

**FORT BEND COUNTY FAMILY COURTS
STANDING ORDERS
REVISED APRIL 23, 2020**

In response to the Texas Supreme Court's *Third Emergency Order Regarding the COVID-19 State of Disaster*, specifically the directive that "Courts must not conduct non-essential proceedings in person contrary to local, state, or national directives, whichever is most restrictive, regarding maximum group size," the 328th, 387th, and 505th District Courts issue the following standing orders applicable to all pending and newly filed cases. These orders are effective immediately and shall remain in effect until further order of the Court.

The Courts issue the following orders:

1. Please refer to each Court's webpage for procedures and guidelines on non-essential hearings.
2. The Court will determine whether any cases that are currently set are "essential" so that those cases may still be heard by the Court. "Essential" cases shall include the followings:
 - a. Protective Orders if an Ex Parte has been granted
 - b. CPS emergencies and CPS show cause hearings
 - c. Habeas Corpus and Writ of Attachment proceedings
 - d. Temporary Orders if extraordinary relief is granted based on the TRO request upon filing
 - e. Chapter 33 hearings
3. Prove-ups of Agreed Divorces, SAPCRs, and Name Changes may be submitted with supporting affidavit and signed orders approved as to form by all counsel and as to form and substance by all parties.

Requirements for Prove-Up of Agreements and Other Agreed Orders


Prove-ups of agreements and other agreed orders may be done by submission with sworn affidavits.

Agreed Orders include orders pertaining to temporary/ancillary issues as well as final orders for divorces, modifications, suits affecting the parent-child


relationship, name changes and enforcements as long as the enforcement order does not hold the Respondent in contempt.

- Agreed orders disposing of all issues **must** contain signatures of **all** parties/attorneys can be proven up by sworn affidavit. All signatures must be distinctive written signatures or DocuSign-style signatures. **Do not sign for a party by submission or sign “/s/ Typed Name”;**
 - The *Appearances* section of the order must indicate that the parties **did not appear in person** and that **the making of a record was waived**; and
 - The sworn affidavits must be attached to the proposed order as an exhibit and must include the same information solicited during a prove-up with the witness in the courtroom.
4. All new filings shall include standing Temporary Mutual Injunctions in the form promulgated by the Courts. The injunctions will be attached to all new filings by the District Clerk.

Signed this 23rd day of April, 2020.


Walter Armatys
Presiding Judge, 328th District Court


Brenda Mullinix
Presiding Judge, 387th District Court


David Perwin
Presiding Judge, 505th District Court



**FORT BEND COUNTY FAMILY COURTS
STANDING ORDERS**

In response to the Texas Supreme Court's *Third Emergency Order Regarding the COVID-19 State of Disaster*, specifically the directive that "Courts must not conduct non-essential proceedings in person contrary to local, state, or national directives, whichever is most restrictive, regarding maximum group size," the 328th, 387th, and 505th District Courts issue the following standing orders applicable to all pending and newly filed cases. These orders are effective immediately and shall remain in effect until May 11th, 2020, or until further order of the Court.

The Courts issue the following orders:

1. All non-essential cases that are currently set for hearing are being reset by the Court.
2. The Court will determine whether any cases that are currently set are "essential" so that those cases may still be heard by the Court. "Essential" cases shall include the followings:
 - a. Protective Orders if an Ex Parte has been granted
 - b. CPS emergencies and CPS show cause hearings
 - c. Habeas Corpus and Writ of Attachment proceedings
 - d. Temporary Orders if extraordinary relief is granted based on the TRO request upon filing
 - e. Chapter 33 hearings
3. Prove-ups of Agreed Divorces, SAPCRs, and Name Changes may be submitted with supporting affidavit and signed orders approved as to form by all counsel and as to form and substance by all parties.

Requirements for Prove-Up of Agreements and Other Agreed Orders

Prove-ups of agreements and other agreed orders may be done by submission with sworn affidavits.

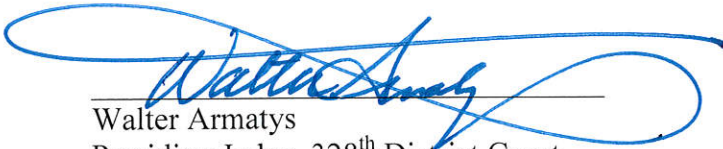
Agreed Orders include orders pertaining to temporary/ancillary issues as well as final orders for divorces, modifications, suits affecting the parent-child

relationship, name changes and enforcements as long as the enforcement order does not hold the Respondent in contempt.

