

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 91-0051

APPROVAL OF LOCAL RULES OF TAYLOR COUNTY


ORDERED:

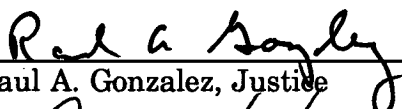
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the following local rules, which have been previously approved by the presiding judge of the appropriate administrative judicial region and submitted to this Court:

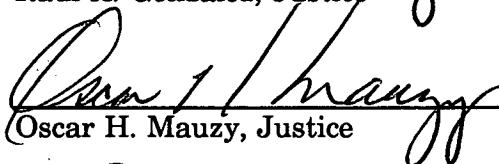
Local Rules of Court of Taylor County, dated June 3, 1991.

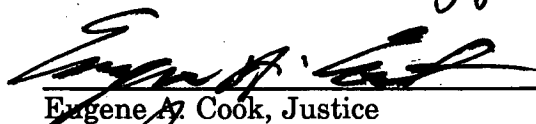
The approval of these rules is temporary, pending further orders of the Court.


SIGNED AND ENTERED this 30th day of July, 1991.



Thomas R. Phillips, Chief Justice

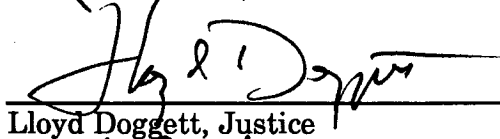

Raul A. Gonzalez, Justice

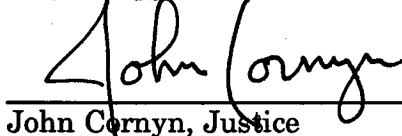

Oscar H. Mauzy, Justice

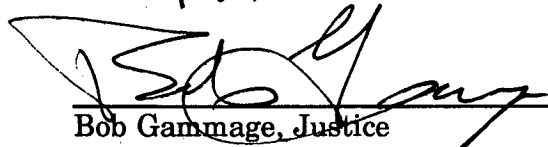

Eugene A. Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice

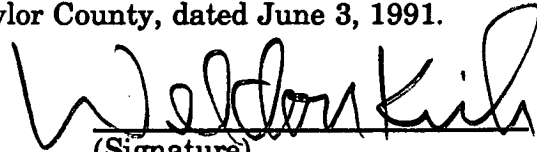

Lloyd Doggett, Justice

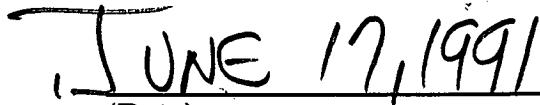

John Cornyn, Justice


Bob Gammage, Justice

CERTIFICATE OF APPROVAL

As presiding judge of the administrative judicial region covering the affected county,
I approve the Local Rules of Court for Taylor County, dated June 3, 1991.


(Signature)


(Date)



104th DISTRICT COURT

BILLY JOHN EDWARDS, JUDGE

Taylor County Courthouse
Abilene, Texas 79602
915/677-1711, Ext. 313

CAROLYN DYCUS
Court Administrator

PATTI KEELING
Asst. Court
Administrator/Bailiff

LANA TRIGG
Court Reporter

June 5, 1991

Supreme Court of Texas
P. O. Box 12248, Capitol Station
Austin, Texas 78711

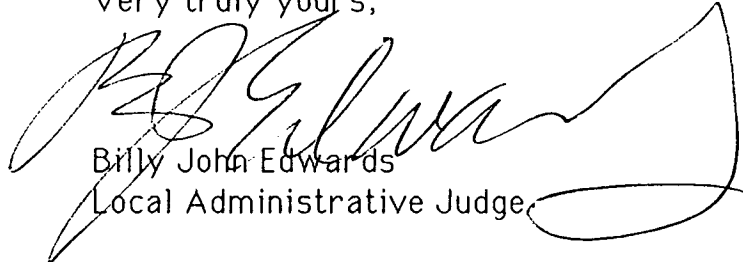
Re: Local Rules for the Courts of Taylor County

Gentlemen:

Enclosed for your approval, as required by Rule 3a, Texas Rules of Civil Procedure, is a copy of our Local Rules as amended June 3, 1991. These Rules were adopted by the four district courts and the two county courts at law in Taylor County.

Thank you for your consideration of these Rules.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read "Billy John Edwards".

