



**451<sup>st</sup> District Court  
Kendall County, Texas  
Judge Kirsten B. Cohoon**

## **451<sup>st</sup> DISTRICT COURT INFECTIOUS DISEASE PROTOCOL**

This Protocol is being implemented in response to the recent outbreak of the Coronavirus (COVID-19) in the United States and within the State of Texas. The World Health Organization has declared that COVID-19 qualifies as a global pandemic. The Texas Office of Court Administration and Courts throughout the State of Texas have been closely monitoring the outbreak of the COVID-19. As of the date of this Order, there have been several confirmed cases of COVID-19 throughout the State of Texas. As a result, the State of Texas has made a disaster declaration. The Center for Disease Control have recommended social distancing as a means to limit further community spread of COVID-19.

This Court is concerned with the health and safety of the public, Court personnel, staff of other entities with whom the Court personnel interact, litigants, counsel, interpreters, law enforcement officials, and jurors, who must work in close quarters to hear evidence and deliberate. Therefore, given the severity of the risk to such persons by the spread of the COVID-19 and taking into consideration the recommended social distancing, the Court hereby implements this Infectious Disease Protocol in an attempt to minimize the risk of community transmission of COVID-19.

This Infectious Disease Protocol covers persons with scheduled hearings, appearances or trials in the 451<sup>st</sup> District Court who have reason to believe that they, their attorney, client or necessary witness have been exposed to COVID-19, or are experiencing flu-like symptoms (hereinafter referred to as "Covered Person").

No person who has been exposed to COVID-19 or is experiencing flu-like symptoms may personally appear in Court while this protocol is in force, without prior express permission of the Court. It is the sole and exclusive obligation of the attorney or self-represented litigant to comply with this protocol.

1. All civil and criminal bench and jury trials scheduled to begin in March 2020 are continued to a date to be reset by the Court.
2. The courthouse will remain open for business. However, many employees, including some court staff, will be teleworking, but they will remain accessible via telephone and/or

electronic mail. Electronic filings may continue to be made through the District Clerk's office.

3. During the pendency of this Order, a Covered Person who wishes to testify in a civil pre-trial hearing must appear telephonically. A Covered Person who is an attorney of record may appear telephonically or by videoconference for non-evidentiary hearings, only. Remote appearance by attorneys is prohibited in evidentiary hearings and trials.
4. Defendants in felony criminal cases must appear in person as summoned for each setting unless the hearing or appearance has been waived by signed court order. Approved forms for waivers of arraignment, 28.01 hearing, and plea deadline hearing may be obtained via e-mail from the Court Coordinator. If the Defendant is a Covered Person, the Defendant (if self-represented) or attorney must contact the Court in order to obtain a resetting. The Defendant must sign the reset form (such signing may be done via facsimile or other electronic means).
5. The Court will accommodate videoconferencing via Facetime.
6. The Court will accommodate continuances. All requests for continuance under this protocol must include a certificate of conference stating the agreement or opposition of the prosecuting or opposing attorney/self-represented litigant. The request must state that it is asserted pursuant to the Infectious Disease Protocol, identify the Covered Person or Persons, and describe why they are necessary for the hearing in question.
7. In the alternative to a personal appearance, any motion or request may, by agreement of the parties, be submitted for consideration by submission. Upon submission, the Court may consider such motions upon written briefs and affidavits.

Questions and requests for waiver forms should be directed to Mateo Santos, 451st District Court Coordinator, at [mateo.santos@co.kendall.tx.us](mailto:mateo.santos@co.kendall.tx.us), or 830-331-8223. This Infectious Disease Protocol will be in place from the date of this Order through March 31, 2020, unless extended by the Court.

Dated: March 16, 2020



Judge Kirsten B. Cohoon

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SUSAN J. JOHNSON, DISTRICT CLERK  
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BY:  DEPUTY