

Survey of the Texas Appellate Courts - Seventh District Court of Appeals (Amarillo)

The Basics

1. Court's Physical Address: Seventh Court of Appeals, 501 S. Fillmore, Suite 2-A, Amarillo, TX 79101-2449
Court's Mailing Address: Seventh Court of Appeals, P.O. Box 9540, Amarillo, TX 79105-9540
2. Telephone number: (806) 342-2650
3. Website address: www.txcourts.gov/7thcoa
4. Names of Justices: Chief Justice Brian Quinn, and Justices James T. Campbell, Mackey K. Hancock, and Patrick A. Pirtle
5. Clerk: Vivian Long. Chief Deputy Clerk: Rhonda Silverman; Deputy Clerk: Donna Artis; Deputy Clerk: Donalee Gibson
6. Central Staff Attorney: Bobby Ramirez
7. Jurisdiction: The Court's jurisdiction includes Potter (seat), and Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Randall, Roberts, Sherman, Swisher, Terry, Wheeler, Wilbarger, and Yoakum.

The Ins and Outs

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
E-Filing	Effective January 1, 2014, all attorneys in civil and criminal cases are required to file all documents with the Court through the eFileTexas.gov electronic filing system. Parties not represented by an attorney may e-file documents, but e-filing is not required.	All filers should consult the Redaction Guidelines found on the Supreme Court's website and Rules 9.8, 9.9, and 9.10 of the Texas Rules of Appellate Procedure.	A filer who e-files a document must comply with Rule 9.2(c) of the Texas Rules of Appellate Procedure.	An e-filed document must include the e-filer's email address, in addition to any other information required by Texas Rules of Appellate Procedure. Reasons why documents will be rejected: 1) document is not PDF searchable; 2) no email included; 3) no certificate of compliance on word limit included in briefs (rule 9.4(3)); and 4) no certificate of service or conference on motions.
Record	Clerk's and Court Reporter's records must be filed electronically and must conform to Appendix C of the Texas Rules of Appellate Procedure. The record must be submitted through the TAMES Records Submission Portal (RSP).	Except in parental termination and child protection cases as defined in Tex. R. App. P. 28.4(a)(2), first motions to extend for 30 days or less are generally handled by the clerks. In parental termination and child protection cases, extensions may not exceed 30 days total, and the court may deny or shorten requested extensions. Tex. R. App. P. 28.4(b)(2).	Criminal – The record must be requested from the trial court clerk. Tex. R. App. P. 34.5(g), 34.6(h). Civil - Only attorney of record is authorized a copy of the electronic record without cost. Original exhibits will not be provided. A letter request must be electronically filed and state what portion of the record is requested. Copies will be provided on a CD or other electronic access. Sealed Records will not be available or	Notices of Appeal, information sheets, extension requests and monthly court reporter reports should also be filed through the RSP.

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			viewed except as authorized by an order of the court sealing the record or an order by this Court specifying who may check out or view the record.	
Motions	E-filed: No Paper Copies Paper: Original only Paper only permitted for pro se filers.	Motions are ruled on by the Court. For agreed or unopposed motions, including a certificate of conference can expedite the ruling on the motion. Motions will be held for 10 days unless a certificate of conference shows the motion is unopposed, it is an emergency, or it requests an extension of time to file a brief.	The clerk generally grants a first motion for extension of time for up to 30 days to file a brief. Further request for an extension will be submitted to the court.	Motions are considered on a daily basis.
Briefs	<i>See</i> e-filing requirements. E-filed: No Paper Copies Paper: Original only Paper only permitted for pro se filers.	Briefs that do not comply with Rule 9 of the Texas Rule of Appellate Procedure are rejected and returned for correction. The Court will review briefs for compliance with Rule 38 and may direct compliance or supplementation.	The Court follows the Texas Rules of Appellate Procedure. Electronic features: It is useful for the bookmarks in electronic briefs to list each section and heading in the brief and each item in the appendix. Hyperlinks from citations in the brief to items in the appendix are also useful. Appendix: Appendix should include the items required by Tex. R. App. P. 38.1(k)(1) In a civil case, the Court prefers that parties be referred to by their names as opposed to appellant/appellee. If last names are all different, use those. If there are multiple parties with the same last name as is common in family law cases, use first names throughout once the parties have been identified. The Court prefers a one or two sentence issue. Do not renumber or rename issues in the body of the brief; keep them consistent to avoid confusion. A statement of the standard of review is not required, but is helpful.	All filers should consult the Redaction Guidelines found on the Supreme Court's website and Rules 9.8, 9.9, and 9.10 of the Texas Rule of Appellate Procedure. Under Rule 9.4(j), the following will result in the brief being rejected: 1) email address is missing; 2) certification of word compliance is missing; and 3) if not in text searchable format.