Billy John Edwards
Local Administrative Judge

BJE/cd

LOCAL RULES OF COURT, TAYLOR COUNTY, TEXAS

(As Amended June 3, 1991)

RULE 1
GENERAL

Rule 1.10 **Time Standards for Case Processing**

Pursuant to Article 5, Section 31 of the Texas Constitution, Sections 22.004, 72.002(2) and 74.024 of the Texas Government Code, Rule 6 of the Rules of Judicial Administration, and Rules 1, 3, 4 and 5 of the Regional Rules of Judicial Administration, time standards have been established to which reference is made for all purposes, and they now exist, or as they may be hereafter amended.

Rule 1.12 **Hours of Court Proceedings**

1. Court will be held in the Taylor County Courthouse at the courtrooms provided by the county, or at such other places as a judge may designate in his discretion.
2. Normal work hours for each court shall be 8:30 a.m. to 5:00 p.m. each day, Monday through Friday of each week, subject to holidays. The courts will observe those holidays adopted by the Commissioner's Court of Taylor County. Since a judge's work often requires his attendance at court settings prior to 8:30 a.m. and after 5:00 p.m., a judge may, from time to time, be absent from his office, provided he attends all scheduled court settings, or makes provision for another judge to attend such court settings for him.
3. Each judge shall hold court at least once a week in Taylor County with the following exceptions:
 - a. The judge of the 42nd District Court is not required to hold court in Taylor County on those weeks he holds court in Callahan or Coleman Counties.
 - b. During a judge's absence due to vacation time, sick leave, attendance at educational programs, or similar matters.

RULE 2
LOCAL ADMINISTRATIVE JUDGE

Option N/A

RULE 3
CIVIL CASES

Rule 3.10 Filing and Assignment of Cases

All domestic cases shall be filed by the District Clerk in the 326th District Court unless a judge of one of the other district courts instructs the District Clerk to file a domestic case in that judge's court.

The District Clerk shall rotate filing of civil cases (other than domestic cases) equally among the 42nd, 104th and 350th District Courts.

The Court Clerk shall alternate equally the filing of civil and criminal cases between the two county courts at law.

Rule 3.12 Transfer of Cases: Docket Exchange: Bench Exchange

1. In instances where parties have filed civil suits in more than one court in Taylor County, it may be necessary to consolidate such suits by transferring a suit from one court to another. If the judges affected cannot agree on the procedure to consolidate, the matter will be referred to the local administrative judge for a decision on the matter.
2. The District Judges of Taylor County may exchange benches or hear cases for one another without the necessity of an order. The Judges of the County Courts at Law of Taylor county may exchange benches or hear cases for one another without the necessity of an order.

Rule 3.13 Request for Settings - Non-Jury

The Court may set contested cases for trial on written request of any party, or on the court's own motion. A request for trial setting constitutes a representation that the requesting party reasonably and in good faith expects to be ready for trial by the date requested. In order that counsel practicing before the courts covered by these rules may have a uniform method of requesting the settings, the following methods shall be used:

1. A request for setting SHALL BE:
 - (a) in writing
 - (b) addressed to the judge of the court, with
 - (c) a copy being simultaneously mailed and/or delivered to ALL attorneys of record.

The request shall specify whether the setting is jury or non-jury, date or dates preferred (or unavailable) and estimated length of trial. The non-requesting (i.e. notified) attorney shall within five (5) days from the receipt of the notice inform the judge of scheduling or other problems. The setting shall be made by the judge or under the judge's direction.

2. Nothing in this rule shall prevent the court from making settings on the court's own motion at docket calls or otherwise, consistent with the court's docket condition.

Rule 3.15 Request for Settings - Jury

A request for jury trial setting constitutes a representation that the requesting party reasonably and in good faith expects to be ready for trial by the date requested. In order that counsel practicing before the courts covered by these rules may have a uniform method of requesting the settings, the following methods shall be used:

1. A request for setting SHALL BE:
 - (a.) in writing;
 - (b.) addressed to the judge of the court, with
 - (c.) a copy being simultaneously mailed and/or delivered to ALL attorneys of record.

The request shall specify whether the setting is jury or non-jury, date or dates preferred (or unavailable) and estimated length of trial. The non-requesting (i.e. notified) attorney shall in within five (5) days from the receipt of the notice inform the judge of scheduling or other problems. The setting shall be made by the judge or under the judge's direction.

