

June 15, 2020, 04:32:32

**IN THE TRAVIS COUNTY CIVIL AND FAMILY COURTS**

At Velva L. Price, District Clerk

Administrative File No. GN-61-121012

**THIRD AMENDED EMERGENCY ORDER  
REGARDING COVID-19**

Effective June 29, 2020<sup>1</sup>

1. In response to the COVID-19 pandemic, the state of disaster declared by the Governor, the Stay-at-Home Orders issued by Travis County and the City of Austin, and the Emergency Orders that have been issued by the Supreme Court of Texas,<sup>2</sup> and to protect the due process rights and public health of all citizens, the Travis County Civil and Family Courts have suspended in-person hearings until June 29, 2020,\* and all jury trials until at least August 17, 2020. **This Order sets out a plan for returning to the Travis County Central Docket on June 29, 2020**, and replaces the Second Amended Emergency Order Regarding COVID-19, which was effective on May 8, 2020.

**\*Please be advised that most hearings after June 29, 2020 will continue to be held remotely, at the discretion of the judges**, in accordance with the *Guidance for All Court Proceedings during the COVID-19 Pandemic* from the Office of Court of Administration. The Travis County Civil and Family Court judges will continue to implement safe social distancing practices and limit traffic into the courthouse after June 29, 2020 under the following procedures and as updated on the Travis County Civil Courts website: <https://www.traviscountytx.gov/courts/civil/civil-courts-covid-19-information>.

2. **All hearings and trials for dates on or after June 29, 2020 shall be scheduled or re-scheduled as set out below<sup>3</sup>.**
  - a. Non-jury civil and family matters shall be set through Court Administration, either online at <https://www.traviscourtsapplications.org/portal> or by telephone at 512/854-CIVIL, pursuant to Chapter 2 of the Travis County Local Rules ([https://www.traviscountytx.gov/images/courts/Docs/local\\_rules\\_civildistrict.pdf](https://www.traviscountytx.gov/images/courts/Docs/local_rules_civildistrict.pdf)). In addition to the non-jury settings available in the Local Rules, hearings of three hours or less may be scheduled for 9:00 a.m. and 2:00 p.m. on Thursdays of jury weeks, and 9:00 a.m. on Fridays of any week. Please note that Court Administration will restrict the number of settings on each civil docket based on the number of judges available.

<sup>1</sup> Court Administration is currently accepting Central Docket settings for dates on or after June 29, 2020. The announcement deadline for cases set the week of June 29, 2020, is 5:00 p.m. on June 17, 2020. Questions regarding settings on the Central Docket should be directed to the Office of Court Administration.

<sup>2</sup> The Supreme Court of Texas has issued 17 emergency orders at current count, and all apply to the Travis County Civil and Family Courts. The emergency orders can be found at <https://www.txcourts.gov/court-coronavirus-information/emergency-orders>.

<sup>3</sup> Cases that are specially assigned pursuant to Local Rules 2.6 and 10.2 are discussed in paragraph 6 and CPS cases are discussed in paragraphs 12 and 13. Juvenile Court matters are discussed in paragraph 14.

