

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:


Rules of Court of the 36th, 156th, and 343rd District Courts (Aransas, Bee, Live Oak, McMullen, and San Patricio Counties), dated December 12, 1989.

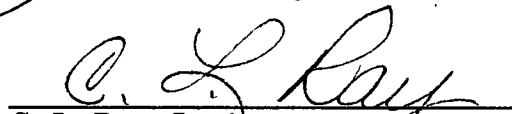
The Local Rules of the Courts of Webb County (49th, 11th, and 341st District Courts and County Court at Law of Webb County), dated February 7, 1990.

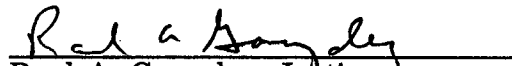
The approval of these rules is temporary, pending the further orders of the Court.

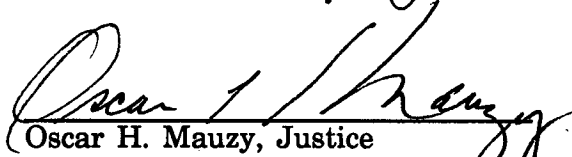
En banc, in chambers, this the 21st day of March, 1990.

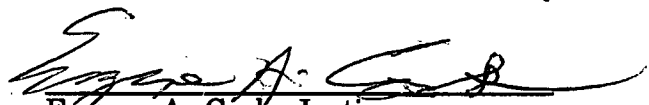

Thomas R. Phillips, Chief Justice

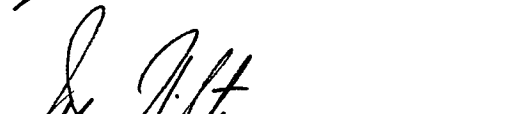

Franklin S. Spears, Justice



C. L. Ray, Justice



Raul A. Gonzalez, Justice


Oscar H. Mauzy, Justice


Eugene A. Cook, Justice

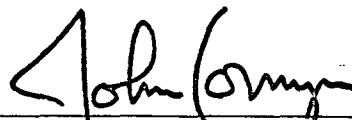

Jack Hightower, Justice


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 2nd day of March, A.D., 1990, do hereby certify that the above Rules were adopted by the State District Judges of the 49th, 111th, and the 341st Courts of Webb County at a Judges' meeting on the 7th of February, A.D., 1990.



JOHN CORNYN, PRESIDING JUDGE
FOURTH ADMINISTRATIVE JUDICIAL
REGION OF TEXAS

ATTEST:

LESLIE MURRAY
ADMINISTRATIVE ASSISTANT

THE LOCAL RULES OF
THE COURTS OF
WEBB COUNTY TEXAS

The 149th Judicial District Court
The 111th Judicial District Court
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Rule 13.14 Local Practices Not Published in These Rules: Local practices not published in these rules may not be applied by any court so as to work a disposition on the merits of any matter unless such disposition on the merits of the matter is otherwise authorized at the time by law, by provisions of the Texas Rules of Civil Procedure or by these local rules.

THE LOCAL RULES OF THE COURTS OF
WEBB COUNTY

RULE 1

GENERAL

RULE 1.10 Time Standards for Case Disposition:

The objective of the rules of the Civil Trial Division of Judicial Courts of Webb County is to obtain a just, fair, equitable and impartial adjudication of the rights of litigants under established principles of substantive law and established rules of procedural law. These rules shall be applied to ensure that all matters are brought to trial or final disposition in conformity with the following standards:

- A. Civil jury cases. Civil jury cases will be heard within 18 months from appearance date;
- B. Civil non-jury. Civil non-jury cases shall be heard within 12 months from appearance date;
- C. Complex cases. Complex cases will be administered and disposed of as per scheduling order of the court and counsel. (See Rule 3.33)

RULE 1.11 Court Sessions; Annual Calendar Weeks Not in Session; Holidays:

No cases will be assigned for trial on the merits during:

- A. The week of the South Texas Judicial Conference (March);
- B. The week of the Annual Judicial Conference (September); and
- C. The last week of December.

The entire weeks of the South Texas Judicial Conference and the Annual Judicial Conference will be set aside as settlement weeks.

Each court shall maintain a 24 month calendar for purposes of setting jury and non-jury cases.

RULE 1.12 Hours of Court Proceedings:

No local rule under this subdivision.

RULE 1.13 Emergency and Special Sessions:

Emergency and special meetings may be called by local administrative judge.

RULE 1.14 Jury/Non-Jury Weeks:

No local rule under this subdivision.

RULE 2

LOCAL ADMINISTRATIVE JUDGE

RULE 2.10 Powers and Duties of Local Administrative Judge:

The judges comprising the Webb County Court Administration Board, Article 200 a-1 V.A.T.C.S., shall, hold regular meetings of the Court Administration Board, Adult Probation Board, Juvenile Probation Board, Auditor's Board and Purchasing Board, on the first Wednesday of every month unless it conflicts with judicial conferences, commitments and county holidays.

The chairman of each of these Boards and/or the local administrative judge may call special or emergency meetings as may become necessary with appropriate notice to all board members and the public, when necessary.

RULE 2.11 Information to Local Administrative Judge:

The district clerk shall provide a monthly report detailing the number of filings, dispositions, trials, and other judicial activities of the courts of Webb County to the local administrative judge and to the office of court administration. The clerk shall provide any other information requested by any presiding judge.

RULE 2.12 Exercise of Powers in Absence:

No local rule under this subdivision.

RULE 2.13 Court Divisions:

No local rule under this subdivision.

RULE 3

CIVIL CASES

RULE 3.10 Filing and Assignment of Cases:

A case in the civil trial division shall be randomly assigned using the central filing system in accordance with the current order adopted by the council of judges. Once assigned to a court, a case shall remain on the docket of that court unless transferred as provided in Rule 3.12.

Any claim for relief based upon a prior judgment shall be assigned to the court of original judgment. Every suit or proceeding seeking to enforce, attack, avoid or set aside a judgment, order or decree of a court (including suits in the nature of a bill of review, writ of habeas corpus, or otherwise) shall be assigned to the court in which such judgment, order or decree was rendered. All proceedings which have previously been dismissed and are refiled shall be assigned to the court to which the previous suit or proceeding was assigned.

If a case is dismissed and is later refiled and it is determined that there is a substantial identity of parties and causes of action in both cases, then the refiled case shall be assigned by the local administrative judge or transferred by the presiding judge to the court where the prior case was pending, with written notice to the district clerk.

A motion to consolidate cases shall be heard in the court where the lowest numbered case is pending. If the motion is granted, the consolidated case(s) will be given the number of the lowest numbered case and assigned to that court, with written notice to the district clerk.

RULE 3.11 Filing on Holidays:

No local rule under this subdivision.

RULE 3.12 Transfer to Cases; Docket Exchange; Bench Exchange:

A. **Transfer.** By agreement of all counsel and/or parties pro se and of the court transferring the case, and of transferee court, any case may be transferred from one court to another court of concurrent jurisdiction, with the transfer and acceptance to be in writing, with notice to the local administrative judge and the district clerk.

The presiding judge of the court may, upon notice and hearing, transfer the cases from his/her court to any other court having subject matter jurisdiction including but not limited to the following types of cases:

- a. Any case arising out of the same transaction or occurrence as did an earlier case.

- b. Any suit for a declaration concerning the alleged duty of an insurer to provide a defense for a party to the earlier suit.

The rules governing transfer shall not be used to circumvent the central filing system.

B. Post-Trial Matters. The judge who presided over the trial of any civil case, shall preside over any post-trial matters. However, in those cases where the judge who presided over the trial is unavailable to preside over a post-trial matter, the local administrative judge shall assign another judge, unless all parties agree otherwise.

C. Docket and Bench Exchange. The local administrative judge of the civil trial division may transfer cases between courts in the manner provided by section A of this rule and may assign cases from one court to another court for hearing if he/she finds that a court has an inequitable burden due to illness, trial schedule, or other sufficient reasons. Any judge whose court has subject matter jurisdiction may sit in as judge of another court in cases assigned for trial on the merits. If a case is on the docket of a court by any manner other than as prescribed by these rules, the local administrative judge of the civil trial division shall, in writing, transfer the case to the proper court with notice to the district clerk.

