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FILED  
TARRANT COUNTY

2020 MAR 26 AM 11:43

THOMAS A. WILDER  
DISTRICT CLERK

IN THE DISTRICT COURT

360<sup>th</sup> JUDICIAL DISTRICT

TARRANT COUNTY, TEXAS

### 360TH TEMPORARY RESTRAINING ORDER REGARDING CPS VISITATION

On this date this Court considered OC-OK's request to suspend visitations and home visits on a blanket scale. This Court considered three orders of the Texas Supreme Court in this Regard. This request is GRANTED IN PART AND DENIED IN PART.

On March 13, 2020, the Texas Supreme Court pursuant with §22.0035, issued its First Emergency Order allowing Courts to suspend procedures. This Order allows this Court to modify procedure, but not substantive law. Texas Government Code §22.035 allows the Texas Supreme Court to modify procedures but does not reference substantive law. On March 19, 2020 the Texas Supreme Court issued its 3<sup>rd</sup> Emergency Order in which the Court clarified that the power to extend procedure and deadlines extends to Child Protective Services cases. Said order also did not grant the power to change substantive Law. On March 24, 2020, the Texas Supreme Court issued its 7<sup>th</sup> Emergency Order that states in relevant part as follows:

3. This order applies to and clarifies possession schedules in Suits Affecting the Parent-Child Relationship. For purposes of determining a person's right to possession of and access to a child under a court-ordered possession schedule, the existing trial court order shall control in all instances. Possession of and access to a child shall not be affected by any shelter-in-place order or other order restricting movement issued by a governmental entity that arises from an epidemic or pandemic, including what is commonly referred to as the COVID-19 pandemic.

This Court has also considered the need to protect the safety and welfare of children in Child Protective Services care. This Court has suspended certain procedures to enter this 360<sup>th</sup> TEMPORARY RESTRAINING ORDER REGARDING CPS VISITATION.

This Court finds that it is necessary for the protection of the children that the following Temporary Restraining Order should be entered.

1. All previously ordered in-person parent-child and sibling visitations monitored by Child Protective Services, visits shall continue to occur via electronic means.

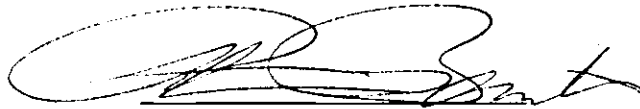
2. IT IS ORDERED that all family and fictive kin placements shall determine the safety of children and may continue visits if possible. IT IS FURTHER ORDERED that if they cannot safely arrange for visits that they contact the caseworker on the case to ensure that electronic visits may occur.

IT IS ORDERED that this order expires on April 9, 2020 unless one of the three events below occur:

- a. Rule 11 Agreement is filed with the Court signed by the parent involved in the visitation and the District Attorney;
- b. Good cause is shown at a hearing set on April 9, 2020. A time shall be set on that date via Zoom for a hearing; or
- c. This order is extended for another two weeks for good cause shown.

IT IS ORDERED that the order erroneously entitled STANDING ORDER REGARDING PARENT-CHILD RELATIONSHIP VISITATION AND OTHER FACE TO FACE VISITS IN ALL CHLD PROTECTION CASES IN THE FAMILY DISTRICT OCURTS OF TARRANT COUNTY TEXAS does not apply to cases pending in the 360<sup>th</sup> Judicial District Court. The body of that order clearly states that it only applies to cases in the 231<sup>st</sup>, 233<sup>rd</sup>, 322<sup>nd</sup>, 324<sup>th</sup> and 325<sup>th</sup> Judicial District Courts of Tarrant County.

Signed on this 26<sup>th</sup> day of March 2020



Judge Patricia Baca Bennett  
360<sup>th</sup> Judicial District Court