



**IN THE COUNTY COURTS AT LAW OF DALLAS
COUNTY**

**EMERGENCY ORDER REGARDING THE
COVID-19 STATE OF DISASTER**

WHEREAS, The World Health Organization has declared that the outbreak of the Novel coronavirus, COVID-19, has now become a global pandemic; and

WHEREAS, The State of Texas through Governor Greg Abbott has 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; and,

WHEREAS, The Supreme Court of Texas and the Court of Criminal Appeals of Texas have issued an order that all courts in Texas, *subject only to constitutional limitations*, may in any case civil or criminal-- *and must* avoid risk to court staff, parties, attorneys, jurors, and the public; and,

WHEREAS, The Texas Office of Court Administration has recommended that courts postpone all “non-essential” cases; and,

WHEREAS, Dallas County Judge Clay Jenkins has declared a public health emergency; and,

WHEREAS, The Dallas County, County Courts at Law recognize the gravity of the current pandemic and share the public’s concerns about the spread of the Novel Coronavirus (Covid-19); and,

WHEREAS, The health and safety of attorneys, clients, the public, and those who work in the courthouses is of paramount concern, and the Dallas County, County Courts at Law have determined that adopting a protocol in light of the current public health emergency is appropriate;

NOW THEREFORE, IT IS HEREBY ORDERED:

That in comportment with the Supreme Court Miscellaneous Docket Order No. 20-007 and Supreme Court Miscellaneous Docket Order No. 20-9045 and any further pertinent orders of the Supreme Court the Dallas County Courts at Law, in addition to the general policies stated below, each hereby adopt the following tenets:

1. Essential matters.

The Dallas County, County Courts at Law have determined that the following types of matters are essential matters that may require an *in person hearing* as opposed to the matters listed in item Number 2 listed below.

TRO's/Injunctions, extraordinary writs, or other matters of significant import as presented in written motion to the court and as determined on an individual basis by each judge.

2. Justice of the Peace Court Appeals.

A. Eviction Cases

Pursuant to Supreme Court Miscellaneous Docket Order No. 20-9045 referencing authority provided to the Governor under Section 22.0035(b) of the Texas Government Code and in recognition of the moratorium on eviction cases adopted by the Justice of the Peace Courts as set in Exhibit "1" the Dallas County, County Courts at Law will suspend all hearings and trials as well as issuance of writs of possession in eviction appeal cases and hereby adopts the following procedures during the pendency of the Covid-19 pandemic and in accordance with the Orders of the Texas Supreme Court and Executive Orders of the Governor of the State of Texas:

1. In any action for eviction to recover possession of residential property under Chapter 24 of the Texas Property Code and Rule 510 of the Texas Rules of Civil Procedure:

a. No trial, hearing, or other proceeding may be conducted, and all deadlines are tolled, until after April 19, 2020;

b. A writ of possession may issue, but the posting of the written warning required by § 24.0061(d)(1) of the Property Code and the execution of the writ of possession may not occur until after April 26, 2020, and the deadlines in Rules 510.8(d)(1)-(d)(2) are tolled while the Orders of the Texas Supreme Court remain in effect; and

c. New filings may be accepted, but the time period in Rule 510.4(a)(10) is suspended, and issuance and service of citation may not occur until after April 19, 2020.

2. A case covered by Paragraph 1 above may nevertheless proceed if, but only if:

a. The plaintiff files a “Sworn Complaint for Forcible Detainer for Threat to Person or For Cause”;

b. The court determines that the facts and grounds for eviction stated in the Complaint, under oath with personal knowledge, taken as true, show that the actions of the tenant, or the tenant's household members or guests, pose an imminent threat of (i) physical harm to the plaintiff, the plaintiff's employees, or other tenants, or (ii) criminal activity; and

c. The court signs an order stating procedures for the case to proceed.

2. Other Justice of the Peace Appeals

All other Justice of the Peace appeals will be handled as determined by each court pursuant to its discretion.

3. **General Policy**

Each County Court at Law shall, during the current Covid-19 public health crises, in its own discretion:

- a. Modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order, for a stated period ending no later than 30 days after the Governor's state of disaster has been lifted;
- b. Allow or require anyone involved in any hearing, deposition, or other proceeding of any kind—including but not limited to a party, attorney, witness, or court reporter, but not including a juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means;
- c. Consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means;
- d. Conduct proceedings away from the court's usual location, but in the county of venue, and only with reasonable notice and access to the participants and the public;
- e. Require every participant in a proceeding to alert the court if the participant has, or knows of another participant who has, COVID-19 or flu-like symptoms, or a fever, cough or sneezing;
- f. Take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19.

4. **Judicial Officer of the Day**

In an effort to reduce the potential for exposure of court personnel to infection during this pandemic, the Civil County Courts at law have adopted a Judicial Officer of the Day Rotation to deal with urgent essential matters should they arise during the absence of the presiding judge for each court.