RULE 3.13 Request for Trial Settings-Non-Jury:

All requests for non-jury trial settings shall be by motion with accompanying fiat and heard pursuant to rule 3.19.

RULE 3.14 Disposition of Uncontested Matters, Walk-In Procedures:

Walk-in cases will be allowed at all times that do not conflict with on-going jury or non-jury trials or protracted discovery conferences or hearings; attorneys can coordinate the settings with the court coordinator by giving the court 24-hour notice to allow the court coordinator or clerk time to prepare a "walk-in" list and to check to make certain the case is ready for the hearing or trial. Each court will post special days and times available for walk-in hearings.

RULE 3.15 Request for Trial Settings-Jury:

No local rule under this subdivision.

RULE 3.16 Jury Fee and Jury Demand:

No local rule under this subdivision.

RULE 3.17 Docket Calls and Announcements:

The court may schedule docket calls to receive announcements on the status of pending cases.

RULE 3.18 Assignment of Cases for Trial:

No local rule under this subdivision.

RULE 3.19 Conflicting Settings and Assignments of Counsel:

A. Inter-County. The Rules of Procedure of the Fourth Administrative Judicial Region control conflicts in settings of all kinds between Webb County court(s) and courts not in Webb County.

B. Intra-County. Among the trial courts sitting in Webb County.

1. Attorney already in trial in another court:

- a. When informed that an attorney is presently in trial, the court will determine where and when assigned. This information will be verified upon request of opposing counsel. The case will be placed on "hold" or reset, depending on when the attorney will be released.
- b. If the attorney is not actually in trial as represented by the attorney or his or her agent, the case will be tried without further notice.

2. Attorney assigned to two courts for the same date:

All attorneys having conflicts with other court settings and who will be late for docket call or other court settings or hearings/conferences, shall notify the court coordinator and opposing counsel of such conflict as soon as it becomes apparent, and shall state:

- (1) The nature of the conflict;
- (2) Where counsel may be reached;
- (3) What announcement counsel wishes to make;
- (4) The time that the Presiding Judge should expect counsel to personally appear; and

3. Attorney assigned to two courts for trial for the same date:
 - a) It is the duty of an attorney to call the affected Judges' attention to all dual settings as soon as they are known.
 - b) Insofar as practicable, Judges should attempt to agree on which case has priority, otherwise, the following priorities shall be observed by the judges of the respective courts.
 - (1) Trial/Non-Trial. Trial setting take precedence over conflicting non-trial settings; and
 - (2) Trial/Trial. A trial setting that is assigned takes precedence over a conflicting trial setting not yet assigned.
 - (3) Cases assigned to trial on the merits in a United States Court.
 - (4) Criminal cases.
 - (5) Cases given preference by statute.
 - (6) Preferentially set cases.
 - (7) Case set at earliest date.
 - (8) Case with earliest filing date.
 - (9) Courts in a multi-court county should yield to courts in rural counties in all other instances of conflicting settings.
4. Waiver. The Court with precedence may yield.
5. Lead Counsel Attorney in Charge. This rule operates only where lead Counsel/Attorney in Charge, as defined by Texas Rules of Criminal Procedures 8, is affected, unless the Court expands coverage to other counsel.

RULE 3.20 Preferential Settings:

Motions for preferential setting shall be written, verified and specific. Upon request of counsel, such motions shall be granted in the following cases:

- A. Cases entitled to preferential setting by law; or
- B. A case that the Court has determined because of its nature, circumstances and litigation history, requires a priority trial.

RULE 3.21 Resetting Cases:

The parties may not agree to reset a case unless prior notice is given to the court or a timely motion for continuance is filed and the court approves either the reset or continuance. A motion for continuance will not be deemed timely if it is filed after the Thursday before the Monday of jury

selection without good cause. A motion for continuance on a non jury case must be filed no less than four days prior to non-jury trial date.

RULE 3.22 Dismissal Docket; Involuntary Dismissal:

Each court shall periodically schedule a dismissal docket at which time counsel shall appear and show good cause why the case should not be dismissed for want of prosecution.

RULE 3.23 Suspense Docket:

If a case has been stayed because it relates to a bankruptcy proceeding, suggestion of death or to abatement by previous order of the court, such case is to be transferred to a suspense docket for suspension of further action and the file delivered to the clerk's office subject to later reassignment in accordance with these rules when it becomes appropriate.

RULE 3.24 Hearing on Pre-trial Pleas and Motions:

A. **Opposed Motions.** Every opposed motion presented for filing shall state with particularity the relief or order sought and shall contain an averment that movant has conferred or has attempted to confer in person or by telephone with opposing counsel, including the dates on which such conference or attempts occurred, and that counsel are unable to reach an agreement upon the disposition of the matters raised by the motion. A separate proposed order granting the relief sought shall accompany the motion. A memorandum of legal authorities, when deemed appropriate, may be filed with the motion or no later than three days before the hearing.

B. **Unopposed Motions.** If any motion is unopposed by all counsel of record, counsel may simply so state conspicuously on the face of the motion. In such event, the motion will be submitted by the clerk to the judge for approval and will be granted routinely without a hearing unless the judge is of the view that the granting of such motion is not in the interest of justice. A separate proposed order granting the relief sought shall accompany the motion.

C. **Motion Day.** All courts will set aside at least one (1) day per week so that all motions may be heard and disposed of. The day, or time of day, may be changed from week to week, as the courts' schedules may dictate. The court coordinator of each court will designate the motion day at least ten (10) days

in advance. In the event that this date conflicts with an ongoing trial, all matters set for motion day will be heard by the court at any time during that day as ordered by the court, or reset to a later date, or it may be heard by any other court of concurrent jurisdiction pursuant to order of the trial judge.

E. Waiver of Hearings. Hearings on any motion may be waived if all counsel of record agree and notice of same is given to the court. Argument in summary judgment matters may be waived by agreement of counsel and court by written notice to the court. (See Rule 3.31)

F. Expedited Settings. Any attorney may, in order to expedite the obtaining of a setting, contact the court's coordinator and request a date and time for a motion that he/she is to file. The attorney will insert the date and time given in the accompanying fiat to the motion, insert a "/s/" in the signature slot, mail or fax it to all counsel of record in that fashion, filing the original motion with the accompanying fiat's signature slot left blank for the judge's or court coordinator's signature. The certificate required in Rule 3.24 A above and the certificate required by Rule 72 of the Texas Rules of Civil Procedure shall signify to the court that the attorney has notified all counsel of record of the setting before filing the original motion and fiat.

RULE 3.25 Attorney Conference Requirement and Procedure:

A. All scheduling conferences and pre-trial conferences shall be attended by the attorney-in-charge or co-counsel who is/are familiar with the case and who is/are fully authorized: (1) to state the clients position on the law and the facts, (2) to make agreements as to scheduling, (3) to enter into stipulations, (4) to stipulate to the admissibility, and/or authenticity of exhibits, and (5) to negotiate settlement. Attorney/s for all parties shall be physically present at the scheduling conference unless arrangements have been made for such conference to be held by telephone.

B. Each attorney shall bring their trial calendar in order to arrange settings which do not conflict with previous engagements of counsel. Under no circumstances may an attorney be represented at any scheduling conference or pre-trial conference, whether held by telephone or otherwise by any secretary or other non-lawyer personnel.

RULE 3.26 Non-Compliance with Conference Procedures:

When counsel for either party, after notice, and without good cause, fails to appear or is unprepared for a scheduling conference or pre-trial conference, the court may:

- A. Make all scheduling decisions and rule on all motions, exceptions or other matters;
- B. Declare any motions or exceptions that have been prepared as having been waived;
- C. Alter the trial setting or other scheduling matters, decline to set the case for trial, cancel the setting previously made, or take such other action that is deemed just and proper;
- D. Pass and reset the conference in which case the party represented may be entitled to recover reasonable attorney's fees and expenses.

