

**IN THE SUPREME COURT OF TEXAS**

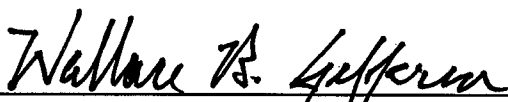
Misc. Docket No. 05-**9017**


**APPROVAL OF LOCAL RULES  
OF THE 36th, 156th & 343rd DISTRICT COURTS  
(ARANSAS, BEE, LIVE OAK, McMULLEN & SAN PATRICIO COUNTIES)**

**ORDERED** that:

Pursuant to Texas Rule of Civil Procedure 3, the following Local Rules of the 36th, 156th & 343rd District Courts (Aransas, Bee, Live Oak, McMullen & San Patricio counties) are approved.

In Chambers, this 14<sup>th</sup> day of January, 2005.

  
Wallace B. Jefferson, Chief Justice

  
Nathan L. Hecht, Justice

  
Priscilla R. Owen, Justice

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Harriet O'Neill, Justice

*J. Dale Wainwright*

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J. Dale Wainwright, Justice

*Scott Brister*

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Scott Brister, Justice

*David M. Medina*

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David M. Medina, Justice

*Paul W. Green*

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Paul W. Green, Justice

RULES OF COURT 36TH, 156TH AND 343RD DISTRICT COURTS

Composed of

ARANSAS COUNTY, BEE COUNTY, LIVE OAK COUNTY,

McMULLEN COUNTY & SAN PATRICIO COUNTY

The following local rules governing the practice in the District Courts of the 36th, 156th, and 343rd Judicial Districts of Texas (hereinafter referred to as “the Courts”) have been adopted.

The Clerk of the District Court of each of the counties composing the 36<sup>th</sup>, 156th, and 343rd Judicial Districts shall make available to each attorney practicing in such Court copies of these Rules.

1. JUDICIAL ADMINISTRATION

Rule 1.10 Election of the Local Administrative Judge.

Subject to Section 74.091 of the Texas Government Code and Rule 9 of the Rules of Judicial Administration, a majority of the District Judges will elect and prescribe the term of office of the Local Administrative Judge.

Rule 1.11 Information to Local Administrative Judge.

The District and County Clerks shall be responsible to each and all the Judges and Local Administrative Judge for the accurate collection and reporting of such information as may be prescribed in writing by the Regional Presiding Judge. Each Judge will have direct access to any such information and/or data collected at all reasonable times, Monday through Friday during work hours, and the Clerk shall produce all such and deliver same to any Judge upon request.

Rule 1.12 EMERGENCY AND SPECIAL MATTERS.

Subject to modification and without waiving their respective jurisdiction, each District Court Judge shall assume equal responsibility in emergency and special matters pursuant to Rule 10d of the Rules of Judicial Administration.

Rule 1.13 Judicial Vacation.

Whenever a judge anticipates absence of more than five (5) court days due to vacation, illness, national service, attendance at legal education courses, attendance to the meetings of judicial or bar committees, or otherwise, then that judge shall so inform the Presiding Judge of the Fourth Administrative Region so that another judge may be assigned to that court.

Rule 1.14 Powers and Duties of Local Administrative Judge.

The Local Administrative Judge shall see that each Court has the assistance of any other Judges who may be available for assignment and that the conduct of business is efficiently and fairly distributed to each judge having jurisdiction.

The Local Administrative Judge shall call meetings of the District Judges of the District at least once each month, preferably the first Friday of each month and additionally as needed. The Local Administrative Judge shall preside over such meetings, and in his or her absence the meeting Judge shall be conducted by another Judge present.

The Judges of the District Courts may meet with the Judges of the County Courts and County Courts at Law or any other persons responsible for the efficient administration of justice and make rules and orders relative to:

- (a) Docket management of the local courts;
- (b) Regular meetings to address the matters set forth in these rules and Rule 3e of the Rules of Judicial Administration;
- (c) Judicial budget matters;
- (d) Adult and juvenile probation matters;
- (e) County Auditor matters;
- (f) County purchasing matters;
- (g) Meeting and relationships with other governmental bodies, the public, and the news media;
- (h) Such other matters necessary to provide for the orderly, prompt, efficient, and effective administration of justice in the county;
- (i) Court reporters and timely preparation of records; and
- (j) Dismissals for want of prosecution pursuant to the law applicable thereto.

