

# IN THE TRAVIS COUNTY CIVIL AND FAMILY COURTS

Administrative File No. GN-61-121012

Filed in The District Court  
of Travis County, Texas

## SECOND AMENDED EMERGENCY ORDER REGARDING COVID-19

MAY 07 2020 LJ

At 4:05 P.M.  
Velva L. Price, District Clerk

Effective May 8, 2020

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>1</sup> and to protect the due process rights and public health of all citizens, the Travis County Civil and Family Courts are suspending in-person hearings until June 29, 2020,\* and all jury trials until at least August 17, 2020. The only exception will be essential hearings as determined by a judge. This order replaces the previous First Amended Emergency Order Regarding COVID-19, which was effective on March 27, 2020.

**\*Please be advised that most hearings after June 29, 2020 will still proceed 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 Court judges are currently in the process of developing procedures and rules that implement safe social distancing practices and limit traffic into the courthouse after June 29, 2020. Please stay informed with additional procedures and practices, as well as further orders, as they are implemented, on our Travis County Civil Courts website:**

<https://www.traviscountytexas.gov/courts/civil/civil-courts-covid-19-information>.

2. All in-person hearings currently scheduled before June 29, 2020, and jury trials currently scheduled before August 17, 2020, are hereby postponed and may be rescheduled in one of five ways:
  - a. Resetting non-jury matters on the central docket on or after June 29, 2020, through Court Administration, either online at <https://www.traviscourtsapplications.org/portal> or by telephone at 512/854-CIVIL; or
  - b. For non-jury family matters, by requesting a telephonic or video hearing through Court Administration at 512/854-CIVIL or [Travis.CivilCourts@traviscountytexas.gov](mailto:Travis.CivilCourts@traviscountytexas.gov); or

<sup>1</sup> The Supreme Court of Texas has issued 12 emergency orders at current count, and all apply to the Travis County Civil and Family Courts. The orders can be found at <https://www.txcourts.gov/supreme/news/texas-supreme-court-coronavirus-update/>.

- c. For non-jury civil matters, by requesting a telephonic or video hearing directly to the court in which the case is filed; or
  - d. For non-jury matters, by requesting written submission consideration directly to the court in which the case is filed. Written submission requests must also include any affidavits, declarations or other necessary supporting records. This method is encouraged for all agreed motions and orders, as well as for non-testimonial matters; or
  - e. For jury trials, you may currently set your trial 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 Courts need to coordinate with public health officials, the Office of Court Administration, and various Travis County and City of Austin departments. Please be advised this date could be delayed further into 2020 and even until 2021.
3. 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 direction on how to proceed.
  4. All pleadings must first be filed with the clerk's office before requesting relief from any court.
  5. 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.
  6. 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>

7. During the pendency of this Order, the Travis County Civil and Family Courts are continuing to handle agreed and uncontested matters, as well as contested matters, as appropriate, and at the discretion of the judge to whom the matter is assigned. After a court receives a submission or hearing request, court staff will then communicate to all parties regarding whether the judge will consider the matter by submission or by scheduling a telephonic or video hearing and whether any further communication or briefing shall be required from any party.
8. 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 will not be granted solely to avoid remote discovery or hearings when the attorneys, parties and public have access to available technology. To that end, and to ensure the civil justice system functions as efficiently as possible under the circumstances, lawyers and litigants may request telephonic as well as video hearings to resolve their disputes. The court will determine: (a) whether to allow this hearing and the format; (b) the scope and length of the hearing; and (c) the procedures and methods of introducing evidence for the hearing.
9. 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.
10. 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 primarily be by Zoom video conference. 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 the Judicial Executive Assistants are as follows:

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

11. Each week, a duty judge will be available to hear emergency matters in accordance with the attached schedule (Exhibit A). The emergency duty judge will, at the discretion of the judge, determine if a matter qualifies as an emergency, and whether a matter must be held in person for any reason.
12. This Order does not include Juvenile Court matters, which are subject to the First Amended Emergency Order, effective March 25, 2020, (for Juvenile matters) and the Standing Order Regarding Procedures for Remote Juvenile Court Hearings During the COVID-19 Public Health Emergency, issued April 8, 2020.

13. Other than essential hearings as determined by a judge, the Travis County Civil and Family physical courtrooms are closed until June 29, 2020, on which day the physical courtrooms and courthouse will re-open on a limited and staggered basis to be published on the Travis County Civil Courts' website and upon the discretion of the Local Administrative Judge. Civil and family judges will continue to hold hearings remotely and decide matters by submission through the methods delineated in this order.
14. Where there are conflicting provisions, this Second Amended Emergency Order Regarding Covid-19 supersedes the Travis County Local Rules and any and all Standing Orders.

EXHIBIT A

***Civil District Courts – 2020 Duty Judge for Emergency Matters***

<b>Date</b>	<b>Duty Court Number*</b>	<b>Telephone Number</b>
Week of May 4	459 <sup>th</sup> District Court	512/854-9384
Week of May 11	53 <sup>rd</sup> District Court	512/854-9308
Week of May 18	200 <sup>th</sup> District Court	512/854-9306
Week of May 25	201 <sup>st</sup> District Court	512/854-9305
Week of June 1	250 <sup>th</sup> District Court	512/854-9312
Week of June 8	261 <sup>st</sup> District Court	512/854-9309
Week of June 15	345 <sup>th</sup> District Court	512/854-9374
Week of June 22	353 <sup>rd</sup> District Court	512/854-9380
Week of June 29	419 <sup>th</sup> District Court	512/854-4023

*\*Duty Court Subject to Change.*

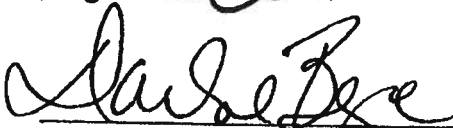
SIGNED and FILED with District Clerk's and County Clerk's Offices on this 7<sup>th</sup> day of May, 2020.

  
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

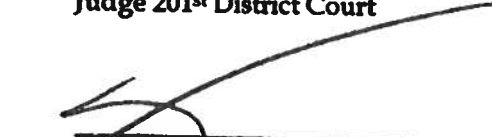
  
TIM SULAK  
Judge, 353<sup>rd</sup> District Court

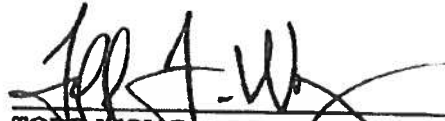
  
DUSTIN M. HOWELL  
Judge, 200<sup>th</sup> District Court


  
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, 280<sup>th</sup> District Court

  
TODD WONG  
Judge, County Court at Law #1

  
ERIC SHEPPERD  
Judge, County Court at Law #2