

IN THE COUNTY COURTS-AT-LAW

COUNTY OF WILLIAMSON

STATE OF TEXAS

GENERAL ORDER
REGARDING COURT HEARINGS IN MISDEMEANOR CASES
DUE TO THE INACCESSABILITY OF THE COURTHOUSE
CAUSED BY CIRCUMSTANCES RELATED TO COVID-19

The Courts of Williamson County remain open, and this order is entered with the intent of ensuring that misdemeanor criminal cases may be heard in the County Courts-at-Law of Williamson County.

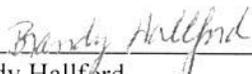
Because of the state of emergency ordered by the Governor of Texas, and in compliance with the orders of the Supreme Court of Texas, the Texas Court of Criminal Appeals, the Office of Court Administration, and local authorities, the Courts ORDER that, until further order, hearings in misdemeanor cases 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 misdemeanor cases shall be conducted exclusively on an electronic basis, and in conformance with the "Procedure for Setting and Conducting Electronic & Telephone Court Hearings in Misdemeanor Cases" attached as Exhibit A.

As in previously adopted orders, the Courts remind 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.

IT IS SO ORDERED THIS 25th DAY OF MARCH, 2020

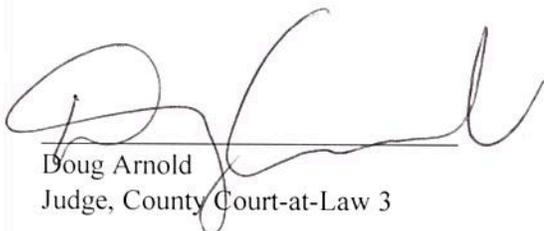


Brandy Hallford
Judge, County Court-at-Law 1

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 by DDA

Laura Barker
Judge, County Court-at-Law 2
with permission



Doug Arnold
Judge, County Court-at-Law 3

EXHIBIT A

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

1. Hearings in misdemeanor criminal 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. County Court Judges will conduct Plea Hearings related to jail cases on a rotating basis.
 - b. Other than Plea Hearings related to jail cases, each of the Judges will manage all other hearings on their respective dockets.
 - c. Diana Jackson, Criminal Court Coordinator for Court Three, 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. The Court Administrator of the Court in which the matter is set is responsible for sending out notices of hearings (including Teams invitations).
 - e. The 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 RELATED TO JAIL CASES

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. **PRIOR TO THE SCHEDULED HEARING:**
 - i. Defense attorneys 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. The Sheriff's Office will ensure that Defendant signs and provides thumbprint as required.
 - iii. The Sheriff's Office will scan and email the paperwork to the Defense Attorney (and retain original)
- c. Once ready to schedule a plea related to a jail case, the defense attorney will email Diana Jackson at diana.jackson@wilco.org, including the completed plea paperwork, to ask for a setting.
- d. Ms. Jackson 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 Judge hearing the docket for that day, sending the time and date of the hearing and the plea paperwork.
- e. 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.
- f. 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 county 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.
- g. 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. The 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. The 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. Jackson 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, and the Judge will sign necessary paperwork in Odyssey. The Court Administrator will ensure that the County 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.
- g. The procedure under this section applies to plea hearings for cases involving defendants not in jail. For such pleas, the attorney will email the plea paperwork directly to the Court Administrator for the court conducting the hearing.

7. PROCESS FOR SETTING NON-RECORD TELEPHONIC CONFERENCES

- a. The Party seeking a non-record telephonic hearing will contact the Court Administrator, with a 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.