RULE 3.27 Discovery Disputes:

Any motion for discovery under Rule 167, Texas Rules of Civil Procedure, or for protection under Rule 166b, Texas Rules of Civil Procedure, or to quash interrogatories or request for admissions served under Rule 168 and Rule 169, Texas Rules of Civil Procedure, may be treated as premature unless counsel for movant has made a good faith effort to obtain such discovery or relief from opposing counsel by agreement and has complied with the applicable Rules of Civil Procedure and has been unsuccessful, or shows good cause for not making such an effort. All parties shall complete discovery not less than seven (7) days prior to the date said case is set for trial unless otherwise ordered by the Court or agreed upon by parties. Counsel will be expected to confer with opposing counsel concerning all such matters and present to the court only those matters that cannot be agreed upon after a good faith effort to agree on both sides.

RULE 3.28 Severances:

All motions to sever will be controlled by the provisions of Rules 41 and 174, Texas Rules of Civil Procedure, and such rules will be strictly construed.

RULE 3.29 Continuances:

No trial setting shall be passed except by:

- A. Settlement, in writing or on the record;
- B. Written agreement/motion for continuance of all parties, with consent of the court;
- C. A motion for continuance timely filed under the Texas Rules of Civil Procedure with consent of the court;
- D. Such motions shall be heard on the court's motion day or sooner, if necessary.

RULE 3.30 Default Judgments:

All uncontested proceedings shall be heard expeditiously on a walk-in basis pursuant to Rule 3.14.

RULE 3.31 Summary Judgments:

- A. All motions for summary judgment will be controlled by the provisions of Rule 166A of the Texas Rules of Civil Procedure.
- B. Counsel of record may agree to submit the motion for summary without oral argument by filing jointly, a written waiver five (5) days prior to the setting.

RULE 3.32 Ancillary Proceedings, Temporary Orders, and Emergency Matters:

A. There shall be established an emergency docket for the handling of matters requiring immediate hearing or conferences in cases filed in the district courts of Webb County and the Webb County Court At Law. The local administrative judge shall assign to each of the district judges of Webb County, on an equal time basis, the responsibility for presiding over the emergency docket;

B. The emergency docket shall include only those cases involving hearings on applications for temporary Restraining orders, issuance of writs of sequestration, garnishment and attachment, whether such matters shall be heard ex-parte or otherwise, entries of default judgment and/or other writs and processes;

C. The court coordinator of the presiding judge of the court that has been assigned the emergency docket by the local administrative judge shall be responsible for maintaining the emergency docket for the period of assignment. Any attorney who requests any matter be placed on the emergency docket shall be responsible for communicating with the court coordinator of the presiding judge in order that the matter may be placed on the emergency docket by the court coordinator;

D. Whenever a matter is placed on the emergency docket, the court coordinator for the presiding judge is responsible for immediately coordinating with the district judge who has been assigned to the emergency docket for that period of time in order to establish the date, time, and place for hearing and to then notify the attorney(s) as to the date, time, and place of hearing;

E. The district judge assigned to the emergency docket during that period of time that any matter is placed on the emergency docket shall have the discretion to determine that any such matter should not be entitled to emergency disposition and remove the matter from emergency docket upon immediate notice to the attorney who requested that it be placed on the emergency docket;

F. In the event a matter has been removed from the emergency docket by the district judge assigned to the emergency docket for that period of time, any of the district judges of Webb County may preside over that matter upon request after proper notice to the court coordinator of that presiding judge;

G. Before any attorney shall request a matter be placed on the emergency docket, said attorney must first request the matter be heard by the judge in whose court the case is pending; and the attorney on all matters and documents being assigned to the emergency docket shall certify that the matter being placed on the emergency docket was not heard or disposed of by the judge in whose court the case or matter is pending.

RULE 3.33 Complex Case Designation:

In any cases where due to the issues, number of parties or other matters, counsel believes that his case cannot be prosecuted within the time set out by the guidelines above, said counsel shall file a motion to designate this case as a complex case and shall request a docket control conference to establish the proper court guidelines for this case.

RULE 3.34 Alternative Dispute Resolution:

Cases may be referred to alternative dispute resolution by the Judges of the courts of Webb County on their own motion or on motion of one of the parties, subject to the discretion of the assigned judge presiding at settlement week.

RULE 3.35 Pre-trial and Scheduling Conferences:

In any case where a request for trial setting is filed, or on motion of the court, a case may be set for a pre-trial or status (scheduling) conference, or by approval of court, (in lieu of such conference, the court may authorize filing of a joint status report may be filed) at which time the parties will be assigned the following:

1. Trial date;
2. Case rank or number;
3. All trial deadlines;
4. Deadline for filing of pre-trial order; and
5. Date for hearing on all pending motions;

Routine pre-trial conferences may be conducted by the court coordinator and counsel's presence may be by telephonic conference, if requested, unless otherwise ordered by court. Counsel for the party requesting the telephonic conference will initiate the conference.

Forms for status letters, trial deadlines, pre-trial orders and jury questionnaires may be obtained from the court coordinator. Assignment of trial dates will be governed by the court's calendar prepared pursuant to Rule 1.11.

RULE 3.36 Certificate of Progress; Proposed Preparation Plan:

No local rule under this subdivision.

RULE 3.37 Trial Stipulations and Admissions:

No local rule under this subdivision.

RULE 3.38 Trial Witnesses and Exhibits:

Each attorney shall pre-mark and identify their exhibits prior to trial by the date ordered by the court. Each attorney shall prepare a list of trial exhibits and provide the court and opposing counsel a copy of this list prior to trial.

RULE 3.39 Disposition Conferences:

No local rule under this subdivision.

RULE 3.40 Settlements:

Counsel of record shall immediately notify the court coordinator and/or court of the fact that the parties have reached a settlement, notwithstanding that the agreement is reached over a weekend.

RULE 3.41 Jury Selection:

All jury panels will be summoned to the central jury area and qualified there. Voir dire will be conducted in the courts on Mondays and subsequent days.

RULE 3.42 Jury Charge Questions and Instructions:

Attorneys whose cases are on the jury docket shall report to court at 8:15 a.m. on the date set for trial and jury selection and submit to the court, in proper written form, their proposed initial jury questions/instructions, and legal authorities in support of same, unless ordered to do so earlier. Other jury questions and instructions may be submitted during trial as the evidence may dictate.

RULE 3.43 Submission of Orders, Judgments, Instructions:

A. All Cases. The order and judgment shall be forwarded to opposing counsel for signature for approval as to form with seven (7) days. Opposing counsel shall file any objections to the proposed judgment and/or order within three (3) working days of receipt of the proposed judgment. The judgment and/or order and all accompanying forms should be presented to the court no later than fourteen (14) days after final hearing.

B. Contested Divorce Actions. In contested divorce cases the petitioner's attorney, or pro se petitioner, shall prepare and submit the proposed decree of divorce and the bureau of vital statistics form in with Rules 3.43 and 4.10.

C. Uncontested Divorce Actions. In uncontested divorce cases, the petitioner's counsel or pro se petitioner shall be responsible for submitting the proposed divorce decree, bureau of vital statistics form, assignment of wages order, notice to employer, order withholding income for support.

D. All Divorce Cases or Cases Ordering Child Support. In divorce cases the attorney for the party receiving child support shall file the order of assignment of wages, which will conform with the decree of divorce and must be properly completed, especially as it relates to the employer, amount to be paid weekly, biweekly, or monthly. Further, no order of assigning wages is complete, unless accompanied by notice to employer and request for issuance of the order withholding wages. Before the date of final trial, all cases must have on file the Bureau of Vital Statistics form (except for date of hearing which will be filled in on date of hearing) and the order for assignment of wages (leave blanks for monetary amounts).

In all post divorce decree, matters, i.e., motions to modify, to enforce, etc., the prevailing party through their attorney shall submit the appropriate Orders as granted by the court, to the court, copy to adverse counsel, and/or pro se party, after which the court will process it for entry, as stated above.

RULE 3.44 Withdrawal and Copying of Documents:

No local rule under this subsection.

RULE 3.45 Other Local Rules:

A. Miscellaneous Pleadings. Every pleading of a party shall be properly titled. The motion and order must be properly identified, e.g. "Plaintiff's Motion for Summary Judgment" and "Order Setting Plaintiff's Motion for Summary Judgment."

B. Deposit of Monies in Registry of Court. In cases where monies are deposited into the registry of the court, it shall be the responsibility of all counsel and attorneys ad litem to make certain that the order or judgment instructs the district clerk about the disposition of the monies. Any order or judgment filed under this section shall also include the names, social security numbers, addresses and phone numbers of all interested parties. Appropriate forms to effectuate the purpose and intent of this rule may be obtained at the Webb County district clerk's office. Failure to comply will result in the district clerk depositing the funds in non-interest bearing accounts.