2. Nothing in this rule shall prevent the court from making settings on the court's own motion at docket calls or otherwise, consistent with the court's docket condition.

Rule 3.18 Assignment of Cases for Trial

P.6.: DEADLINE FOR AMENDING PLEADINGS

Amendments to pleadings and Responsive pleadings shall be in compliance with Rule 63, T.R.C.P.

- A. ORDER OF TRIALS: CONFLICTING SETTINGS WITHIN COURTS OF THE SEVENTH ADMINISTRATIVE JUDICIAL DISTRICT

Each judge shall make a record when a case is set; such records to be either on the docket sheet or on the notice of setting. In the event of conflicting settings with another court in the seventh administrative judicial district, the court whose date of setting is the earliest shall have the preference, and other courts shall yield to such prior setting, except that criminal cases in all courts shall have priority over civil cases.

In the event this rule works undue hardship (e.g., where a subsequent setting involves multiple counsel with difficulty in rescheduling), the judge of the court in which the subsequent setting was made shall attempt to make personal contact with the judge of the court with the prior setting, and make satisfactory arrangements for a deviation from the policy of this rule. Nothing in this rule shall prevent any court with a subsequent setting from insisting upon a trial in the event the case in the court of the prior setting is settled, passed, or otherwise disposed of, or in the event other counsel is available to represent the party whose attorney is involved in a trial in another court.

B. TRIAL CALENDAR (JURY & NON-JURY) FOR TAYLOR COUNTY

1. The trial calendar, whether jury or non-jury, will be maintained through the use of a Scheduling Order and Notices of Trial Setting.

The Scheduling Order will provide dates for the following:

- a. Completing discovery
- b. Adding parties
- c. Amending pleadings
- d. Demanding a jury trial
- e. Jury trial
- f. Non-jury trial
- g. Other matters as needed

After all defendants have filed a written answer, the Scheduling Order will be prepared, and after the judge signs it, the administrator will file the original and mail copies to the attorneys, without prior consultation with the attorneys. Written instructions will be attached to the Scheduling Order.

2. At the Judge's option, before the Scheduling Order is entered, the Judge may want to have a Scheduling Teleconference with the attorneys. In that event, the administrator will send to the attorneys a letter, with a blank form Scheduling Order, with rules pertaining to the pending teleconference. At the scheduled time,

the Administrator will call the attorneys and the Judge will discuss the case with the attorneys and fill in the blanks on the Scheduling Order. It is suggested that teleconferences be held on each Friday, between 1:00 p.m. and 2:00 p.m., as needed. During that one-hour period, the Judge should be able to complete six or more teleconferences.

3. The Scheduling Order has a blank to be filled in for jury trial or non-jury trial. If a party has demanded a jury prior to the signing of the Scheduling Order, then the case will be on the jury docket. If a party has not demanded a jury at the time the Scheduling Order is signed, the case can be set for non-jury trial, and reset on a jury calendar if a jury demand is made timely at a later date. Alternatively, at the Judge's discretion, the case can be set both for jury and for non-jury. If a jury demand is later made, in a timely fashion, the Administrator can remove the case from the non-jury setting and leave it on the jury setting. Non-jury cases will have earlier settings than jury cases. If a case is not tried at the time originally set, a new setting shall automatically be assigned to the case and the attorneys so notified.

If Amended Scheduling Orders are issued by the Court Administrator, these Amended Orders shall replace the earlier order for all purposes.

4. Deadlines will be computed back from the assigned date for non-jury trial, (or, if not set for non-jury trial, then from date of jury trial setting). When assigning a deadline date for the Scheduling Order, assign an actual date certain, i.e., February 25, 1989, etc. The following times are suggested as approximate deadlines for the Scheduling Order:

- | | | |
|----|----------------------|----------------------------|
| A. | Completing discovery | 45 days |
| B. | Adding parties | 30 days |
| C. | Amending pleadings | 30 days |
| D. | Demanding jury trial | 30 days |
| E. | Non-jury trial | 7 mo. after answer filed * |
| F. | Jury trial | 8 mo. after answer filed * |

* On workers compensation cases, non-jury trial should be set four months and jury trial at five months from date the answer is filed.

