

2020-3

ADMINISTRATIVE ORDER § **IN THE PROBATE COURTS**

2020-3 § **OF**

§ **DALLAS COUNTY, TEXAS**

**THIRD ADMINISTRATIVE ORDER MODIFYING PROBATE AND GUARDIANSHIP
PROCEDURES IN RESPONSE TO COVID-19**

On this day, the Dallas County Probate Courts find it necessary to issue a third administrative order modifying certain probate and guardianship procedures in an effort to ensure the promulgation of local rules of administration in accordance with orders of the Texas Supreme Court, the State of Texas and local governments.

The modified procedures are as follows:

Suspension of Requirement of Guardian to Conduct In-Person Monthly Visit

1. The requirement for a guardian to conduct an in-person monthly visit with the incapacitated person is suspended until further order of the court or 30 days after the end of the disaster declaration if the guardian cannot complete the visit due to the virus.
2. The guardian is authorized to attempt to conduct a visit with the incapacitated person through any technology applications that allow visual face-time communication or over the phone.
3. If the incapacitated person is not able to communicate, the guardian should obtain a status report from someone on the staff at the facility who has contact with the incapacitated person.
4. The guardian is required to document visits-or attempted visits- and file reports with the court regarding no-visitation measures taken at facilities where the incapacitated person resides. If the guardian receives written communication from the facility, the guardian should file a copy of the report with the court and maintain a copy for the guardian's records. The guardian shall comply with this requirement by filing the information with the annual report covering such visits and, if consistent with this order, the Court shall approve the guardian's action by approving the annual report.

Alternate Service for Guardianship Proceedings

1. In guardianship proceeding the constable or sheriff is authorized to accomplish personal service on an alleged incapacitated person or incapacitated person who is located in a facility that is prohibiting in-person visits by alternate methods, such as:

- a. By leaving a true copy of the citation, with a copy of the petition attached, with anyone over eighteen years of age at the facility who commits in advance to deliver the citation to the alleged incapacitated person or incapacitated person subject of the citation; or
 - b. By affixing the citation on the door to the entrance of the facility in which the alleged incapacitated person or incapacitated person is located.
2. The Attorney ad litem and/or Guardian ad litem who is/are appointed in a guardianship proceeding are allowed to accomplish their visits with the alleged incapacitated person or incapacitated person who is currently in a facility that is prohibiting in-person visits by using alternative methods of communication either through any technology applications that allows visual face-time communications or over the phone.

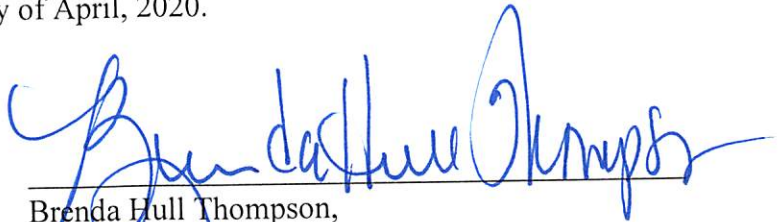
Electronic Filing of Bonds

A bond can be filed electronically with the Dallas County Clerk.

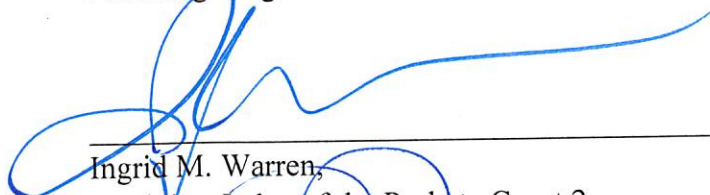
Prohibition Against Recording of Remote Court Proceedings

It is strictly prohibited for any individual other than the Official Court Reporter to record in any manner Probate Court proceedings, whether in the courtroom or via remote access, and whether by active participants or public viewers. Any violation of this Order may result in a finding of contempt of court.

SO ORDERED the 15th day of April, 2020.



Brenda Hull Thompson,
Presiding Judge of The Probate Court



Ingrid M. Warren,
Presiding Judge of the Probate Court 2



Margaret Jones-Johnson,
Presiding Judge of Probate Court 3