

423<sup>RD</sup> JUDICIAL DISTRICT COURT OF BASTROP COUNTY, TEXAS

**THIRD AMENDED  
COURT PROCEEDINGS PER TEXAS SUPREME COURT AND COURT OF CRIMINAL  
APPEALS FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF  
DISASTER**

This Court hereby adopts incorporates and amends all Emergency Orders for the 423<sup>rd</sup> District Court of Bastrop County, that were signed, entered and recorded on the 20<sup>th</sup> day of March, 2020, the 24<sup>th</sup> day of April, 2020, and the 20<sup>th</sup> day of May, 2020, and adopts and incorporates all of the **EMERGENCY ORDERS REGARDING THE COVID-19 STATE OF DISASTER** as handed down by the Supreme Court of Texas into this ORDER and the **Re-Certified COVID-19 OPERATING PLAN for the Bastrop County Judiciary (dated December 31<sup>st</sup>, 2020)**. Pursuant to said ORDERS, this Court does hereby ORDER the following for all cases heard by the 423<sup>rd</sup> Judicial District Court of Bastrop County, Texas:

- (1) This Court's Order of March 16<sup>th</sup>, 2020, concerning procedures per the first emergency order is void. This Order amends this Court's Orders that were signed, entered and recorded on the 20<sup>th</sup> day of March, 2020, the 24<sup>th</sup> day of April, 2020, and the 20<sup>th</sup> day of May, 2020.
- (2) JURY TRIALS: All jury trials that had been previously scheduled before the 423<sup>rd</sup> District Court for the weeks beginning March 29<sup>th</sup>, 2021, April 19<sup>th</sup>, 2021, and May 24<sup>th</sup>, 2021, are hereby cancelled and will be rescheduled. The 423<sup>rd</sup> District Court will not conduct a jury prior to the week of June 21<sup>st</sup>, 2021.
- (3) ALL NON-JURY TRIAL HEARINGS AND TRIALS:
  - a. All hearings and trials conducted by the 423<sup>rd</sup> District Court will conducted according to the **Re-Certified COVID-19 OPERATING PLAN for the Bastrop County Judiciary (dated December 31<sup>st</sup>, 2020)**;
  - b. The 423<sup>rd</sup> District Court will determine, on a case-by-case basis, which hearings need to be conducted in person and which hearings can be heard remotely through the ZOOM program;
  - c. **EVERYONE (the Court, Court staff, Bastrop County employees, attorneys, litigants, witnesses and members of the public, etc.) MUST have some type of mask or facial covering when entering the courtroom when the 423<sup>rd</sup> District Court is in session and everyone will attempt, to the best of their ability, to maintain a safe social distance from others.**
  - d. Attorneys and/or litigants must contact the 423<sup>rd</sup> District Court [512-581-4037] to arrange a date and time for an in-person public hearing for any type of proceeding;
  - e. All telephonic appearances by attorneys, witnesses and/or parties must be previously set up by the attorney and/or party in advance of the hearing and receive prior approval by the Court;

Revised March 29<sup>th</sup>, 2021

Filed 1144a m

MAR 29 2021

Sarah Loucks  
District Clerk, Bastrop County

- f. The 423<sup>rd</sup> District Court will provide the Zoom ID for attorneys, litigants and witnesses if a hearing is going to be through the Zoom program;
- g. Any attorney, litigant or witness that does not have access to the Zoom Program and/or Wi-Fi may appear in Court in person for a set hearing;
- h. All remote hearings will be broadcast live over YouTube. The YouTube channel is "423<sup>rd</sup> District Court – Christopher Duggan."
- i. All exhibits for remote hearings through the Zoom program will need to be either mailed or hand delivered to the District Clerk's office at least 2 days prior to the hearing. Each party will be required at the hearing to either stipulate to admissibility of each document or respond to the court with the reasons for objection to any document. At the beginning of the hearing, the court will admit into evidence each exhibit stipulated by the parties and reserve ruling on contested exhibits. At the same time that exhibits are due, each party must submit a proposed disposition of issues and sworn inventories (financial statements) for all family cases pursuant to the adopted Local Rules for District Courts (filed on June 18<sup>th</sup>, 2014).
- j. Continuances – the 423<sup>rd</sup> District Court will be very lenient with the granting of any continuances should they be requested by any party and/or by their attorney; Requests for continuances may be made in accordance with the Texas Rules of Civil Procedure, electronically, and/or telephonically;

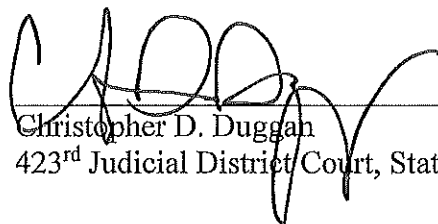
(4) All hearings and trials will be cancelled and rescheduled **should** the Bastrop County Judge decide at some point to totally close the Bastrop County Courthouse. Habeas Corpus proceedings and other emergency matters will be handled as the 423<sup>rd</sup> District Court directs in the event that the Bastrop County Courthouse is closed.

(5) This Order contains the minimum health protocols for the 423<sup>rd</sup> District Court and this Court reserves the right to add, modify and/or waive any part of this Order at any time and modify this Order on a case by case basis.

**THIS ORDER SHALL BECOME EFFECTIVE IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL FURTHER ORDER OF THIS COURT.**

**IT IS SO ORDERED.**

SIGNED and ENTERED this 29<sup>th</sup> day of March, 2021.

  
\_\_\_\_\_  
Christopher D. Duggan  
423<sup>rd</sup> Judicial District Court, State of Texas