RULES GOVERNING SCHEDULING ORDER
TAYLOR COUNTY

DEADLINE FOR COMPLETING DISCOVERY:

Upon approval of the court, secured in advance of the deadline,

discovery may continue after this deadline if all parties so agree. However, the court will not recognize or accept an agreement of the parties to continue discovery after the deadline, if to do so may require any other deadline to be extended, or the date of trial on the merits to be postponed. Therefore, the parties should complete by this deadline all discovery that might lead to the need to file a motion to postpone trial on the merits or any other deadline.

DEADLINE FOR ADDING PARTIES:

No additional party may be brought into this case after the deadline therefor, unless all parties (including the one sought to be brought into the case) and the court are convinced, and all parties stipulate, that the introduction of the new party into the case will not require a postponement of the trial on the merits.

DEADLINE FOR AMENDING PLEADINGS:

Amendments to pleadings and responsive pleadings shall conform with Rule 63, T.R.C.P.

DEADLINE FOR DEMANDING JURY TRIAL:

No request for jury trial will be effective until written demand is received, together with jury fee or indigence affidavit, by the District Clerk. No request for a jury trial will be granted unless received by the District Clerk on or before the stated deadline date.

DATE FOR TRIAL ON THE MERITS:

All parties and attorneys must be present, with their witnesses, on the designated trial date, at the designated time, unless excused by the Court in advance.

Rule 3.22 Dismissal Docket; Involuntary Dismissal

A. Dismissal Docket, Taylor County

Each judge shall periodically, but at least once each year, review the court's docket, and commensurate with the condition of the docket, the length of time a case has been filed, and other circumstances, have cases placed on the dismissal docket. When a case is placed on the dismissal docket, notice shall be mailed to all attorneys of record, or any party who has made an appearance, and who is not represented by counsel. Unless a written motion for removal from the dismissal docket is filed prior to the expiration of twenty (20) day after the mailing of the notice, the case is

subject to dismissal for lack of prosecution at any time after the expiration of the twenty day period.

Motions for removal from the dismissal docket shall set out the reason for past inactivity, and the date on which the case will be ready for trial. Action on any motion to remove the case from the dismissal docket may be taken by the court either after a hearing set for that purpose, or without a hearing. If the motion to remove from the dismissal docket is granted, the court shall either:

1. make a specific trial setting for a time certain, or
2. provide that the case will be dismissed without further notice if not disposed of by a certain deadline, in which case the burden for disposing the case or obtaining an extension of the dismissal deadline for good cause shall be upon the party or attorney asserting the cause of action subject to dismissal.

This dismissal docket procedure is cumulative, and not exclusive, and nothing herein shall prevent a cause from being dismissed for failure of any party seeking affirmative relief to appear for a trial, pretrial, or other hearing, or for any other reason authorized by law or the Rules of Civil Procedure.

B. Disposition Calendar (Cases where no service of citation) Taylor County

1. When a civil case is filed, the District Clerk (Clerk) will issue citation to be served on the defendant(s). If service of citation has not been served on a defendant after 90 days, the Court Administrator (Admin.) shall cause the case to be set on the Disposition Calendar. The notice of setting shall advise the Plaintiff's attorney of the lack of service on the Defendant and that the case will be dismissed on the date set on the Disposition Calendar if Plaintiff does not file a written Motion for Continuance or a written request for Alternate Method of Service of Citation. On the date of the Disposition Calendar, one of the following will occur:
 - (a) The defendant is served citation and the Admin. will remove the case from the Disposition Calendar; or,
 - (b) The plaintiff files a written Motion for Continuance or a written Motion for Alternate Service of Citation and the Admin. will reset the case on a future Disposition Calendar.

(c) If neither (a) nor (b) occurs, the case may be summarily dismissed.

2. If the case is postponed from the first Disposition Calendar setting to another to allow more time for the plaintiff to secure service of citation on defendant, the case will be dismissed on the second Disposition Calendar setting date, unless the Court, after hearing, grants a second postponement. If a second postponement is granted by the Judge, the case will again be placed on a future Disposition Calendar until service of citation is perfected or the case is dismissed. Additional postponements will be handled like the second resetting.

Rule 3.23 Suspense Dockets

If a case has been stayed because it relates to a bankruptcy proceeding, such case is to be transferred to a "Suspense Docket" for suspension of further action and the file delivered to the clerk for storage.

