

IN THE SUPREME COURT OF TEXAS

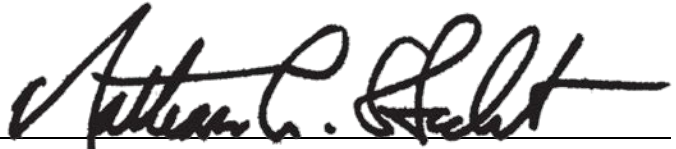
Misc. Docket No. 15-9076

APPROVAL OF AMENDED LOCAL RULES FOR THE DISTRICT AND COUNTY COURTS OF HUNT COUNTY

ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves the following local rules for the District and County Courts of Hunt County.

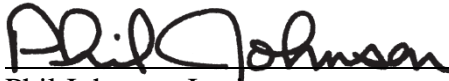
Dated: April 28, 2015.



Nathan L. Hecht, Chief Justice



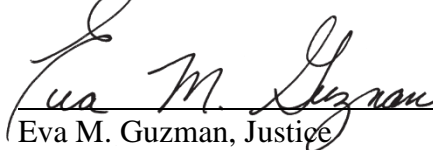
Paul W. Green, Justice



Phil Johnson, Justice



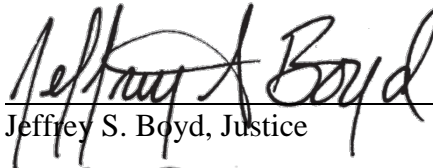
Don R. Willett, Justice



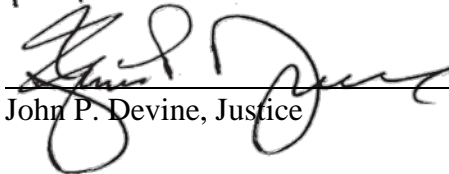
Eva M. Guzman, Justice



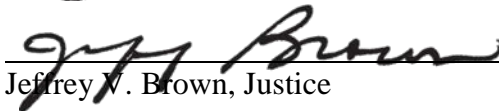
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey W. Brown, Justice

Local Rules for the District Courts and County Courts at Law of Hunt County, Texas

1. PURPOSE

The objective of these rules is to comply with the provisions of Section 74.093 of the Texas Government Code, and to set forth the procedures for the efficient handling of cases filed in the District Courts and County Courts at Law in Hunt County, Texas.

2. LOCAL ADMINISTRATIVE JUDGES

2.1 Subject to Section 74.091 of the Texas Government Code, a majority of the District Judges whose judicial district includes Hunt County will elect a Local Administrative District Judge (hereinafter referred to as "LADJ") and prescribe the term of office (not to exceed two years).

2.2 Subject to Section 74.0911 of the Texas Government Code, a majority of the County Court at Law Judges will elect a Local Administrative County Court Judge (hereinafter referred to as "LACCJ") and prescribe the term of office (not to exceed two years).

2.3 The Local Administrative Judges may assign and transfer cases to ensure the orderly, prompt, efficient and effective administration of civil and criminal justice in the Courts of Hunt County, Texas. If the LADJ is absent, any other District Judge may act on behalf of the LADJ. If the LACCJ is absent, any other County Court at Law Judge may act on behalf of the LACCJ.

2.4 All assignments, filings & transfers authorized under these local rules are subject to & limited by the jurisdictional limitations of each type of court involved.

3. FILING AND ASSIGNMENT OF CASES:

3.1 CIVIL CASES

a) All civil cases within the exclusive jurisdiction of the County Courts at Law shall be filed with the Hunt County Clerk and randomly assigned by the Clerk to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

b) All civil appeals from municipal or justice courts shall be filed with the Hunt County Clerk and randomly assigned by the Clerk to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

c) All civil cases within the exclusive jurisdiction of the District Courts shall be filed with the Hunt County District Clerk and randomly assigned by the Clerk to a District Court. The LADJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

d) Where the jurisdiction of County Courts at Law and District Courts overlap in a civil case, these cases may be filed with the County Clerk for the County Courts at Law or with the District Clerk for the District Courts. The Clerk receiving the filing shall randomly assign the case to an appropriate court.

e) Any civil case may be transferred between courts by a transfer order of the Judge that has the case, if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at Law or the LADJ if the transfer is between the District Courts, as long as the Court that receives the case has jurisdiction for that type of case.

3.2 FAMILY LAW CASES

a) All family law cases shall be filed with the Hunt County District Clerk and randomly assigned-by the Clerk to a District Court; except for family cases where the only relief requested is for a protective order from family violence in which case Rule 3.6 below would apply. (Juvenile cases are not considered family law cases for purposes of these rules.)

b) All family law cases are subject to transfer to another District Court or to a County Court at Law. Such transfer may be initiated by the District Judge assigned the case, if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at Law or the LADJ if the transfer is between the District Courts.

c) All family law cases involving children shall require the completion of a designated parenting class for all parents and any party seeking conservatorship rights.

