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TEMPORARY EMERGENCY ORDER REGARDING PROCEEDINGS
BEFORE THE DISTRICT COURTS AND STATUTORY COUNTY COURTS
OF MIDLAND COUNTY, TEXAS

ALEX ARCHULETA
DISTRICT CLERK
MIDLAND COUNTY, TEXAS
BY _____ DEPUTY

State officials, and other appropriate agencies, have considered the implementation of measures necessary to address the coronavirus (COVID-19) pandemic. Governor Abbott has issued a disaster proclamation. The Texas Supreme Court and Court of Criminal Appeals have issued emergency orders modifying and suspending certain provisions which relate to the administration of court proceedings. See Supreme Court *Misc. Docket No. 20-9042* and Court of Criminal Appeals *Misc. Docket No. 20-007* (March 13, 2020). The Office of Court Administration (OCA) and the Presiding Judges for the eleven Administrative Judicial Regions of Texas have promulgated recommendations and guidelines for the courts to consider in pursuing effective docket control and court management during this time of uncertainty.

Considering the aforementioned orders, declarations and recommendations, and being mindful of the Judiciary's responsibility to invoke procedures that are necessary to protect the health and safety of the public under the existing circumstances,

IT IS ORDERED that the Temporary Emergency Order Regarding Proceedings Before the District Courts and Statutory County Courts of Midland County, Texas, Misc. Docket No. 20-01 is amended by this order as follows:

IT IS ORDERED that, excepting essential matters as set forth herein, all jury and non-jury in-person trial settings scheduled in the District Courts and County Courts at Law for the period March 16, 2020 through May 8, 2020 are VACATED and shall be rescheduled to a later date. The Courts may schedule essential matters for in-person proceedings or remote proceedings at the discretion of the Courts. Some non-essential matters may be scheduled for remote proceedings at the discretion of the Courts.

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

- (a) Arraignments (felony), guilty pleas, probation revocations, writs of habeas corpus, and bond requests involving defendants who are in custody;
- (b) Applications for the appointment of counsel submitted by indigent defendants who are in custody;
- (c) Applications for temporary restraining orders and temporary injunctions;
- (d) Applications for protective orders brought under the Texas Family Code or the Texas Code of Criminal Procedure;
- (e) Suits brought under Chapter 157, Texas Family Code, specifically writs of habeas corpus, writs of attachment for children, and enforcement actions in which a Respondent is incarcerated;

- (f) Summary judgment motions by submission;
- (g) Other applications for emergency relief;
- (h) Juvenile detention hearings; and
- (i) Any other hearing determined by a court to be necessary to the administration of justice.

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

During the period of this order, in order to protect the health and safety of court staff, the Courts have adopted a schedule of the courts that will be fully staffed on specified days in addition to and contact information for each court. If you have any questions or concerns regarding a specific case, please contact the court in which your case is pending.

All terms, orders and provisions set forth in any previously issued Temporary Emergency Orders, except as expressly modified herein, shall remain in full force and effect.

This Order shall continue in force until May 8, 2020 or until further order of the Courts.

SIGNED April 3, 2020.



HON. DAVID W. LINDEMOOD
Local Administrative District Judge