

March 12, 2020

**DALLAS COUNTY FAMILY COURTS JOINT STATEMENT
REGARDING HEALTH AND SAFETY CONCERNS AND COURT SETTINGS**

The Dallas County Family Courts recognize the concern about a potential outbreak of coronavirus. The health and safety of attorneys, clients, the public, and those who work in the courthouses remain a paramount concern. In addition to following the orders of Dallas County related to civil matters as a whole and any guidance received from the Texas Supreme Court, the Dallas County Family Courts are doing their part to address these concerns in the following manner:

1. **If a lawyer or litigant is sick:** Lawyers or litigants who are sick, or think they are exposed to COVID-19, should contact the court coordinators via telephone to reschedule their hearings or trials.

2. **IMPORTANT Designation of Essential Family Court Matters:** Unless a case is designated below as an Essential Family Court Matter, all in-person hearings and trials will be continued until further notice. Essential Family Court Matters will proceed as usual, unless you have been notified otherwise by the Court in which the hearing is set.


3. **Essential Family Court Matters:** For the Family Courts (including IV-D courts, Legacy Court, and Permanency Court), Essential Family Court Matters include:
 - Suits brought under Texas Family Code Title 4 (protective orders and family violence);
 - Suits brought under TFC Chapter 157, Subchapter H (habeas corpus and writs of attachment for children);
 - Suits filed by a governmental entity under TFC Title 5 (CPS cases);
 - Suits brought under TFC Chapter 33 (judicial bypass);
 - Enforcements under TFC Chapter 157 if a respondent is in custody;
 - Other suits or hearings with jurisdictional deadlines; and
 - Other matters that may be designated by the Court at its discretion.

Any question regarding whether a matter is an Essential Family Court Matter should be addressed to the Court in which the case is pending.

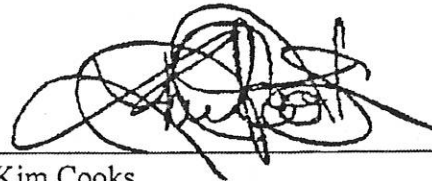
4. **Phones/Contacting the Courts:** The Courts should be contacted by phone or through email, not in person. Look on your court's website for up-to-date contact information. Phones will be set up to forward to offsite locations if necessary. If you have any questions, please send email the Court Coordinator and a response will be provided within twenty-four (24) hours.

5. **Submission Dockets:** Parties are encouraged to submit contested motions on a submission docket when allowed by the court. Check individual court rules for a list of matters that may be considered by submission.
6. **Agreed Orders:** Agreed orders shall be submitted to the Court by email to the Court Coordinator.
7. **Uncontested Matters/Prove-up Documents:** Beginning the date of this order, there will be no uncontested matters heard (including prove-ups), except if a specific court takes matters by submission.
8. Technology used to conduct hearings should be made widely available, to the extent possible. The Family Courts are developing a plan for electronic appearances to be rolled out as soon as possible.
9. The Family Courts may modify the protocol adopted for certain public health and safety concerns as circumstances warrant.

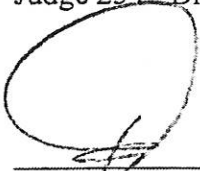
Signed _____ **MAR 12 2020**



Ashley Wysocki,
Judge 254th District Court



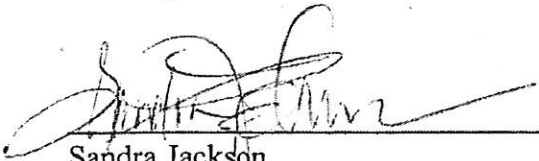
Kim Cooks
Judge 255th District Court



David Lopez,
Judge 256th District Court



Mary Brown
Judge 301st District Court



Sandra Jackson,
Judge 302nd District Court



Dennise Garcia
Judge 303rd District Court



Andrea Plumlee,
Judge 330th District Court

DALLAS COUNTY FAMILY DISTRICT COURT
EMERGENCY STANDING ORDER
(Issued March 17, 2020)

DALLAS COUNTY STANDING ORDER REGARDING POSSESSION SCHEDULE
DURING SCHOOL CLOSURES

This order is a standing order of the Dallas County Family District Courts that applies in every suit affecting the parent-child relationship filed in Dallas County. This includes any pending divorce case with children. Hereinafter "child" refers to a child or children the subject of a court order. IT IS ORDERED THAT:

For purposes of determining a person's right to possession and access to a child under a court-ordered possession schedule, the original published school schedule shall control in all instances. Possession and access shall not be affected by the school's closure that arises from an epidemic or pandemic, including but not limited to, what is commonly referred to as the COVID-19 pandemic. A person currently in possession of the child who is not entitled to possession of the child under the original published school schedule SHALL immediately return the child to the person entitled to possession under that schedule.