RULE 4

FAMILY LAW CASES

RULE 4.10 Time Standards for Family Law Case Disposition:

A. Contested Family Law Cases. All contested family law cases shall be heard within six (6) months from appearance date or within six (6) months from the expiration of the waiting period provided by the Family Code where such is required, whichever is later. All parties and counsel must be ready for trial on the merits after ninety (90) days or on the date designated on the form attached to the petition and citation.

If no activity is reflected on the docket sheet, the case will be subject to a dismissal for want of prosecution.

If a case is complex and/or extraordinary requiring additional preparation, a motion can be filed in accordance with Rule 3.33.

B. 49th and 111th District Courts: Divorce cases are scheduled as all other civil cases.

C. County Court At Law and 341st District Court Cases.

1. The controlling date is the Friday of the week a divorce is filed.
2. Non-jury cases: The cases shall be automatically set for trial. The trial date shall be in writing on the citation to Respondent.

3. Jury cases: A jury request must be submitted and the fee paid thirty (30) days before the initial scheduled hearing.
4. The parties may ask for a continuance in writing at least ten (10) days before the non-jury trial date and thirty (30) days before the jury trial date. If the court grants a continuance, the case will be automatically set for pre-trial seven days following the original scheduled hearing date. The Court will also set a trial date not to exceed thirty (30) days from the pre-trial hearing.
5. Submission of Judgments, Orders, Decrees, and Bureau of Vital Statistics Forms:
 - (a) As a matter of policy, petitioner's attorney shall prepare and submit the Bureau of Vital Statistics form and the divorce decree, unless otherwise agreed to by the parties.
 - (b) The support-receiving parties' attorney shall be responsible for filing the order of assignment of wages. This order shall conform so to the decree of divorce and must be properly completed, particularly as it relates to the employer and the amount to be paid weekly, biweekly, and monthly. Further, no order assigning wages is complete unless accompanied by notice to the employer and request for issuance of the order withholding.
 - (c) Before the date of hearing, all cases must have on file the Bureau of Vital Statistics form, (except date of hearing which will be filled in on date of hearing) and the order of assignment of wages. (Leave blank spaces for monetary amounts). There will be no exceptions.
 - (d) Parties not complying may be subject to sanctions.
 - (e) The case shall be set for entry of judgment two weeks following the date of hearing at 9:00 a.m. unless it is submitted beforehand.

RULE 4.11 Ancillary Proceedings, Temporary Orders, and Emergency Matters:

The provisions of Rule 3.32 will apply.

RULE 4.12 Disposition Proposals:

No local rule under this subdivision.

RULE 4.13 Uncontested Matters:

All uncontested family law cases shall be heard within three (3) months from appearance date or within three (3) months from the expiration of the waiting period provided by the Family

Code where such is required, whichever is later. Uncontested cases or those that have been settled are processed and disposed of pursuant to local rule 3.14. Any person not filing an answer is subject to default.

RULE 4.14 Financial Information Statements:

If child support is a contested issue, a monthly financial statement of income and expenses shall be filed with the court seven days before a scheduled hearing on temporary child support or the final divorce hearing.

RULE 4.15 Child Support Guidelines:

No local rule under this subdivision.

RULE 4.16 Possessory Conservatory Visitation Guidelines:

No local rule under this subdivision.

RULE 4.17 Inventory and Appraisement:

Petitioner shall have thirty (30) days to file a sworn inventory, list of claims, and debts from the date of filing of the original petition. Respondent shall have thirty (30) days to file sworn inventory, list of claims, and debts from date of filing of the original answer.

RULE 4.18 Ad Litem Appointments:

No local rule under this subdivision.

RULE 4.19 Mediation Counseling:

No local rule under this subdivision.

RULE 4.20 Referral to Master:

No local rule under this subdivision.

RULE 5

LIQUIDATED CLAIM CASES

RULE 5.10 Liquidated Monetary Claims:

No local rule under this subdivision.

RULE 5.11 Certification of Plaintiff for Suspense Docket:

No local rule under this subdivision.

RULE 5.12 Application to Defer Entry of Judgment:

No local rule under this subdivision.

RULE 5.13 Certification that Payment Agreement Continues in Effect:

No local rule under this subdivision.

RULE 6

CRIMINAL CASES

RULE 6.10(1) Felony and Misdemeanor Cases:

No local rule under this subdivision.

RULE 6.10(2) Grand Jury:

No local rule under this subdivision.

RULE 6.11 Filings/Return of Indictments:

No local rule under this subdivision.

RULE 6.12 Arraignment/Initial Appearance:

No local rule under this subdivision.

RULE 6.13 Appointment of Counsel:

No local rule under this subdivision.

RULE 6.14 Appearance of Defendant and Counsel/Court Attendance:

No local rule under this subdivision.

RULE 6.15 Withdrawal or Substitution of Counsel:

No local rule under this subdivision.

RULE 6.16 Bond and Bond Forfeiture:

No local rule under this subdivision.

RULE 6.17 Discovery:

No local rule under this subdivision.

RULE 6.18 Docket Calls/Announcements:

No local rule under this subdivision.

RULE 6.19 Continuance/Resetting/Postponements:

No local rule under this subdivision.

RULE 6.20 Plea Bargains:

No local rule under this subdivision.

RULE 6.21 Guilty Plea/Nolo Contender/Open Pleas:

No local rule under this subdivision.

RULE 6.22 Speedy Trial:

No local rule under this subdivision.

RULE 6.23 Motions/Pre-trial Hearings/Pre-trial Matters:

No local rule under this subdivision.

RULE 6.24 Settings/Schedules:

No local rule under this subdivision.

**RULE 6.25 Order of Trials/Preferential Settings/
Conflicting Engagements:**

No local rule under this subdivision.

RULE 6.26 Witnesses/Evidence:

No local rule under this subdivision.

RULE 6.27 Non-Jury Trials:

No local rule under this subdivision.

RULE 6.28 Jury Trials:

No local rule under this subdivision.

RULE 6.29 Jury Selection/Voir Dire:

No local rule under this subdivision.

RULE 6.30 Probation Applications/Deferred Adjudication:

No local rule under this subdivision.

RULE 6.31 Pre-Sentence Report/Court's Proposed Sentence:

No local rule under this subdivision.

RULE 6.32 Judgments/Orders:

No local rule under this subdivision.

RULE 6.33 Occupational Driver's License:

No local rule under this subdivision.

**RULE 6.34 Probation Revocations/Motions to Adjudicate/
Habeas Corpus:**

No local rule under this subdivision.

RULE 6.35 Appeals from Lower Courts:

No local rule under this subdivision.

RULE 7

JURY MANAGEMENT

RULE 7.10 Jury Management:

The Webb County courts have adopted a central jury selection process. Jury panels are assigned to different courts. A jury week schedule is filed with the district clerk by the courts.

RULE 8

JUDICIAL VACATION

RULE 8.10 Judicial Vacation:

All judges of courts in Webb County, Texas shall advise the local administrative judge of his/her planned annual leave, or disability, or intention to attend judicially mandated educational conferences. A visiting judge may be assigned to administer that court's docket.

**RULE 8.11 Notification to Local Administrative Judge of
Absence or Planned Vacation of Judge:**

No local rule under this subdivision.

RULE 8.12 Requests for Visiting Judge:

Upon request, the local administrative judge will make arrangements with the administrative judge of the Fourth Administrative Judicial Region to assign a visiting judge to Webb County to sit for any or all of the courts that will be unavailable.

RULE 9

NON-JUDICIAL PERSONNEL

RULE 9.10 Non-Judicial Personnel:

No local rule under this subdivision.

RULE 9.11 Qualifications of Non-Judicial Personnel:

No local rule under this subdivision.

RULE 9.12 Conduct of Non-Judicial Personnel:

No local rule under this subdivision.

RULE 9.13 Duties of Non-Judicial Personnel:

No local rule under this subdivision.

RULE 10

ATTORNEYS OF RECORD

RULE 10.10 Appearance of Counsel; Designation of Attorney in Charge:

An attorney may not appear for a party unless he has filed or made his appearance of record.