Pursuant to the Rules of Judicial Administration and Rule 3a of the Texas Rules of Civil Procedure the Judges will, as necessary, from time to time make rules pursuant to Rule 9b, Rules of Judicial Administration.

## 2. CASE FILING AND TRIAL SETTING(S)

### Rule 2.10 Time Standards for Case Disposition.

The Courts adopt the time standards for disposition of cases as established by the Constitution, Statutes, or by Rules of the Supreme Court, Rules of Judicial Administration, or by rules promulgated by the Court of Criminal Appeals.

Rule 2.11 Court Sessions.

The Courts sitting in the above mentioned counties shall be set according to a published schedule or calendar. The Courts shall publish an annual calendar showing the weeks of jury trials, non-jury trials, holidays and other schedules and events and any other matters that will facilitate the work of the Court. The Courts' calendar shall be available to the litigants, their attorneys and to other persons requesting it.

Rule 2.12. Filing and Assignment of Cases.

All civil cases shall be assigned to a specific Court on a rotating basis.

All criminal cases filed in Aransas and San Patricio Counties shall be filed in the 36th District Court. All criminal cases filed in Bee, Live Oak and McMullen Counties shall be filed in the 156th District Court.

Rule 2.13 Transfer of Cases/Docket Exchange/Bench Exchange.

In each county of this District, civil cases assigned to a specific Court shall remain pending in that Court until final disposition, provided that any case may be transferred to another Court by Order of the Judge of the Court in which the case is pending with the consent of the Judge of the Court to which the case is transferred.

Whenever any pending civil case is so related to another civil case pending in or disposed of by another Court, that to transfer the case to such other Court would facilitate orderly and efficient disposition of the litigation, the Judges may agree to have such related cases heard and transferred to the Court in which the earlier action was filed.

Any Judge of the District Court serving this Judicial District may act for any other Judge of the District Court serving these Judicial Districts in any case.

Rule 2.14 Request for Settings

Uncontested non-jury civil cases may be set for trial upon request to the Court Administrators' office in Sinton, Texas. Such request may be made by telephone, by letter, by Motion to Set or in any other manner that may be appropriate. Notice of such Motion or request shall be mailed to all other counsel in the case.

Contested non-jury and Jury civil cases may be set by request from any party or upon the Court's own Motion by a scheduling or Docket Control Conference through the Court Administrators' office in Sinton.

Docket control conferences will be held by telephone conference call unless otherwise specified. The Court administrators will notify all attorneys of record and pro se parties of the date and hour at of the conference call or the date which the attorneys and pro se parties, if any, are to appear.

The Court Administrators will designate the party who shall be responsible for arranging the conference call on the date and time scheduled by the Court Administrator.

When any attorney in charge for either party or pro se litigant, after notice and without good cause, fails to appear for a docket control conference or fails to be available for telephone docket control conference, the Court may:

1. Make all scheduling decisions and rule on all motions, exceptions or other matters in the absence of such counsel;

2. Declare any motions or exceptions of an absent party waived;
3. Advance or delay the trial setting or other such scheduling matters, or decline to set the case for trial, or cancel a setting previously made, according to the convenience of counsel present;
4. Pass and re-set the docket control conference, in which case the party represented shall be entitled to recover his reasonable attorney's fees and expenses;
5. Consider the absence of the attorney in charge as a contempt of Court, and punish counsel accordingly;
6. Have the case set for Dismissal or schedule the matter for Dismissal for Want of Prosecution.

The Administrator will prepare a Docket Control Order and the Court will sign the same which recites any action taken or agreements reached at the scheduling conference, and such order when entered, shall control the subsequent course of the action.

#### Rule 2.15 Request for Preferential Setting.

Cases may be set for preferential setting by consent of the Judge involved.

#### Rule 2.16 Ex Parte Relief

All applications for ex parte relief shall state whether or not within the knowledge of applicant and his attorney the opposing party is represented by counsel and if so the name of such counsel. The party requesting such ex parte temporary relief shall be present in Court at the time such relief is requested unless the Court waives this requirement for good cause shown.



