

Texas Judicial Council Legislative Recommendations in Response to Hurricane Harvey

Recommendation 1: The Legislature should amend Government Code Sec. 22.0035(b) to permit the Supreme Court the discretion to issue orders modifying or suspending court procedures up to 60 or 90 days for an initial emergency order and/or renewals rather than the 30 day time limit that is currently in statute. The statute should also be amended to allow the Chief Justice to authorize renewals of emergency orders without seeking a full vote of the court for each renewal.

Recommendation 2: The Legislature should amend Local Government Code Sec. 292.001 to assist justice courts in times of disaster and provide them a regional source to turn to, such as the regional presiding judge, when they need the authority to operate in another precinct or county during a time of disaster. See Texas Government Code Sec. 24.033 as a potential model.

Recommendation 3: The Legislature should amend Government Code Secs. 24.003, 25.0019, and 26.009 to allow the presiding judge of the region to designate an alternate location for proceedings that is outside of the district or county during times of an emergency.

Recommendation 4: The Legislature should explicitly authorize the district courts to hold court outside of the county seat at a facility designated for that purpose by Local Government Code Sec. 292.001 even when there is not an emergency.

