



33rd and 424th Judicial District Courts
State of Texas
District Courts of
BLANCO · BURNET · LLANO · SAN SABA COUNTIES

J. ALLAN GARRETT
PRESIDING JUDGE, 33RD JUDICIAL DISTRICT

STEPHANIE LARSEN, Official Court Reporter

EVAN STUBBS
PRESIDING JUDGE, 424TH JUDICIAL DISTRICT

JENNIFER FEST, Official Court Reporter

1701 E. POLK

BURNET, TEXAS 78611
(512) 756-5436 Fax (512) 756-8478
www.dcourttexas.org

Lisa Bell, 33RD Court Coordinator

E-Mail: 33coordinator@dcourttxas.org

JENNIFER BUNTING, 424TH Court Coordinator

E-Mail: 424coordinator@dcourttxas.org

SHEILA STEWART, Administrative Assistant
E-Mail: 33424districtcourt@gmail.com

The 33rd and 424th Judicial District Courts of Burnet, Llano, Blanco and San Saba Counties

We hope this letter finds you and your families well during these unprecedented times. This time is difficult for everyone, including those of us that work with/in the court system. The 33rd and 424th District Courts are open and ready for ALL hearings, but there will be changes to the way we conduct proceedings. **ALL hearings will be handled remotely through "Zoom" (more details in Guidelines below).**

All non-essential hearings that were previously scheduled for a date through May 8, 2020 have been cancelled. If you have a hearing cancelled, then you must contact the coordinator to re-schedule the hearing. Essential hearings will be given priority over non-essential hearings, and the Courts may postpone any non-essential hearings until a later date at the sole discretion of the Court. Essential hearings include temporary restraining orders, protective orders, and some mental health hearings. Agreements in civil cases will be signed by submission. Contested civil matters may be handled by submission if agreed to by the parties. Requests for bond reductions or writs in criminal cases can be handled by agreement, submission, or you can request a formal hearing. All criminal matters may be handled remotely. All jails in our jurisdiction have remote Zoom access, so even those hearings requiring an incarcerated person may be held at the sole discretion of the Court. Please contact the District Attorney's office, the corresponding court coordinator and the respective jail to arrange for client meetings and/or hearings to move those cases along.

This letter is to provide information and outline how court will be conducted while we are under the state of emergency orders from our federal and state governments. These rules and regulations are to continue in force and effect until further notice of these Courts. These rules are intended to comply with the recommendations of the Office of Court Administration and the Texas Supreme Court, and are not intended to create hardship or difficulty for any person or party.

GUIDELINES FOR REMOTE HEARINGS

The Governor has declared a state of emergency and the Texas Supreme Court has ORDERED that all non-essential court proceeding should be suspended. However, technology and state law allow options not previously available, and as such, the 33rd and 424th Judicial District Courts will continue to conduct hearings to the extent that technology will allow. The following restrictions and limitations will apply. Any requests for a courtroom hearing will considered, but likely postponed. It is anticipated that most parties will agree to a “virtual” hearing, and the Court does not intend to allow a party request a courtroom hearing instead of a “virtual” hearing as a delay tactic. The Court has the final discretion on whether or not to postpone the hearing or hold a “virtual” hearing. Please adhere to proper dress and decorum for all virtual appearances before the Court.

PROCEDURES FOR LITIGANTS:

The 33rd and 424th Courts will be using Zoom videoconferencing. It is free to download at zoom.us or you can download the app directly to your cell phone. The Court Coordinator will email you a link to the hearing. Your computer must have internet access with a stable connection and strong signal, a video camera, and a microphone. IF YOU CAN ONLY PARTICIPATE VIA TELEPHONE, YOU MUST COORDINATE IT THE DAY BEFORE WITH THE COURT COORDINATOR and must have preapproved permission from the Court.

Ensure that the proper Court Coordinator for the respective Court (33coordinator@dcourttxas.org or 424coordinator@dcourttxas.org) has your email address not later than 12:00 p.m. on the day before any hearing.

If you intend to offer any exhibits during the hearing, you need to email them to all parties, the court reporter (33reporter@dcourttxas.org or 424reporter@dcourttxas.org), and the Court Coordinator not later than 12:00 pm on the day before the hearing. The subject of the email should be the full cause number followed by a party identified (plaintiff John Smith, defendant Jane Doe, etc.) and the word “exhibits”. The documents must be in .pdf format. The Court cannot consider any exhibits not emailed in a timely manner. If you do not follow this requirement, the Court Reporter will NOT maintain these documents in the record.

