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Wood County District Court Policies and Procedures during COVID-19

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DONNA HUSTON-CLERK
DISTRICT COURT
WOOD COUNTY TEXAS

The Texas Supreme Court has responded to this public health crisis by authorizing district courts to make policies and modify certain rules and deadlines in the interest of justice and public safety. These policies are made pursuant to those Texas Supreme Court's COVID-19 Emergency Orders. Note that these policies are subject to change as the COVID-10 pandemic develops. The following orders are fluid due to the new daily challenges we face due to the pandemic and may be modified.

1. **No Docket Call** - There will be no docket calls.
2. **No in-person uncontested docket** – There will be no uncontested dockets. Agreements can be approved by submission with an appropriate affidavit.
3. **Agreements proved-up by affidavit or unsworn declaration**
 - a. The following matters may be proved-up by affidavit or unsworn declaration:
 - i. Agreed orders or mediated settlement agreements disposing of all issues and containing signatures of all parties; and
 - ii. Orders containing the signature of one or more parties, provided that the respondent(s) executed general waivers, waiving notice and participation in the suit.
 - b. Your affidavit, or unsworn declaration, must be attached to your proposed order or MSA as an exhibit.
4. **Essential Matters** – Defined as:
 - a. Suits brought under TFC Title 4 (protective orders and FV);
 - b. Suits brought under TFC Chapter 157, Subchapter H (Habeas Corpus and writs of attachment for children);
 - c. Suits filed under TFC Title 5 (CPS cases);
 - d. Suits brought under TFC Chapter 33 (judicial bypass);
 - e. Enforcements under TFC Chapter 157 if a respondent is in custody;
 - f. Other suits or hearings with jurisdictional deadlines;
 - g. Other matters that may be designated by the Court at its discretion.
 - h. Certain criminal matters to be determined on a case by case basis by the Court

5. **Submission Docket**

a. The courts will consider the following motions by written submission (i.e., no oral hearing. If the court believes that an oral hearing is needed, the court will contact the parties with further instruction. In the event the Court determines a hearing is necessary based on the submission, those cases will be set at the point in time when video conferencing is available and viable or will be set at a date subsequent to further instruction from the Supreme Court and CCA:

- i. Motions for Adoption Evaluation;
- ii. Motions for Alternate or Substituted Service;
- iii. Motions for Appointment of Attorney Ad Litem, Amicus Attorney, or Custody Evaluation;
- iv. Motion to Compel;
- v. Motions to Confer with a Child;
- vi. Motions to Consolidate;
- vii. Motions for Cost Deposit (private appointment);
- viii. Motions for Continuance;
- ix. Motions for Drug Testing;
- x. Motions to Enter;
- xi. Motions for Genetic Testing;
- xii. Motions for Judgment Nunc Pro Tunc;
- xiii. Motions for Reconsideration;
- xiv. Motions to Reinstate;
- xv. Motions for Summary Judgment (traditional or no-evidence)*; and
- xvi. Motions for Withdrawal/Substitution of Counsel.
- xvii. Pleas involving defendants incarcerated by order of the Sheriff of Wood County who will be placed on probation.

b. How to get a submission date:

- i. After filing your motion, contact the court coordinator for a submission date or use the court's e-filing system, if applicable.
- ii. The submission date shall never be less than the amount of time required by statute or rule and shall be at least 10 days from the date of filing, except on leave of court.

c. Notice of submission SHALL:

- i. Be served on all necessary parties at least 10 days before the submission date (unless a rule or statute requires more than 10 days' notice);
- ii. Provide notice to the responding party that:
 1. the motion will be heard by submission;
 2. no party may appear for the hearing in person; and

3. any response to the motion must be on file at least 3 days before the submission date, or longer if required by statute or rule.

d. Except on leave of court, any responses to the motion shall be filed at least three days before the submission date.

7. **Entry settings and motions to enter**


a. If the order has all signatures: File the proposed order before your entry date for the judge's signature.

b. If the order is missing signatures: a motion to enter must be filed and will be considered by submission (see #6, above). The motion to enter should contain your proposed order, signed by movant. The party objecting to the form of the order must timely respond by addressing each objection to the order in the body of the response and attach the objecting party's proposed order signed by that party.

8. **Contacting the Court**— Our clerks and coordinator are working remotely. Access to phones and voicemail is limited. The best method to contact clerks and coordinators is through email.

9. **Jury Trials**— There will be no jury trials set for any matters until further notice.

ORDERED this 2nd day of April, 2020.



Jeff Fletcher
District Judge
402nd Judicial District