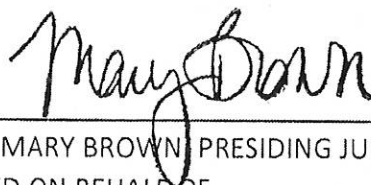
Example A: If a person had possession of the child for Spring Break, but the school has cancelled classes for the week following Spring Break, that person is NOT entitled to possession of the child. That person MUST return the child as if school had resumed following the Spring Break vacation as set out in the original published school schedule.

Example B: If a person has the right to possession of the child on Thursdays during the regular school term, that person is still entitled to that possession while the school is closed, until the regular school term ends, based on the original published school schedule.

Example C: In the event closures of school continue through summer, the parties shall follow the original published school schedule for the purposes of selecting and exercising their Extended Summer Possession.

WARNING TO PARTIES: FAILURE TO OBEY A COURT ORDER FOR POSSESSION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

SIGNED THIS THE 17TH DAY OF MARCH, 2020.



HON. MARY BROWN, PRESIDING JUDGE OF THE 301ST DISTRICT COURT
SIGNED ON BEHALF OF

HON. ASHLEY WYSOCKI, PRESIDING JUDGE OF THE 254TH DISTRICT COURT

HON. KIM COOKS, PRESIDING JUDGE OF THE 255TH DISTRICT COURT

HON. DAVID LOPEZ, PRESIDING JUDGE OF THE 256TH DISTRICT COURT

HON. SANDRA JACKSON, PRESIDING JUDGE OF THE 302ND DISTRICT COURT

HON. DENNISE GARCIA, PRESIDING JUDGE OF THE 303RD DISTRICT COURT

HON. ANDREA PLUMLEE, PRESIDING JUDGE OF THE 330TH DISTRICT COURT

Dallas County Family District Courts' Joint Statement
Re: Possession and Access During the March 22, 2020
Dallas County Amended Order to Stay Home, Stay Safe

For all Family Law cases in Dallas County:

1. Governor Abbott previously declared a state of disaster in all 254 counties in the State of Texas in response to the COVID-19 pandemic.
2. On March 22, 2020, County Judge Jenkins issued an "Amended Order of County Judge Clay Jenkins Stay Home Stay Safe". Hereinafter this order shall be referred to as the "Dallas County Shelter in Place Order."
3. For the purposes of the Dallas County Shelter in Place order, exchanges relating to the possession and access to children are considered "essential activities."
4. The Dallas County Shelter in place order, standing alone, does not modify current Orders regarding possession and access.
5. During the Covid-19 pandemic, other factors may exist that affect possession and access to a child, including:
 - a. The child's best interest;
 - b. A material and substantial change of the circumstances of the child, parent or conservator
 - c. The child's physical health;
 - d. The physical needs of the child;
 - e. The physical dangers to the child; and
 - f. The ability of the parents to care for the child.

IT IS ORDERED:

6. If a parent or conservator subject to a family court order has been diagnosed with, or has reason to believe they or have been exposed to the COVID-19 virus, that person SHALL notify the other parent of the diagnosis or exposure.
7. If a parent or conservator knows that a child has been diagnosed with or has reason to believe that a child has been exposed to COVID-19, that person SHALL notify the other parent or conservator of the diagnosis or exposure.
8. If a parent, conservator or child has been diagnosed with or if a parent or conservator has reason to believe that they or the child have been exposed to

COVID-19, the parents and/or conservators shall confer to discuss actions necessary to protect the child's safety and welfare.

9. Subject to the restrictions set forth in any Supreme Court of Texas, municipal, county, or state emergency order, nothing herein prevents parties from altering a possession schedule by agreement, if allowed by their court orders, or courts from modifying their orders.

10. Absent further court order, this Order is effective as of March 22, 2020, and expires upon the termination of the Dallas County Shelter in Place Order.

SIGNED THIS THE 23rd DAY OF MARCH, 2020

A handwritten signature in cursive script that reads "Mary Brown".

MARY BROWN, Presiding Judge of the 301st District Court
Signed on behalf of
Ashley Wysocki, Presiding Judge of the 254th District Court
Kim Cooks, Presiding Judge of the 255th District Court
David Lopez, Presiding Judge of the 256th District Court
Sandra Jackson, Presiding Judge of the 302nd District Court
Dennise Garcia, Presiding Judge of the 303rd District Court
Andrea Plumlee, Presiding Judge of the 330th District Court