

36th, 156th, and 343rd DISTRICT COURT INFECTIOUS DISEASE PROTOCOL

Revised May 28, 2020

1. STATEMENT AND POLICY

The 36th, 156th and 343rd District Courts implement this Infectious Disease Protocol to minimize the risk of community transmission of infectious diseases. This Protocol covers persons with scheduled hearings, appearances or trials in the 36th, 156th, and 343rd District Courts who have reason to believe that they, their attorney, client or necessary witness have been **exposed to COVID-19 or other infectious diseases**, are **experiencing the flu-like symptoms** (hereafter referred to as a “*Covered Person*”), are considered a member of the **Vulnerable Population** or feel they need to request special accommodations from the Court.

POLICY: No person who has been exposed to COVID-19/other infectious disease or is experiencing flu-like symptoms may personally appear in court without prior express permission of the Court. It is the sole and exclusive obligation of each attorney or self-represented litigant to comply with this protocol. County officials upon entry into the courthouse must also screen each individual and each county’s protocol must be met before entry can be made into the courthouse/district courtroom.

2. CIVIL CASES

Civil matters may be held by video conference as long as the authority to have such is in effect by the Texas Supreme Court. The Judge presiding may set civil matters for “in person” hearings, if necessary. If a hearing is scheduled to be “in person”, a request for a *Zoom* hearing must be made to the office of the Judge who is presiding at least 2 working days prior to any court date.

3. FELONY CRIMINAL CASES

Beginning June 1, 2020, Defendants in felony criminal cases may be set “**in person**” by the Judge presiding. Any *Covered/Vulnerable Person* who is a **defendant** in a felony criminal case must contact their attorney **prior** to the setting in order to request to be excused from an “in person” hearing before the court. If a hearing is scheduled to be “in person”, a request for a *Zoom* hearing must be made to the Judge office at least 2 working days prior to any court date. Approved forms for waivers of appearance, arraignment and Pre-Trial hearing can be obtained via e-mail from the Court Coordinators or at www.36-156-343districtcourts.org.

4. CONTINUANCES AND ALTERNATIVES TO ORAL HEARINGS

All requests for continuance *under this protocol* must include a certificate of conference stating the agreement or opposition of opposing counsel. The motion must state that it is asserted pursuant to the Infectious Disease Protocol, identify the Covered/Vulnerable Person or Persons, and describe why they are necessary for the hearing in question.

IF NO CONTESTED ISSUE NEEDS TO BE CONSIDERED BY THE COURT, RULE 11 AGREEMENTS SHOULD BE UTILIZED.

5. CONTACT INFORMATION

Questions and requests for waiver forms should be directed to:

CRIMINAL CASES: 361-364-9310 or email: Districtjudges@gmail.com

ALL OTHER: 361-364-9310 or email the particular court

36th Judicial District Court – Judge Starr Bauer – 36districtcourt@gmail.com

156th Judicial District Court – Judge Patrick Flanigan – 156districtcourt@gmail.com

343rd Judicial District Court – Judge Janna Whatley – 343districtcourt@gmail.com