

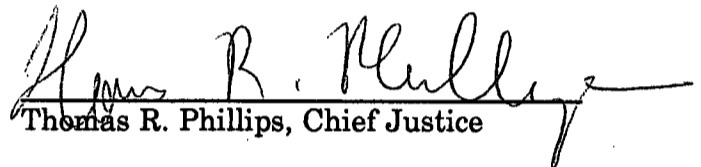
ORDER OF THE SUPREME COURT OF TEXAS

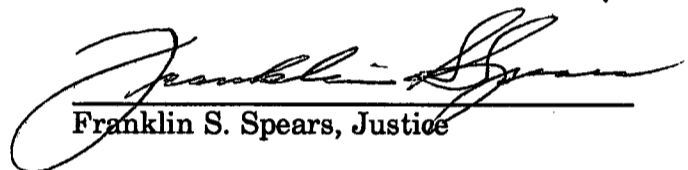
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court hereby approves the following local rules, which have been hitherto approved by the presiding judge of the appropriate administrative judicial region and submitted to this Court:

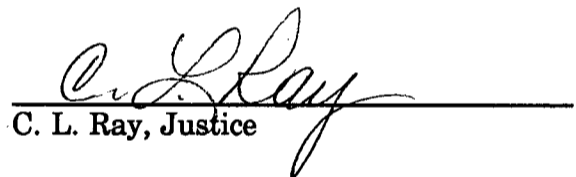
Amendment of Rules 2.1 through 2.9, Part III, Civil District Court Rules,
Section II, Jury Docket, Bexar County, dated December 22, 1989

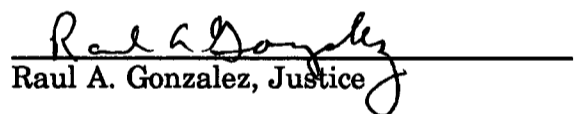
The approval of these rules is temporary, pending the further orders of the Court.

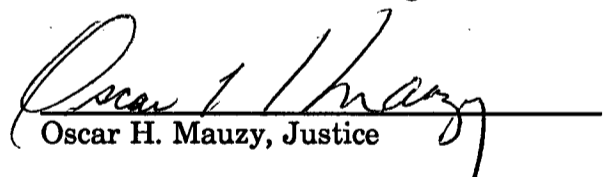
En banc, in chambers, this the 28 day of March, 1990.

