

ORDER
DISTRICT JUDGES, HARRIS COUNTY, TEXAS

Harris County District Courts
Inclement Weather, Emergency, and
Public-Health Scheduling Procedures

Be it resolved that on March 12, 2020, the Board of Judges for the Harris County District Judges met and declared:

In an effort to balance constitutionally protected due-process rights during an emergency with public health and safety concerns of the citizens of Harris County, the Harris County Board of District Judges have established the following procedures for conducting court business as a result of inclement weather, emergencies, or other public-health concerns:

- (1) If the County Judge of Harris County announces that County buildings will be closed, the District Courts will remain closed until the County Judge announces the reopening of the buildings. Essential court matters will be re-scheduled or held at approved alternate locations. Check with your specific Court for more information on time and location.
- (2) If Houston Independent School District cancels classes, then all non-essential matters, in the District Courts will be cancelled on the days classes are cancelled. Should the HISD closure last more than seven (7) days, the District Courts will communicate an alternate schedule on www.justex.net. An individual District Court may opt out of this portion of the protocol by providing the Court Administrator with written notice of the Court's decision.
 - a. Courts that decide to proceed with scheduled court matters must contact all parties and inform them that the scheduled proceedings will continue.
 - b. If a court decides to proceed with scheduled court matters, it must also provide the Court Administrator with that information.
 - c. The Court Administrator or his designee will post court closures and schedules on www.justex.net.
 - d. Essential court matters will go forward as scheduled unless the parties receive notice from the assigned individual court.
- (3) If the district courts invoke these Inclement Weather, Emergency, and Public Health Scheduling Procedure, then all non-essential court matters

will be continued and re-scheduled. Essential court matters will go forward as scheduled.

- (4) During times of inclement-weather emergencies or public concern, all litigants are encouraged to:
- a. Submit contested motions on a submission docket where available; or
 - b. contact the assigned individual court to determine if telephone or video conferencing is an available alternative to an in-person hearing.
- (5) **Jury Service:** In an effort to balance constitutionally protected due process rights during an emergency with public health and safety concerns, Harris County District Courts will prioritize jury trials. Jury trials will be prioritized based on constitutional and statutory requirements, as well as the need for essential trials as shown in Section (6). For guidance on your case, contact specific courts for further information.

If you have received a jury summons, please go to <https://www.hcdistrictclerk.com/> or call 713-755-6392 for more information regarding your particular day of service.

- (6) For purposes of these Procedures, the term “essential court matters” shall be determined by each court division—Criminal, Civil, Family, and Juvenile. By way of example “essential court matters” include the following:

In the Harris County **Civil District Court Division**, essential court matters include, but are not limited to, the following:

- Texas Health and Safety Chapter 81 proceedings;
- Chapter 33 hearings; and
- Temporary restraining orders, temporary injunctions, and other ancillary matters.

In the Harris County **Juvenile District Court Division**, essential court matters include, but are not limited to, the following:

Delinquency

- Detention Hearings;

- Grand Jury actions prior to respondent's 18th birthday;
- Writs of Habeas Corpus;
- Motion for Order of Emergency Protective Order; Matters with a jurisdictional deadline; and Probable Cause Findings.

CPS or Family Court Matters:

- Suits brought under Title 4 of the Texas Family Code;
- Suits brought under Chapter 33 of the Texas Family Code;
- Petitions for writs of habeas corpus brought under Chapter 157, Subchapter H;
- Suits filed by a governmental entity under Title 5 of the Texas Family Code;
- Hearings on motions to under Chapter 157 of the Texas Family Code if a respondent has been arrested and is in custody pursuant to a warrant or *capias*.
- Other matters with jurisdictional deadlines; and
- Other matters at the Court's discretion.

In the Harris County **Family District Court Division** (including IV-D courts and family project courts), essential court matters include, but are not limited to the following:

- Suits brought under Texas Family Code Title 4;
- Suits brought under Chapter 157, Subchapter H of the Texas Family Code;
- Suits filed by a governmental entity under TFC Title 5;
- Suits brought under Chapter 33 of the Texas Family Code;
- Enforcements under Chapter 157 of the Texas Family Code if a respondent has been arrested and is in custody pursuant to a warrant or *capias*;
- Other suits or hearings with jurisdictional deadlines; and
- Other matters that may be designated by the Court at its discretion.

In the Harris County **Criminal District Court Division**, essential court matters include but are not limited to the following:

- Determination of probable cause
- Setting of Bail
- Appointment of Counsel
- Pre-trial writs of habeas corpus
- Presentment of Motions for New Trial
- Grand Jury proceedings
- MOEPS and other Protective Orders
- Statutorily required deadlines;
- Chapter 33 hearings; and

- Other matters if a Court determines good cause exists.

For any questions regarding whether a matter is essential, please contact the assigned individual court.

This situation with COVID-19 is an emerging, rapidly evolving situation. These Procedures are subject to change if circumstances require. Additional procedures may also be added as needed. If your case presents specific concerns, please contact your individual court. Communication with the Court and court personnel are critical at this time. Court contact information can be found at www.justex.net. All attorneys and pro se parties should ensure that their contact information is up to date with both the Harris County District Clerk's office and the State Bar of Texas.

So ORDERED on this the 12th day of March, 2020:



Hon. Robert Schaffer
Harris County Local Administrative Judge