



EMERGENCY PROCEDURES

§ IN THE DISTRICT COURT
§
§ 360TH JUDICIAL DISTRICT
§
§ TARRANT COUNTY, TEXAS

TEMPORARY STANDING ORDER

This Standing Order is effective from March 16, 2020, through April 1, 2020.

Between March 16, 2020, and April 1, 2020, absent unforeseen circumstances, the 360th District Court will be available to hear matters.

IT IS ORDERED that all juries between these dates are cancelled.

IT IS ORDERED that all general provisions in this order do not apply to Child Protective Services Cases unless they are contained in the section of that order so marked.

For the purposes of this order, self-represented litigants are considered to be the attorney of record in the case and shall follow the instructions for the attorney herein.

IT IS ORDERED that any agreed continuances for trials and/or hearings set between March 16, 2020, and April 1, 2020 will be granted if signed by all attorneys of record.

IT IS ORDERED that all nonagreed continuances shall be submitted to this Court via written submission. Each attorney shall present a written argument as to why the continuance should or should not be granted. The attorney arguing against the continuance shall present this Court with alternatives to personal appearances, if possible.

IT IS ORDERED that cases such as protective orders, temporary restraining orders, and emergencies involving immediate dangers to the children and/or substantial risk to property will be heard, if possible. This Court may enter interim orders pending a full evidentiary hearing, if possible. This Court will make every effort to accommodate those who do not desire to enter the Courthouse. Cases are not automatically continued, but continuances will very likely be granted if there is not an emergency and if one party or one attorney desires a continuance.

Between March 16, 2020, and April 1, 2020, this Court will not require any attorney, party, and/or witness to appear in person before this Court. IT IS ORDERED that any witness who is subpoenaed to appear before the 360th Judicial District Court between March 16, 2020, and April 1, 2020, shall inform the attorney who issued the subpoena of his or her desire not to

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attend court. IT IS ORDERED that a subpoenaed witness must provide a phone number where he or she may be reached at the date and time listed on the subpoena and shall remain available via that phone until released as a witness.

IT IS ORDERED that the attorneys and/or self-represented litigants shall confer with each other as to the preferred course of action when they become aware that an attorney, party, and/or witness does not desire to appear before this Court. IT IS ORDERED that after such a conference, the attorneys of record shall send one email to the Court reflecting their joint desires. If there is not an agreement or if there is no response from the other attorney of record, each attorney of record is responsible to inform the Court of his or her desires via an email to the Court Coordinator and copied to all attorneys of record.

IT IS ORDERED that all uncontested matters heard between these dates shall be submitted by written submission if all parties and all attorneys of record, if any, have signed that order. Uncontested cases involved self-represented litigants that are set between March 16, 2020, and April 1, 2020, shall be considered via written submission. If this Court declines to sign an order, this case will be set for a telephone conference or for a hearing after April 1, 2020.

IT IS ORDERED that the following cases can be heard via a simple conference if the parties waive a record. This can be arranged by the attorneys in the case in advance and do not require a Court Call, unless the attorneys desire to pay for the same:

1. Contested Motions to Withdrawal as Attorney of Record;
2. Motions for Continuance
3. Pretrial Scheduling Orders;
4. Motions for New Trial
5. Motions for Summary Judgment; and
6. Other matters that only require argument of attorneys and where a record is not required.

Parties wishing to use CourtCall or other technology for all non CPS matters shall be responsible for the arranging and paying for the same.

IT IS ORDERED that the attorneys and parties attempt to work together to avoid evidentiary hearings and/or trials. The following are suggested ways of avoiding a final trial when the parties do not agree:

- Attorneys may submit stipulated facts pursuant to Rule 261 of the Texas Rules of Civil Procedure for ruling by the Court. If desired, attorneys may present argument via telephone if the case is submitted with stipulated facts.
- If the attorney arranges for the technology, appearances may be held via telephone and/or video conference upon the agreement of the parties and the consent of the court.
- Attorneys may consider proffered testimony. The attorneys can agree that if called to testify that a witness would testify to specific facts, but they are not stipulating to the truth of those statements. They can likewise agree to the submission of sworn testimony without agreeing to the truth. As there can be no cross-examination, this should not be a critical witness but a witness that is offering simple fact such as character witnesses. This may also be a means to present child support and spousal support claims by agreeing to



written submission of documents required by local rules. This will only be by agreement of all attorneys of record in a case.

- Cases that do not require a record or in which the record is waived can utilize remote means of appearance with greater ease than cases that require a record.

IT IS ORDERED that if the parties request an interim order via written submission, the parties may set the case for a hearing after April 1, 2020, to argue their case without prejudice.

CHILD PROTECTIVE SERVICES CASES

IT IS ORDERED that all Child Protective Services Review settings may be heard via Court Call between March 16, 2020, and April 1, 2020, if Tarrant County approves payment for the same. Otherwise, this Court will issue further orders regarding Status reviews. IT IS ORDERED that if there are concerns about home visits, an attorney shall visit with the children after the date of the order or via telephone or video conference. IT IS ORDERED that if an attorney is required to but cannot meet with a child in person between March 16, 2020, and April 1, 2020, that the attorney shall meet with the children at the earliest possible date after the expiration of this order.

IT IS ORDERED that final trials already scheduled during these dates will commence but may adjourn after a witness is sworn and begins testimony unless a written Order on Motion for Continuance is signed with the requisite extension.

This Court understands that there is a docket set for next week and will call the attorneys involved as soon as there is a resolution.

ALL CASES INCLUDING CHILD PROTECTIVE SERVICES CASES

IT IS ORDERED that Spring Break shall end as published in the school calendar BEFORE the COVID-19 policies. IT IS ORDERED that if a child is to be returned on Monday after Spring Break, the child shall be returned at 8:00 a.m. on the date school was to resume after Spring Break pursuant to the Calendar published by the school before the COVID-19 changes. IT IS ORDERED that if the child was to be returned Sunday at 6:00, then the child shall be returned Sunday at 6:00 p.m. before school was to resume from Spring Break pursuant to the Calendar published by the school before the COVID-19 changes.

Court staff may be working remotely. Court staff will be experiencing a high volume of emails and phone calls. Repeated phone calls and emails will slow this difficult process. Phone calls go to a voicemail that is sent to the Court Coordinator's email. IT IS ORDERED that all communication with the Court Coordinator be via only one email per topic. IT IS ORDERED that phone messages should be avoided when an email is possible. IT IS ORDERED that if a phone message is left, an email should not be sent regarding the same topic.




IT IS ORDERED that if you have a respiratory illness and/or a suspected case of the COVID-19 and/or any other virus that you do not come to the Courthouse.

Signed on this 13th day of March, 2020.



Judge Presiding