Rule 3.24 Hearings on Pre-Trial Pleas and Motions

Nothing contained in these rules shall prevent either party in a complicated case from requesting a pre-trial hearing.

Rule 3.27 OPTION N/A

Rule 3.30 Default Judgments

Default Judgment Calendar - Taylor County

1. After citation has been served on the defendant, and if a defendant fails to file an answer within 30 days from the date the citation was served on the defendant, the Admin. will send a notice of setting to the plaintiff's attorney. The notice of setting will advise plaintiff's attorney of defendant's default, the date and time of the hearing, and the need to appear with a prepared Default Judgment on the scheduled hearing date. Plaintiff's attorney should be given at least ten (10) days notice of the hearing.
2. If the plaintiff fails to appear to take a default judgment, the Admin. will send a second notice of setting, with the instruction that the case will be dismissed under Rule 165a

(for lack of prosecution) if plaintiff fails to appear at this second setting.

Rule 3.31 Summary Judgments

Summary Judgment hearings will be scheduled upon the written request of any party or upon the Court's own motion.

Rule 3.40 Settlements

All trial counsel are urged to make a bona fide effort to settle cases before announcing ready for trial. The Court will expect counsel, before announcing ready, to confer with his client and with opposing counsel concerning settlement and to recommend an offer which is in his professional opinion reasonable, unless in his professional opinion the case is not such as to justify any offer whatsoever. When an attorney settles or dismisses a case which is set for trial, he shall give notice to the Court as soon as possible.

Rule 3.41 Jury Selection

For the 104th, 42nd and 350th District Courts, Taylor County, the jury panel is drawn from a pool in the Central Jury Room. The panel is sworn and qualified by the judge assigned the Central Jury Room, before the panel is seated in the courtroom. Voir dire procedure is conducted at the discretion of the Court. The other courts in Taylor County summon jurors to the courtroom rather than the Central Jury Room.

Rule 3.43 Submission of Orders, Judgments, Instruments

Unless due to the complexity of the judgment or order, or other exceptional circumstances, previous arrangements are made with the trial court for a definite submission date for a judgment or order, the following rules shall apply:

1. A judgment or other order may be prepared by any party and submitted to the court for signature. Such judgments or orders shall be so submitted within ten (10) days from the date of pronouncement thereof by the court.
2. Where the opposing party is represented by counsel, the judgment or order submitted to the court shall be signed by the attorney for the prevailing party as well as opposing counsel, unless:
 - (a) motions for judgment are filed with a judgment and a hearing is set on the motion for judgment, or

- (b) unless the judgment or order is accompanied by letter of transmittals, a copy of which was furnished opposing counsel, stating that the judgment is being submitted to the court with the request that the court defer signing same for an additional ten (10) day period during which opposing counsel may contact the court and state any objections to the judgment. In such event, failure by the opposing counsel to notify the court will result in the judgment being signed after the expiration of such ten (10) day period.

Rule 3.45 Other Local Rules

Except when modified by more specific rules, this Rule 3 is applicable in all civil cases in all courts.

RULES OF PRACTICE
326TH DISTRICT COURT, TAYLOR COUNTY, TEXAS
1989 VERSION

Rule 4.10 Time Standards for Family Law Case Disposition:

Dismissal dockets are prepared each April and October, therefore cases should be disposed of within six months of the date of filing.

Rule 4.11 Ancillary proceedings, Temporary Orders, and Emergency Matters:

All pleadings for ancillary, temporary and emergency matters shall first be filed with the Clerk and then brought to the attention of the Court Administrator.

Rule 4.12 Disposition Proposals:

a. Requests for settings: Non-jury:

Requests for settings of contested final hearings shall be in writing and directed to the Court Administrator, with copies to the Clerk and opposing counsel, and shall :

1. Specify all matters to be heard; and,

2. Certify that counsel have attempted to settle the disputed issues by written, telephone or personal conference; and
3. Certify that both counsel have agreed to the estimated time requested to hear all matters.

Where setting requests do not so certify, opposing counsel has the obligation to inform the Court, in writing within 5 days of the request, that the amount of time requested is not sufficient.