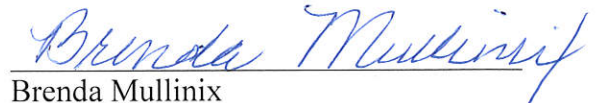
- Agreed orders disposing of all issues **must** contain signatures of **all** parties/attorneys can be proven up by sworn affidavit. All signatures must be distinctive written signatures or DocuSign-style signatures. **Do not sign for a party by submission or sign “/s/ Typed Name”;**
- The *Appearances* section of the order must indicate that the parties **did not appear in person** and that **the making of a record was waived**; and
- The sworn affidavits must be attached to the proposed order as an exhibit and must include the same information solicited during a prove-up with the witness in the courtroom.

4. All new filings shall include standing Temporary Mutual Injunctions in the form promulgated by the Courts. The injunctions will be attached to all new filings by the District Clerk.


Signed this 20th day of March, 2020.



Walter Armatys
Presiding Judge, 328th District Court



Brenda Mullinix
Presiding Judge, 387th District Court



David Perwin
Presiding Judge, 505th District Court

STANDING ORDER REGARDING TEMPORARY INUNCTIONS
FOR THE 328TH, 387TH AND 505TH DISTRICT COURT

This Order confirms the District Clerk of Fort Bend County shall attach the appropriate Standing Temporary Mutual Injunctions to every cause, under a separate tab, in which a divorce or suit affecting the parent child relationship is filed. The District Clerk of Fort Bend County shall also provide a copy of the appropriate Standing Temporary Mutual Injunctions with every request for citation as follows:

1. Petitions for Divorce with Children the clerk shall attach the Standing Temporary Mutual Injunctions attached to this Order as Exhibit "A";
2. Petitions for Divorce with no Children the clerk shall attach the Standing Temporary Mutual Injunctions attached to this Order as Exhibit "B"; and
3. Petitions containing a Suit Affecting the Parent Child Relationship the clerk shall attach the Standing Temporary Mutual Injunctions attached to this Order as Exhibit "C".

Signed and entered this 19th day of March, 2020..


Judge Brenda G. Mullinix

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

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

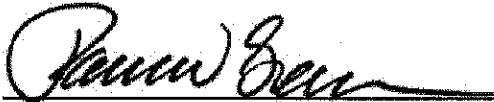
c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

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

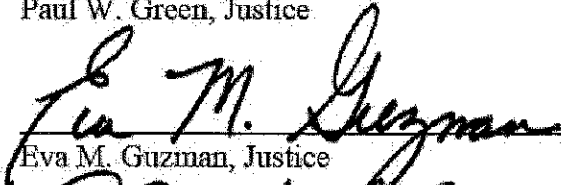
Dated: March 13, 2020



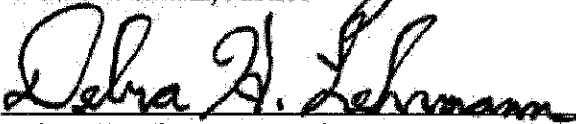
Nathan L. Hecht, Chief Justice



Paul W. Green, Justice



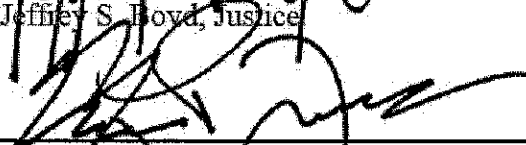
Eva M. Guzman, Justice



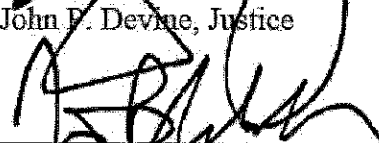
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



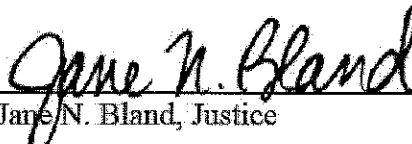
John F. Devine, Justice




James D. Blacklock, Justice





J. Brett Busby, Justice



Jane N. Bland, Justice


Sharon Keller, Presiding Judge

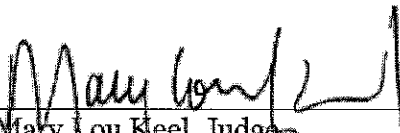

Michael Keasler, Judge

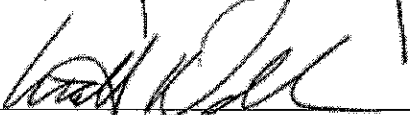

Barbara P. Hervey, Judge


Bert Richardson, Judge


Kevin P. Yeary, Judge


David Newell, Judge


Mary Lou Keel, Judge


Scott Walker, Judge


Michelle M. Slaughter, Judge

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9043

SECOND EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

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. This order applies to and clarifies possession schedules in Suits Affecting the Parent–Child Relationship. For purposes of determining a person’s right to possession of 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 what is commonly referred to as the COVID-19 pandemic.