Rule 2.17 Docket Calls and Announcements.

Each Judge shall call the number and style of the cases assigned for that day at the commencement of proceedings, at which time the attorneys for each party shall indicate whether they are ready for trial and how long the trial of the matter before the Court will take.

Rule 2.18 Dismissal Docket: Involuntary Dismissal.

If there have been no proceedings or activity in any case during the previous six (6) months, the Cause may be subject to dismissal for want of prosecution in accordance with Rule 165a of the Texas Rules of Civil Procedure. The Clerk will send notice of Intention to Dismiss such case to each of the attorneys in the case and if no request for trial is made after fifteen (15) days or such other time as may be prescribed by Rule 165a, the Cause may be dismissed.

Rule 2.19 Suspense Docket.

If a case has been stayed because it has been abated for any reason, or because a suggestion of bankruptcy proceedings involving the party thereto has been received or for any other reason, the Cause shall not be dismissed but shall be suspended until it can be determined whether the Court may proceed. The attorneys shall be responsible for notifying the Court of any change in the status of such case and respond to an inquiry from the Court in order that it may be expeditiously heard or dismissed.

### 3. MOTIONS AND TRIAL

#### Rule 3.10 Pre-Trial and Pre-Trial Motions.

At Pre-Trial Hearing all parties shall present their exceptions, motions and dilatory pleas, including Motions in Limine for rulings by the Court. Failure to present such exceptions, motions and pleas in a timely manner may cause them to be waived.

Counsel and any pro se parties shall be required to attend Pre-Trial hearings and will be expected to advise the Court which issues will be disputed and will be expected to be familiar with authorities applicable to questions of law thereby raised. Counsel and pro se parties attending the Pre-Trial Conference shall be the person who is expected to try the case or shall be familiar with the case and fully authorized to state the parties' position on the law and facts, make stipulations and enter into settlement negotiations. Should the Court find that counsel is not so qualified, it may consider that no counsel has appeared and may take action against the party involved.

The hearing of the Pre-Trial Conference may be by telephone conference call only if requested by any attorney and approved by the Court.

#### Rule 3.11 Disposition Motions and Other Preliminary Matters.

Preliminary matters may be disposed of either by hearing before the Court or upon written submission of authorities by counsel. Any party may request a hearing so long as the same is requested prior to the time that the Court makes its ruling.

Rule 3.12 Motions for Severance.

When a Motion to Sever is sustained, the severed claim shall be filed as a new case in the same Court and shall be given a new or suffix number or letter by the Clerk in whose Court the case is pending. The original case from which the claim is severed shall retain the original number given it by the Clerk of the Court. Before the severed claim is filed as a new case, the Clerk's requirement concerning deposit for costs shall be met.

Rule 3.13 Motions for Continuance.

Any grounds for continuance of a trial setting should be presented to the Court at least ten (10) days prior to the trial setting at the call of the docket or at Pre-Trial Conference.

No Motion for Continuance of a trial setting, including joint or agreed motions of all parties shall be granted without the Court's consent. Upon granting a Motion for Continuance, a setting conference shall immediately be held and the Order granting such Motion for Continuance should contain an Order resetting the case for trial.

Rule 3.14 Motions for Default Judgment.

After the appearance date of the defendant in a case has passed, a written request for entry of a Default Judgment may be made, and a form of judgment presented, together with any affidavits as to unliquidated parts of such claim. If the parties desire a hearing for default judgment, the Court Administrator should be contacted for appropriate time for setting. If a claim is liquidated and represented by documents filed, no hearing is necessary. For unliquidated claims, affidavits or testimony may be made the basis for a judgment by the Court.

Rule 3.15 Motions for Summary Judgment.

All motions for summary judgment will be set by submission only unless otherwise approved by the Court. A submission date will be given upon request made to the Court Administrator. Courtesy copies of all motions, responses and replies shall be mailed to the Judge prior to the submission date.

Rule 3.16 Motions for Referral of Disputes or Alternative Dispute Resolution Procedures.