Any party may request a setting.

b. Continuances:

Requests for continuances must be in writing and will be set for hearing. The attorney obtaining a new hearing date shall confirm the setting in writing with opposing counsel and the Court.

c. Setting Conflicts:

Having a case set with the Judge at the same time one is set with the Master is a setting conflict. In that event, the case which has the oldest setting shall take precedence and the later set case shall be reset for another time.

d. Request for settings: Jury

Requests for jury trials must be made in writing and will not be placed on the docket until the jury fee is paid. Letters setting a pretrial hearing are routinely sent by the court administrator at least two weeks in advance of trial. Counsel shall attend such pretrial hearings to make announcements on their cases and present all pretrial motions.

Rule 4:13 Uncontested matters:

Default, waiver and uncontested matters:

- a. 9:00 a.m.--9:30 a.m. Tuesday, Wednesday, Thursday and Friday will be set aside to hear uncontested matters only. No uncontested matters will be heard on Mondays. Files must be pulled and given to the Court Administrator or Bailiff before 9:15 a.m.
- b. From time to time, notices will be posted in the District Clerk's Office and on the courtroom door indicating weeks during which no uncontested matters will be heard.

c. To facilitate collection of child support and to promote accuracy in the recording of payments, waivers of citation shall contain a place for the respondent's address, social security number and driver's license number, either in the body or under the signature.

Rule 4.14 Financial Information statements:

In all actions in which the Master or Judge is requested to set temporary alimony, child support or any other type of support, and in all actions involving a motion to increase or decrease support, each party shall prepare a financial disclosure form and deliver a copy of such form to the adverse party or his counsel and the Master or Judge prior to the hearing. Each party shall furnish two current pay stubs. Copies of the suggested forms are attached hereto as Exhibit A.

Rule 4.15 Child support guidelines:

a. The guidelines of Art. 14.05 of the Family Code and the rules thereunder apply to all original proceedings and motions to modify child support. All orders should direct that payments be made to the Taylor County Domestic Relations Office.

b. In cases involving more than one child, reductions in amount based on emancipation of older children, will be made proportionately, according to the guidelines, not equally by the number of children.

c. In all actions which the Master or Judge is requested to set child support and in all actions involving a motion to increase or decrease child support, each party shall prepare a financial disclosure form and deliver a copy of such form to the adverse party or his counsel and the Master or Judge prior to the hearing. Each party shall furnish two current pay stubs.

d. The Domestic Relations Office of Taylor County monitors all court ordered child support and visitation problems. Further information and forms can be obtained from that office.

Rule 4.16 Possessory Conservator Visitation Guidelines:

Possessory conservator visitation is controlled by the provisions of Section 14.033, Family Code, Standard Possession Order.

Rule 4.17 Inventory and Appraisement:

In cases involving an appreciable amount of property in dispute, counsel for each party shall prepare a list of property involved with estimates of value noted thereon. A copy of the list shall be presented to opposing counsel at least three days before trial and to the Court prior to any testimony being offered.

Rule 4.18 Ad Litem Appointments:

In cases where attorneys or guardians ad litem are required by law, the request for an appointment of same shall be made in writing to the Court Administrator who will supply the attorney's name next appearing on the Court's rotating list.

Rule 4.19 Mediation Counselling: No local rule

Rule 4.20 Referral to Master:

a. Referrals:

The Master shall hear all matters as set out in Art. 54.005 of the Government Code, which includes all temporary orders, modifications, contempts and protective orders.

b. Objections:

Objections to the Master will be considered untimely filed if filed fewer than 10 days before the trial date.

c. Settings:

(1.) Proposed orders shall be presented with requests for hearing on temporary orders, contempts and applications for protective orders. If contempt actions are expected to be contested and lengthy, the Court Administrator should be advised at the time of the request for hearing. All orders should specify that the hearing will be before the Court Master.

(2.) Requests for hearings on Motions to Modify shall be in writing and directed to the Court Administrator, with copies to the Clerk and opposing counsel, and shall certify that both counsel have conferred together and agreed to the estimated time requested to hear the entire matter. Where setting requests do not so certify, the allotted time will be divided equally between the parties.

(3.) When continuances are granted by agreements of counsel, the attorney requesting the continuance must obtain a new hearing date and confirm the same with both the Court and opposing counsel. In resetting contempts, an order setting hearing is required.

