

**SECOND AMENDED
POTTER, RANDALL AND ARMSTRONG
OMNIBUS ORDER FOR CIVIL AND FAMILY LAW LITIGANTS
DATED APRIL 16, 2020**

The Governor has declared a state of emergency and the Office of Court Administration (OCA) has suggested that all non-essential court proceedings should be suspended. Current technology has greatly expanded the ability for courts to hear matters without the participants being actually present in the courtroom of a particular court. As a result the County Courts at Law and District Courts will continue to hear matters subject to each Court's determination concerning the necessity of the cause, with particular emphasis on essential proceedings, chiefly: CPS removal hearings, temporary restraining orders/requests for temporary hearings in family cases, juvenile detention hearings, family violence protective orders, and certain mental health proceedings. Additionally, the Supreme Court Emergency Order #7 issued a directive that all Courts are to enforce existing possession orders in family cases; therefore, the District and County Courts at Law will entertain as "essential matters" actions to enforce existing Orders in Suits Affecting the Parent Child Relationship regarding possession of children, including motions for contempt, requests by way of habeas corpus relief, make- up possession and other judicial remedies consistent with the stated Supreme Court Emergency Order ~~#7-set forth above~~. All hearings will be conducted on a "virtual" basis as described below unless specific authorization is obtained from the Court for in person presentation with notice to all parties, which will be granted only on rare occasions due to a particularized need.

PROCEDURES FOR LITIGANTS

All Courts intend to use Zoom video conferencing to conduct hearings. It is free to download at zoom.us or you can download the app directly to your cell phone, Ipad or tablet. If, and when, a hearing using the Zoom program is scheduled, you will be provided a meeting I.D. and password via email from the Court's Outlook calendar. Your computer must have internet access, a video camera and a functional microphone. IF YOU CAN ONLY PARTICIPATE VIA TELEPHONE YOU MUST INQUIRE WITH THE COURT THE DAY BEFORE THE HEARING TO FIND OUT IF IT WILL BE POSSIBLE TO DO SO FOR YOUR HEARING. If you have any doubt as to whether the Court has your email address, please send an email to the Court Coordinator for the Court holding your hearing.

If you intend to offer any exhibits during the hearing you must email the exhibits to all parties and to the Court Coordinator for the Court holding your hearing. All exhibits must be exchanged by no later than 2 pm the day before the hearing. With the exception of those documents required to be provided by the local rules in Family Law cases, the Court will not review any exhibits provided to the Court Coordinator until the exhibit has been offered and admitted in evidence. The subject of the email will list the full cause number and designate the documents as Petitioner (or Plaintiff), and Respondent (or Defendant), Intervener or other Party: Exhibit #1, 2, etc. The Court will not consider any exhibits which have not been emailed

to the Court Coordinator and all parties in a timely manner, absent good cause. The documents must be filed in .pdf format. Failure to follow these procedures will result in the exhibits being excluded from the record. IN FAMILY LAW CASES EACH PARTY IS ORDERED TO PROVIDE ALL DOCUMENTS REQUIRED BY THE LOCAL RULES INCLUDING FINANCIAL INFORMATION STATEMENTS, REQUIRED TAX RETURNS, PAY STUBS AND OTHER DESIGNATED DOCUMENTS IN ADVANCE OF THE HEARING.

The parties are ordered to email a copy of any responses or replies which are e-filed with the Clerk less than 48 hours prior to the hearing to the Court Coordinator, in addition to filing with the Clerk. E-mailing a copy of the document to the Court Coordinator shall NOT be considered filed, but must be filed with the clerk in order to be considered filed in the case. [Notice: Do not include the Court Coordinator or the Judge as a service contact when e-filing your documents!] Any case law a party wishes to have the Court consider need not be e-filed with the Clerk but should be emailed to the Court Coordinator the day before the hearing to allow consideration. Documents which have been e-filed and accepted need not be re-filed with the Clerk.

Child Protection Service Courts are not included in these rules and will issue their own particularized guidelines.

FOR THE PUBLIC

THE TEXAS CONSTITUTION ENSURES THAT ALL TEXAS COURTS WILL BE OPEN TO THE PUBLIC EXCEPT UNDER VERY LIMITED CIRCUMSTANCES. TO ACCOMMODATE VIEWING, ALL COURTS WILL PROVIDE ACCESS TO HEARINGS THROUGH THE YOUTUBE CHANNEL ESTABLISHED FOR EACH SPECIFIC COURT. ANY PERSON WHO DESIRES TO VIEW AN ONGOING HEARING MAY DO SO LIVE BY ACCESSING THE URL OF THE COURT HOLDING THE HEARING AT [YouTube Court Channel Directory](#) WHILE THE HEARING IS BEING CONDUCTED. THE YOUTUBE URL FOR EACH COURT IS ALSO AVAILABLE ON THE DISTRICT CLERK WEBSITE FOR EACH COUNTY.

THE HEARING WILL BE IMMEDIATELY AND PERMANENTLY REMOVED FROM THE COURT'S CHANNEL AT THE CONCLUSION OF THE HEARING. VIEWERS MAY NEITHER COMMENT NOR PARTICIPATE IN THE HEARING.

NO ONE OTHER THAN THE OFFICIAL COURT REPORTER MAY RECORD THE PROCEEDINGS. ANY VIEWER WHO RECORDS OR ATTEMPTS TO RECORD ANY COURT PROCEEDING WILL BE IN CONTEMPT OF COURT, AND WILL FACE THE POSSIBILITY UP TO SIX (6) MONTHS IMPRISONMENT, A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500), OR BOTH FINE AND IMPRISONMENT.

ENTERED THIS 14TH DAY OF APRIL, 2020.

DOUGLAS R. WOODBURN, LOCAL ADMINISTRATIVE JUDGE, POTTER COUNTY

DAN L. SCHAAP, LOCAL ADMINISTRATIVE JUDGE, ARMSTRONG COUNTY

JOHN B. BOARD, LOCAL ADMINISTRATIVE JUDGE, RANDALL COUNTY

R.WALTON WEAVER, COUNTY COURT AT LAW ADMINISTRATIVE JUDGE, POTTER COUNTY

JAMES ANDRSON, COUNTY COURT AT LAW ADMINISTRATIVE JUDGE, RANDALL COUNTY