RULE 10.11 Conduct and Decorum of Counsel:

A. Attire:

All counsel coming before the courts of Webb County, Texas shall wear attire that is befitting their positions as officers of the court.

B. Professionalism:

An attorney's behavior and actions should conform to the The Texas Lawyer's Creed--A Mandate for Professionalism as promulgated by the Supreme Court of Texas and the Court of Criminal Appeals as was adopted on the 7th day of November, 1989 and maybe amended from time to time.

RULE 10.12 Withdrawal or Substitution of Counsel:

A. Any attorney who has appeared of record in any case may withdraw only by filing a motion approved by the court:

The motion should set forth the following:

- (a) The reason for withdrawal;
- (b) A certification to the effect that the client has been notified of the withdrawal and that the client's file has been returned;
- (c) the current address of the client where notices of setting may be mailed, together with a work and/or home phone number;
- (d) the name of substitute counsel, if known, and a certification that the withdrawing attorney has explained this procedure to the client, and has communicated to the client the fact that withdrawal of counsel cannot be used to delay a trial setting in the case.

B. The motion to withdraw must be signed by the attorney requesting withdrawal; furthermore, if substitute counsel has been engaged, his signature and mailing address shall be affixed to the motion constituting an appearance for all purposes.

C. Newly retained counsel shall not be permitted to substitute for counsel of record unless they certify they are prepared to proceed with the case without a delay of the proceedings.

D. A motion to substitute counsel that will cause delay requires a hearing. If the motion is signed by counsel withdrawing, substitute counsel and/or client, and is accompanied by a statement certifying that no delay will occur, the court will sign the motion without formal hearing.

E. If substitute counsel's and/or the client's signature fails to appear on the motion, withdrawing counsel shall attach to the motion a copy of the cover letter forwarding a copy of the motion to his client advising him/her of the filing of the motion and the date and time of the hearing. The motion shall be set down for hearing and no withdrawal shall be permitted unless and until the matter has been heard.

RULE 10.13 Attorney Vacations:

An attorney may designate not more than four (4) weeks during any given calendar year as vacation, during which time he/she will not be assigned to trial or required to engage in any pre-trial proceedings, unless the case has been specially set. An attorney may file written designation(s) of vacation periods covering less than four weeks in any calendar year, so long as all of the written designation(s) of vacation filed in

any one calendar year do not cover periods of time which in the aggregate exceed four weeks. The written designation(s) must be filed with the district clerk (with copies to all courts of record in Webb County) no later than fifteen (15) days prior to the date of the attorney's designated vacation. No case will be set after notice has been sent to the district clerk. Designation(s) of vacation will not relieve the attorney from any setting assigned prior to the filing of vacation schedule by counsel.

RULE 11

ADMINISTRATIVE LAW CASES

RULE 11.10 Administrative Law Cases:

No local rule under this subdivision.

RULE 12

MISCELLANEOUS LOCAL RULES

RULE 12.10 Settlement Week:

See Rule 1.11.

RULE 12.11 Form for Submitting Court Costs:

No local rule under this subdivision.

RULE 12.12 Form for Requesting Alternate Dispute Resolutions:

No local rule under this subdivision.

RULE 13

ADOPTION, AMENDMENT, NOTICE

RULE 13.10 Procedure of Adoption and Amendment of Local Rules:

The Judges comprising the Court Administration Board of Webb County, by virtue of the Court Administration Act, Article 200 a-1, V.A.T.C.S., shall, at their regular or special called meetings, provide for the passage and approval of local court

rules. Local rules shall not be effective until approved by the administrative judge of the Fourth Administrative Judicial Region and by the Supreme Court of Texas.

RULE 13.11 Adoption or Amendment by Local Administrative Judge:

Any proposed change in the rules shall be submitted to the local administrative judge for referral to the rules committee ninety (90) days before the annual meeting of the council of judges which will be held on the first Wednesday in December of every year.

RULE 13.12 Notice and Publication of Rules:

After the rules have been approved, a copy of these rules will be filed with the Webb County District Clerk. A copy of these rules may be requested from the district clerk's office.

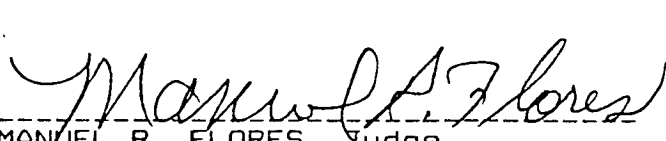
RULE 13.13 Interim Orders Affecting Local Practice:

Interim orders may from time to time be adopted for all but never fewer than all courts in the same geographic territory and may govern local practices in court proceedings when the parties have been given actual notice of any such orders and subject to the limitations of Rule 13.14

RULE 13.14 Local Practices Not Published in These Rules:

Local practices not published in these rules may not be applied by any court so as to work a disposition on the merits of any matter unless such disposition on the merits of the matter is otherwise authorized at the time by law, by provisions of the Texas Rules of Civil Procedure or by these local rules.

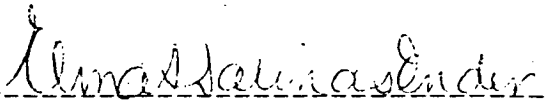
APPROVED FOR SUBMISSION AND DATED on this the 7th day
of February , 1990.



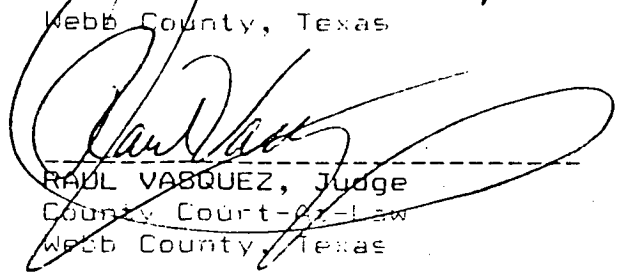
MANUEL R. FLORES, Judge
49th District Court
Webb County, Texas



ANTONIO A. ZARDENETTA, Judge
11th District Court
Webb County, Texas



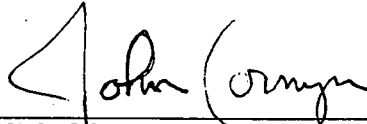
ELMA TERESA SALINAS ENDER, Judge
34th District Court
Webb County, Texas



RAUL VASQUEZ, Judge
County Court-at-Law
Webb County, Texas

LETTER OF CERTIFICATION

I, JOHN CORNYN, PRESIDING JUDGE OF THE FOURTH ADMINISTRATIVE JUDICIAL REGION OF TEXAS, on this the 1st day of March, A.D., 1990, do hereby certify that the above Rules were adopted by the State District Judges of the 36th, 156th and the 343rd at a Judges' meeting on the 12th of December, A.D., 1989.



JOHN CORNYN, PRESIDING JUDGE
FOURTH ADMINISTRATIVE JUDICIAL
REGION OF TEXAS

ATTEST:



LESLIE MURRAY
ADMINISTRATIVE ASSISTANT

RULES OF COURT

36TH, 156TH AND 343RD DISTRICT COURTS

Composed of

ARANSAS COUNTY, BEE COUNTY, LIVE OAK COUNTY

McMULLEN COUNTY, SAN PATRICIO COUNTY

RULES OF COURT

36TH, 156TH AND 343RD DISTRICT COURTS

Composed of

ARANSAS COUNTY, BEE COUNTY, LIVE OAK COUNTY

McMULLEN COUNTY, SAN PATRICIO COUNTY

Pursuant to the authorization of Rule 817 of the Texas Rules of Civil Procedure, the following rules governing the practice in the District Courts of the 36th, 156th, and 343rd Judicial Districts of Texas have been adopted. Nothing contained in these rules shall be construed or interpreted as interfering with the rights of the Trial Judge to make such orders, setting or procedural directions as in his or her discretion may be necessary and proper for the expedient and orderly dispatch of the business of the Court.

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

1. FILING AND SETTING FOR TRIAL OF CASES

Rule 1.10 Time Standards for Case Disposition.

The 36th, 156th and 343rd Judicial District Courts of Aransas, Bee, Live Oak, McMullen and San Patricio Counties, Texas, 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.