3. Nothing herein prevents parties from altering a possession schedule by agreement if allowed by their court order(s), or courts from modifying their orders.

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.

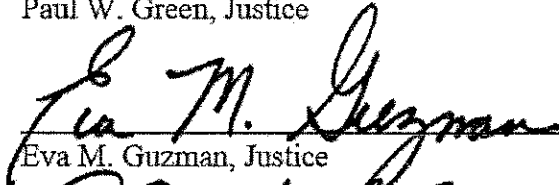
Dated: March 17, 2020



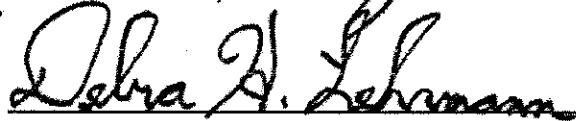
Nathan L. Hecht, Chief Justice



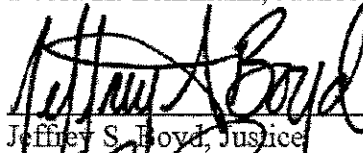
Paul W. Green, Justice



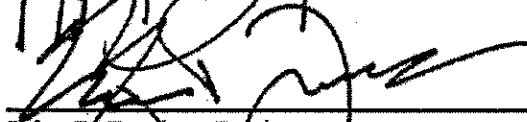
Eva M. Guzman, Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



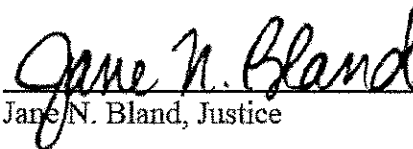
John F. Devine, Justice



James D. Blacklock, Justice



J. Brent Busby, Justice



Jane N. Bland, Justice

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9044

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

Misc. Docket No. 20-008

THIRD EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

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. With respect to the First Emergency Order Regarding the COVID-19 State of Disaster issued March 13, 2020:
 - a. Paragraph 2(d) is amended as follows: Conduct proceedings away from the court's usual location with reasonable notice and access to the participants and the public;
 - b. Only to clarify, Paragraph 2(a) of the Order applies to all proceedings under Subtitle E, Title 5, of the Family Code, and specifically, to the deadlines in Section 263.401, which may or must be modified or suspended, as clearly stated in the Order, to avoid the risks of disaster and still protect the interests of all involved in these difficult circumstances.
3. Courts must not conduct non-essential proceedings in person contrary to local, state, or national directives, whichever is most restrictive, regarding maximum group size.

