



***Court of Appeals
Sixth District of Texas
Bi-State Justice Building
100 North State Line Avenue #20
Texarkana, Texas 75501
903/798-3046***

In 2004, the Appellate Section of the State Bar of Texas and the Courts of Appeals worked together to identify key information needed by appellate attorneys and pro se litigants to practice effectively before the court. To assist the court in this effort, the Appellate Section collected and formatted the relevant information and published it in the Appellate Advocate in February 2005. This information was updated in May 2016 and the court intends to keep the information current for the use of persons with matters before the court.

**Internal Operating Procedures - Sixth District Court of Appeals
(Texarkana) (May 2016)**

The Basics

1. Court's Address: Court of Appeals, 6th District, 100 N. State Line Avenue, #20, Texarkana, TX 75501
2. Telephone number: 903.798.3046
3. Website address: www.6thcoa.courts.state.tx.us
4. Names of Judges: Josh R. Morriss, III (C.J.); Bailey C. Moseley, Ralph K. Burgess
5. Chief Staff Attorney: Kristi McCasland
6. Chief Clerk: Debbie Autrey
7. Local Rules: The court does not have local rules.
8. Counties in District: Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg,* Harrison, Hopkins, Hunt,* Lamar, Marion, Morris, Panola, Red River, Rusk,* Titus, Upshur,* and Wood*.

* Assigned to more than one appellate district. See Rule of Judicial Administration 15 (Appeals from Trial Courts in Counties Assigned to Multiple Appellate Districts).

The Ins and Outs

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
<p>E-Filing</p>	<p>All attorneys in all cases are required to file all documents (except a document submitted under seal or subject to a motion to seal) with the Court through the eFileTexas.gov electronic filing system. Persons not represented by an attorney are strongly encouraged to e-file documents, but e-filing is not required.</p> <p>Visit http://efiletexas.gov/ and the Supreme Court website at www.supreme.courts.state.tx.us/ebriefs/ebriefs.asp for more information</p> <p>No paper copies of e-filed documents are required unless specifically requested by the Court.</p>	<p>All e-filed documents must conform to Rule 9 of the Texas Rules of Appellate Procedure. E-filed briefs must follow the Texas Supreme Court's Redaction Guidelines.</p>	<p>All notices and other communications sent from this court may be delivered via email in lieu of mailing paper notices.</p>	<p>Documents cannot be "locked" by the filer as this prevents application of the electronic file stamp by the Court. Locked documents and non-conforming documents will be rejected and the filer will be required to resubmit the filing.</p> <p>All documents must include the filer's email address in addition to any other information required by the Texas Rules of Appellate Procedure. It is the filer's responsibility to update the court with any changes to the email address.</p>
<p>Record</p>	<p>The trial court's record is filed electronically.</p> <p>Court sets due date and notifies parties, clerks, and reporter in accordance with Tex. R. App. P. 35.</p> <p>Motions to extend are filed by clerks and reporters directly with court.</p>	<p>Except in parental termination and child protection cases as defined in Tex. R. App. P. 28.4(a)(2) and in accelerated cases, first motions to extend for 30 days or less are generally handled by the clerks. First motions asking for more than 30 days and subsequent motions are submitted to the court.</p> <p>All motions to extend in parental termination and child protection cases are submitted to the court.</p>		<p>Under Tex. R. App. P. 35.3(c), each extension granted may not exceed 30 days in regular appeals and 10 days in accelerated appeals.</p> <p>In parental termination and child protection cases, extensions may not exceed 30 days total and may not be granted in all appeals. Tex. R. App. P. 28.4(b)(2).</p>
<p>Docketing Statements</p>	<p>The docketing statement can be electronically filed.</p>	<p>A docketing statement form available on the Court's website can be filled out. However, after completing the form, in order to create a PDF suitable for electronic filing you must use the Print to PDF feature that is explained on the Court's website.</p>	<p>Parties must complete ADR section of docketing statement.</p>	

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
Motions	See: E-Filing requirements.	Clerk's office routinely grants adequately supported first motions for extension of time. Second motions are presented to the court and granted if good cause is shown. Third motions are granted only under exceptional circumstances. All motions presented to the court are decided by the full court.	Process is the same for agreed and contested motions.	Motions are generally considered by the court at a conference on Mondays.
Briefs	See: E-Filing requirements. Deadlines follow the TRAPs.	Briefs that do not comply with Rule 9 of the Texas Rules of Appellate Procedure are not accepted and are returned for correction.	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 (or a shortened version thereof) and each item in the appendix. Hyperlinks from citations in the brief to items in the appendix are also useful. Appendix: In addition to the items required by Tex. R. App. P. 38.1(k)(1), the appendix should include key authorities that are not available on Westlaw or Lexis.	
Case Assignment				
Oral Argument	Request argument on brief cover.	Court typically allows 20 minutes per side, plus an additional 10 minutes for appellant's rebuttal. In unusual situations (e.g., multiple parties, non-aligned parties, and complicated issues), when advance request is made, court may allot extra time.	The court does not automatically grant requests for argument. Argument is granted if any justice believes it will assist the court in reaching a decision.	If the Court grants argument, both sides will be directed to appear and present argument, even if only one party requested it.
Voting			The court meets both before argument and immediately after. Staff attorneys participate in conferences and prepare full memos that are reviewed and discussed with the court before argument. Often, a preliminary vote is taken immediately following argument. If there is no argument, voting occurs after a proposed opinion is circulated, but that occurs only after the court has discussed any apparent problems or disagreements.	
Opinions		Authors are assigned based on a numerical rotation. There are no internal deadlines for writing opinions.	Court does not release opinions on particular days.	

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
Motions for Rehearing	See: E-Filing requirements.	Motions for rehearing are circulated to the entire court, but the author considers the motion first and makes a recommendation. The court has granted rehearing w/o request under TRAP 50.		
Original Proceedings	See: E-Filing requirements.		Original proceedings are distributed to each member of the court and a staff attorney. If a response is desired, it is requested immediately. After discussion, the court decides whether argument is required. If not, a draft opinion is prepared and circulated. Original proceedings are reviewed as soon as possible. Generally, one vote is required to grant emergency relief.	Original proceedings are set for oral argument if it will assist the court to decide the issues and will not be redundant.

Technology

1. Court has Lexis and Westlaw.
2. With respect to United States Supreme Court cites, cite the U.S. reporter.
3. The court does not prefer that parties provide copies of out of state cases, but copies of cases that are not available on Lexis or Westlaw are helpful.
4. The court does not accept fax filing.
5. The court's opinions and orders are available on its website.
6. The court records oral argument.

Appellate Mediation

1. The court has a program for appellate mediation.

Fees

1. Appeal: \$205
2. Petition for Permissive Appeal: \$205
3. Original Proceeding: \$155
4. Motion for Rehearing: \$15
4. All other motions: \$10
5. Response to Motion: None

Miscellaneous

1. The court uses visiting judges when necessary to complete a panel.
2. Approximately 80% of the Court's decisions are memorandum opinions.