

**IN THE 118<sup>TH</sup> JUDICIAL DISTRICT COURT**

**TEMPORARY EMERGENCY ORDER**

State officials and others have considered the implementation of necessary emergency measures to address the existing corona virus pandemic. Governor Greg Abbott has issued public health disaster proclamations and other executive orders 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 implementation by all courts of certain procedures as well as the modification and suspension of specified provisions which relate to the administration of all court proceedings. The Office of Court Administration and the Presiding Judges of the Eleven 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. Furthermore, local officials have implemented necessary precautions and preventative measures.

In lights of the aforementioned directives, recommendations, and guidelines, and balancing the rights and interests of all litigants and 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 118<sup>th</sup> District Court during March and up to April 27, 2020 are vacated until further order of this court.

2. Unless otherwise notified by this court, any “non-essential” settings scheduled in March and April of 2020 shall only proceed to disposition as follows:

Settings involving requested and granted “in-person attendance” shall be restricted to the litigants, their counsel, other necessary participants, and the public, of which a cumulative gathering for such proceeding shall not exceed ten (10) individuals.

3. To the extent practicable, this court may, in its discretion, during this “declared emergency” period, schedule for hearing and disposition the following “essential” matters:

- 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 within the jurisdiction of this court.

Requested and granted “in-person attendance” for any scheduled “essential” matter shall be restricted to the litigants, their counsel, other necessary participants, and the public, of which a cumulative “gathering” for such proceeding shall not exceed ten (10) individuals.

4. Counsel for any litigant appearing in the 118<sup>th</sup> District Court during this “declared emergency” period shall inquire and thereafter immediately advise this court should it become known, or suspected, that any litigant, their


counsel, or any necessary participant to a scheduled court proceeding has, or is believed to have:

- a. Contracted, or been in contact with any person who has contracted, COVID-19;
  - b. Recently traveled to any area where the presence of COVID-19 has been diagnosed, confirmed, and reported; and
  - c. Elevated fever, persistent coughing or sneezing, or other flu-like symptoms.
5. This court may preside over “essential” and “non-essential” matters that are scheduled during any “declared emergency” period by utilizing remote, alternative means, i.e., videoconferencing, teleconferencing, or other suitable means. If remote, alternative means are utilized by this court under such circumstances, the litigants, their counsel, any necessary participant to be involved in said proceeding, or the public, may elect to participate remotely, i.e., videoconferencing, teleconferencing, or by other suitable means.
6. This court may conduct scheduled proceedings for Howard, Martin, and Glasscock counties in any county within the 118<sup>th</sup> judicial district. Reasonable notice and access to the litigants, their counsel, necessary participants, and the public will be provided if circumstances justify the need for such action.
7. All litigants, their counsel, and other participants who are to be involved in a proceeding that is scheduled pursuant to this Order shall comply with the provisions and directives of this Order. Counsel of record shall immediately contact this court with any questions or concerns.

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

**IT IS SO ORDERED.**

SIGNED this the 23<sup>rd</sup> day of March, 2020.

  
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**Timothy D. Yeats**  
**Presiding Judge**  
**118<sup>th</sup> Judicial District Court**