

IN THE 358<sup>TH</sup> JUDICIAL DISTRICT COURT

ECTOR COUNTY, TEXAS

**TEMPORARY EMERGENCY ORDER**

State officials, and others, have considered the implementation of necessary emergency measures to address the existing nationwide corona virus situation. Governor Greg Abbott has issued a disaster proclamation which shall remain in effect until May 8, 2020. The Texas Supreme Court and Court of Criminal Appeals have issued Joint Emergency Orders recommending the modification and suspension of certain provisions which relate to the administration of all court proceedings. *See Supreme Court Misc. Docket No. 20-9042 & Court of Criminal Appeals Misc. Docket No. 20-007* (March 13, 2020). The Office of Court Administration (OCA) and the Presiding Judges of the Eleven (11) Administrative Judicial Regions of our state have published recommendations and guidelines for all courts to consider in pursuing effective docket control and court management during this “declared emergency” period.

In light of the aforementioned directives, recommendations, and guidelines, and being mindful of this court’s responsibility to adopt procedures that are necessary and prudent under the existing circumstances to protect the health and safety of all litigants, their counsel, court personnel, court participants, and the public, **IT IS ORDERED** that:

1. **All jury trial settings (civil and criminal) scheduled to commence in the 358<sup>th</sup> District Court during the weeks of March 16, 2020 and March 30, 2020 are VACATED.**
2. The plea conference and pre-trial settings scheduled on **March 24, 2020** and **March 26, 2020**, respectively, in the 358<sup>th</sup> District Court are VACATED.

3. All “non-essential” non-jury settings and hearings scheduled in the 358<sup>th</sup> District Court **during the week of March 23, 2020** shall proceed to disposition, unless the participants are otherwise notified by this court.

4. To the extent practicable, and consistent with the directives, recommendations, and guidelines referenced in this Order, during this “declared emergency” period this court may, in its discretion, schedule for hearing and disposition: (a) guilty pleas, probation revocations, writs of habeas corpus, and bond requests which involve Defendants who are in custody; (b) requests for the appointment of counsel submitted by indigent Defendants who are in custody; (c) requests for injunctive relief; (d) requests for protective orders; and (e) requests for other emergency relief. **Unless otherwise notified by this court, the scheduling limitations designated in this paragraph shall remain in effect until April 6, 2020.**

5. Counsel for any litigant appearing in the 358<sup>th</sup> District Court during this “declared emergency” period, shall immediately advise this court should it be known, or suspected, that any participant to a scheduled court proceeding has, or is believed to have, COVID-19, elevated fever, persistent coughing or sneezing, or other flu-like symptoms.

6. Recognizing that the facilities, means of technology, and other accommodations where this court is situated are archaic and less than ideal, upon request, and to extent same could be successfully implemented, this court will consider the feasibility of presiding over a proceeding that is scheduled during any “declared emergency” period by utilizing alternative means, i.e., videoconferencing, teleconferencing, etc.

7. With reference to the court settings identified in paragraphs 3 and 4 of this Order, and the appearance of litigants, their counsel, or other participants to any such scheduled proceeding, counsel of record shall immediately contact this court with any questions or concerns.

8. All litigants, their counsel, and participants who are involved in a proceeding that is scheduled pursuant to this Order, shall comply with the provisions and directives of the Courts' March 13, 2020 Joint Emergency Orders cited above.

The limitations and deadlines stated in this Order shall remain in effect until further Order of this Court. If necessary, this court may (a) modify or extend the deadlines stated in this Order, or (b) issue additional Orders in the event any subsequent "emergency" period is declared.

**IT IS SO ORDERED.**

**SIGNED** the 16<sup>th</sup> day of March, 2020.

A handwritten signature in black ink, reading "W. Stacy Trotter". The signature is written in a cursive, flowing style. The "W" is large and prominent, followed by "Stacy" and "Trotter" in a more compact script. The signature is positioned above a horizontal line.

**W. STACY TROTTER,  
PRESIDING JUDGE  
358<sup>th</sup> DISTRICT COURT**