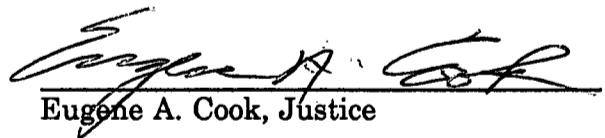

Thomas R. Phillips, Chief Justice

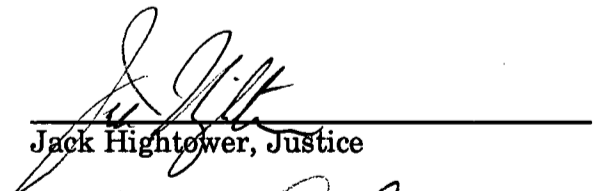

Franklin S. Spears, Justice

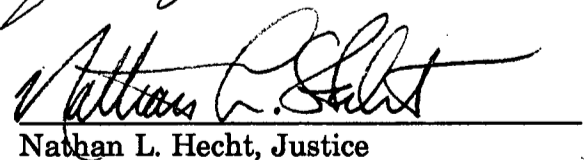

C. L. Ray, Justice

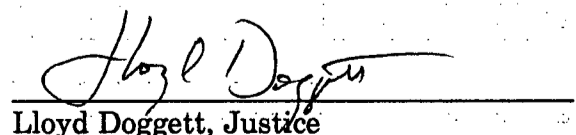

Raul A. Gonzalez, Justice


Oscar H. Mauzy, Justice


Eugene A. Cook, Justice


Jack Hightower, Justice


Nathan L. Hecht, Justice


Lloyd Doggett, Justice

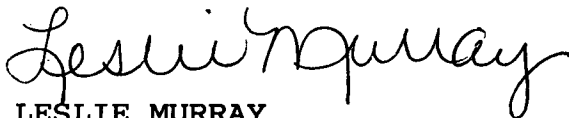
LETTER OF CERTIFICATION

I, JOHN CORNYN, PRESIDING JUDGE OF THE FOURTH ADMINISTRATIVE JUDICIAL REGION OF TEXAS, on this the 13th day of March, A.D., 1990, do hereby certify that the above Rules were adopted by the State District Judges of Bexar County by majority vote at a Judges' meeting on the 22nd of December, A.D., 1989.



JOHN CORNYN, PRESIDING JUDGE
FOURTH ADMINISTRATIVE JUDICIAL
REGION OF TEXAS

ATTEST:



LESLIE MURRAY
ADMINISTRATIVE ASSISTANT

AMENDMENT OF RULES 2.1 THROUGH 2-10, PART III,
CIVIL DISTRICT COURT RULES, SECTION II, JURY DOCKET

(Effective January 1, 1990)

Rules 2.1 through 2.10 of Part III, Civil District Court Rules, Section III Jury Docket are amended in their entirety, to read as follows:

PART III, CIVIL DISTRICT COURT RULES

II. JURY DOCKET

2.1 REQUEST FOR JURY SETTING: Any party may obtain a Jury Trial Setting by obtaining a trial date from the Civil Jury Assignment Clerk. All motions and settings are filed in the Jury Assignment Clerk's office. No motion or order setting on the Jury Trial Docket shall be accepted for filing from the District Clerk without an approved trial date having first been obtained by the Civil Jury Assignment Clerk.

2.2 JURY DOCKET: Upon receipt of a Motion of Set on the Jury Docket, the Civil jury Assignment Clerk shall set the case on the Jury Docket for the next available date.

2.3 NOTICE OF JURY SETTING: The Party requesting the Trial Setting shall mail a conformed copy of the Motion and order setting the case for trial to all Parties by Certified Mail, Return Receipt Requested.

2.3 (a) ALL SETTINGS ARE TRIAL SETTING: All settings are trial settings which will be called on the docket of the designated Monitoring Court. A written Motion for Continuance, complying with Tex. Rules Civ. Proc. 251-254, is required to pass any trial setting. All resets will be for a date certain.

Any unexcused failure to appear at a Trial Setting will be grounds for appropriate sanctions under Tex. R. Civ. R.215 by the Monitoring Court.

2.4 PREFERENTIAL SETTINGS: On Motion, and three days notice to all other parties, any party may, for good cause, move the Monitoring Court to advance a case on the jury trial docket. Upon request, the Monitoring Court, shall preferentially set Worker's Compensation, Family Law and other cases entitled to a statutory preference.

2.5 SPECIAL SETTINGS: All requests for a Special Setting, whether agreed on or contested, must be presented to the Monitoring Judge upon Motion and Notice of hearing. If the request is granted a scheduling order will also be required.

2.6 COMPLEX CASES: Upon Motion and three days notice, any Party may, for good cause shown, move the Monitoring Judge to designate a case as complex, which will thereafter be assigned to one Judge.

Whether a case is sufficiently extraordinary and complex to justify such designation is a decision to be made at the discretion of the Monitoring Judge. When the Monitoring Judge has designated a case as complex, the Local Administrative District Judge shall then assign the case in sequential order, according to the number of the court, to one Judge for all further pre-trial matters and for trial.

2.7 MOTIONS FOR CONTINUANCE: All Motions for Continuance of cases on the Jury Docket shall be set in the Monitoring Court, through the Civil Jury Assignment Clerk, between 8:30 and 9:30 a.m., Monday through Friday, either by agreement, or upon three days notice to the opposing Party when the Motion is contested. All settings for continuances shall be made through the Civil Jury Assignment Clerk.

2.8 ASSIGNMENT OF CASES FOR JURY TRIAL: The Civil Jury Assignment Clerk, under the supervision of the Monitoring Jury Docket Judge, shall assign cases to an available Court for trial.