(4.) Having a case set with the Master at the same time one is set with the Judge is a setting conflict. In that event, the case which has the older setting will take preference and the later set case shall be reset for another time.

d. Written orders:

Written orders after the hearings by the Master shall provide appropriate signature spaces for both the Judge and the Master.

e. All Orders:

Orders are appealable to the referring court. All appeals shall be in writing, specifying that portion of the Master's ruling which is being appealed, and notice shall be given to opposing counsel. The notice shall also contain a request for a hearing and shall be filed and presented to the Court within three days after the recommendation is made by the Master.

All recommendations of the Master remain in full force and effect until the hearing is had on the appeal, except for incarceration for contempt.

Exhibits inserted here:

Financial Information Stmtnt.

Domestic Relations Ofc. Data Sheet

RULE 5

LIQUIDATED CLAIM CASES

(Option N/A)

RULE 6

CRIMINAL CASES

Rule 6.10A Grand Jury

The Grand Juries of the District Courts of Taylor County meet monthly as follows:

First Thursday	42nd District Court
Second Thursday	104th District Court
Third Thursday	350th District Court

The Grand Juries may meet on other days as the need arises.

Rule 6.12 Arraignment (Initial Appearance)

After an indictment is returned and filed in a district court, the arraignment date is scheduled by the Court for approximately two weeks away, with notice sent to the defendant's surety or attorney, if any, or to the defendant, if defendant has no surety or attorney. A defendant's attorney may waive arraignment and make official appearance in the case in writing prior to the arraignment date, and, in such case, the defendant and his attorney need not be present. If arraignment is not waived, the defendant must be present, with his attorney, if any, at the arraignment setting.

When a defendant is released from the Taylor County Detention Center on a misdemeanor charge, the defendant and bondsman are notified of the arraignment date, which is on Thursday at 9:00 a.m., at least seven (7) full days following the release. Persons arrested on Taylor County misdemeanor warrants in other counties and their bondsmen are notified by mail by the Court Administrator of the date of arraignment. A defendant's attorney may waive arraignment and make official appearance in the case in writing prior to this arraignment date, and, in such case, the defendant and his attorney need not be present. If arraignment is not waived, the defendant must be present, with his attorney, if any, at the arraignment setting.

Rule 6.13 Appointment of Counsel

When an accused is indigent and unable to make bond, if an attorney has not been appointed prior to indictment, then appointment of counsel will be made at the time of arraignment.

Rule 6.19 Continuance/Resetting/Postponement

Continuances, resettings and postponement of settings are at the discretion of the trial court. New setting dates are assigned by the trial court through the court administrator of each court.

Rule 6.24 Settings/Schedules

All settings are made by the trial court through the court administrator of each court.

RULE 7
JURY MANAGEMENT

Rule 7.10 Management of Juries

A jury management plan is on file with the District Clerk of Taylor County, providing for the use of voter registration and random computer selection of prospective jurors. A central jury room system is utilized for the 42nd, 104th and 350th District Courts. The 326th District Court and the County Courts at Law summon jurors directly to the courtroom.

RULE 8
JUDICIAL VACATION

Rule 8.10 Notification of Local Administrative Judge of Absence or Planned Vacation of Judge

Judicial vacations and educational events will be scheduled in advance, subject to changed conditions and where practicable and necessary to facilitate the scheduling of visiting judges, notice of such absence should be given the local administrative judge.

Rule 8.12 Requests for Visiting Judges

Each District Judge or County Court at Law Judge shall notify the Regional Administrative Presiding Judge when the need arises for a visiting judge to handle that court's docket or particular case needing assignment. A judge expecting the need for an assigned judge may request the local administrative judge to contact the Regional Administrative Presiding Judge to obtain an assignment.

RULE 9
NON JUDICIAL PERSONNEL
(Option N/A)

RULE 10
ATTORNEYS OF RECORD

Rule 10.12 Withdrawal of Counsel

An attorney is allowed to withdraw pursuant to the provisions of Rule 10, T.R.C.P.

Rule 10.13 Attorney Vacations

Any attorney may request the court not to set any cases involving such attorney for a designated two (2) week period during any calendar year. Such vacation letter shall be sent to the judge of the court ninety (90) days prior to the commencement of the vacation period, and in such event no cases shall be set for that attorney during the designated two week period.

