



HONORABLE LISA M. ANDREWS  
ASSOCIATE JUDGE, CHILD PROTECTION COURT  
10<sup>TH</sup> ADMINISTRATIVE JUDICIAL REGION  
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**NORTHEAST TEXAS CHILD PROTECTION COURT #1:**  
**TEMPORARY PLAN OF ACTION**  
**DURING MARCH 16, 2020 UNTIL APRIL 1, 2020**

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 global pandemic.

The Texas Supreme Court and the Court of Criminal Appeals has also issued an emergency order responding to this same threat pursuant to Section 22.0035(b) of the Texas Government Code. See Tex. S. Ct. and Tex. Ct. of Crim. App, *First Emergency Order Regarding the COVID-19 State of Disaster* Misc. Docket No. 20-007 (hereinafter S. Ct. Order). This order urges individual Courts to take several steps to limit the spread of the virus and to “Take any other reasonable action to avoid exposing court proceedings to the threat of COVID-1.” S. Ct. Order 2(f). Pursuant to that section, this Court issues the following Plan of Action.

**Agreed Matters:**

All cases may have pending matters resolved by submitting an Agreed Order with signatures of each Party or their legal representative. Additionally, Parties may enter Rule 11 agreements with each other as provided by the Texas Rules of Civil Procedure.

Hearings, Mediations, and Court-ordered Family Group Conferences to be rescheduled after April 1, 2020:

NOTICE shall be given by Court through an Order Resetting Hearing as to which case shall be reset to all attorneys via email.

NOTICE to Respondent Parents shall be given by respective attorneys and CPS Caseworker by providing them with their respective Order Resetting Hearing. NOTICE to all parties of rescheduled mediations and Family Group Conferences is to be provided by the Department.

- 1) All Permanency/Status Hearings will be moved to a date later than April 1, 2020.
- 2) Non-Emergency Removal Hearings will be moved to a date later than April 1, 2020. However, in the event a Non-Emergency Removal becomes an urgent issue then CPS MUST ENSURE that an EMERGENCY REMOVAL is filed immediately.
- 3) Trials on cases with dismissal dates after April 1, 2020.
- 4) Mediations and Family Group Conferences previously ordered by this Court and scheduled prior to April 1, 2020 are to be rescheduled for a date following April 1, 2020.

They may proceed telephonically if all parties agree and telephonic participation can be arranged.

**Hearings that will be heard telephonically via conference call:**

NOTICE shall be given by Court through an Order for Telephonic Hearing (a phone number and code to call in will be included in this Order as to which case shall be heard in this manner to all attorneys via email.

NOTICE to Respondent Parents of the Order for Telephonic Hearing shall also be given by respective attorneys and their respective CPS Caseworkers advising them of the hearing.

- 1) Adversary Hearing on emergency removals which do not yet have service and would require an Order Extending shall be heard telephonically and new date will be given..
- 2) Adversary Hearings on emergency removals in which all attorneys and parties have conferred prior to court and agreed to an Agreed Order Extending Emergency Orders shall be heard telephonically and new date will be given.
- 3) Adversary Hearings on Emergency Removals in which all attorneys and parties have conferred prior to court and agreed to Agreed Temporary Orders shall be heard telephonically.
- 4) Adversary Hearings on Emergency Removals which cannot be extended or are contested will be heard telephonically and will be convened and reconvened at a date later than April 1, 2020.
- 5) Permanency Hearings After Final Orders are to be heard telephonically.

**Hearings that are to be heard in Person:**

- 6) Trials on the Merits which have a dismissal date prior to April 1, 2020 and are contested will be heard in person.

The Court ORDERS that anyone diagnosed with COVID-19, exposed to someone know to or suspected of having COVID-19, who has flu like symptoms, a fever, **OR** who are coughing or sneezing, to contact the court before appearing in-person.

The Court further ORDERS Attorneys and supervisors to warn their clients, witnesses, or others having symptoms or who have been exposed to someone know to or suspected of being exposed to COVID to alert the court in advance before appearing. To the extent possible, we will make accommodations including telephonic participation as necessary.

Professionalism, collegiality, and cooperation among counsel are essential to the orderly functioning of a justice system. This is especially the case in trying times. The Court fully expects all officers of the Court to conduct themselves in the coming days in this spirit. See The Texas Lawyers Creed (<https://www.legalethicstexas.com/Downloads/Texas-Lawyers-Creed/Signed-Version-of-Texas-Lawyers-Creed>).

The Court solicits any serious suggestions from the bar and any other interested parties as to how this Plan of Action can be amended to best “obtain a just, fair, equitable and impartial adjudication of the rights of litigants under established principles of substantive law.” Tex R. Civ. Pro. 1.

The CDC has described the outbreak in the United States as a “rapidly evolving situation” and is continuously providing updated guidance as to the appropriate community response to COVID-19 as conditions worsen. Therefore, it is possible that other orders may be forthcoming from the Texas Supreme Court or other courts, including this one. Please be attentive to any such orders.

Signed March 16, 2020.

A handwritten signature in black ink that reads "Lisa M. Andrews". The signature is written in a cursive, flowing style.

Lisa M. Andrews  
Associate Judge