The Court may elect to vary from these time standards in complex cases or special circumstances upon the motion of either party or upon the Court's own motion.

Rule 1.11 Court Sessions.

The Courts sitting in the above mentioned counties shall be set according to a schedule or calendar published. 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 Clerk shall furnish a copy of the calendar to each attorney or litigant appearing in the Court and shall make it available to other persons requesting it.

Rule 1.12. Filing and Assignment of Cases.

All cases filed in Civil Courts shall be assigned to a specific Court by using the Remainder Theorem unless this system shall be superseded in any County where a computer becomes available for assignment of cases, or may be superseded by order of the Judges.

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. This procedure may be superseded in any county where a computer becomes available for scheduling cases, or where ordered by the Judges.

Rule 1.13 Transfer of Cases/Docket Exchange/Bench Exchange.

In each county of this District, 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 case is so related to another 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 where the unavailability of the Judge of the Court in which the case is assigned shall work an injustice or hardship by undue delay, including, but not limited to; criminal matters, habeas corpus matters, juvenile matters, temporary restraining orders, temporary injunction hearings, contempt matters and other emergency matters.

Rule 1.14 Request for Settings - Non-jury Cases.

Non-jury cases may be set for trial upon request to the Court Coordinator for the Court in which the case is filed. 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.

Rule 1.15 Request for Settings - Jury Cases.

Jury cases may be set by request from any party or upon the Court's own Motion by a scheduling or Docket Control Conference hereafter described under Rule 3.18. Preferably such jury settings shall be made after consultation with all attorneys of record in order that conflicts of appointments may be avoided and last minute delays avoided.

Rule 1.16 Request for Preferential Setting.

Cases may be set for preferential setting by consent of the Judge involved, after showing good cause therefor.

Rule 1.17 Emergency and Special Meetings.

Whenever immediate action of a Judge is required in an emergency and the Clerk's office is not open for business, the case shall, nevertheless, at the earliest practical time be docketed and assigned to a Court as provided by these rules, and all writs and process shall be returnable to that Court.

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 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 1.18 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.

The purpose of Docket Call shall be to designate actual trial cases and to assign a numerical order of trial. Readiness should be confirmed at Docket Call.

Rule 1.19 Resetting Cases.

Cases that have been continued, or that have not been reached may be reset for the next trial date available. No cases shall be continued without a subsequent trial setting being made. The resetting of cases may be handled by the Judge or by his or her Court Coordinator.

Rule 1.20 Dismissal Docket: Involuntary Dismissal.

If there are 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 after fifteen (15) days or such other time as may be prescribed by Rule 165a, no request for trial is made, the Cause may be dismissed; subject however, to all remedies allowed by law for reinstatement.

Rule 1.21 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 on it. The attorneys shall be responsible for notifying the Court of any change in the status of such case in order that it may be expeditiously heard or dismissed.

Rule 2.10 Information to Local Administrative Judge.

The District and County Clerks shall be responsible individually to each and all the Judges and Local Administrative Judge of the County 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 on request.

Rule 3.10 Presentment of Pre-Trial Pleas and Motions.

At any time after answers are filed or a request for trial setting has been made, upon written request of any party or upon motion of any party or the Judge, a Pre-Trial Hearing or Conference shall be set.

At such Pre-Trial Hearing or Conference 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 shall cause them to be waived.

Counsel and any pro se parties will be expected at Pre-Trial 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 which 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.

Rule 3.11 Disposition Motions and Other Preliminary Matters.

Preliminary matters which require a hearing by the Court may be disposed of either by hearing before the Court or upon written authorities as counsel may forward to the Court, following which the Court may rule without hearing. Any party is entitled to a hearing so long as the same is requested prior to the time that the Court makes its ruling.

A Pre-Trial Conference may be held at the request of the Court or of the parties to the case. If the Pre-Trial Conference is set at the request of attorneys for the parties, it shall be held no later than ten (10) days prior to the date set for trial, unless the Court, upon timely request, orders otherwise. (Pre-Trial Conferences for criminal cases will be controlled by Chapter 28 of the Code of Criminal Procedure).

Rule 3.12 Motions for Severance.

All motions to sever will be controlled by the provisions of Rules 41 and 174, and such rules will be strictly construed. No severance will be granted without notice and an opportunity for hearing having been afforded to all parties.

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.

No requests to pass, postpone or reset any conference or trial shall be

granted unless counsel for all parties have been notified and their clients have an opportunity to appear. Any grounds for continuance of a trial setting shall 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, if any, whichever shall occur first or shall be waived.

No motion for continuance of a trial setting, including joint or agreed motions of all parties shall be granted without the Court's consent. The hearing on any Motion for Continuance shall be attended by the client in each case, as well as his attorney. All motions shall comply in civil cases with the Texas Rules of Civil Procedure, and in criminal cases with Chapter 29 of the Texas Code of Criminal Procedure. All motions for continuance must be signed by the party requesting the same. Upon granting a Motion for Continuance, a scheduling conference shall immediately be held and the Order granting such Motion for Continuance shall 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 Coordinator 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.

Motions for Summary Judgment shall be heard and treated as any other motions before the Court.

Unless specifically set otherwise, all pending motions for summary judgment which have been on file and a copy of which has been delivered to the

opposite party or his counsel more than twenty-one (21) days prior to the date set for final Pre-Trial Conference will be considered as set for hearing at the time of the final Pre-Trial Conference just as if they were formally set by written order.

Rule 3.16 Motions for Treatment of Case as a Complex Case.

The motion of a party pursuant to Rule 15 of the Supreme Court Rules of Administration and Rule 1e of the Regional Rules of Judicial Administration must be filed and the ruling obtained to declare that the case is classified as a complex case, or that special circumstances exist that make it impossible to abide by the prescribed time standards. The Court may at anytime, in the interest of justice, determine that a case is complex or recognize circumstances which may classify it as complex, and thereafter the Court will invoke such standards as it believes are necessary to "...safeguard... the rights of litigants to the just processing of their cases..."

Rule 3.17 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.

Rule 3.18 Docket Control or Scheduling Conference.

At any time after a case is filed, whether or not it has been classified as a complex case, a scheduling conference or docket control conference may be scheduled, upon the Court's motion or upon request by any party. At any time such conference is scheduled, the Court in which the case is pending shall notify all attorneys of record of the date and hour at which the attorneys are to appear.

Upon Court approval the scheduling conference for scheduling or docket control conference may be held by telephone conference call. Any attorney requesting that the scheduling conference be held by telephone shall be responsible for arranging the conference call on the date and time scheduled by the Court Coordinator.

The docket control or scheduling conference shall be conducted informally, and shall be for the purpose of obtaining a date for trial to avoid conflicts in attorneys schedules, determining the probable length of time required for a trial, determining whether or not a jury will be required, fixing deadlines for joinder of additional parties, completion of discovery, amendment of pleadings and filing all proposed jury questions.

The Coordinator will prepare an 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, unless later modified by the Court.

Rule 3.19 Pre-Trial Conferences.

A Pre-Trial Conference to determine the readiness of the parties for trial, the status of the fact issues to be presented in Court, stipulations of the parties, and any settlement negotiations shall be scheduled in the docket control or scheduling conference. The hearing of the Pre-Trial Conference may be by telephone conference call if requested by any attorney.

Rule 3.20 Compliance with Conference Procedures.

a. All scheduling, conferences and pre-trial conferences shall be attended by the attorney in charge, or by a co-counsel who is familiar with the case and fully authorized to state his party's position on the law and the facts, to make agreements as to scheduling, to enter into stipulations, and to enter into settlement negotiations. Attorneys for all parties shall be physically present at the scheduling conference, unless arrangements have been made for such conference

to be held by telephone.

b. Each attorney shall bring a calendar in order to arrange settings which do not conflict with any previous engagements of counsel. Under no circumstances may an attorney be represented at any scheduling conference or pre-trial conference, whether held by telephone or otherwise, by any secretary or non-lawyer personnel.

c. When counsel for either party fails to appear at a pre-trial or docket control conference after notice to appear, the Court may:

1. Rule on all motions and exceptions in the absence of such counsel;
2. Declare any motions or exceptions of such absent party waived;
3. Advance or delay the trial setting according to the convenience of the counsel present;
4. Pass and re-set the hearing.

