

ADMINISTRATIVE ORDER

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IN THE PROBATE COURT

§

2020-1

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OF

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HIDALGO COUNTY, TEXAS

**ORDER REGARDING CHANGES IN COURT PROCEEDINGS
IN RESPONSE TO COVID-19 EMERGENCY**

On this date, the Hidalgo County Probate Court enters this order regarding the change in court proceedings in response to the COVID-19 emergency.

The Court finds that temporary changes are necessary in its handling of court proceedings in an effort to comply with the recommendations of the Office of Court Administration (“OCA”) as well as disaster and emergency declarations issued by Governor Greg Abbott and Hidalgo County. The Court further finds that the safety and well-being of attorneys, clients, court and clerk staff, and the public is of paramount importance to the Court. The Court finds that it is in the best interest of public safety that the following changes to the handling of court proceedings are implemented until further notice in an attempt to minimize the risk of exposure to COVID-19:

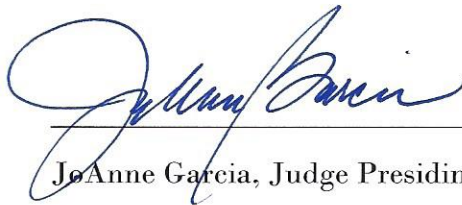
1. If a lawyer or witness is sick, please do not come to the Court. Please contact the Court to reschedule the hearing unless the hearing can be done telephonically.
2. In addition to the essential proceedings listed by OCA in its guidance - criminal magistration proceedings, CPS removal hearings, temporary restraining

orders/temporary injunctions, juvenile detention hearings, family violence protective orders, and mental health proceedings – the following proceedings are essential: temporary guardianships (when needed), temporary administrations, and creation of guardianships (not administration).

3. All jury trials scheduled through May 8, 2020 shall be continued until further notice.
4. All non-essential hearings scheduled through May 8, 2020 will be evaluated on a case-by-case basis for cancellation or alternative hearing (telephonic/video).
5. The rescheduling of cancelled hearings will not be considered for at least 30 days from the date of this order, and reset dates will not be given over the phone. Please file an appropriate order resetting hearing for faster processing by the Court.
6. The Court will continue its policy to accept Rules 11 agreements to pass hearings in cases with opposing counsel, and will accept requests to pass hearings in appropriate cases.
7. In order to reduce the number of people appearing in the courtroom, the Court will hold hearings telephonically whenever possible.
8. Applicant/movant/respondent is to appear at the office of respective counsel to phone-in to court for the scheduled telephonic hearing.
9. All testimony given in a telephonic hearing must be reduced to writing in affidavit form, such as a proof of death and other facts, and e-filed before the Court will consider any proposed order.
10. Any proposed order and exhibits to be utilized in a telephonic hearing must be filed at least 24 hours prior to the scheduled hearing.

11. For any in-person hearings, please limit the persons appearing to those who are required to be there. Please do not bring non-testifying family members or people who seek to appear for emotional support of a party or witness.
12. Required in-person attorney visitation of proposed patients in mental health proceedings will be suspended until further notice. Telephonic contact by counsel must be utilized.

Signed on March 17, 2020.



JoAnne Garcia, Judge Presiding