

MISCELLANEOUS DOCKET NUMBER E-20-01

**TEMPORARY EMERGENCY ORDER REGARDING PROCEEDINGS BEFORE
THE 446TH DISTRICT COURT OF ECTOR COUNTY, TEXAS**

The Texas State Supreme Court and the Texas Criminal Court have issued a “THIRD EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER” attached to this order as Exhibit 1. This Order states that Courts “*must not conduct non-essential proceedings in person contrary to local, state, or national directives, whichever is most restrictive, regarding maximum group size.*”

IT IS ORDERED, that:

1. Hearings for “non-essential matters” shall not be conducted in person for the time period of March 19, 2020 through May 8, 2020 or until further order of this Court.
2. The following dockets are considered “essential” and will be heard with modified scheduling as to reduce the risk of COVID-19 exposure.

A. TEMPORARY HEARING DOCKET: March 26, April 2, April 9, April 16, April 23, April 30 and May 7.

- i. The Court will only hear contested matters on this day. Should you reach an agreement for temporary orders, you shall submit same through e-file with the office of the Ector County District Clerk.
- ii. If the Parties are unable to reach an agreement, each side may have up to forty-five (45) minutes to argue their case as usual. You must submit the time requested, via email to michelle.conn@ectorcountytexas.gov, NO LATER THAN noon the preceding Wednesday before the scheduled temporary hearing. Failure to comply with the deadline will result in a continuance. You will be notified of your scheduled time to appear via email by the end of day.
 - a) You may not change the time requested once you have sent your email.
 - b) Requests for additional time will not be granted.
 - c) Failure to appear in Court at your scheduled time will result in a continuance.
 - d) You may arrive at the courthouse no more than fifteen (15) minutes before your scheduled time and wait in one of the conference rooms. You may not appear earlier to negotiate in-person settlements.
 - e) You may not use your scheduled time for settlement negotiations.
 - f) Minor children will not be allowed to wait for their chambers conference at the Courthouse during the hearing.

B. PROTECTIVE ORDER DOCKET: March 27, April 3, April 17, April 24, May 1 and May 8.

- i. The Court will hear uncontested and contested matters on this day.
- ii. Each side may have up to forty-five (45) minutes to argue their case as usual. You must submit the time requested, via email to michelle.conn@ectorcountytexas.gov, NO LATER

THAN noon the preceding Thursday before the scheduled protective order hearing. You will be notified of your scheduled time to appear via email by the end of day.

- a) Failure to comply with the deadline will result in a continuance to the following week. You shall provide an order extending the “Emergency Temporary Order of Protection” if applicable.
- b) You may not change the time requested once you have sent your email.
- c) Requests for additional time will not be granted.
- d) Failure to appear in Court at your scheduled time will result in a continuance to the following week. You shall provide an order extending the “Emergency Temporary Order of Protection” if applicable.
- e) You may arrive at the courthouse no more than fifteen (15) minutes before your scheduled time and wait in one of the conference rooms. You may not appear earlier to negotiate in-person settlements.
- f) You may not use your scheduled time for settlement negotiations.

3. The following dockets are considered “non-essential” and are hereby VACATED and shall be rescheduled to a later date:

- A. PRO SE/PROVE-UP DOCKET: March 23, March 30, April 6, April 13, April 20, April 27 and May 4.
 - i. In non SAPCR cases where the Respondent has filed an answer, you may submit proposed final orders for the Courts signature, without the necessity of a hearing, if both parties have signed the final order and the order is accompanied by a prove-up affidavit.
 - ii. In non SAPCR cases where the Respondent has filed a specific waiver, you may submit proposed final orders for the Courts signature, without the necessity of a hearing, if both parties have signed the final order and the order is accompanied by a prove-up affidavit.
 - iii. In non SAPCR cases where the Respondent has filed a global waiver, you may submit proposed final orders for the Courts signature, without the necessity of a hearing, if the Petitioner has signed the final order and the order is accompanied by a prove-up affidavit.
- B. PRE-TRIAL DOCKET: March 27, April 3, April 17, April 24, May 1 and May 8. The Court will reset these *sua sponte* and there is no further action required on your part.
- C. ENFORCEMENT DOCKET: March 27, April 24 and May 8. The Court will work with each setting on dates and availability so that you may file your “Order Setting Hearing” for service as you see fit.
- D. ENTRY DOCKET: April 3, April 17 and May 1. If you are currently set on these dockets, the underlying orders must be submitted by the hearing date. The agreed orders shall be submitted to the office of the Ector County District Clerk via e-file. If the Parties are unable to reach an agreement on the proposed order, a hearing shall be scheduled for a later date. You must notify the Court, before the originally scheduled docket date, if you are unable to reach an agreement and require a setting.

IT IS ORDERED that to the extent practicable, and consistent with the above directives and recommendations, the Court shall schedule the following essential matters during the above stated period of this Order:

4. Applications for the appointment of counsel submitted by indigent defendants who are in custody;
5. Applications for temporary restraining orders and temporary injunctions;
6. Applications for protective orders brought under the Texas Family Code or the Texas Code of Criminal Procedure;
7. Suits brought under Chapter 157, Texas Family Code, specifically writs of habeas corpus, writs for attachment for children, and enforcement actions in which a Respondent is incarcerated;
8. Summary judgment motions by submission;
9. Other applications for emergency relief; and
10. Any other hearing determined by the Court to be necessary to the administration of justice.

