

Cause Number _____

Print cause number and other court information exactly as it appears on the petition filed in this case.

In the interest of:

In the: (check one):

Court Number District Court
 County Court at Law

Children

_____ County, Texas

Motion for Use of Emergency Procedures

Parties

Movant

You

I am the Movant—the person filing this motion for use of emergency. I am representing myself. I do not have a lawyer.

My name is:

_____ *Print your full name.*

I live at:

_____ *Print your address.*

My email address is:

My phone number is:

I am the children's:

Parent _____

Check one.

Other: Please explain.

I am the children's:

Joint Managing Conservator. Possessory Conservator.
 Sole Managing Conservator. Other: _____

Check one.

Respondent 1

Respondent 1's name is:

_____ *Print Respondent 1's full name.*

Respondent 1 lives at:

_____ *Print Respondent 1's address*

Respondent 1's email is: _____

Respondent 1's phone number is: _____

Respondent 1 is the children's: Parent _____
Check one. Other: Please explain.

Respondent 1 is the children's: Joint Managing Conservator Possessory Conservator
CHECK one. Sole Managing Conservator Other: _____

Respondent 2

Respondent 2's name is: _____
Print Respondent 2's full name.

Respondent 2 lives at: _____
Print Respondent 2's address

Respondent 2's email is: _____

Respondent 2's phone number is: _____

Respondent 2 is the children's: Parent _____
Check one. Other: Please explain.

Respondent 2 is the children's: Joint Managing Conservator Possessory Conservator
CHECK one. Sole Managing Conservator Other: _____

Agreement

- The parties have agreed to this motion and will submit an agreed order to the Court for approval.
- The parties have not agreed to this motion.

Request for Telephonic or Videoconference Appearance. (Check if applicable)

I ask that the following procedures apply for a stated period ending no later than thirty days after the state of disaster in this county is lifted.

I ask that the Court allow require (check one) anyone involved in any hearing, deposition, or other proceeding of any kind in this case—including but not limited to a party, attorney, witness, or court reporter, but not including a juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means.

For each proceeding, the Court should specify:

- 1) Which means of remote participation are permitted;
- 2) Who is responsible for setting up the means for each person to participate remotely;
- 3) How the public can access the proceedings, if the proceedings are required to be open to the public;
- 4) If the parties must provide the Court with an electronic copy of all orders, pleadings, returns of citations, and other documents filed with the district clerk that are relevant to the hearing or conference, the address to which the parties must e-mail those documents, either as attachments to the e-mail or accessible through an e-mailed link to a cloud storage service, and the deadline for e-mailing the documents;
- 5) The address to which each party must e-mail the party's exhibits to the Court before a hearing or conference, either as attachments to the e-mail or accessible through an e-mailed link to a cloud storage service specified by the Court, the format(s) the Court requires the exhibits to be in (for example, PDF), the manner in which the subject line of the e-mail is to be presented, the deadline for e-mailing the exhibits, and whether the party must copy on this e-mail all other parties who have filed pleadings or otherwise made an appearance in the suit;
- 6) The other documents (for example, financial information statement, pay statements, tax returns with redacted Social Security numbers) the Court requires each party to e-mail to the Court before the hearing or conference, either as attachments to the e-mail or accessible through an e-mailed link to a cloud storage service specified by the Court, the format(s) the Court requires the documents to be in, the deadline for e-mailing the documents, and whether the party must copy on this e-mail all other parties who have filed pleadings or otherwise made an appearance in the suit;
- 7) If a party wants the Court to consider certain statutory or case law, the format(s) the Court requires the documents to be in, the deadline for e-mailing the documents, and whether the party must copy on this e-mail all other parties who have filed pleadings or otherwise made an appearance in the suit; and
- 8) The consequences to a party if the party fails to comply with subsections (4), (5), (6), and (7).

I ask that the Court, after reasonable notice and access to the participants and the public, conduct proceedings away from the court's usual location.

Telephonic or Videoconference Interviews With Children (check if applicable)

In lieu of the Court's interviewing the children who are the subject of this suit in chambers as provided in Texas Family Code section 153.009, I ask that the Court interview the children by remote means, specifying which remote means, including, if applicable, the remote means by

which the other person's section 153.009 permits or requires to be present during the interview will participate, and specifying who is responsible for setting up the means for each such person to participate remotely.

**Request to Consider Sworn Statements and Unsworn Declarations
As Evidence (check if applicable)**

I also ask that the Court consider as evidence sworn statements and unsworn declarations made out of court. Unless waived by each party, the Court should require each out-of-court sworn statement and unsworn declaration to be served on each party not less than 5 days before the hearing in which it is to be considered as evidence. Unless waived by each party, the Court should require an out-of-court sworn statement or unsworn declaration offered as rebuttal evidence to be served on each party not less than 3 days before the hearing in which it is to be considered as rebuttal evidence.

Request for Notification of COVID-19 Illness

I ask that the Court require every participant in a proceeding, including any court hearing, jury trial, arbitration hearing, deposition, conference of the parties, conference with the Court, mediation, or collaborative law team meeting, to alert all parties before the proceeding if the participant has, or knows of another participant who has, COVID-19 or flu-like symptoms, such as a fever, cough, shortness of breath, or other symptoms reported by the Centers for Disease Control and Prevention at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.

I ask that the Court require every participant in a court hearing, jury trial, or conference with the Court to alert the Court before the proceeding if the participant has, or knows of another participant who has, COVID-19 or flu-like symptoms, such as a fever, cough, shortness of breath, or other symptoms reported by the Centers for Disease Control and Prevention at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.

Authority

Pursuant to the Supreme Court's First Emergency Order Regarding the COVID-19 State of Disaster (Misc. Docket No. 20-007) this court may allow or require anyone involved in any hearing, deposition, or other proceeding of any kind—including but not limited to a party, attorney, witness, or court reporter, but not including a juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means; and subject to constitutional limitations.

Prayer

I ask that the Court grant this Motion for Use of Emergency Procedures and that the Court make all other and further orders that are deemed necessary and equitable for proceedings in this suit and for the safety and welfare of the children.

Sign your name here—should match “movant” info from Page 1

