

ORIGINAL

**STANDING ORDER EXTENDING TEMPORARY ORDERS IN TDFPS CASES
PURSUANT TO SUPREME COURT EMERGENCY ORDERS**

FILED
Marilyn Burgess
District Clerk
Time: MAR 24 2020
Tarrant County, Texas

This Court finds that on March 13, 2020 Texas Governor Greg Abbott 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. On the same day the Texas Supreme Court in Miscellaneous Docket #20-007 issued a **FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER**. That Emergency Order grants "all courts in Texas" - "subject only to constitutional limitations" and "without a participant's consent" - "the authority to "modify or suspend any and all deadlines and procedures, whether prescribed by statutes, rule, or order, for a stated period ending no later than 30 days after the Governor's state of disaster has been lifted."

On March 19, 2020, the Texas Supreme Court issued a Third Emergency Order Regarding The COVID-19 State of Disaster and clarified that its First Order suspending or modifying all deadlines applied "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."

The Supreme Court's Emergency Orders recognized that the COVID-19 pandemic present exigent circumstances that justify vesting trial courts with discretion to modify or suspend deadlines or procedures, subject only to constitutional limitations.

The Court finds that there exists good cause for an extension of prior Temporary Orders or Emergency Orders naming the department as a child's temporary managing conservator. The Court finds that this order is necessary and appropriate under §105.001, Texas Family Code and Rule 680, Texas Rules of Civil Procedure, and the Supreme Court of Texas **EMERGENCY ORDERS REGARDING THE COVID-19 STATE OF DISASTER**.

The Court specifically finds that the extension of show cause hearings beyond the time period set for in Section 262.201(b) is necessary to avoid the serious public health risks while protecting the interests of all involved and ensuring for the safety and welfare of the child.

Therefore, IT IS ORDERED that the time limits set forth in Section 262.201 are suspended, and contested show cause hearings shall be reset for a time and a manner that allows all parties to

participate in manner in compliance with the Federal, State and local authorities' health restrictions, guidance and orders.

The Court ORDERS the continuation of the appointment of Texas Department of Protective and Regulatory Services as Temporary Managing Conservator of each child in each case pending before this Court, until the show cause is heard.

The Court ORDERED the Department to reset each show cause to the earliest practicable date and time that allows all parties to participate in manner in compliance with the Federal, State and local authorities health restrictions, guidance and orders.

This Order is granted without notice as the child is in need of immediate protection. This Order shall be effective immediately and shall remain in full force and effect until further Orders are issued in this proceeding following the hearing scheduled above. No bond shall be required in connection with this Order.

MAR 24 2020

SIGNED _____



JUDGE PRESIDING