Judicial Officer of Day Rotation for Dallas County Courts at Law¹

Judicial Officer	Court	Contact	
Judge D'Metria Benson	CCL No. 1	Coordinator: Seth Little	214-653-6581
		Chief Clerk: Tasha Hicks	214-653-7557
Judge Melissa Bellan	CCL No. 2	Laura Nutting	214-653-7356
		Chief Clerk: Michael Intharansy	214-653-7366
Judge Sally Montgomery	CCL No. 3	Stephanie Evans	214-653-6394
		Chief Clerk: Brandon Pettigrew	214-653-7595
Judge Paula Rosales	CCL No. 4	Coordinator: Cathy Moran	214-653-7345
		Chief Clerk: Kenetta Medford	214-653-7466
Judge Mark Greenberg	CCL No. 5	Sandra Humphrey	214-653-6503
		Chief Clerk: Terrence Washington	214-653-6441

¹ In the event that the officer of the day is not available, a backup judge is assigned for each court and the information will be provided on an as needed basis.

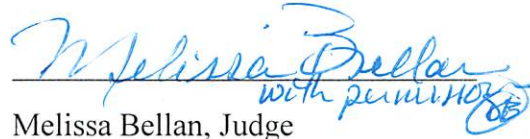
This Order shall remain in effect until 30 days after the expiration Supreme Court Miscellaneous Docket Order No. 20-007, Supreme Court Miscellaneous Docket Order No. 20-9045 and any/all extensions to the same.

Signed this 20th day of March, 2020.



D'Metria Benson, Judge

Dallas County Court at Law No. 1



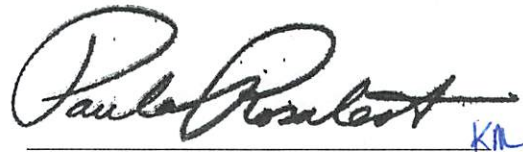
Melissa Bellan, Judge

Dallas County Court at Law No. 2



Sally Montgomery, Judge

Dallas County Court at Law No. 3



Paula M. Rosales, Judge

Dallas County Court at Law No. 4



Mark Greenberg, Judge

Dallas County Court at Law No. 5

EXHIBIT “1”

IN THE JUSTICE OF THE PEACE COURTS,
DALLAS COUNTY, TEXAS


ORDER REGARDING EVICTION COURT PROCEEDINGS
UNDER THE COVID-19 STATE OF EMERGENCY

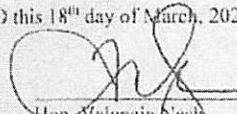
The World Health Organization has declared that the outbreak of the novel coronavirus, COVID-19, has now become a global pandemic. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. The Supreme Court of Texas and the Court of Criminal Appeals of Texas have issued an order that all courts in Texas, subject only to constitutional limitations, must avoid risk to court staff, parties, attorneys, jurors, and the public. Dallas County Judge Clay Jenkins has declared a public health emergency. The Texas Office of Court Administration and the Texas Justice Court Training Center have recommended that courts postpone all "non-essential" cases. Dallas County Department of Health and Human Services, the Health Authority for Dallas County, recommends courts take action to prevent the spread of coronavirus in Dallas County by postponing all cases that pose a risk to the public health, such as cases displacing individuals from their homes.

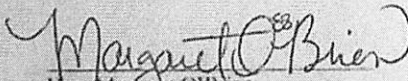
THEREFORE, given the severity of the risk of the spread of COVID-19, and taking into consideration matters of public health, the Justice of the Peace Courts hereby ORDER:

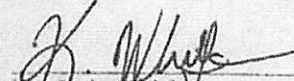
1. All currently filed and pending eviction cases are postponed and continued for at least 60 days from the date of this order;
2. Any eviction case filed during the 60 days following the date of this order shall not be set for trial until the expiration of at least 60 days from the date of this order;
3. All Writs of Possession currently pending shall not be enforced by any means for at least 60 days from the date of this order; and
4. No Writ of Possession shall issue for any eviction case for 60 days from the date of this order.

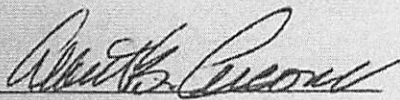
SIGNED, ENTERED, AND ORDERED this 18th day of March, 2020.

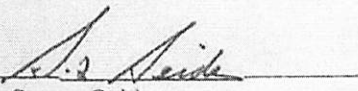

Hon. Thomas G. Jones
Justice of the Peace, Precinct 1, Place 1
Dallas County, Texas



Hon. Valencia Nash
Justice of the Peace, Precinct 1, Place 2
Dallas County, Texas



Hon. Margaret O'Brien
Justice of the Peace, Precinct 2, Place 1
Dallas County, Texas

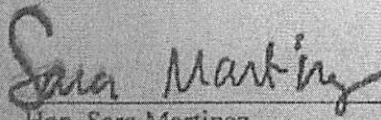

Hon. Katina Whittier
Justice of the Peace, Precinct 2, Place 2
Dallas County, Texas

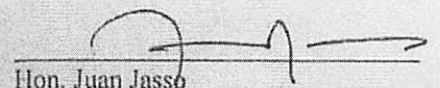

Hon. Al Cercone
Justice of the Peace, Precinct 3, Place 1
Dallas County, Texas


Hon. Steven Seider
Justice of the Peace, Precinct 3, Place 2
Dallas County, Texas


Hon. Michael Jones, Jr.
Justice of the Peace, Precinct 4, Place 1
Dallas County, Texas


Hon. Sasha Moreno
Justice of the Peace, Precinct 4, Place 2
Dallas County, Texas


Hon. Sara Martinez
Justice of the Peace, Precinct 5, Place 1
Dallas County, Texas


Hon. Juan Jasso
Justice of the Peace, Precinct 5, Place 2
Dallas County, Texas