- b. Jury trials may currently be set or reset for a jury week on or after August 17, 2020. But in order for a jury trial to safely occur in person, the Travis County Civil and Family Courts will coordinate with public health officials, the Office of Court Administration, the Texas Supreme Court, and various Travis County and City of Austin departments. **Please be advised that the resumption of jury trials could be delayed further into 2020, and possibly into 2021.**
3. Uncontested and agreed non-jury matters, including those requiring testimony, will be handled by requesting written submission consideration directly to the court in which the case is filed. **The twice daily Uncontested Docket is suspended until further notice. The Duty Judge will NOT be handling uncontested or agreed matters, so submission is the appropriate manner to handle these matters.** Written submission requests must include any affidavits, declarations, or other necessary supporting records, and should be handled pursuant to the Standing Order for Submission Procedures in Civil and Family Cases: <https://www.traviscountytexas.gov/images/courts/Docs/standing-order-for-submission-procedures.pdf>.
  4. **The assigned Duty Judge for each week will handle only emergency matters.** The Duty Judge for each week is posted at <https://www.traviscountytexas.gov/courts/files/dockets/civil-district>. The Thursday morning Continuance Docket, along with Uncontested Docket, will not be held while this Emergency Order remains in effect. Motions for continuance should generally be set on the Central Docket. The Duty Judge should be contacted with any emergency matters, and that judge will determine if a matter qualifies as an emergency, and if so, if an emergency hearing must be held in person for any reason.
  5. **Docket call announcements for all civil and family jury and non-jury matters must be received during the announcement period the week before each setting,** including for all family law matters and for hearings on Friday, which is a change from the Local Rules and prior practice. The form for docket call announcements is posted at [https://www.traviscountytexas.gov/images/courts/Docs/docketcall\\_civilcriminal\\_district.pdf](https://www.traviscountytexas.gov/images/courts/Docs/docketcall_civilcriminal_district.pdf). **Cases in which the required announcements are not made will not be heard as scheduled, and must be reset.** On the Friday prior to a scheduled hearing or trial, Court Administration will post dockets for the following week with court assignments. Court staff will contact the lawyers and self-represented parties to notify them of the Zoom meeting IDs and passwords, and to provide links and instructions to upload any documents the parties will seek to introduce into evidence at the hearing or trial, as well as any special procedures for the assigned court. **Additional procedures for the Family Docket can be found at** <https://www.traviscountytexas.gov/courts/files/family-law>.
  6. Matters assigned under Local Rule 2.6 and Local Rule 10.2 shall remain assigned to their current judges. Parties should contact staff for the assigned judge for those matters.
  7. Attorneys and litigants are advised that in-person hearings will be granted for good cause only, and that the judges may use their discretion, inherent power, and authority under the Texas Supreme Court's Emergency Orders to change the format, time, and length of hearings.

8. All pleadings must first be filed with the District or County Clerk’s office before requesting a hearing or relief from any court.
9. Any matter submitted to any district judge may be referred to an associate judge where appropriate, or to any other district judge or county court at law judge. A district judge may refer any matter to a county court at law judge and a county court at law judge may refer any matter to a district judge, as is consistent with the Central Docket and the Local Rules.
10. The email addresses for communications with each court are as follows:

53 <sup>rd</sup> District Court	<a href="mailto:53.submission@traviscountytx.gov">53.submission@traviscountytx.gov</a>
98 <sup>th</sup> District Court	<a href="mailto:98.submission@traviscountytx.gov">98.submission@traviscountytx.gov</a>
126 <sup>th</sup> District Court	<a href="mailto:126.submission@traviscountytx.gov">126.submission@traviscountytx.gov</a>
200 <sup>th</sup> District Court	<a href="mailto:200.submission@traviscountytx.gov">200.submission@traviscountytx.gov</a>
201 <sup>st</sup> District Court	<a href="mailto:201.submission@traviscountytx.gov">201.submission@traviscountytx.gov</a>
250 <sup>th</sup> District Court	<a href="mailto:250.submission@traviscountytx.gov">250.submission@traviscountytx.gov</a>
261 <sup>st</sup> District Court	<a href="mailto:261.submission@traviscountytx.gov">261.submission@traviscountytx.gov</a>
345 <sup>th</sup> District Court	<a href="mailto:345.submission@traviscountytx.gov">345.submission@traviscountytx.gov</a>
353 <sup>rd</sup> District Court	<a href="mailto:353.submission@traviscountytx.gov">353.submission@traviscountytx.gov</a>
419 <sup>th</sup> District Court	<a href="mailto:419.submission@traviscountytx.gov">419.submission@traviscountytx.gov</a>
459 <sup>th</sup> District Court	<a href="mailto:459.submission@traviscountytx.gov">459.submission@traviscountytx.gov</a>
County Court at Law 1	<a href="mailto:CCL1.submissions@traviscountytx.gov">CCL1.submissions@traviscountytx.gov</a>
County Court at Law 2	<a href="mailto:CCL2.submissions@traviscountytx.gov">CCL2.submissions@traviscountytx.gov</a>
Assoc. Judge Hathcock	<a href="mailto:TCAJ1.submission@traviscountytx.gov">TCAJ1.submission@traviscountytx.gov</a>
Assoc. Judge Arth	<a href="mailto:TCAJ2.submission@traviscountytx.gov">TCAJ2.submission@traviscountytx.gov</a>
Assoc. Judge de la Llata	<a href="mailto:TCAJ4.submission@traviscountytx.gov">TCAJ4.submission@traviscountytx.gov</a>