IT IS FURTHER ORDERED that all previously set final hearings through May 8, 2020, that are not considered essential pursuant to this Order, and that as attached as Exhibit 1, shall not be held in person. However, Zoom videoconferencing may be available to the Court and the attorneys as early as March 23, 2020. Each non-essential case will be evaluated and may proceed via Zoom videoconferencing.

These scheduling limitations shall remain in effect through May 8, 2020, or upon further order of the Courts. The Courts may issue amended or supplemental orders.

The Court encourages persons with COVID-19 or flu-like symptoms, a fever, or who are coughing or sneezing, to contact the Court before appearing. Any attorneys who know that clients, witnesses, or others have such a condition should alert the Court in advance. The Court will make reasonable accommodations and reschedule appearances and hearings as needed.

SIGNED March 19, 2020.


HON. SARA KATE BILLINGSLEY
Presiding Judge, 446TH District Court

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9044

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

Misc. Docket No. 20-008

THIRD EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. With respect to the First Emergency Order Regarding the COVID-19 State of Disaster issued March 13, 2020:

a. Paragraph 2(d) is amended as follows: Conduct proceedings away from the court's usual location with reasonable notice and access to the participants and the public;

b. Only to clarify, Paragraph 2(a) of the Order applies to all proceedings under Subtitle E, Title 5, of the Family Code, and specifically, to the deadlines in Section 263.401, which may or must be modified or suspended, as clearly stated in the Order, to avoid the risks of disaster and still protect the interests of all involved in these difficult circumstances.

3. Courts must not conduct non-essential proceedings in person contrary to local, state, or national directives, whichever is most restrictive, regarding maximum group size.



4. This Order expires May 8, 2020, unless extended by the Chief Justice of the Supreme Court.

5. The Clerk of the Supreme Court is directed to:

- a. post a copy of this Order on www.txcourts.gov;
- b. file a copy of this Order with the Secretary of State; and
- c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

6. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

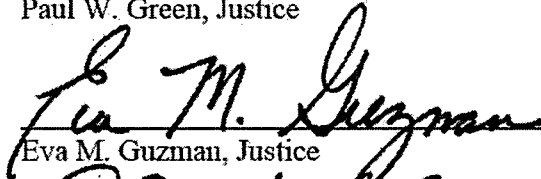
Dated: March 19, 2020



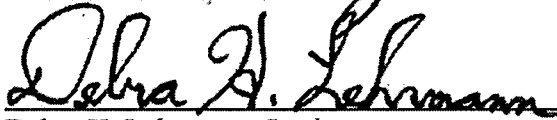
Nathan L. Hecht, Chief Justice



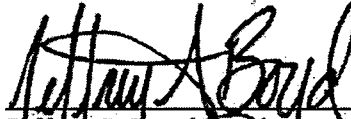
Paul W. Green, Justice



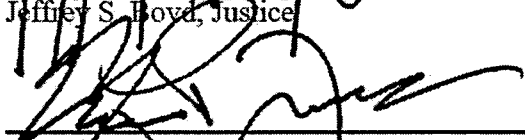
Eva M. Guzman, Justice



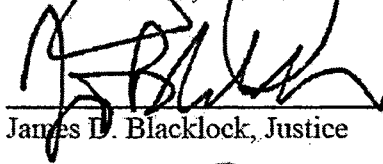
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



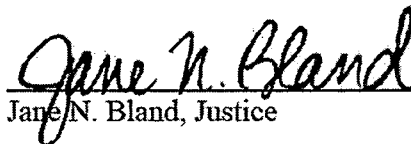
John F. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



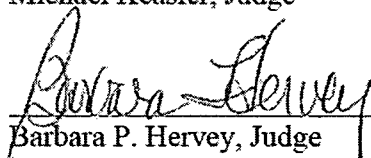
Jane N. Bland, Justice



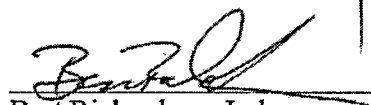
Sharon Keller, Presiding Judge



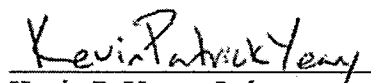
Michael Keasler, Judge



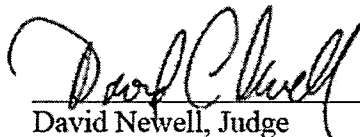
Barbara P. Hervey, Judge



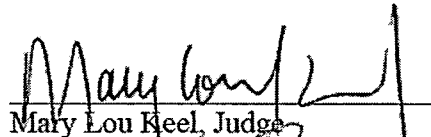
Bert Richardson, Judge



Kevin P. Yeary, Judge



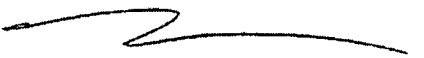
David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Michelle M. Slaughter, Judge