

IN THE 66TH DISTRICT COURT
OF HILL COUNTY, TEXAS

FILED
MARCHEL EUBANK
DISTRICT CLERK
HILL COUNTY, TX

2021 MAR 17 AM 9:32

Misc. Docket No. 21-01

ORDER REGARDING MINIMUM STANDARD HEALTH PROTOCOL
FOR ALL COUNTY COURTS OF HILL COUNTY, TEXAS

IT IS ORDERED that:

1. Subject only to constitutional limitations, all courts in Hill County, Texas, may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant’s consent:
 - (a) except as provided in paragraph (b), modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than June 1, 2021:
 - (b) in all proceedings under Subtitle E, Title 5 of the Family Code:
 - (i) extend the initial dismissal date as calculated under Section 263.401(a) only as provided by Section 263.401(b) or (b-1);
 - (ii) for any case previously retained on the court’s docket pursuant to Section 263.401(b) or (b-1), or for any case whose dismissal date was previously modified under an Emergency Order of this Court related to COVID-19, extend the dismissal for an additional period not to exceed 180 days from the date of this Order.
2. Except as this Order provides otherwise, allow require anyone involved in any hearing, deposition, or other proceeding of any kind—including, but not limited to, a party, attorney, witness, or court reporter, but not included a juror—may participate remotely, such as by teleconferencing, videoconferencing, or other means.
3. The court will consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means.
4. After reasonable notice to all parties of the time and place, the court may conduct proceedings away from the court’s usual location, but in the county of venue, provided there is reasonable access to the participants and public.
5. Require every participant in a proceeding to alert the court if the participant has, or knows of another participant who has: (i) COVID-19 or a fever, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, sore throat, loss of taste or smell, congestion or runny nose, nausea or vomiting, or diarrhea; or (ii) recently been in close contact with a person who is confirmed to have COVID-19 or exhibiting the symptoms described above.

6. The court reserves the right to take any reasonable action to avoid exposing court proceedings to the threat of COVID-19.
7. All courts should continue to use reasonable efforts to conduct proceedings remotely.
8. Upon request and good cause shown by a court participant other than a juror—including but not limited to a party, an attorney, a witness, or a court reporter—a court must permit the participant to participate remotely in any proceeding, subject to constitutional limitations.
9. Hill County may conduct an in-person jury proceeding if:
 - (a) to assist with coordination of local resources and to manage capacity issues, the court has obtained prior approval, including a prior approved schedule, for the jury proceeding from the local administrative district judge;
 - (b) the court has considered on the record any objection or motion related to proceeding with the jury proceeding at least seven (7) days before the jury proceeding or as soon as practicable if the objection or motion is made or filed within seven (7) days of the jury proceeding;
 - (c) the court has established communication protocols to ensure that no court participants have tested positive for COVID-19 within the previous 10 days, have had symptoms of COVID-19 within the previous 10 days, or have had recent known exposure to COVID-19 within the previous 14 days;
 - (d) the court has included with the jury summons information on the precautions that have been taken to protect the health and safety of prospective jurors and a COVID-19 questionnaire to be submitted in advance of the jury selection that elicits from prospective jurors information about their exposure or particular vulnerability to COVID-19, and
 - (e) the court has excused or rescheduled prospective jurors who provide information confirming their COVID-19 infection or exposure, or their particular vulnerability to COVID-19 and request to be excused or rescheduled.
10. Except for the nonbinding proceedings, a court may not permit or require a petit juror to appear remotely unless the court ensures that all potential and selected petit jurors have access to technology to participate remotely.
11. The Clerk of the Court is directed to:
 - (a) post a copy of this Order on www.co.hill.tx.us and in a conspicuous place available to the public;
 - (b) post a copy of this Order with the Secretary of State, and
 - (c) send a copy of this Order to the Governor and the Attorney General.
12. The Hill County Bar Association is directed to take all reasonable steps to notify members of the bar of this Order.

DATED March 11, 2021.



Judge Lee Harris, 66th District Court of
Hill County, Texas