

CAUSE NO.
**(ALL CHILD WELFARE CAUSES BEFORE THE CHILD PROTECTION COURT
OF THE RIO GRANDE WEST – HIDALGO AND STARR COUNTIES)**

IN RE: TEXAS DEPARTMENT OF § IN THE CHILD PROTECTION COURT
FAMILY AND PROTECTIVE §
SERVICES § COUNTY, TEXAS

FIRST AMENDED
EMERGENCY STANDING ORDER REGARDING VISITATION

Having considered the current situation with Coronavirus (COVID-19), Governor Abbot’s declaration of a 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.

This ORDER amends the previous STANDING ORDER REGARDING PARENT-CHILD VISITATIONS issued by this Court on March 21, 2020.

IT IS ORDERED that all previously ordered in-person parent-child visitations are **HEREBY SUSPENDED** 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.

IT IS FURTHER ORDERED that Texas Department of Family and Protective Services (“TDFPS”) to make arrangements with parents, caregivers, child placement agencies, and foster parents for telephonic/video, Skype, Duo, or Facetime communications. This telephonic or video

communication shall occur on the dates and times previously ordered for in-person visitation **and** two additional times per week. The duration of the telephonic or video communications 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 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 TDFPS suspend all Potential Adoptive Family Visits and any recruitment efforts that require in-person contact with non-parties. TDFPS is encouraged to continue any Potential Adoptive Family Visits and Adoption Recruitment Efforts, normally by way of in-person contact with non-parties, by utilizing telephonic/video communications, Skype, Duo, or Facetime. TDFPS shall set the frequency and duration of these telephonic or video communications and make any necessary arrangements to facilitate. Any required monitoring of these communications shall be done by TDFPS or the child's or children's foster parent. This order shall apply only to visits and not prohibit TDFPS from the placement of children in approved adoptive placements.

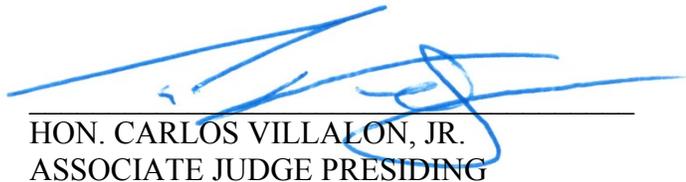
IT IS FURTHER ORDERED that the TDFPS:

- (1) provide a copy of this Standing Order to each parent either by email, text, or hand delivery;
- (2) advise all children of this Standing Order;
- (3) 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 Telephonic Hearing and contact the Court Coordinator, Leticia Lazo via email at Leticia.lazo@txcourts.gov 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 25th day of March 2020.



HON. CARLOS VILLALON, JR.
ASSOCIATE JUDGE PRESIDING