

IN THE DISTRICT COURTS

COUNTY OF WILLIAMSON

STATE OF TEXAS

GENERAL ORDER
REGARDING COURT HEARINGS IN FELONY CASES
IF THE COURTHOUSE IS INACCESSIBLE DUE TO THE EXIGENT CIRCUMSTANCES
CREATED BY COVID-19 AND RELATED CORONAVIRUS

The Courts of Williamson County remain open, and this order is entered into with the intent of ensuring that defendants in felony cases may be heard in the District Courts with Felony Jurisdiction in Williamson County.

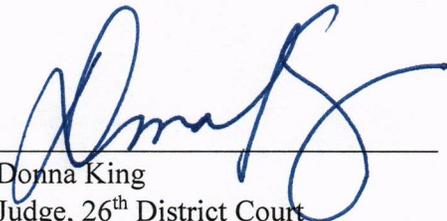
Because of the state of emergency ordered by the Governor, and in compliance with the orders of the Supreme Court of Texas and the Court of Criminal Appeals, the Court ORDERS that, until further order, hearings in felony cases are restricted to the following issues:

1. Pleas;
2. Emergency Hearings; and
3. Bail Hearings.

Additionally, because of the public health risk associated with in-person gatherings as articulated in various executive orders issued by the President, Governor, and County Judge, the court ORDERS that EFFECTIVE MONDAY, MARCH 30, 2020, hearings in felony cases shall be conducted exclusively on an electronic basis, and in conformance with the "Procedure for Setting and Conducting Electronic & Telephone Court Hearings in Felony Cases" attached as Exhibit A.

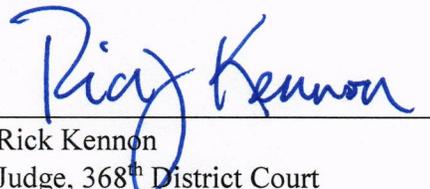
As in previously adopted orders, the Court reminds counsel that we take seriously our obligation to balance the interest of justice and the health and safety of our courthouse community and the community at large, and we request patience as our processes continue to evolve with this exigency.

IT IS SO ORDERED THIS 24th DAY OF MARCH, 2020



Donna King
Judge, 26th District Court

Stacey Mathews
Judge, 277th District Court



Rick Kennon
Judge, 368th District Court

EXHIBIT A

PROCEDURE FOR SETTING AND CONDUCTING ELECTRONIC & TELEPHONE COURT HEARINGS IN FELONY CASES

1. Hearings in Felony cases are limited to Pleas, Emergency Hearings, and Bail Hearings.
2. Hearings will be conducted electronically using the Microsoft Teams application. In the event a hearing or other meeting is scheduled you will receive an email with a calendar invitation to the meeting. At the appointed time, all invitees will join the meeting by selecting the link provided.
3. Counsel may access Microsoft Teams to join a meeting anytime, from any device, with or without a Microsoft Teams account. To join as a guest:
 - a. You will receive an email from the Court with a link to “Join Microsoft Teams Meeting.” Click on this link.
 - b. It will bring you to a webpage where you can choose to “Download the Teams App” or “Join on the Web.” You can choose either one.
 - i. If you are on a desktop computer, “Join on the Web” is easiest. Note: You must use Google Chrome or Microsoft Edge as your web-browser to use Teams on the web.
 - ii. If you are using a mobile device, downloading the Teams App is easiest.
 - c. It will ask you to allow Teams to use your Audio and Video from your computer (you must have a camera and a microphone), and it will ask you to type in your name and click “Join Now.”
 - d. This will place you in the “Lobby” for the Videoconference to begin.
 - e. The person coordinating the call will let you into the Videoconference once it begins.
 - f. Please be advised that the call may be recorded by the Court or Court Staff for record purposes
4. Key Parties
 - a. District Court Judges will conduct Plea Hearings on a rotating basis.
 - b. Other than Plea Hearings, each District Court Judge will manage all other hearings on their respective dockets.
 - c. Amber Norton will manage the centralized hearing schedule for hearings involving inmates and will schedule all electronic hearings based on the centralized hearing schedule. *There will be limited time slots available for hearings involving inmates.*
 - d. Court Administrator of the Court in which the matter is set is responsible for sending out notices of hearings (including Teams invitations).
 - e. Sheriff’s Office will manage the paperwork flow in the jail and ensure that signed paperwork is scanned and provided to the Court.

