***SCRIPT – STATUS HEARING FOR ABATED CASES***

***(If the case is based on nonpayment of rent, read the script on the Texas Eviction Diversion Program and see if the parties wish to participate. If the program doesn’t apply, or they don’t wish to participate, continue with the below script.)***

This case had been put on hold because the Texas Supreme Court issued an Order which restricted court proceedings in eviction cases based on the CDC federal eviction moratorium. As of March 31, the Texas Supreme Court Order which created those restrictions has expired and was not renewed. As a result, this court no longer has authority under Texas law to continue to keep this case on hold without the landlord’s consent.

Even though the Texas Supreme Court’s Order has expired, the moratorium itself has been extended by the CDC until October 3, 2021. Evicting a tenant in violation of the moratorium can result in civil or criminal penalties for the landlord. So it is now up to the landlord to decide if they wish to go forward with the case, to dismiss the case entirely, or to wait until the moratorium expires to go forward with the case.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(*Plaintiff name*), do you wish to proceed with this case? If you are not sure whether or not to proceed, you may consult with an attorney. This court cannot offer guidance on whether a case would or would not be potentially covered by the moratorium.

***(If they wish to proceed):***

This case is set for trial on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_:\_\_\_ \_.m. in this court. (*Explain the process for trial, including whether virtual or in-person*.)

***(If they do not wish to proceed until the moratorium expires, but do not want to dismiss their case):***

This case will remain on hold through at least October 3, 2021. This court will contact all parties with the next setting in this case. Be sure to keep your contact information updated with the court.

**(*If they want to dismiss, enter an order of dismissal without prejudice based on nonsuit.*)**