

STANDING ORDER SO-2020-00003

ADMINISTRATIVE ORDER	§	IN THE PROBATE
	§	
PERSONAL SERVICE and AD LITEM VISITATION	§	OF
	§	
DURING COVID-19 EMERGENCY	§	DENTON COUNTY, TEXAS

**Personal Service and Ad Litem Visitation Procedures in
Guardianship Matters during Covid-19 Pandemic
Denton County Probate Judge Administrative Order**

The Denton County Probate Court finds as follows:

1. Medical and residential facilities, such as hospitals, nursing homes, long-term care facilities, assisted living facilities, and state supported living centers (hereinafter referred to as “care facilities”), have restricted in-person visits in response to the COVID-19 emergency.

2. Denton County Constables’ offices are not serving any citations during the pandemic.

3. Guidance is necessary regarding the method of personal service on Proposed Protected Persons and Wards in guardianship cases and for visitation by Attorneys Ad Litem and Guardians Ad Litem with Proposed Protected Persons and Wards, who reside in personal residences, in group homes and in care facilities.

4. As a result of Governor Greg Abbott’s proclamation declaring a state of disaster for all counties in Texas due to COVID-19 and in cooperation with state and local governments to reduce the community spread of COVID-19, it is in the best interest of public safety that standard Court procedures be modified to accomplish personal service and Attorney Ad Litem/Guardian Ad Litem in person visitation with Proposed Protected Persons or Wards as follows:

- A. In cases involving Proposed Protected Persons or Wards, who do not reside in a care facility, Applicant counsel may file a Motion for Substituted Service to permit service of the personal citation on a Proposed Protected Person or Ward by a private process server.
- B. In cases involving Proposed Protected Persons or Wards, who do reside in care facilities, Applicant counsel may file a Motion for Substituted Service to permit service of the personal citation on a Proposed Protected Person by a social worker, nurse, facility administrator, QIDP, or other approved individual, who is able to serve the personal citation on a Proposed Protected Person.
- C. Attorney Ad Litem and Guardian Ad Litem, who are appointed in guardianship proceedings, may accomplish their visits with Proposed Protected Persons or Wards by using alternative methods of communication either through videoconferencing and other technology applications that allows visual face-time communication with the Proposed Protected Person. At this time the ad litem do not have to make an in person visit, but must make a visit by alternative methods.

5. Pursuant to the authority granted to Presiding Statutory Probate Judge, Guy Herman, by Texas Government Code Section 25.0022(c) and Orders entered by Judge Herman, the undersigned is authorized to perform acts necessary to improve the management of the Denton County Probate Court and to carry out the administration of justice.

IT IS THEREFORE ORDERED that in cases involving Proposed Protected Persons or Wards, who do reside in care facilities, Applicant counsel may file a Motion for Substituted Service to permit service of the personal citation on a Proposed Protected Person or Ward by a social worker, nurse, facility administrator, QIDP, or other approved individual, who is able to serve the personal citation on a Proposed Protected Person.

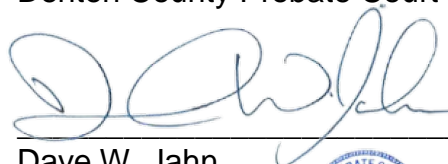
IT IS FURTHER ORDERED that Attorney Ad Litem and Guardian Ad Litem, who are appointed in guardianship proceedings, may accomplish their visits with Proposed Protected Persons or Wards by using alternative methods of communication either through videoconferencing and other technology applications that allow visual face-time communication with the Proposed Protected Person.

IT IS FURTHER ORDERED this Standing Order shall remain in effect until further modified by this Court's Order.

Signed April _____2020.

Bonnie J. Robison
Presiding Judge
Denton County Probate Court



Dave W. Jahn
Associate Judge
Denton County Probate Court

DAVID W. JAHN
ASSOCIATE JUDGE
PROBATE COURT
DENTON COUNTY, TEXAS