The Court may, on its own motion or the motion of any party, refer a pending dispute for resolution of an alternative dispute resolution procedure as provided for in Chapters 151, 152 or 154 of the Texas Civil Practice and Remedies Code.

Any party may, within ten (10) days after receiving notification of a referral, file a written objection which sets forth a reasonable basis for the party's objection to referral and the same shall be forthwith set by the Judge for hearing and resolution.

Whenever a case is referred to alternative dispute resolution (ADR), the Court shall appoint a mediator but counsel may agree upon a certain mediator with court approval.

Rule 3.17 Discovery Motions.

All counsel are expected to engage in good faith negotiations pursuant to the discovery and deposition rules of the Texas Rules of Civil Procedure. Requests for hearings on motions for discovery, for protection, to quash interrogatories or requests for sanctions may be heard at any time, in any county in which the Judge having jurisdiction of the case can hear the same.

Rule 3.18 Settlements.

All trial counsel are urged to make a bona fide effort to settle cases before announcing ready for trial.

When an attorney settles or dismisses a case which is set for trial, he shall give notice to the Court Administrator as soon as possible and submit a written dismissal or judgment forthwith.

The Court reserves the right to require the presence of counsel and the parties at the time for which trial was set if no documentary evidence of the settlement has been received before the call of the docket.

Rule 3.19 Conflicting Engagements of Counsel.

When a Motion for Continuance is made on the basis that counsel already has a trial setting in another court, such motion should state the court and cause number and style of the case pending elsewhere and should include the estimated length of time the attorney will be unavailable to this Court. The Court reserves the right to verify that appearance of counsel is necessary in any other Courts.

At docket control or scheduling conference, each attorney shall be responsible for disclosing to the Court Administrator or Judge any conflicting engagements of counsel that may interfere with a trial setting. Tentative schedules in some other Court will not be grounds for granting a continuance. In the event the case in the other Court is passed, continued or disposed of prior to or during the week in which the case is set for trial in these Courts, the attorney shall immediately notify the Court and opposing counsel of such fact.

In case of such conflicting settings, the Court whose date of setting is the earliest has preference; except that criminal cases in all District Courts shall have priority over civil cases.

Rule 3.20 Witnesses/Exhibits.

Cases announced to be ready on the date of trial shall in all respects be ready, with witnesses and other evidence available so that the trial may proceed without delay and/or interference. Insofar as is possible, counsel for the party shall pre-mark for identification all items to be introduced into evidence and further shall notify the Court as to those items upon which counsel can agree may be admitted into evidence without objection.

In any case where a witness does not speak English, the attorney presenting such witness shall make provision for a properly qualified interpreter to be present at the time of such witness's testimony.

Rule 3.21 Jury Charges.

A jury charge, with questions and instructions that may be reasonably anticipated should be prepared and submitted to the Court at pre-trial hearing, or at least seven (7) days in advance of trial, whichever is earlier.

4. FAMILY LAW

Rule 4.10. Family Law Cases Involving Children.

All parties seeking access to a child or seeking appointment as a conservator (whether joint, sole or possessory) shall complete a Parent Education and Family Stabilization Course

pursuant to the Texas Family Code and the Minute Order of the District Courts. This course must be completed prior to the matter being set for trial.

To expedite trials, it shall be the duty of each attorney to confer prior to trial with each other attorney regarding settlement, stipulations, estimated time of trial, waiver of jury, the extent, description, character and value of property in question, amount of support, conservatorship, periods of possession and/or access rights, duties and powers of the conservators, and contested issues.

Trial settings shall be made as set out in Rule 2.14 herein.

Child support payments are to be ordered withheld from the obligor's earnings. The name and address of the obligor's employer must accompany any order for withholding from income for child support.

#### Rule 4.11 Property Division

In all cases requiring a division of property and/or liabilities, the husband and wife shall each file with the court and exchange between themselves, sworn inventories. Each inventory shall list the value of each item of property and shall list each liability, the number of periodic payments in arrears, if any, the property securing its payments, and the name of the creditor. Any property or liability claimed to be separate shall be so characterized.

Each attorney shall submit a proposed property division, including property claimed or recognized as separate property, to the Court and opposing counsel not later than the commencement of trial. A courtesy copy of the inventory shall be provided to the Court at the time of hearing.