3.3 CRIMINAL LAW CASES

a) All Class A and Class B misdemeanor cases shall be filed with the Hunt County Clerk and randomly assigned to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

b) All Class C misdemeanors appealed to the County Courts at Law shall be randomly assigned by the Hunt County Clerk to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

c) All indictments returned by a Hunt County Grand Jury shall be filed in the Court of the Judge that impaneled that Grand Jury. Informations for felony cases shall be filed in the 196th Judicial District Court during the first six months of the calendar year and in the 354th Judicial District Court during the last six calendar months of the year, except that the LADJ may direct that informations be filed in either court by order as needed.

d) Any criminal case may be transferred between courts by a transfer order of the Judge that has the case, if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at Law or the LADJ if the transfer is between the District Courts, as long as the Court that receives the case has jurisdiction for that type of case.

3.4 JUVENILE CASES

a) All cases charging a juvenile with delinquent conduct or with being in need of adequate supervision shall be filed with the County Clerk of Hunt County and then randomly assigned to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

b) Any juvenile case may be transferred to another court by transfer order of the Judge who has the case if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at Law or the LADJ if the transfer is between the District Courts.

3.5 CASES SEEKING TO PROTECT A MENTALLY ILL PERSON OR AN ELDERLY PERSON

a) All cases seeking to protect a mentally ill person or an elderly person shall be filed with the Hunt County Clerk and then randomly assigned to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

b) Any cases seeking to protect a mentally ill person or an elderly person may be transferred to another court by transfer order of the Judge who has the case if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at law or the LADJ if the transfer is between the District Courts.

3.6 CASES SEEKING TO PROTECT A PERSON FROM FAMILY VIOLENCE

All cases seeking to protect a person from family violence are subject to the limitations and requirements subject to Chapter 82 of the Texas Family Code, including sections 82.005, 85.063, and 85.064 in addition to the following:

a) All cases seeking a protective order from family violence shall be filed with the County Clerk unless the request for a protective order is in connection with a divorce proceeding. If the request for a protective order is in connection with a Divorce proceeding, then it shall be filed with the District Clerk. The Clerk who receives the filing shall randomly assign the case to an appropriate court. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

b) Any cases seeking a protective order from family violence may be transferred to another court by transfer order of the Judge who has the case if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at Law or the LADJ if the transfer is between the District Courts.

3.7 CASES CONCERNING ESTATES AND GUARDIANSHIPS

a) All cases concerning an estate or a guardianship shall be filed with the Hunt County Clerk and randomly assigned to a County Court at Law. The LACCJ may order the Clerk to assign the cases in a different manner to accomplish the purposes of these rules.

b) Cases concerning an estate or a guardianship may be transferred to another court by transfer order of the Judge who has the case if the court, to which the case is being transferred, agrees or by order of the LACCJ if the transfer is between the County Courts at Law or the LADJ if the transfer is between the District Courts.

4. SEVERABILITY

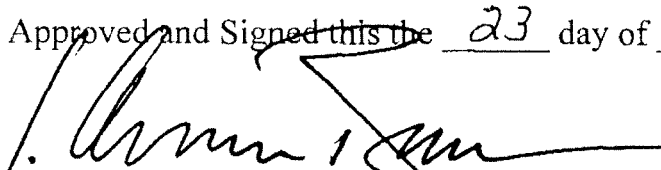
In the event that any of the foregoing rules, or any part thereof, are held to be invalid for any reason, such invalidity shall not affect the validity of the remaining rules.

Approved and Signed this the 3 day of April, 2015.

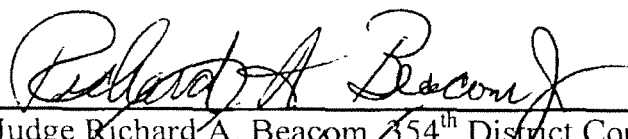


Judge Mary Murphy, Presiding Judge 1st Administrative Region

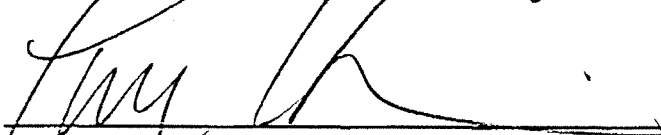
Approved and Signed this the 23 day of MARCH, 2015.



✓ Judge J. Andrew Bench, 196th District Court of Hunt County, Texas



Judge Richard A. Beacom, 354th District Court of Hunt County, Texas



Judge Timothy S. Linden, Hunt County Court at Law No. 1



Judge F. Duncan Thomas, Hunt County Court at Law No. 2