Rule 3.21 Non-Compliance with Conference Rules.

When any attorney in charge for either party, 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 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.

In situations where the Court determines that there is a suggestion of death, or information concerning bankruptcy proceedings or reasons not to dismiss a case for want or prosecution, or if it is necessary to abate the proceedings, the cause may be held in suspense subject to later setting of the case for trial when it becomes appropriate.

Rule 3.22 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, or for protection, or to quash interrogatories or requests for sanctions shall be heard at any time, in any county in which the Judge having jurisdiction of the case can hear the same.

The Court expects attorneys served with written interrogatories or requests for admission to answer the same within the time specified unless the time within which to answer has been extended by the Court or by agreement or reduced by agreement of the parties.

If good cause is not shown for failure to comply with the Texas Rules of Civil Procedure on discovery, the defaulting party will suffer the consequences provided by Rules 215a and 215b, including the payment of expenses and attorneys fees. Where Motions to Compel answers are filed and a hearing set by the Court, the Court may in its discretion, still assess expenses and attorneys fees, even though answers are made prior to the hearing. An order assessing the

expenses and attorneys fees will be entered by the Court and failure to comply with the Order may result in additional sanctions as provided by the Rules.

Rule 3.23 Settlements.

All trial counsel are urged to make a bona fide effort to settle cases before announcing ready for trial. The Court will expect counsel before announcing ready, to confer with his client and opposing counsel concerning settlement and to recommend an offer which is in his professional opinion reasonable, unless in his professional opinion the case is not such as to justify any offer whatsoever.

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

The Court will reserve 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 3.24 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 number and style of the case and the Court in which the attorney is scheduled and should state the length of time required for hearing of trial. The Court will reserve the right to check that appearance of counsel is necessary at such other Courts.

At docket control or scheduling conference, each attorney shall be responsible for disclosing to the Court Coordinator 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.

The Judge shall make of record a note when the trial was set, such record to be either on a docket sheet or notice of setting. In case of such conflicting settings, the Court whose date of setting is the earliest shall have preference, and other Court shall yield to such prior setting; except that criminal cases in all District Courts shall have priority over civil cases.

In the event any of the above policies works an undue hardship (e.g., where a subsequent setting involves multiple parties and counsel, or where witnesses must appear from great distances or other such hardship), the Judge of the Court in which the subsequent setting was made shall attempt to make personal contact with the Judge of the Court of the prior setting and make satisfactory arrangements for a deviation from the policy herein announced.

Nothing herein shall prevent any Court making a subsequent setting from insisting upon a trial in the event the case in the Court of the prior setting is settled, passed or otherwise disposed of.

Rule 3.25 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. When out of county witnesses are to be called, the burden shall be on the party using such witnesses to have them available. 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. In criminal cases, if an attorney desires to request a court-appointed interpreter for his client or witness, request therefor shall be made at pre-trial hearing or earlier.

If a witness is not available as required by this rule, and if the absence of such witness does not require a continuance, the Court, in its discretion, may require counsel to present the missing witness out of order, may require use of a deposition in lieu of the witness, may submit the case to the jury without benefit of the witness's testimony or may make any other order which appears just to avoid delay of the trial.

Rule 3.26 Jury Voir Dire/Venire.

In the counties of this District, jury questionnaire forms are in use. A party may order a complete set from the Clerk in payment for the cost of reproduction. In many instances these are available at pre-trial, and in all instances prior to jury selection. Counsel is expected not to repeat during voir dire examination those matters set out in the jury questionnaire.

All juries will be selected on the first day of each jury trial week beginning at the time posted. 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.

Rule 3.27 Jury Charges.

A jury charge, with special 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 later.

Rule 4.10. Family Law Cases.

a. 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.

At any time after a divorce or other domestic relations matter shall have been filed, it may be set upon motion of the parties or upon the court's own motion after the minimum period required by law for such settings. If counsel for either party is requesting a setting for trial, the request shall be in writing and directed to the Court Coordinator or the Clerk, with a copy to opposing counsel and any pro se parties. Counsel shall consult with client and opposing counsel prior to trial time and not request time at the beginning of trial for consultations.

b. In all cases requiring a division of property and/or liabilities, the husband and wife shall each file with the court or upon written mutual agreement 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.

c. A Financial Information Sheet showing the income and expenses of each party shall be furnished to the Court and opposing counsel not later than the commencement of hearing or trial in which the payment of support or property rights will be an issue.

d. 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.

If conservatorship of children is in dispute between the parties in a domestic relations case, the attorneys shall make every effort to avoid a hostile and rancorous parade of witnesses that will increase any bitterness remaining between them. If such matters can be settled by joint managing conservatorships or conciliatory measures which will be for the best interest of the child, these are to be preferred, unless there are real grounds for the introduction of evidence

of serious bodily or mental harm to the children.

With respect to child support, the same shall be governed by the provisions of the Texas Family Code, as it presently exists or as it may hereafter be amended, unless the parties wish and agree to make some other arrangements.

Possession of the child by the possessory conservator shall likewise be governed by the provisions of the Texas Family Code as presently constituted or as hereafter amended. It is recommended that all alternatives which may be needed during the minority of the child be placed in the one divorce decree so as to avoid frequent trips to court.

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.

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.

With respect to family court cases other than divorce the Rules of Civil Procedure shall be followed as in other civil cases. Nothing shall interfere with the right of a Judge to recess a hearing, including juvenile hearings, at any stage of the proceeding where the parties are agreeable or when, in the opinion of the Judge presiding in the case, the best interest of the child and of society shall be served.

Rule 5.10 Liquidated Monetary Claims.

A monetary claim represented by an instrument in writing or on open account supported by documentary evidence shall be presented without necessity of hearing, provided any affidavits with respect to attorney fees or other supporting documents presented to the Court at the time of request for Judgment. Such requests may be made accompanied by appropriate Judgment for the amount in controversy, pre-judgment

interest, attorney fees, post-judgment interest and costs.

Rule 6.10 Felony and Misdemeanor Cases.

Misdemeanor cases shall be presented in County Court by filing information.

Felony cases and Misdemeanors involving official misconduct shall be presented by indictment in District Court unless the Defendant waives indictment in writing and in that case the prosecution may be had by information.

In each county the Court will impanel Grand Juries on the first opportunity after the beginning of a term of Court. Such Grand Juries shall be scheduled to appear for consideration of matters placed before it at regular times during their term of office, and shall be governed in all other respects by the Texas Code of Criminal Procedure.

After indictments are returned and the Clerk has issued precepts and such have been served on the Defendants, a Docket Call shall be held at which each Defendant is expected to appear with his attorney. 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, non-jury, and for arraignment of the Defendant. For the Criminal Pre-Trial the proceedings shall be governed by Article 28 of the Texas Rules of Criminal Procedure.

The Pre-Trial shall dispose of all pending motions, pleas and matters which can be for pleas, motions in limine and other pleas necessary for presentation of the Defendant's case and shall be determined in advance of trial 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 Civil Procedure relating to criminal jury trials.

If court-appointed attorneys are necessary in any criminal case and if the Defendant has filled out the appropriate form showing his resources, income

and expenses, The Court will determine whether or not he is indeed indigent and if so select a lawyer from among the roster of lawyers for that County to represent him or her. If a Defendant is free on bond, the name and address of that attorney will be furnished to him and he should be made aware of the date of his trial and of his pre-trial and admonished to seek the advice of his attorney. If the Defendant is confined in jail, notice should be sent or delivered to his or her attorney, if present, and allow the attorney to intervene in jail.

At the conclusion of the trial, the attorney should present an itemized schedule of the time spent in Court on such representation and the reasonable time spent out of Court conferring with the client or preparing the trial, supported by time slips or other evidence for the time spent so that the attorney's fees may be made a part of the Court costs. The Judge hearing the case shall compile the time and consider the qualifications set forth in Article 24.04 of the Texas Code of Criminal Procedure in assigning a value to the services of that attorney for that case. Failure to present such itemized schedule of time spent on the case within three days (72 hours) may constitute a waiver of such attorney fees.

Rule 7.10 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, whether out of the jury wheel or by computer.

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.