Rule 4.12 Bureau of Vital Statics Forms

At the conclusion of any trial on family law cases, the appropriate BVS forms and information on child (suit affecting parent-child relationship forms) shall be filled out and a decree prepared and presented to the Court forthwith.

5. CRIMINAL CASES

Rule 5.10 Felony Cases.

After indictments are returned and the Clerk has issued precepts, a Docket Call shall be held at which each Defendant is expected to appear with his attorney if one has been engaged. If he has no attorney, he should be prepared to fill out the form requesting an attorney. If he is found to be indigent, an attorney will be appointed and the case set for trial by jury and for an earlier pre-trial and announcement. The Criminal Pre-Trial proceedings shall be governed by Article 28 of the Texas Rules of Criminal Procedure.

If court-appointed attorneys are necessary in any criminal case the appointment and procedures shall be pursuant to the 36<sup>th</sup>, 156<sup>th</sup> and 343<sup>rd</sup> Judicial District's Alternate Plan and Standing Rules and Order for Procedures for Timely and Fair Appointment of Counsel for Indigent Defendants in Felony Cases.

Rule 5.11 Appearance of Defendants and Counsel

In criminal cases all Defendants and their attorneys must be personally present in Court during arraignment, pre-trial hearings and announcements unless appearance has been waived by the Court in advance. Attorneys are required to notify the Office of the Judge and of the Clerk in



writing that they are employed in the case. If such retainer notice is not given to the Clerk prior to the dates of hearing, pre-trial hearing, arraignment, announcement or trial, the Court may make an appointment from among the attorneys available to the Court for appointment and the client may be required to pay for such services. Substitution of retained counsel, who failed to notify the Court of retention, may only be permitted by leave of the Court.

At Announcement each Defendant and Attorney must attend and announce for the Jury Trial setting in order that the parties may prepare for trial. The trial shall be by jury on the date appointed and shall likewise be governed by the Texas Rules of Criminal Procedure relating to criminal jury trials.

#### 5.12 Court Appointed Interpreters

In criminal cases, a motion for a court appointed interpreter shall be filed at pre-trial or earlier as provided in the Code of Criminal Procedure.

### 6. JURY TRIALS

#### Rule 6.10 Jury Management.

The Trial Judges in each County of the District shall adopt a jury plan governing the selection, management, assignment and time of jury service.

Where appropriate, a Judge designated by the Local Administrative Judge, may preside over the qualifications of petit jurors and the assignment of jury panels to the several weeks in any one county where the same appears appropriate.

Each member of the jury panel shall receive and complete a uniform juror questionnaire.

Each juror shall bring the questionnaire to Court and the questionnaires shall be available to the attorneys in jury selection.

During all weeks in which cases are set, juries will be summoned for 9:00 A.M. on Monday or at other appropriate times, as ordered by the Judge, and will be subject to assignment during the ensuing week, and may be carried over for additional weeks on order of the Judge.

All juries will be selected on the first day of each jury week or at the Judge's discretion. After jury selection, any case may be recessed to a time certain during the trial week or a subsequent week. Where more than one jury is to be selected, counsel in all cases should be present at the entire voir dire in order to refrain from repeating questions already asked of members of the jury panel on voir dire of a previous case.

## 7. COURT PERSONNEL

### Rule 7.10 Non-Judicial Personnel.

The Local Administrative Judge shall supervise the Court Administrator Program and shall be responsible for all administrative matters peculiar to the Courts (as distinguished from judicial matters). The Local Administrative Judge shall periodically review case flow procedures and operations of Court Administration program and shall recommend necessary changes to the Judges of the District Courts, County Judges and County Court At Law Judges.

Unless otherwise agreed upon by all of the District Court Judges each District Judge shall control the employees of their Court, including those who render services directly or indirectly to each Court, including, but not limited to: Official Court Reporters, Deputy Official Court Reporters, Court Administrators, Court Coordinators, staff, if any, of Court Administrators,

Bailiff, assignment clerks, central jury bailiffs and staff, and grand Jury Bailiffs and others so employed and hired. The qualifications for these positions shall be those set forth in the pertinent statutes, in the approved job descriptions or in official joint Court Orders. Non-judicial personnel should observe the standards of decorum and conduct set forth in the Code of Judicial Conduct.

