

REQUEST FOR SUBMISSION

MARCH 18, 2020

On March 13, 2020, the Texas Supreme Court issued its *First Emergency Order Regarding the COVID-19 State of Disaster*. The order allows Texas courts, for a period of time that ends on May 8, 2020, to consider as evidence sworn statements made out of court. **Therefore, effective immediately through May 8, 2020, the 257th District Court will allow prove-up by submission of sworn statements as follows:**

1. Title all requests: REQUEST FOR SUBMISSION.
2. Parties may prove up the following types of matters by submission of sworn testimony before a notary: waiver divorces; adult name changes; adult adoptions; agreed final orders; including those based upon mediated settlement agreements; enforcements; all other agreed orders on a case by case basis; and notice to withdraw.
3. EACH such sworn statement should establish the necessary elements of each provision of the order that is being proved up.
4. If the person making the sworn statement is not fluent in the English language, the sworn statement should be made in the language in which the person is fluent. Such a sworn statement should then be translated into English by a properly certified translator; and the sworn statement should be filed along with the English translation and the certificate of translation.
5. The sworn statement should be accompanied by the respective order being proved up.
6. An agreed order proved up by submission in the manner must include the signatures of all parties and respective counsel. Do not sign for the party by permission.
7. All requests should be E-filed, and the court will review within 14 days.

As the COVID-19 situation continues to change, the 257th District Court may make additional modifications of its procedures. In particular, we are hoping to have the ability to take testimony by videoconferencing in the near future, so the court may then be able to hear contested matters without in-person testimony being given.

Best Regards,



Sandra Peake
Presiding Judge
257th Family District Court

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