authorizes remote appearances.

3. Procedure.

For purposes of this Order, "remote hearing" means a juvenile detention hearing when one or more participants appear remotely. After giving notice to all parties and receiving permission from the Court, any participant may appear remotely in a detention hearing. Likewise, the Court may require that any or all participants appear remotely. The Court will email a hearing invitation to the attorneys, who are then responsible for providing it to their client and witness(es). The Court will be the "host" of all remote hearings.

4. General Requirements.

Each attorney will ensure that their client or witness(es) will have access to an internet connected device with audio and video capabilities PRIOR to that individual's remote appearance. Only those witnesses who are visible on camera will be permitted to testify remotely. Non-party witnesses who appear remotely should be prepared to present a valid form of identification to verify identity to the Court and should be prepared to display their surroundings if requested by the Court to guarantee an absence of coercion. Witnesses who are not on camera will not be permitted to testify under most circumstances.

5. Accessibility.

The Court will ensure that each remote participant has the ability to see and hear the people participating in the courtroom. The Court will ensure that a video feed will be provided to courtroom participants, so that the remote participants can see the attorneys who are asking questions and the witnesses who are testifying.

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6. Broadcast.

To ensure public access when required and to ensure that all parties can see and hear the proceedings, any remote hearing will be broadcast on a digital monitor in the courtroom or, in the event of an entirely remote hearing, a similar location designated and set aside in a publicly accessible area of the Hays County Juvenile Detention Center.

7. Exhibits.

Attorneys will email all exhibits to be offered during a remote hearing to opposing counsel and the Court Coordinator no later than 24 hours before that hearing, or as soon as practicable.

8. Presentation of Evidence.

The presentation and offering of physical evidence in remote hearings will be conducted in the following manner:

- a) *If the presenting attorney is in the courtroom and the witness is remote*, the presenting attorney will share the file via Zoom using the “Share Screen” option;
- b) *If the presenting attorney is remote and the witness is in the courtroom*, the Court or other officer(s) at the Court’s discretion will print and provide copies to the witness;
- c) *If both the presenting attorney and the witness are remote*, the presenting attorney will share the file via Zoom using the “Share Screen” option;
- d) *If both the presenting attorney and the witness are in the courtroom*, presentation and offering of evidence will proceed in the usual fashion.

9. Location.

To keep the court open and available to the public, all remote hearings will be conducted from the courtroom or from a similar location designated and set aside for that purpose at the Hays County Juvenile Detention Center. If a situation arises that requires the Court to conduct an entirely remote hearing (with ALL participants appearing remotely), the hearing will either be broadcast on a monitor in the courtroom, on a monitor in the lobby of the Juvenile Detention Facility, or both. IN THE SAME MANNER THAT IT IS ILLEGAL TO RECORD COURTROOM PROCEEDINGS WITHOUT THE COURT’S PERMISSION, IT IS ILLEGAL TO RECORD THE VIDEOCONFERENCE OR LIVE STREAM WITHOUT THE COURT’S PERMISSION.

10. Dress Code.

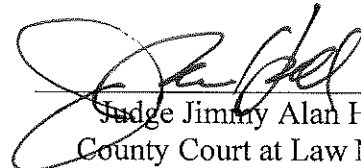
This Order does not change the Court’s dress codes set under the Local Rules of the County Courts at Law. All participants who appear remotely should dress appropriately.

11. Recording.

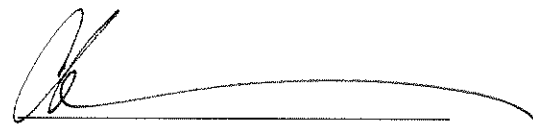
A recording will be made of all communications, and the attorney for the child may obtain a copy of the recording on payment of the costs of producing the copy. This recording shall be preserved until the earlier of:

- a) 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;
- b) 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
- c) The date on which the adjudication hearing ends.

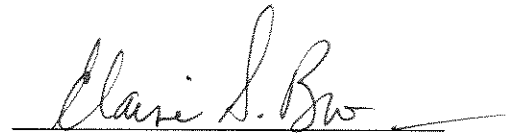
THIS HAYS COUNTY STANDING ORDER REGARDING REMOTE JUVENILE DETENTION HEARINGS SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION ON THE OFFICE OF COURT ADMINISTRATION'S WEBSITE.



Judge Jimmy Alan Hall
County Court at Law No. 1
Hays County, Texas



Judge Chris Johnson
County Court at Law No. 2
Hays County, Texas



Judge Elaine S. Brown
County Court at Law No. 3
Hays County, Texas