#### Rule 7.11 Bailiff Duties

The Bailiff shall see that the flag of the United States and the flag of the State of Texas are properly and prominently displayed at some convenient place in the courtroom.

Formal Opening of Court. Immediately before the scheduled time for the beginning of court sessions, the Bailiff shall direct all Court officers and spectators to their seats and shall bring Order. As the Judge enters the Courtroom, the Bailiff shall state, "Everyone please rise." While everyone is still standing he shall make an appropriate announcement such as, "The \_\_\_\_ Court is now in session, the Honorable \_\_\_\_\_, Judge Presiding." If the Judge does not seat the persons assembled, the Bailiff will then say, "Be seated please."

Formal Closing. At the end of the trial day the Court shall tell the jury, if there is a jury, or otherwise will announce to the officers of the Court: "This Court will be in recess until tomorrow morning at \_\_\_\_ o'clock", at which time the Court Bailiff shall state, "The \_\_ Court of \_\_\_\_\_ County, Texas, will stand in recess until (date) at \_\_\_\_\_ o'clock A.M."

## 8. ATTORNEYS DUTIES

### Rule 8.10 Attorneys - Attorney Vacations.

Vacation letters setting the days an attorney will be unavailable due to vacations shall be sent to the District Court Administrators as soon as attorneys know of vacation days. If there is a prescheduled trial date a Motion for Continuance must be filed and said continuance may be granted at the discretion of the judge. If a setting is made after a vacation letter has been received by the Court Administrators said attorney may request a reset from the Court Administrator without a Motion for Continuance. At their discretion a Judge may recognize another time for the designated vacation period.

### Rule 8.11 Attorney Withdrawal.

No attorney of record shall be permitted to withdraw from any case without presenting a motion and obtaining from the Court an Order granting Leave to Withdraw. Such motion shall be accompanied by the client's written consent to such withdrawal or pursuant to Texas Rules of Civil Procedure. Such leave may be denied where the Motion is presented so near the trial date as to require delay of the trial. If leave is granted the Clerk shall notify the party of such action and advise the party of any trial settings and that he may secure other counsel.

### Rule 8.12 Conduct/Decorum of Counsel.

Each day the Court is engaged in hearing a matter, the Court shall be opened by the Bailiff directing all Court officials and spectators to their seats.

All officers of the Court, except the Judge and jurors, and all other participants, except

witnesses who have been placed under the Rule, shall promptly enter the courtroom before the scheduled time for each Court session. When the Bailiff calls the Court to order the following order shall be observed.

In the courtroom there shall be:

- (a) No tobacco used;
- (b) No chewing gum used by a witness or by any attorney while interrogating a witness or addressing the Judge or jury;
- (c) No reading of newspapers;
- (d) No bottles, cups, or beverage containers except water pitchers and cups unless otherwise permitted by the Judge;
- (e) No edibles;
- (f) No propping of feet on tables or chairs;
- (g) No noise or talking which interferes with the court procedure.

The Judge, the attorneys, and other officers of the Court will refer to and address other Court officers and other participants in the proceedings respectfully and impersonally, as by using appropriate titles and surnames rather than first names.

The oath will be administered in a manner calculated to impress the witness with the importance and solemnity of the promise to adhere to the truth.

All officers of the Court shall dress appropriately for court sessions. In order to promote judicial decorum male attorneys and court officials shall wear coats and ties and female attorneys and court officials shall dress in a consistent manner.

Non-attorneys and non-court officials shall dress appropriately. No rubber sandals, shorts, sleeveless shirts or bare feet will be allowed in the Courtrooms.

Attorneys should observe the letter and spirit of all canons of ethics including those

dealing with discussion of cases with representatives of the media and those concerning improper ex parte communications with the Judge.

Attorneys should advise their clients and witnesses of the local Rules of Decorum that may be applicable.

All objections, arguments, and other comments by counsel shall be directed to the Judge or jury and not to opposing counsel.

While another attorney is addressing the Judge or jury, an attorney should not stand for any purpose except to claim the right to interrupt the attorney who is speaking.

