

**1<sup>ST</sup> AMENDED TEMPORARY EMERGENCY ORDER WITH REGARD  
TO PROCEEDINGS BEFORE THE COUNTY COURT AND  
COUNTY COURTS AT LAW OF ECTOR COUNTY, TEXAS**

In light of emergency orders issued by the Texas Supreme Court (*Misc. Docket 20-9042*) and Court of Criminal Appeals (*Misc. Docket No. 20-007*) related to the administration and conducting of court proceedings, and with the guidance of the Office of Court Administration, who has issued their recommendations and guidelines for consideration related to court and docket management, the County Courts at Law and the County Court of Ector County hereby issue the following orders:

IT IS ORDERED that, with the exception of "essential" matters, all jury trial settings, arraignment settings, and docket call settings for the period of March 16, 2020 through May 8, 2020 are VACATED. These matters shall be rescheduled to a later date and time;

IT IS FURTHER ORDERED that, with regard to "essential" matters, the Courts shall, when feasible, schedule hearings via teleconferencing, videoconferencing, or other means that prevent "in person" contact, and shall review and sign paperwork related to the following matters, during the stated period that is covered by this order:

- 1.) Magistrations, guilty pleas (and regularly scheduled plea dockets), probation revocations, writ and bond requests involving defendants who are in custody;
- 2.) Requests by indigent defendants who are in custody for consideration of Court-appointed attorneys;
- 3.) Any applications for emergency relief that are within the purview of the County Court or County Courts at Law;
- 4.) Any and all hearings regarding juvenile defendants who are currently in custody;
- 5.) Any applications for court-ordered mental health detentions and court-ordered mental health services that are filed; and
- 6.) Any applications for temporary guardianship that are filed.

If, in the course of handling "essential" matters, the Court determines that the conducting of the hearing via teleconferencing, videoconferencing, or other means that prevent "in person" contact is not feasible, the Court may schedule an "in person" hearing, but shall take all possible steps to minimize the number of attendees at the hearing.

IT IS FURTHER ORDERED that, with regard to "non-essential" matters, the Courts shall not conduct any hearings whatsoever "in person", but may schedule hearings with respect to

these matters during the stated period that is covered by this order with the following restrictions:

- 1.) Hearings of matters that are **not contested** will only be conducted via teleconferencing, videoconferencing, or other means that prevent "in person" contact. The court may also, in conformity with the Texas Supreme Court's First Emergency Order (dated March 13, 2020) consider, as evidence in these proceedings, sworn statements made out of court (such as affidavits and other sworn documents), and sworn testimony given remotely.
- 2.) All hearings related to **contested** matters shall be re-scheduled to a later date and time unless the judge, at his or her discretion, determines that the hearing can successfully be conducted using teleconferencing, videoconferencing, or other means that prevent "in person" contact.

Any other hearings determined by the courts to be necessary to the administration of justice may be scheduled by the court at the discretion of that court.

These temporary scheduling orders shall remain effective until Friday, May 8, 2020 at 5:00pm, or until further order of the Courts. The Courts may, at any point in time, issue supplemental or amended Orders.

In addition to these orders, it is important to note that all attorneys, prior to contacting the courts regarding the scheduling of cases, shall inquire as to whether any party or participant has contracted, or has been in contact with persons who have contracted COVID-19, or has recently traveled to any areas where there have been known cases of COVID-19, and shall refrain from scheduling hearings that require the participation of any of these individuals. If a hearing has already been scheduled with regard to any of these individuals, then the attorney shall contact the courts directly to obtain guidance with respect to how to proceed with the hearing.

If you have any questions with respect to a specific case, please contact the court in which the case is pending directly.

ISSUED on the 23<sup>rd</sup> day of March, 2020.

  
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JUDGE CHRISTOPHER M. CLARK  
County Court at Law #2

  
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JUDGE DEBI HAYS  
County Judge

  
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JUDGE BROOKE HENDRICKS-GREEN  
County Court at Law