When jury panels are selected and notice of the time to report for hearing is mailed to them at the same time a juror information card shall be forwarded to them, such jury information form shall be of uniform design and shall be adopted and used to obtain basic information about the background of jurors on the general venire. Each juror shall be prepared to bring the same to Court and have the same

used by the attorneys in selection.

Qualifications of jurors as for Grand Jurors shall be according to the Texas Civil Practice Code or according to the Texas Code of Criminal Procedure.

During all weeks in which criminal cases are set, juries will be summoned for 10:00 A.M. on Monday or at other appropriate times, as ordered by the Judge, and will be subject to assignment during the ensuing week, unless carried over on Order of the Judge.

Rule 8.10 Judicial Vacation.

Judicial vacations and education events will be scheduled in advance, by each Judge, subject to any changed conditions, and notice thereof is to be included in the calendar prepared for all the Courts in all Counties and distributed to the District Clerks of each County.

Rule 9.10 Non-Judicial Personnel.

The Local Administrative Judge of the County 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 reveal case flow procedures and operations of Court Administration program and shall recommend necessary changes to the Judges of the District Courts and County Judges.

Each Judge shall control the employees of his or her Court, including those who render services directly or indirectly to each Court, including, but not limited to: Official Court Reporters, additional Official Court Reporters, Court Administrators, Court Coordinators, staff, if any, of Court Administrators, assignment clerks, central jury bailiffs and staff, 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. Each Judge shall be responsible for seeing that his or her

non-judicial personnel are prompt and well qualified in their duties. Non-judicial personnel should observe the standards of decorum and conduct set forth in the Code of Judicial Conduct.

Rule 10.10 Attorneys - Attorney Vacations.

In civil cases not specially set, an attorney may not be put to trial for a period not to exceed four (4) consecutive weeks of a given year if he has in writing filed with the appropriate Clerk of the County of his residence, with a copy to the appropriate Clerk in the other County that he has pending cases, at least ninety (90) days in advance, notice of his vacation period. At his discretion a Judge may recognize another time for the designated vacation period.

Rule 10.11 Appearance of Counsel, etc.

Each party shall designate upon filing of each case and each party at the time of answering or appearing therein shall designate one attorney as Lead Counsel for each such party. Lead Counsel shall be responsible for all Docket Calls, all other proceedings and the trial of the case. When a litigant is represented by a firm of lawyers or more than one lawyer, one counsel must be designated on the pleadings and on the requests for settings and all other documents filed as Leading Counsel or, Counsel in Charge. Should Counsel fail or refuse to indicate who such counsel is on the pleadings, then it shall not be grounds for continuance or the passing of the case that such Counsel is sick or out of the city or otherwise engaged. By "Leading Counsel" or "Counsel in Charge" is meant the Counsel who is expected to take the lead for that litigant in the trial of the case.

If the same attorney is called to trial simultaneously in different Courts, then the case on which the earlier setting was made shall take preference over the case having the later setting, except at the discretion of the Court. All applications for continuance or postponement of trial or pre-trial hearing because Counsel has another setting in a different Court must show the date the setting was made in

the other Court.

The fact that such Lead Counsel or counsel is engaged in matters pertaining to any other case shall be grounds for no more than one motion for continuance.

In criminal cases all Defendants and their attorneys must be personally present in Court during arraignment or pre-trial hearings. Attorneys are required to notify the Office of the Judge and of the Clerk that they are employed in the case in writing. If such retainer notice is not given to the Clerk prior to the dates of hearing, pre-trial hearing, arraignment 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 and substitution of retained counsel who failed to notify the Court of retention may only be permitted by leave of the Court.

In civil cases, each party shall appear for hearings on any motions and pre-trial business. In particular are hearings of motions for continuance, the party and his attorney shall appear and all such motions shall be signed by the party where applicable.

Rule 10.12 Attorney Withdrawal.

In civil cases 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 a certificate by another lawyer that he has been employed to represent the client in the case, or a copy of such motion shall be mailed to the client at his last known address, with a letter advising that the motion will be presented to the Court on or after a certain hour, not less than ten (10) days after mailing the letter and that any objection to such withdrawal should be made to the Court in writing before such time and a copy of such letter shall be attached to the Motion. A copy of the Motion shall be delivered or mailed to opposing counsel. 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 10.13 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.

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.

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 or as 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.

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.

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. (Leave of Court is not required.)

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.

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."

Rule 11 Local Administration.

Election of the Administrative Judge:

(a) Subject to Section 74.091 of the Texas Government Code, a majority of the Judges of the County will prescribe the term of office of the Administrative Judge.

The local Administrative Judge will have duties and the responsibility for attending to emergency and special matters of the District Courts pursuant to Rules of Judicial Administration.

(b) MENTAL HEALTH/DRUG/ALCOHOLIC COMMITMENT AND PRISONERS WITHOUT CHARGES. Subject to modification and without waiving their respective jurisdiction, the Judges shall assume responsibility in emergency and special matters pursuant to Rule 10d of the Rules of Judicial Administration.

Rule 12.11 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 person having jurisdiction.

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

The Judges of the District Courts may meet with the County Courts 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 the above rules;
- (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.

Court Business, Inherent Powers and Authority. Pursuant to the Supreme Court 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, Supreme Court Rules of Judicial Administration.

Rule 13.00 Miscellaneous Local Rules.

Rule 13.01 Attorneys ad Litem.

Any Judge may appoint Attorneys ad Litem 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. Unless there is a showing of good cause, such appointments must be made at least one(1) day before the Court takes any action on the merits of the case.

Rule 13.05 Alternate Dispute Resolutions.

Whenever a case is referred to alternative dispute resolution (ADR), the

offices of the Alternate Dispute Resolution Institute of Corpus Christi may be employed, or arbitrators may be appointed by the Court as the parties shall agree.

For arbitration hearings each party shall have no more than one (1) hour in which to present its case. Where there are more than two parties involved in a case the arbitrator shall have discretion to shorten the time limit to any party so that the entire proceeding does not exceed three (3) hours. The arbitrator shall have the discretion to determine which parties have adverse interest so as to equalize the presentation and time limits. If all parties and the arbitrator agree, time limits may be lengthened.

Parties may present evidence through witnesses, documents, visual aids, video tapes, interrogatories, admissions, portions of typed or video-taped depositions, summaries by counsel of expected testimony of non-present witnesses, or by any combination of the above methods. Counsel, as officers of the Court, are encouraged to summarize testimony of witnesses and to summarize evidence in general. Representations of facts by counsel should, if possible, be supported by reference to available evidence, or by professional representation that the counsel has spoken with the witness and is repeating in substance that which the witness stated.

The arbitrator shall have the discretion to decide what methods of presentation are unacceptable. The intent of the rules is to liberally allow any method of presentation chosen by a party that is not unfair and that does not involve misrepresentation.

The arbitrator shall be authorized to make reasonable rules for the fair and efficient conduct of the hearing in addition to these rules. No transcription or recording shall be made of the proceedings. Testimony need not be given under oath or affirmation.

The decision of such arbitration hearing is not conclusive on either party and may not be used as an admission by either party in case the case reaches trial.

Rule 13.10.

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. All judgments and/or orders in uncontested matters (excluding cases which are settled on the day of trial) must be presented at the time of hearing on such uncontested matters.

All final judgments which are not approved by all counsel or opposing parties who appeared before the Court shall be forwarded to the Court, a copy shall be mailed to all opposing counsel or unrepresented parties by the party preparing the judgment; said judgment shall be held in the Judge's chambers for five (5) to ten (10) days, and if no objection to the Judgment is filed, it will then be signed by the Court without a hearing on entry of judgment. Any objections to the judgment must include a form of order setting a hearing on the objection.

Photography or Recording in the 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 12 day of December A.D., 1989.

Rachel Littlejohn
Judge, 156th District Court

Alonso T. Rodriguez
Judge, 343rd District Court

Donald W. Morgan
Judge, 36th District Court



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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

Jim Hutcheson
General Counsel

March 26, 1990

Honorable Manuel R. Flores
Judge, 49th District Court
Post Office Box 6655
Laredo, Texas 78042

RE: The Local Rules of the Courts of Webb County (49th, 11th, and 341st District Courts and County Court at Law of Webb County), dated February 7, 1990.

Dear Judge Flores:

Enclosed is a copy of the order of the Supreme Court dated March 21, 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