Any responses or replies e-filed with the District Clerk less than 48 hours before the hearing should also be emailed in .pdf format to the respective Court Coordinator. They will NOT be considered filed and must be e-filed with the clerk as usual. Cases for the Judge’s reference need not be e-filed with the clerk but should be emailed to the Court Coordinator by 12:00 p.m. on the day before the hearing.

PROCEDURES FOR WITNESSES:

Witnesses MUST appear by videoconferencing. The attorney or pro se litigant calling the witness is responsible for ensuring that the witness has a separate video and audio feed. The attorney is responsible for forwarding the Zoom Conference link to any witness they intend to offer for the hearing. Attorneys should not attempt to “share” a connection with a witness. All witnesses should be prepared to present a valid form of identification to verify their identity to the Court over the video feed.

PLEA PROCEDURES IN CRIMINAL CASES

The following procedures are intended as a guide for procedures in criminal cases where the parties have reached a plea agreement. These procedures anticipate that the Defendant is in custody, but the general procedures (minus steps relating to jail activity below) could be used in

matters where the Defendant is out on bond. Please note, these are only guidelines. If the parties find another method to accomplish the plea agreement, then the parties should explore such procedures. The anticipated general procedures are as follows:

1. The D.A.'s office and Defendant reach an agreement;
2. The D.A.'s office will prepare all plea paperwork (and sign where indicated) and forward the completed paperwork to defense counsel via email;
3. If the agreement is for probation, then defense counsel should forward the terms of the agreement to the probation department for the Court. The Probation Department will then draft all necessary probation paperwork and send the paperwork to defense counsel via email;
4. Defense counsel should then sign all plea paperwork where indicated, scan all plea paperwork (including probation papers) into PDF format for transmission.
5. Defense counsel would then contact the appropriate jail contact to request a Zoom conference time to review paperwork with their client. Once a date/time is set, defense counsel should then email the scanned documents to the jail at the appropriate email address below. Please note that you will not be able to call and get a conference set up for 15 minutes later. Conference requests will need to be made at least one day before you intend to hold your conference.
6. The jail staff will print the plea paperwork and set the date/time for the Zoom conference between defense counsel and client for review of plea agreement documents.
7. Defense counsel has Zoom meeting with client reviewing plea agreement documents, client signs documents in the jail, jail staff notarizes/witnesses plea agreement documents where indicated, jail staff scans plea agreement documents and emails the documents back to defense counsel. The jail staff will then send the executed plea documents with the inmate's original signature to the District Judges' Office by interoffice mail.
8. Defense counsel emails the scanned plea agreement documents to the appropriate Court coordinator and requests a plea hearing in the same email.
9. Court coordinator will review the plea agreement documents and set the case for hearing on plea agreement.

To conference with your clients at any time, please contact the person listed as the contact for that jail to schedule either a telephone conference with your client or a Zoom conference, if needed. Please use Zoom conferencing for discussing plea offers, going over discovery and/or plea papers. Please use telephone conferencing for everything that you can do over the telephone as that seems to be easier for jail staff and we do not want to overwhelm them with Zoom requests. If excessive Zoom conference requests become an issue, we will revisit this procedure.

Burnet County Jail:

Contact Person - Lou Armbruster - 512-715-8600

Email: vidconf@burnetcountytexas.org

Blanco County Jail:

Contact Person - Lea Elsbury - 830-868-7104

Email: bcsozoom@co.blanco.tx.us

Llano County Jail:

Contact Person - Pat Holland - 325-247-4054

Email: llanozoomrequest@gmail.com

FOR THE PUBLIC:

THE OPEN COURTS PROVISION OF TEXAS LAW ALLOWS ALL TEXANS ACCESS TO COURT PROCEEDINGS. COURT PROCEEDINGS WILL BE LIVE STREAMED TO YOUTUBE. YOU CAN VIEW COURT PROCEEDINGS FOR THE 33RD JUDICIAL DISTRICT COURT ON <https://www.youtube.com/channel/UC5umlsdH8AM6dWK7ViKuT0Q> AND FOR THE 424TH JUDICIAL DISTRICT COURT ON <https://www.youtube.com/channel/UCVh4P-v4ZZYnLXunmXR2W6w>

VIDEO OR AUDIO RECORDINGS OF ANY COURT PROCEEDINGS ARE STRICTLY PROHIBITED.