

**79<sup>TH</sup> JUDICIAL DISTRICT COURT SITTING IN BROOKS COUNTY, TEXAS  
GENERAL STANDING ORDERS FOR VISITATION IN ALL TEXAS DEPARTMENT  
OF FAMILY AND PROTECTIVE SERVICES CASES REGARDING COVID-19 STATE  
OF EMERGENCY**

These General Standing Orders apply to every case involving the Texas Department of Family and Protective Services (TDFPS) now pending in either the 79<sup>th</sup> Judicial District Court sitting in Brooks County, Texas. These General Standing Orders supplement the 79<sup>th</sup> Judicial District Court Standing Orders of January 6, 2020 and are effective immediately.

Having considered the current situation with Coronavirus (COVID-19), Governor Abbott's declaration of state of disaster for all Texas counties on March 13, 2020, and the Supreme Court of Texas and the Court of Criminal Appeals of Texas' First Emergency Order Regarding the COVID-19 State of Disaster, requiring measures to help mitigate the spread of COVID-19 to protect the health and welfare of all, the Court FINDS that good cause exists for the entry of this Order. The Court enters this order on its own initiative and has taken into consideration the best interest of the child or children whose lives may be affected by its terms, the rights of the parent or parents, the importance of having parent-child visitations, the publicly-funded nature of this special statutory litigation, and the need for the effective and efficient administration of justice, among other things.

IT IS ORDERED that all previously ordered in-person parent-child visitations are HEREBY SUSPENDED in an effort to contain the spread of the coronavirus (COVID-19) and to protect all parties, caseworkers, and caregivers. Any violations for the lack of compliance with previously ordered in-person parent-child visitations shall be waived by the Court while this order is in effect.

AT 11:30 FILED O'CLOCK 8 M  
JUN 17 2020  
Lesvia Gonzales, Dist. Clerk, Brooks Co., TX  
*[Signature]*

AT 1:00 FILED O'CLOCK P M  
MAR 27 2020  
Lesvia Gonzales, Dist. Clerk, Brooks Co., TX  
BY *[Signature]* Deputy


IT IS FURTHER ORDERED that the Texas Department of Family and Protective Services (TDFPS) is to make arrangements with parents, caregivers, child placement agencies, and foster parents for telephonic and/or video communications (e.g. telephone, video, Skype, Duo, Facetime, etc.). This telephonic and/or video communication shall occur on the dates and times previously ordered for in-person visitation. The duration of the telephonic and/or video communication SHALL be limited to 20 minutes per sibling group in the home with each available parent. The parties may, by agreement increase or decrease the frequency and duration of these telephonic and/or video communications. Any necessary monitoring of these communications shall be done by the child's or children's caregiver or foster parent where they are placed.

IT IS FURTHER ORDERED that:

- (1) TDFPS is to provide a copy of this Standing Order to each parent either by regular mail, common carrier, email, text, or hand delivery,
- (2) TDFPS is to advise all children of the Standing Order,
- (3) TDFPS is to advise each parent, child, and CASA of their right to request an exception be made to this Order in the manner described below,
- (4) all parties are to take into consideration whether this halt of in-person visitation will adversely affect the behavioral and/or emotional level of the child in any way in determining whether or not to request an exception to this Order,
- (5) if an exception is requested by any party, then TDFPS is instructed to do the following:
  - a. First, staff this exception with TDFPS Caseworker, Program Director, CASA, parents, and parent's attorneys and confer in an effort to reach an alternative plan prior to an emergency hearing being requested, and
  - b. If no agreement is reached, then the attorney representing the party requesting the exception SHALL file a Motion for Emergency Hearing and contact the Court Coordinator via email at [districtcourt@co.jim-wells.tx.us](mailto:districtcourt@co.jim-wells.tx.us) of the request.
  - c. ALL MOTIONS FOR EMERGENCY TELEPHONIC HEARINGS SHALL CONTAIN A CERTIFICATE OF CONFERENCE CERTIFYING THAT THE MOVANT HAS ATTEMPTED, IN GOOD FAITH, TO RESOLVE THE ISSUE WITH ALL PARTIES TO NO AVAIL.

These orders shall remain in full force and effect until set aside.

SIGNED on the 24 day of March, 2020.



Hon. Richard C. Terrell  
Judge Presiding  
79<sup>th</sup> Judicial District Court

THIS STANDING ORDER IS HEREBY RESCINDED: 06/17/2020

