

JOINT STANDING ORDER NO. 1 OF THE KENDALL COUNTY DISTRICT COURTS REGARDING ELECTRONIC DISCOVERY ACCESS, PROTECTED INFORMATION, AND ELECTRONIC SERVICE OF BUSINESS RECORDS

I. SCOPE AND PURPOSE

This Standing Order applies to criminal cases filed in the 451st and 498th District Courts of Kendall County, Texas. Its purpose is to facilitate efficient electronic access to discovery, clarify the handling of protected information, and provide uniform procedures for electronic service of business records, consistent with Article 39.14 of the Texas Code of Criminal Procedure and applicable law.

Nothing in this Order expands, limits, or alters the substantive discovery obligations imposed by statute.

II. ELECTRONIC ACCESS TO DISCOVERY

1. Electronic Portal

The Kendall County Criminal District Attorney provides discovery through its electronic discovery portal (currently TechShare). When discovery is made available through the portal, it is deemed provided to defense counsel on that date for purposes of Article 39.14.

2. Registration

Counsel of record is expected to timely register for the discovery portal and maintain the ability to receive electronic discovery.

3. Court Appearances

Counsel should be prepared to access the discovery portal during court proceedings when discovery issues are addressed.

4. Non-Reproducible Materials

Items that cannot be reproduced or copied under law shall be made available for inspection by the State at a reasonable time and place. Counsel is responsible for coordinating timely access. Failure to timely request access, standing alone, does not constitute grounds for a continuance.

5. Technical Issues

Counsel experiencing technical difficulties accessing discovery shall promptly notify the State and make reasonable good-faith efforts to resolve the issue prior to seeking court intervention.

III. CRIMINAL HISTORY RECORD INFORMATION (CHRI)

Pursuant to Chapter 411 of the Texas Government Code and Article 39.14 of the Texas Code of Criminal Procedure:

1. The State may disclose criminal history record information (CHRI) required by law to defense counsel or a designated defense participant.
2. Any party receiving CHRI shall comply with all statutory restrictions governing the use, storage, and dissemination of such information.
3. This Order does not require the State to conduct additional investigation or inquiry into CHRI beyond that required by law or further order of the Court.

IV. PROTECTED HEALTH INFORMATION (HIPAA)

1. This Standing Order constitutes a court order authorizing disclosure of protected health information (PHI), as permitted by law, including 45 C.F.R. § 164.512(e), when such information is discoverable under Article 39.14.
2. Disclosure may be made to defense counsel or a designated defense participant solely for purposes of the criminal case.
3. Any party receiving protected health information shall comply with all applicable federal and state laws governing confidentiality, use, and re-disclosure, including HIPAA, the Texas Medical Records Privacy Act, and Article 39.14.
4. Nothing in this Order requires the State to obtain or disclose protected health information beyond what is otherwise required by law or court order.

V. ELECTRONIC SERVICE OF BUSINESS RECORDS

1. For purposes of Article 39.14 and Texas Rule of Evidence 902(10), the State may serve notice of intent to use business records by electronically filing the notice with the clerk and providing a copy to defense counsel.
2. Business records accompanying a Rule 902(10) notice are deemed served if the records are made available to defense counsel through the State's electronic discovery portal.
3. The date of service shall be the date the discovery portal reflects the records were made available to defense counsel.

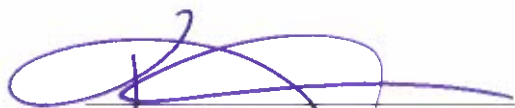
VI. HANDLING OF CONFIDENTIAL MATERIALS

1. Materials that are confidential by statute, court order, or applicable law shall be handled in accordance with those authorities.
2. The mere designation of a record as “confidential” by a party does not, by itself, require sealing by the clerk.
3. A party seeking to seal records or restrict public access shall file an appropriate motion with the Court.
4. No confidential material may be disclosed, reproduced, or disseminated except as permitted by law or further order of the Court.

VII. EFFECTIVE DATE

This Joint Standing Order is effective **January 30, 2026**, and applies to all criminal cases pending on or filed after that date in the 451st and 498th District Courts of Kendall County, Texas.

SIGNED this 3rd day of March, 2026.



HON. JUDGE KIRSTEN COHOON
451ST JUDICIAL DISTRICT COURT



HON. JUDGE KATHERINE MCDANIEL
498TH JUDICIAL DISTRICT COURT

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FILED
SUSAN JACKSON DISTRICT CLERK
KENDALL COUNTY, TEXAS
BY: 