

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9042

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

Misc. Docket No. 20-007

FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

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ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. Subject only to constitutional limitations, all courts in Texas may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant's consent:

a. Modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than 30 days after the Governor's state of disaster has been lifted.

b. Allow or require anyone involved in any hearing, deposition, or other proceeding of any kind—including but not limited to a party, attorney, witness, or court reporter, but not including a juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means.

c. Consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means.

d. Conduct proceedings away from the court's usual location, but in the county of venue, and only with reasonable notice and access to the participants and the public.

e. Require every participant in a proceeding to alert the court if the participant has, or knows of another participant who has, COVID-19 or flu-like symptoms, or a fever, cough or sneezing.

f. Take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19.

3. All courts in Texas may extend the statute of limitations in any civil case for a stated period ending no later than 30 days after the Governor's state of disaster has been lifted.

4. This Order is effective as of March 13, 2020, and expires May 8, 2020, unless extended by the Chief Justice of the Supreme Court.

5. The Clerk of the Supreme Court is directed to:

a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

6. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

Dated: March 13, 2020

Nathan L. Hecht
Nathan L. Hecht, Chief Justice

Paul W. Green
Paul W. Green, Justice

Eva M. Guzman
Eva M. Guzman, Justice

Debra H. Lehmann
Debra H. Lehmann, Justice

Jeffrey S. Boyd
Jeffrey S. Boyd, Justice

John V. Devine
John V. Devine, Justice

James D. Blacklock
James D. Blacklock, Justice

Jason Busby
Jason Busby, Justice

James N. Bland
James N. Bland, Justice

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Sharon Keller
Sharon Keller, Presiding Judge

Michael Keasler
Michael Keasler, Judge

Barbara P. Hervey
Barbara P. Hervey, Judge

Bert Richardson
Bert Richardson, Judge

Kevin P. Yearly
Kevin P. Yearly, Judge

David Newell
David Newell, Judge

Mary Lou Keel
Mary Lou Keel, Judge

Scott Walker
Scott Walker, Judge

Michelle M. Slaughter
Michelle M. Slaughter, Judge

FILED
Marilyn Burgess
District Clerk

NOV 10 2020

Time: _____
By _____
Harris County, Texas
Deputy