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PROCESS FOR SETTING HEARINGS CONTINUES ON NEXT PAGE]***

5. PROCESS FOR SETTING PLEA HEARINGS

NOTE: **AGREED DISPOSITION REQUIRED PRIOR TO REQUESTING SETTING**

- a. After an agreed disposition is reached, the state will email all required paperwork, including the judgement, to the defense attorney.
- b. It should be estimated that, from this point, it will take roughly 2 days to accomplish the remaining tasks needed to schedule a plea.
- c. **PRIOR TO THE SCHEDULED HEARING:**
 - i. Defense attorney will schedule a time to meet with defendant via phone call taking the following steps:
 1. Call 512-943-1365 to schedule phone call with defendant, and at the same time as the call is scheduled forward paperwork to Jail.Teams@wilco.org.
 2. Sheriff's officers will print out the Plea Paperwork and provide to Defendant prior to scheduled phone call.
 3. Participate in phone call with Defendant. If Defendant agrees to plea, instruct Defendant to sign plea paperwork and thumbprint judgment.
 - ii. Sheriff's Office will ensure that Defendant signs and provides thumbprint as required.
 - iii. Sheriff's Office will scan and email the paperwork to the Defense Attorney (and retain original)
- d. Once ready to schedule a plea, the defense attorney will email Amber Norton at Amber.Norton@wilco.org, including the completed plea paperwork, to ask for a setting for the plea.
- e. Ms. Norton will schedule the hearing in an available time based on the hearing schedule set by the Judges. She will then email the Court Administrator for the Duty Judge for that day, sending the time and date of the hearing and the plea paperwork.
- f. The court administrator will send a Teams Meeting at least 24 hours in advance of the setting to the following distribution list:
 - i. Jail Staff: Chris Watts & Phillip Schmidt to facilitate having the defendant appear via email at cwatts@wilco.org and pschmidt@wilco.org
 - ii. Jail.Teams@wilco.org
 - iii. Defense Attorney
 - iv. The State
 - v. The Judge, and
 - vi. The Court Reporter.
- g. The Court Administrator will initiate the hearing as the "meeting organizer" in Teams. At the conclusion of the hearing, the judge will electronically sign the paperwork and forward to the district clerk for filing.
 - i. All originals will be filed with the papers of the Court.
 - ii. The clerk will email file stamped copy of judgment to jail staff to be forwarded to the defendant.
- h. If it becomes necessary for the defense attorney and client to speak privately, the defendant will have access to a phone which will allow for unrecorded conversations with counsel, and the hearing will be recessed to allow for this to happen. Teams should be muted from the jail and attorney inputs.

6. PROCESS FOR SETTING ALL OTHER NECESSARY ON RECORD HEARINGS

- a. Moving party will submit paperwork through eFile, as usual, and should separately notify the Other Party that paperwork is being filed and a hearing is being sought.
- b. Moving party will contact Court Administrator to request hearing and will advise the Court Administrator as to whether the Defendant needs to be present for the hearing, and whether the defendant is in custody.
- c. *If the Defendant is in custody and needs to be present for the hearing*, the Court Administrator will contact Ms. Norton to ask for a jail hearing slot (see 5d, above).
- d. The court administrator will send a Teams Meeting at least 24 hours in advance of the setting to the following distribution list:
 - i. Defense Attorney
 - ii. The State
 - iii. The Judge, and
 - iv. The Court Reporter.
 - v. Jail Staff: Chris Watts & Phillip Schmidt (*if the Defendant is in custody and needs to be present*)
 - vi. Jail.Teams@wilco.org (*if the Defendant is in custody and needs to be present*)
- e. The Hearing will take place, the Judge will sign necessary paperwork in Odyssey. The Court Administrator will ensure that the District Clerk is aware that there has been an update to the case.
- f. If it becomes necessary for the defense attorney and client to speak privately, the defendant will have access to a phone which will allow for unrecorded conversations with counsel, and the hearing will be recessed to allow for this to happen.

7. PROCESS FOR SETTING NON-RECORD TELEPHONIC CONFERENCES

- a. Party seeking a non-record telephonic hearing will contact the Court Administrator, with copy to the other party, via email asking for a non-record telephonic hearing.
- b. Any necessary paperwork must be submitted through eFile before hearing is scheduled.
- c. The Court Administrator will work with the Judge to set a time and will notify the Judge and all parties of the time, via an appointment.
- d. The Judge will initiate the conference call and will add the parties into the call.
- e. The hearing will take place.
- f. The judge will direct one of the parties to send an email to the Court and participants confirming the outcome of the hearing.
- g. The Judge will make a docket entry to reflect that the hearing has taken place and its outcome.