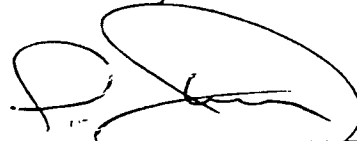
RULE 11
ADMINISTRATIVE LAW CASES
(Option N/A)

RULE 12
MISCELLANEOUS LOCAL RULES
(Option N/A)

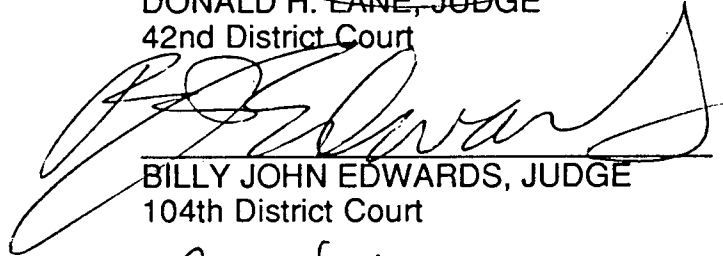
RULE 13
ADOPTION, AMENDMENT, NOTICE
(Option N/A)

The foregoing Local Rules of Court of Taylor County, Texas, were approved this date by District Court Judges and County Court at Law Judges of Taylor County, Texas.

Date: June 21, 1991



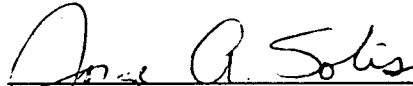
DONALD H. LANE, JUDGE
42nd District Court



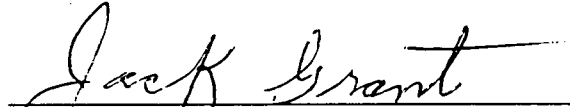
BILLY JOHN EDWARDS, JUDGE
104th District Court



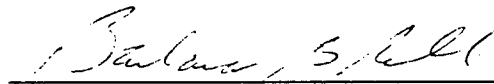
ALETA HACKER, JUDGE
326th District Court



JORGE A. SOLIS, JUDGE
350th District Court



JACK GRANT, JUDGE
County Court at Law No. 1



BARBARA ROLLINS, JUDGE
County Court at Law No. 2



SEVENTH ADMINISTRATIVE JUDICIAL REGION OF TEXAS
WELDON KIRK, PRESIDING JUDGE

BETTY JOY VAUGHT
ADMINISTRATIVE ASSISTANT
P O BOX 528
SWEETWATER, TEXAS, 79556
915 235-3133, 915 236-6944

June 18, 1991

Mr. C. Raymond Judice
Administrative Director
Office of Court Administration
1414 Colorado Street, Suite 602
P. O. Box 12066
Austin, Texas 78711-2066

Re: Local Rules of Court for Taylor County, dated June 3, 1991

Dear Mr. Judice:

I enclose herewith executed certificate of approval of the above mentioned rules in response to your letter dated June 13, 1991.

Yours very truly,

A handwritten signature in black ink that reads "Weldon Kirk". The signature is written in a cursive style with a large, sweeping "W" and "K".

Weldon Kirk

WK:bjv

enclosure

xc: Honorable Billy John Edwards
Judge, 104th District Court
Taylor County Courthouse
Abilene, Texas 79602

Honorable Nathan Hecht /
Justice, Supreme Court of Texas
P. O. Box 12248
Austin, Texas 78711

CERTIFICATE OF APPROVAL

As presiding judge of the administrative judicial region covering the affected county,
I approve the Local Rules of Court for Taylor County, dated June 3, 1991.

Weldon Kish
(Signature)

JUNE 17, 1991
(Date)



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

P.O. BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

EXECUTIVE ASS'T.
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T.
MARY ANN DEFIBAUGH

JUSTICES

RAUL A. GONZALEZ
OSCAR H. MAUZY
EUGENE A. COOK
JACK HIGHTOWER
NATHAN L. HECHT
LLOYD DOGGETT
JOHN CORNYN
ROBERT A. "BOB" GAMMAGE

July 30, 1991

Ms. Rilla Mahoney
District Clerk
County Courthouse
Abelene, Texas 79602

Dear Mr. Johnson,

Please find enclosed, a copy of an order of this Court of July 30, 1991 that approved local rules for Taylor County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Weldon Kirk
7th Admin Judicial Rgn

Mr. Ray Judice
Office of Court Admin