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			Summary judgment briefs should present separate analysis of traditional and no-evidence motions.	
Oral Argument	A request for oral argument must be noted on the front cover of the party's brief, and the party may include a statement regarding oral argument in the body of the brief. <i>See</i> Tex. R. App. P. 38.1(e), 39.7. A party's failure to request oral argument on the front cover or in the body of the brief waives the right to argue. If the request is inadvertently omitted, it is proper to file a motion requesting argument promptly after discovering the omission.	The Court generally grants 20 minutes per side, and a 5 minute rebuttal for appellant. Parties are notified of the justices on the panel when a submission notice letter is mailed about 21 days before argument.	The Court grants or denies oral argument under the guidelines of Tex. R. App. P. 39.	Handouts are preferable and placards are fine if large enough for all to see during argument. Power point or a sign board may be useful for key words in a statute or a controlling authority. If you are going to attempt to use technology, provide handouts as a back-up in case of an equipment malfunction. Remember that fiddling with visual aids can be distracting and can take away from the short time available during oral argument. Notify the Court no less than 5 days before arguments. The Court generally does not set cases for oral arguments during June, July and August except in emergency situations and transfer cases.
Opinions		The Court has undisclosed internal guidelines for drafting and circulating opinions.	The Court releases opinions on any business day.	
Motions for Rehearing	E-filed: No Paper Copies Paper: Original only Paper only permitted for pro se filers.	Motions for rehearing are initially circulated to the author, who considers the motion and makes a recommendation to the panel.		
Original Proceedings	<i>See</i> e-filing requirements.	Once filed, an original proceeding is immediately assigned a panel and author. All justices on the panel are immediately provided copies of the petition after it is processed by the clerks.		Indigent inmates must comply with the filing requirements of Chapter 14 of the Tex. Civ. Prac. And Rem. Code when filing an original proceeding.

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		<p>If a motion requesting emergency relief is also filed, it is circulated immediately and dealt with ASAP.</p> <p>Because of an inherent delay in a document being uploaded to an electronic service provider and that document being reviewed and accepted by the clerk's office for filing, the court strongly encourages parties to call the clerk's office before or immediately after filing a document requiring emergency action so that the document may be processed and circulated to the court expeditiously.</p>		

Technology

1. The Court subscribes to Lexis and Lexis Advance.
2. The Court prefers parallel citations to United States Supreme Court cases.
3. The Court does not record oral arguments.

Appellate Mediation: The Court does not have a structured program for appellate mediation. Requests for abatement or continuance so mediation can take place are generally granted.

Fees

1. Appeal: \$205
2. Original Proceeding: \$155
3. Motion for Rehearing: \$15
4. All Motions other than for Rehearing: \$10
5. Certified copy including certificate and seal certification: \$1.00 per page, \$5 minimum
6. Comparing and certifying copy of document: \$1.00 per page, \$5 minimum
7. Response to any type of Motion: None
8. Exhibits tendered for oral argument: \$25
9. Standard Paper Copy of Document without Certificate or Seal:
 - 1 - 50 pages..... \$.10 per page
 - over 50 pages..... \$.50 per page

Miscellaneous

For more information refer to the court's website: <http://www.txcourts.gov/7thcoa> or call the clerk's office at 806-342-2650.