IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9054

TENTH EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. This Order supplements and does not replace or amend the earlier Emergency Orders Regarding the COVID-19 State of Disaster.

3. In any action to collect consumer debt as defined by Texas Finance Code Section 392.001(2):

   a. A writ of garnishment under Rule 658 of the Texas Rules of Civil Procedure may issue, but service of the writ of garnishment may not occur until after May 7, 2020;

   b. Receivers appointed under Chapter 31 of the Texas Civil Practice & Remedies Code may remain active but must not freeze any accounts at financial institutions as defined by Texas Finance Code Section 59.001(5) while this Order remains in effect;

   c. For any accounts that are currently garnished, the parties are strongly encouraged to reach an agreement on the garnishment, and courts are encouraged to aid and facilitate a quick adjudication;

   d. A request for default judgment may be filed, but no hearings shall be set and the time to respond or file an answer will be tolled until April 30, 2020; and

e. No court shall dismiss a case for want of prosecution while this Order remains in effect.

4. A case covered by Paragraph 3 may nevertheless proceed if, but only if, the court determines that the facts and grounds show that the actions of the judgment defendant pose an imminent threat of fraudulently concealing or absconding with funds.

5. This Order is effective immediately and expires April 30, 2020—except for paragraph 3(a), which expires on May 7, 2020—unless extended by the Chief Justice of the Supreme Court.

6. The Clerk of the Supreme Court is directed to:

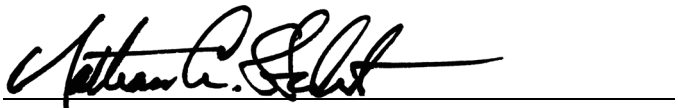
a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

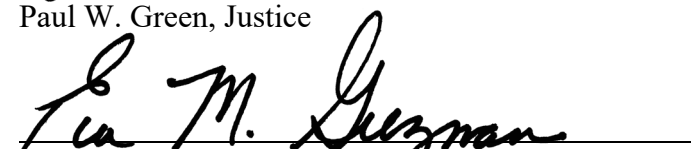
7. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

Dated: April 9, 2020

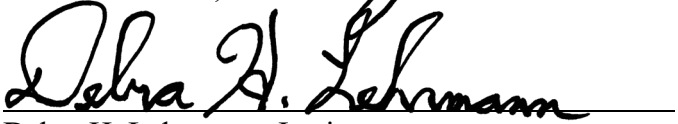


Nathan L. Hecht, Chief Justice

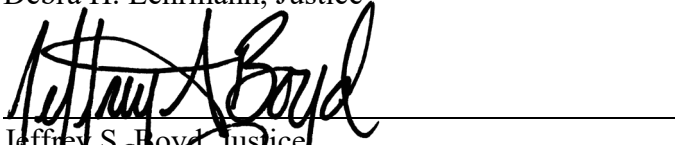
Paul W. Green, Justice



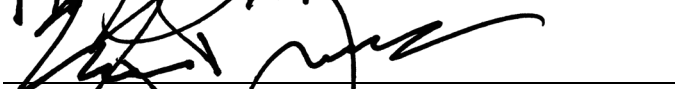
Eva M. Guzman, Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice

James D. Blacklock, Justice

J. Brett Busby, Justice

Jane N. Bland, Justice