Attorneys should not approach the bench without leave of the Court and must never lean on the bench, stack papers or place books on the bench without permission.

Attorneys shall remain seated at the counsel tables at all times except:

- (a) when the Judge enters and leaves;
- (b) when addressing the Judge or jury; and,
- (c) whenever it may be proper to handle documents, exhibits, or other evidence.

Attorneys should anticipate any need to move furniture, appliances, or easels, and should make advance arrangements with the bailiff. Tables should not be moved during court sessions.

All pagers, cellular telephones and other telecommunication devices shall be turned off while in the Courtrooms.

No knives, guns or any other weapons shall be carried into the Courtrooms. Any such weapon found shall be confiscated and forfeited.

## 9. MISCELLANEOUS LOCAL RULES.

### Rule 9.10 Attorneys ad Litem and Amicus Attorneys.

Any Judge may appoint Attorneys ad Litem or Amicus attorneys upon request by a party or on the Court's own motion. The request may not be made by any person interested in being appointed.

### Rule 9.11 Judgment and Orders.

All orders and judgments must be submitted to the Court for entry within seven (7) days from the date of the hearing or decision by the Court.

### Rule 9.12 Photography or Recording in Courtroom .

The use in the courtroom of cameras, tape recorders or recording devices of any kind, except by the Court Reporter, will not be permitted.

## CONCLUSION

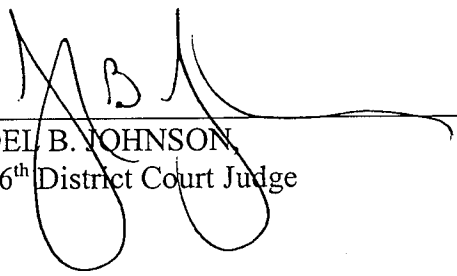
Nothing herein provided shall be construed to modify or supersede any provision of the Texas Rules of Civil Procedure, the Texas Code of Criminal Procedure, the Rules of the State Bar of Texas, or any statute of Texas, nor do the foregoing rules apply to the manner of obtaining extraordinary relief that may not be practicably handled in accordance with these rules.

SIGNED AND ORDERED PROMULGATED on this 3 day of

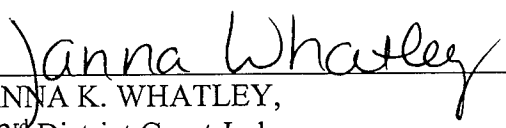
September, A.D., 2004.



\_\_\_\_\_  
MICHEL E. WELBORN,  
36<sup>th</sup> District Court Judge



\_\_\_\_\_  
JOEL B. JOHNSON,  
156<sup>th</sup> District Court Judge



\_\_\_\_\_  
JANNA K. WHATLEY,  
343<sup>rd</sup> District Court Judge





**Elida DeLeon**  
*Court Administrator*  
P.O. Box 700  
SINTON, TEXAS 78387-0700  
Office: (361) 364-6200

**JANNA K. WHATLEY**  
*DISTRICT JUDGE*  
**343rd Judicial District**

November 17, 2004

**COUNTIES:**  
Aransas  
Bee  
Live Oak  
McMullen  
San Patricio

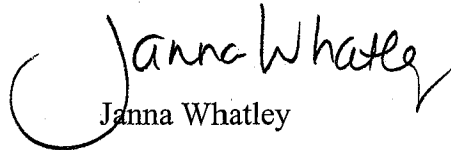
Honorable David Peeples  
Administrative Judge  
Fourth Judicial Region of Texas  
Bexar County Courthouse  
San Antonio, Texas 78205

Re: Local Rules

Dear Judge Peeples:

Enclosed please find Local Rules for your review and approval.

Sincerely,

  
Janna Whatley

JW/edl

Enclosure

CERTIFICATE OF APPROVAL

As Presiding Judge of the Fourth Administrative Judicial Region, I hereby approve the enclosed Local Administrative Rules for the 36th, 156th, and 343rd District Courts and forward them to the Texas Supreme Court for its consideration.

*David Peoples*

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DAVID PEEPLES, PRESIDING JUDGE

*12-1-04*

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