

JUDGES OF JUSTICE COURTS OF FREESTONE COUNTY, TEXAS

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STANDING ORDER REGARDING CONORNAVIRUS DISEAS(COVID-19) MITIGATION TO ALL FREESTONE COUNTY JUSTICES OF THE PEACE (JUSTICE COURT)

Due to the coronavirus disease (COVID-19) and by the authority granted by law and by the "FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER" ordered by the Supreme Court of Texas and Court of Criminal Appeals of Texas, the four Justices of the Peace in Freestone County (referred to as the Justices of the Peace) issue the following order to protect the community and limit exposure to COVID-19:

1. All scheduled court proceedings except for essential court proceedings will be reset to a date after May 8, 2020.
2. "Essential court proceedings" are defined as: writs of re-entry; writs of retrieval; writs of restoration; magistration of defendants in custody and of fugitives from justice (in or out of custody; death certificates, or burial transit permits; repair and remedy cases that materially affect the physical health or safety of a tenant; and any proceedings necessary to enforce a governmental entity's response to a COVID-19 declaration of state of disaster.
3. No eviction settings (both residential and commercial) will be held until after May 8, 2020. No writs of possession will be issued by a Justice Court until May 13, 2020.
4. This order does not diminish the Justices of the Peace's ability to continue to issue judgments, orders, and rulings by submission if already authorized by law to do so for non-eviction cases.
5. For traffic/Class C citations with an appearance date prior to May 8, 2020, the appearance date will be extended and the Justice Court will notify defendants of a rescheduled appearance date by mailing notice to the last address on record with the Court (defendants should check the court's website weekly for updates and email the court any updated mailing address). This applies to cite-and-release charges and summonses for charges other than Class C misdemeanors as well.
6. No warrants based on failing to appear or for violating a promise to appear to a Justice Court for a traffic/Class C citation, cite-and-release charge, or a summons will be issued until June 15, 2020.
7. In order to alleviate the threat of COVID-19 in County Jails, the Justices of the Peace temporarily suspend active warrants for all misdemeanor Class C offenses from their courts, until May 8, 2020. All the requirements and conditions of the warrants previously signed by the Justices of the Peace remain in effect but are suspended during this state of emergency. For the effective suspension, the Freestone County Sheriff's Office, Freestone County Constables, and all other law enforcement agencies are directed to relate this order to all law enforcement officers requesting confirmation of warrants, so that they are aware not to bring Class C defendants to the jail.

Therefore, all warrants for misdemeanor Class C offenses from the Justices of the Peace are temporarily suspended until May 8, 2020. For the duration of this suspension, the Freestone County Sherriff's Office is ordered to not accept a defendant who solely has a Class C misdemeanor warrant from the Freestone County Justices of the Peace.

8. the Constables of Freestone County are authorized that they may not serve Justice Court papers if it is in their best discretion based on the public's health and deputy constable's safety through May 8, 2020. Failure to serve papers based on this order shall not be considered by any court with regard to statute of limitations or diligent service analysis. The Constables of Freestone County must continue to serve Justice Court papers with regard to essential court proceedings in all instances.
9. Each Justice Court is authorized to limit building access to comply with any recommendations/orders from county public health officials regarding limiting the number of people in a public space or room, including but not limited to screening whether a person's business with the Justice Court falls into essential court business and limiting the hours a Justice Court is open to the public. If a Justice Court limits the hours it is open to the public, notice of such limitations shall be posted on the Justice Court's official website and at its main entrance.
10. The Justices of the Peace are authorized to perform marriage ceremonies by video conference from the date of this order to May 8, 2020, so long as all participants video conference form Freestone County.
11. All deadlines or statutes of limitation calculations are tolled effective March 20, 2020 to May 8, 2020.

This order shall be posted outside of each Justice Court and on each Justice Court's official website.

The time periods in this order may be extended in a subsequent order if required.

Signed on March 19, 2020 at 3:00 p.m.

Judge Theresa Farris

On behalf of the Justices of the Peace in Freestone County, TX