Upon informal request, the Civil Jury Assignment Clerk shall make reasonable efforts to accommodate out-of-town counsel and witnesses.

Generally, all cases shall be assigned in chronological order according to the date of filing, with the oldest cases assigned first. Preference will be given to existing Special Settings and those cases entitled to a statutory preference.

Jury cases will be assigned each of the first three weeks of each month. No cases will be set for the last week of a given month without approval of the Monitoring Court. These weeks are kept open for resetting of any case not reached on date set.

2.8 (a) POSTED NOTICE OF TRIAL SETTINGS: A computer printout of cases set for a date in the succeeding month will be posted in the following locations:

- (1) The office of the Civil Jury Assignment Clerk,
4th Floor of the Bexar County Courthouse;
- (2) The Presiding Court, Room 218, Second Floor of the
Courthouse; and,
- (3) The District Clerk's Office, Third Floor of the
Courthouse.

It is the responsibility of all counsel to regularly and frequently acquaint themselves with all posted notices of trial settings.

2.8 (b) In the event of conflicting trial settings, the older case filed will be tried first, whether in or out of county.

The unavailability of a particular lawyer in a Firm will generally not be considered grounds for a continuance of any case where other lawyers within the Firm have had significant involvement in the case, such as signing pleadings, making court appearances, or attending depositions.

If any lawyer's caseload becomes a disruption to the orderly flow of a Jury Docket, the Monitoring Court may limit the number of cases that a lawyer can set on the Jury Docket for a given period.

2.9 DOCKET CALL PROCEDURE: Each Monday of any week where Jurors are called to serve, the Monitoring Docket Judge shall call the docket of those cases set for that week and hear all Motions affecting the jury docket at the end of docket call. All Parties that announce ready shall provide the Court an estimated length of trial.

If there is no answer by the Plaintiff's upon the call of the case, the case may be dismissed at the request of the Defendant appearing and announcing ready. If there is no answer for the Defendant, a Judgment may be rendered upon the request of the Plaintiff appearing and announcing ready. If neither Party announces ready at the time the matter is called, the case will be dropped from the Jury Docket. No case shall be reinstated on the docket unless an appropriate Motion is filed, set for hearing and good cause shown.

All Cases that announce ready for trial will be subject to immediate assignment until 11:00 a.m., and if not assigned at that time, continue on stand-by through Friday. Any case that does not go to trial the week in which it is set will automatically be reset to the last Monday of the month without further notice.

In the event any cases re-set for the last week of the month are not reached, those cases will be re-set by the Monitoring Court for a date certain.

Adopted by a majority of District Court Judges of Bexar County at a meeting expressly called for that purpose on the 22nd day of December 1989, Part V, Rule VII, Rules of Practice, Procedure and Administration in the District Bexar County, Texas, Sec.74.093 of the Texas Government Code; Rule 3a Texas Rules of Civil Procedure; Rule 10, Rules of Judicial Administration, subject to the approval of the Texas Supreme Court.



STATE OF TEXAS
OFFICE OF COURT ADMINISTRATION
1414 COLORADO STREET, SUITE 602

C. Raymond Judice
Administrative Director

Post Office Box 12066
Austin, Texas 78711-2066
512/463-1625

11.166
Jim Hutcheson
General Counsel

April 3, 1990

Honorable James E. Barlow
Judge, 186th District Court
County Courthouse
San Antonio, Texas 78205

RE: Amendment of Rules 2.1 through 2.9, Part III, Civil District Court Rules, Section II,
Jury Docket, Bexar County, dated December 22, 1989.

Dear Judge Barlow:

Enclosed is a copy of the order of the Supreme Court dated March 28, 1990, approving
the above-referenced rules, and a copy of those rules.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. Raymond Judice".

C. Raymond Judice
Administrative Director

Enclosure

cc: Clerk, Supreme Court of Texas
State Law Library
Mr. Luke Soules, Chairman,
Standing Advisory Committee