

APR 24 2020

423RD JUDICIAL DISTRICT COURT OF BASTROP COUNTY, TEXAS Sarah Loucks
District Clerk, Bastrop County

**FIRST 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 the Emergency Order for the 423rd District Court of Bastrop County, that was signed, entered and recorded on the 20th day of March, 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. Pursuant to said ORDERS, this Court does hereby ORDER the following for all cases heard by the 423rd Judicial District Court of Bastrop County, Texas:

- (1) This Court's Order of March 16th, 2020, concerning procedures per the first emergency order is void.
- (2) This Order amends this Court's Order that was signed, entered and recorded on the 20th day of March, 2020.
- (3) JURY TRIALS: All jury trials that had been previously scheduled before the 423rd District Court for the weeks beginning March 23rd, 2020, April 20th, 2020, and May 18th, 2020 are hereby cancelled and will be rescheduled.
- (4) ALL NON-JURY TRIAL HEARINGS AND TRIALS:
 - a. The 423rd District Court will not conduct non-essential proceedings in person until further notice;
 - b. Attorneys and/or litigants must contact the 423rd District Court [512-581-4037] to arrange a date and time for an in-person public hearing for an essential proceeding;
 - c. Procedure for essential hearings that do not require the parties to be present:
 - i. Attorneys and/or litigants must contact the 423rd District Court [512-581-4037] to arrange a time and place for an hearing for an essential proceeding;
 - ii. 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;
 - iii. Attorneys and/or litigants must deliver to the Court paper copies of the pleading on the matter to be heard;
 - iv. All hearings will be conducted by the Zoom Program and the Court will provide the Zoom ID for attorneys, litigants and witnesses;
 - v. 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;
- vi. All hearings will be broadcast live over YouTube. The YouTube channel is "423rd District Court – Christopher Duggan."
 - vii. All exhibits will need to be marked as exhibits with an exhibits list and presented to the court reporter at least 2 working days before the hearing with a copy of the exhibits and list to opposing counsel. 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.
 - viii. All exhibits will need to be either mailed or hand delivered to the District Clerk's office at least 2 days prior to the hearing.
- d. Continuances – the 423rd 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;
 - e. Criminal Cases: All criminal cases set before the 423rd District Court on April 15, 2020, and May 4th, 2020, will be reset to a future court date except as permitted by the Court. The 423rd District Court will have a criminal docket on June 8th, 2020 at 9:00 a.m. if permitted by national, state and local orders and guidelines.

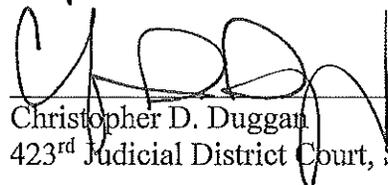
(5) All hearings and trials will be cancelled and rescheduled should the Bastrop County Judge decide at some point to totally close the Bastrop County Courthouse. Habeas Corpus proceedings and other emergency matters will be handled as the 423rd District Court directs in the event that the Bastrop County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

The 423rd District Court reserves the right to waive and/or modify 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 24th day of April, 2020.


 Christopher D. Duggan
 423rd Judicial District Court, State of Texas