11. Attorneys and litigants should utilize all forms of technology in order to keep their dockets and cases moving, especially with regard to discovery, remote depositions, and pre-trial matters. **Continuances and motions to quash will not be granted solely to avoid remote discovery or hearings** when the attorneys, parties, and public have access to available technology.
12. For Child Protective Services (CPS) cases, all statutory review hearings will not occur in-person until the courts find it is reasonably possible to proceed in-person, taking into account the circumstances. The courts will notify parties on those cases needing to be re-set once normal operations resume for in-person hearings. Statutory review hearings may proceed through other means, not in-person, as determined by the presiding judge.
13. Additionally, CPS courts will continue to hold Show Cause, Chapter 262, and Aid to Investigate hearings on Tuesday and Wednesday dockets at the discretion of the judge, and these matters will be primarily by Zoom video conference. Other Contested CPS Matters, including matters set on the CPS Monday Short Dockets and bench trials set on the Central Civil Long Docket, may also proceed virtually if judicially authorized. All other urgent matters requiring rulings shall be submitted to the CPS courts through the Judicial

Executive Assistant for which the case is assigned. The email addresses for those Judicial Executive Assistants are as follows:

126 <sup>th</sup> District Court	Hon. Darlene Byrne	<a href="mailto:Covid126th@traviscountytexas.gov">Covid126th@traviscountytexas.gov</a>
CPS Associate Court	Hon. Aurora Martinez Jones	<a href="mailto:April.Morton@traviscountytexas.gov">April.Morton@traviscountytexas.gov</a>

14. This Order does not include Juvenile Court matters, which are subject to the First Amended Order Regarding [Juvenile] Court Proceedings in Response to COVID-19 Emergency, effective March 25, 2020, and the Standing Order Regarding Procedures for Remote Juvenile Court Hearings during the COVID-19 Public Health Emergency, issued April 8, 2020.
15. Where there are conflicting provisions, this Third Amended Emergency Order Regarding COVID-19 supersedes the Travis County Local Rules and any and all Standing Orders.

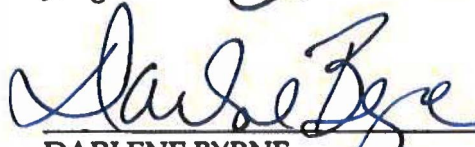
SIGNED and FILED with District Clerk's and County Clerk's Offices on this 15th day of June, 2020.

  
SCOTT H. JENKINS  
Judge, 53<sup>rd</sup> District Court

  
LORA J. LIVINGSTON  
Judge, 261<sup>st</sup> District Court

  
RHONDA HURLEY  
Judge, 98<sup>th</sup> District Court

  
JAN SOIFER  
Judge, 345<sup>th</sup> District Court

  
DARLENE BYRNE  
Judge, 126<sup>th</sup> District Court

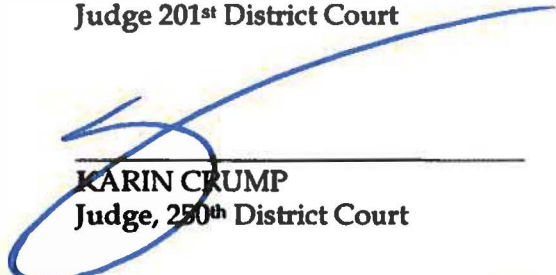
  
TIM SULAK  
Judge, 353<sup>rd</sup> District Court

  
DUSTIN M. HOWELL  
Judge, 200<sup>th</sup> District Court

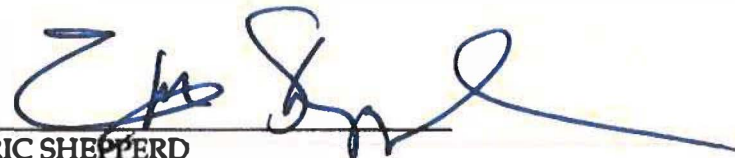
  
CATHERINE A. MAUZY  
Judge, 419<sup>th</sup> District Court

  
AMY CLARK MEACHUM  
Judge 201<sup>st</sup> District Court

  
MAYA GUERRA GAMBLE  
Judge, 459<sup>th</sup> District Court

  
KARIN CRUMP  
Judge, 250<sup>th</sup> District Court

  
TODD WONG  
Judge, County Court at Law #1

  
ERIC SHEPPERD  
Judge, County Court at Law #2