4. This Order 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.

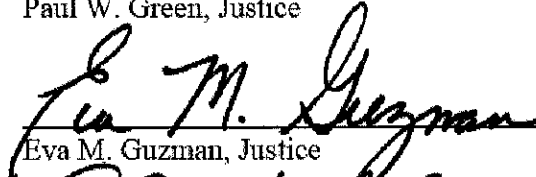
Dated: March 19, 2020



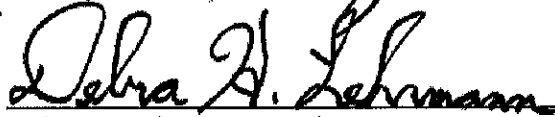
Nathan L. Hecht, Chief Justice



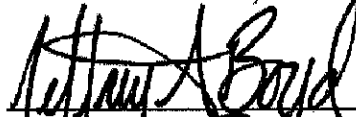
Paul W. Green, Justice



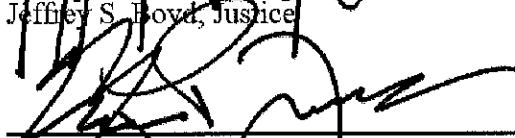
Eva M. Guzman, Justice



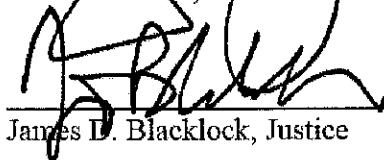
Debra H. Lehrmann, Justice



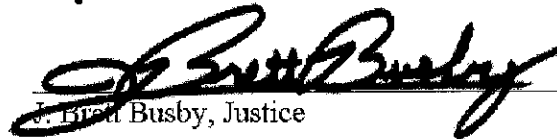
Jeffrey S. Boyd, Justice



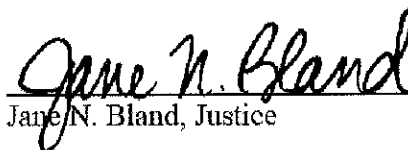
John P. Devine, Justice



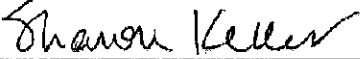
James D. Blacklock, Justice

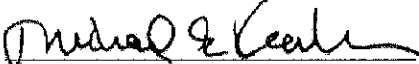


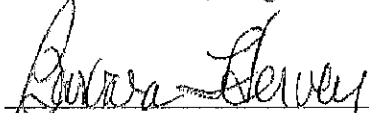
J. Brett Busby, Justice

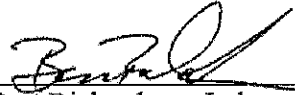


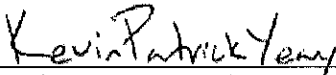
Jane N. Bland, Justice


Sharon Keller, Presiding Judge

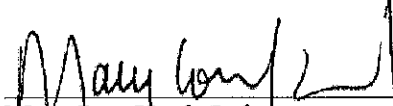

Michael Keasler, Judge



Barbara P. Hervey, Judge

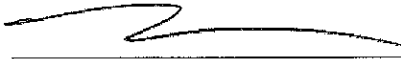

Bert Richardson, Judge


Kevin P. Yearly, Judge


David Newell, Judge


Mary Lou Keel, Judge


Scott Walker, Judge


Michelle M. Slaughter, Judge

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9050

SEVENTH EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

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. This Order supplements and does not replace or amend prior Emergency Orders Regarding the COVID-19 State of Disaster.

3. This order applies to and clarifies possession schedules in Suits Affecting the Parent-Child Relationship. For purposes of determining a person's right to possession of and access to a child under a court-ordered possession schedule, the existing trial court order shall control in all instances. Possession of and access to a child shall not be affected by any shelter-in-place order or other order restricting movement issued by a governmental entity that arises from an epidemic or pandemic, including what is commonly referred to as the COVID-19 pandemic.

4. Nothing herein prevents parties from altering a possession schedule by agreement if allowed by their court order(s), or courts from modifying their orders on an emergency basis or otherwise.

5. This Order is effective as of March 24, 2020, and expires May 8, 2020, unless extended by the Chief Justice of the Supreme Court.

6. 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.

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

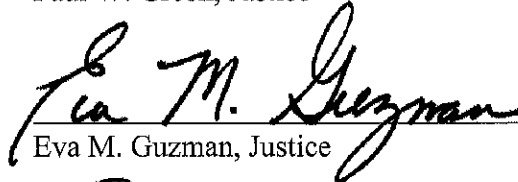
Dated: March 24, 2020



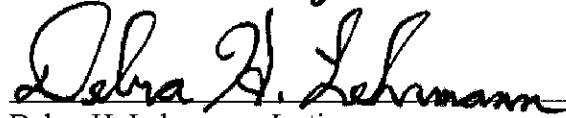
Nathan L. Hecht, Chief Justice



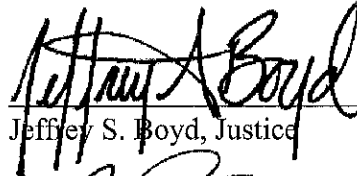
Paul W. Green, Justice



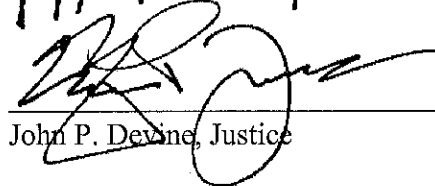
Eva M. Guzman, Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



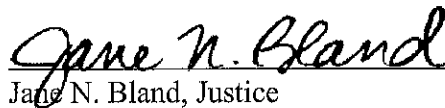
John P. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice