

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 90-0021

---

**APPROVAL OF LOCAL RULES OF COURT  
OF TARRANT COUNTY, TEXAS**

---

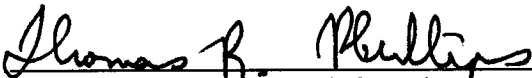
**ORDERED:**

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

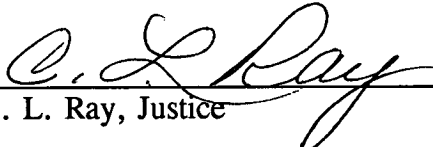
Local Rules of Court of Tarrant County Courts, dated October 2, 1990

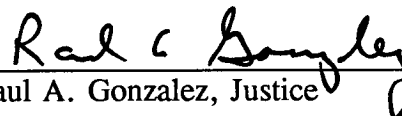
The approval of these rules is temporary, pending further orders of the Court.

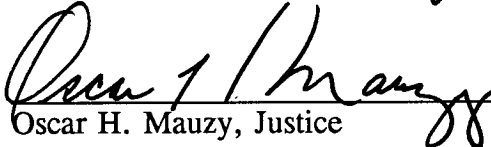
SIGNED AND ENTERED this 26th day of November, 1990.

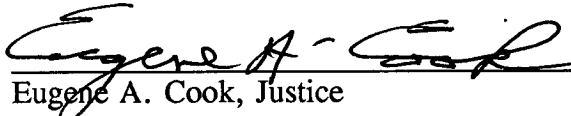
  
Thomas R. Phillips, Chief Justice

Franklin S. Spears, Justice

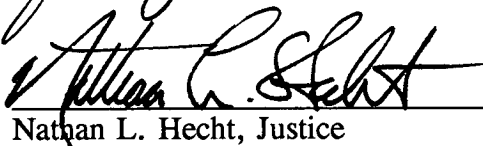
  
C. L. Ray, Justice

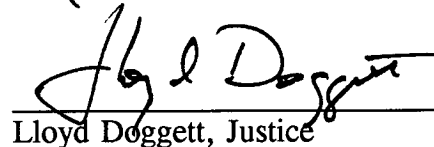
  
Raul A. Gonzalez, Justice

  
Oscar H. Mauzy, Justice

  
Eugene A. Cook, Justice

  
Jack Hightower, Justice

  
Nathan L. Hecht, Justice

  
Lloyd Doggett, Justice



*Phillips*

MICHAEL D. SCHATTMAN

DISTRICT JUDGE

348TH JUDICIAL DISTRICT OF TEXAS

TARRANT COUNTY COURT HOUSE

FORT WORTH, TEXAS 76196-0281

(817) 877-2715

October 3, 1990

Hon. Tom Phillips, Chief Justice  
Supreme Court of Texas  
P.O. Box 12248 Capitol Station  
Austin, Texas 78711

Re: Local Rules  
Tarrant County, Texas

Dear Chief Justice Phillips:

On behalf of the judges of Tarrant County I submit to you for the Court's approval the Local Rules of Court of Tarrant County, Texas adopted October 2, 1990.

A request has been made to the Presiding Judge of the 8th Administrative Judicial Region for his certificate under Rule 3a(1), Tex. R. Civ. P. In compliance with paragraph (3) of Rule 3a, these rules have been published in the consolidated Court Docket of Tarrant County for November 1990 which is mailed by the District Clerk to the bar and posted and available in the clerk's office.

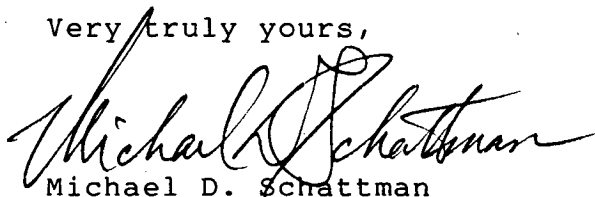
This completes a lengthy drafting process. First a committee of twelve lawyers and four judges prepared a draft for submission for the local civil court judges. The judges revised that draft and published a proposed set of rules with the July 1990 docket for written comment and a public hearing. Following the reception of comment and the public hearing, the trial judges met two more times revising the draft before the adoption of the rules on October 2nd.

For the convenience of the Court, I am enclosing ten additional copies, so that each justice may be provided one and that copies be available for the Clerk and the Office of Court Administration if you so require it.

Rules governing criminal and family law local practices will be forwarded once adopted by the judges of these courts.

If any further information is needed to obtain the Supreme Court's approval of these rules, I shall be most happy to supply it.

Very truly yours,

A handwritten signature in cursive script, reading "Michael D. Schattman". The signature is written in dark ink and is positioned above the typed name.

Michael D. Schattman

MDS/js

xc: Hon. Jeff Walker, Presiding Judge  
Eighth Administrative Judicial Region  
Civil District Judges, Tarrant County  
County Court at Law Judges, Tarrant County



MICHAEL D. SCHATTMAN  
DISTRICT JUDGE  
348TH JUDICIAL DISTRICT OF TEXAS  
TARRANT COUNTY COURT HOUSE  
FORT WORTH, TEXAS 76196-0281  
(817) 877-2715

October 3, 1990

Hon. Jeff Walker, Presiding Judge  
Eighth Administrative Judicial Region

Re: Local Rules,  
Tarrant County, Texas

Dear Judge Walker:

Enclosed is a true copy of the Local Rules adopted on  
October 2, 1990, for Tarrant County.

Would you please examine them and, if they meet with your  
approval, certify to the Chief Justice of the Supreme Court  
that these rules do not contravene the rules of the  
Administrative Judicial Region?

Thank you.

Very truly yours,

  
Michael D. Schattman

MDS/js

xc: ✓ Hon. Tom Phillips, Chief Justice  
Civil District Judges, Tarrant County  
County Court at Law Judges, Tarrant County

*Local Rules of Court*  
*Tarrant County, Texas*

(Adopted October 2, 1990)

# *Tarrant County Local Rules*

## *Part 1. General Rules*

### **Rule 1.01: Title, Scope, Authority and Application of Local Rules**

(a) These rules are the Local Rules of Court of Tarrant County, Texas. They shall govern proceedings in the District Courts and Statutory County Courts of Tarrant County, Texas, for the purpose of securing uniformity and fairness in those proceedings and in order to promote justice.

(b) These rules are adopted by the trial judges of the district and county courts acting in Council pursuant to the inherent power of courts to control and guide the trial and disposition of causes, and pursuant to the provisions of the Supreme Court's order of February 4, 1987, as amended, adopting Rules of Judicial Administration and to the provisions of the Court Administration Act, Sec. 74.093, Government Code, as amended.

(c) These rules are standing orders of all District and Statutory County Courts of this county, now existing or as may be created hereafter. Knowing or intentional violation of these rules may be punished by contempt or other sanction authorized by law or by rules of procedure as the trial judge may deem appropriate.

### **Rule 1.02: Parties Proceeding Pro Se**

Any natural person proceeding on his own behalf without an attorney shall be expected to read and follow these Local Rules and the Rules of Civil Procedure, the Rules of Civil Evidence, the Rules of Criminal Evidence, the Code of Criminal

Procedure, and the Rules of Appellate Procedure as may be appropriate in the particular case. Failure to comply may be sanctioned, fined or punished as in other cases. Pro se parties shall be responsible for providing the Clerk with current addresses and telephone numbers.

**Rule 1.03: Assignment of Causes and Transfers**

(a) Except as provided elsewhere in this Rule, cases will be filed by random selection in courts designated for the subject matter of the litigation.

(b) All juvenile matters shall be assigned to the court or courts designated to hear juvenile matters under Sec. 51.04, Family Code.

(c) All delinquent tax suits shall be assigned to the court designated by the Local Administrative Judge.

(d) Every suit or proceeding in the nature of a bill of review or otherwise, seeking to attack, avoid or set aside any judgment, order or decree shall be filed in and assigned to the Court in which such judgment, order or decree was rendered.

(e) Every ancillary garnishment shall be assigned to the Court in which the suit is pending to which the garnishment is ancillary. Garnishments after judgment shall be assigned to the Court which rendered the judgment on which the garnishment is based.

(f) Cases may be transferred between District Courts and Statutory County Courts, subject to the jurisdictional limitations of the court to which they are transferred. Motions to transfer and to consolidate shall be filed in the earliest filed case.



In suits under the Family Code where a Court is the court of continuing jurisdiction or court with mandatory or exclusive jurisdiction, such motions will be filed in that Court.

**Rule 1.04: Jury and Non-Jury Weeks**

(a) Jury and non-jury weeks for all of the trial courts for any calendar year shall be designated by order not later than the second Friday in October of the preceding calendar year.

(b) Non-jury matters may be set and tried in jury weeks subject to the jury docket. With the concurrence of the Local Administrative Judge, any one case requiring a particularly large jury panel may be specially set by the court in a non-jury week and a special venire summoned for that case alone.

**Rule 1.05: Bankruptcy**

(a) Notice of Filing

(1) Whenever any party to litigation in these courts files for protection under the bankruptcy laws of the United States, it shall be the responsibility of that party's counsel in these courts: (i) to promptly notify the affected court(s) by immediately telephoning the Court Coordinator; and (ii) within three days of any bankruptcy filing, to provide written notice to the affected court(s) and all counsel that a bankruptcy filing has occurred giving the name and location of the bankruptcy court, the bankruptcy cause number and style, the

date of filing and the name and address of counsel for the bankrupt.

- (2) Compliance with this rule will enable the Courts to pass over cases affected by bankruptcy and to try other cases on the docket.
- (3) Failure to comply with this rule may be punished by sanctioning counsel and, in appropriate cases, the party once the bankruptcy is concluded.

**(b) Conclusion of Bankruptcy**

Once a bankruptcy has been concluded, whether by discharge, denial of discharge, dismissal or otherwise, counsel shall promptly notify the Court Coordinator so that the affected cases may be restored to the active docket or be dismissed as may be appropriate.

**Rule 1.06: Filing Papers**

(a) All pleadings, motions, notices, and any other paper, document or thing made a part of the record in any civil, family law or criminal case shall be filed with the Clerk.

(b) All briefs, proposed orders and judgments shall be presented to the Court Coordinator.

(c) On dates on which county offices will be closed other than weekends and holidays, the Clerks will designate a location within the courthouse complex where papers may be filed.

**Rules 1.07 through 1.09 – Reserved**

**Rule 1.10: Resolution of Conflicting Settings**

(a) Where an attorney has settings in two or more courts which conflict preference shall be as follows:

- (1) Trials on the merits in any court take precedence over hearings, motions and other temporary matters in any other court;
- (2) All proceedings in any court take precedence over depositions and other out of court discovery activities; and
- (3) All other conflicts in trial settings shall be resolved as provided in the Rules of the Eighth Administrative Judicial Region, Rule 10.  
(see Appendix)

(b) For the purposes of this rule, settings in the District Courts or Bankruptcy Courts of the United States or in the general jurisdiction trial court of any sister State will be treated as settings in a district court of Tarrant County.

(c) Any attorney having a previously scheduled oral argument in any appellate court shall be given a reasonable time to travel to and from that court and make argument provided the attorney advises the trial judge of the scheduled argument before the commencement of trial.

**Rule 1.11: Vacations of Attorneys**

If a case is set for trial by the Court on a date for which an attorney has planned a vacation, the attorney will notify the Court as soon as the notice of trial

setting is received and the case will be reset for a different time. If plans for a vacation are made by an attorney after a trial setting notice has been received, the attorney will immediately notify the Court and other parties with a request that the case be reset for a different time. The Court will rule on such request after giving all parties to the lawsuit an opportunity to respond to the request.

#### **Rule 1.12: Judicial Absences**

Whenever a judge anticipates an absence of more than five court days due to vacation, illness, national service, attendance at legal education courses, attendance at the meetings of judicial or bar committees, or otherwise, then that judge shall so inform the Presiding Judge of the Eighth Administrative Judicial Region so that another judge may be assigned to the court.

#### **Rules 1.13 to 1.98 – Reserved**

#### **Rule 1.99: Repeal and Effective Date**

- (a) All prior local rules are repealed as of the effective date of these rules.
- (b) These rules are effective January 1, 1991, or at such later date as they may be approved by the Supreme Court. They shall govern all proceedings occurring on or after their effective date.

*Part 2.* \_\_\_\_\_

**Rules 2.01 to 2.99 – Reserved**

*Part 3. Rules for Disposition of Civil Cases*

**Rule 3.01: Disposition of Civil Cases**

(a) On its own motion or by agreement of the parties, the Court will refer a case for resolution by an alternate dispute resolution procedure under Chapter 154, Civil Practice and Remedies Code. Any party may move for such referral if agreement cannot be reached.

(b) Pre-trial hearings or orders will not be required in every case, but upon request of any party or on its own motion the Court may set a hearing under Rule 166, Texas Rules of Civil Procedure, to consider such matters as might aid in the disposition of the action.

(c) Cases will be set for trial by the Court upon written request and representation of any party that the case will be ready for trial. The request may ask for a setting on a specific trial week, but not sooner than 75 days from the date of the request. Other parties will file a written response to the request within 7 days after receipt stating any objection to the request for setting. Unless the Court determines

that the case is not ready for trial, the case will be set for trial on the date requested or the nearest date that the docket of the Court will permit. The parties will be notified in writing of the date that the case is set for trial and any party having any known objection to the setting should inform the Court of the objection within 7 days after receiving the notice.

(d) If a request for setting of any case has not been received by the Court within nine months of the date of filing of the case, the Court may set the case for trial on a date at least 12 months after the date of filing of the case and notify the parties of the setting. Upon receipt of the notice any party should immediately notify the Court in writing if they believe that the case is not ready for trial or if they want to suggest alternative trial dates.

(e) An objection to a trial setting under paragraphs (c) and (d) of this rule is ineffective unless the objecting party requests a hearing on the objection.

(f) Cases to be tried prior to January 1, 1991 will continue to be set in accordance with the Rules of Practice effective November 1, 1979. Cases tried after January 1, 1991 will be set for trial in accordance with these rules so that requests for settings for dates after January 1, 1991 can be made any time after the adoption of these rules.

### **Rule 3.02: Motion for Continuance**

A trial date cannot be postponed or changed without the consent of the Court. Except as hereinafter provided, any motion for continuance will be filed no later than the Wednesday preceding the trial date and will be heard by the Court in the

courtroom at 2:00 p.m. on the Thursday preceding the trial date. Any motion for continuance based upon facts which occur on or after the Wednesday preceding the trial date will be filed as soon as possible and will be heard at a time to be set by the Court.

**Rule 3.03: Trial Procedure**

(a) Any party filing special exceptions, pleas in abatement or other dilatory pleas shall request and obtain a hearing on them at least 30 days prior to the trial date or as soon as possible after the pleading is filed if the pleading is filed within 30 days of the trial date. Any such matters not heard are waived.

(b) Beginning at 2:00 p.m. on the Thursday before the trial date parties will be notified by the Court to report for trial during the trial week and parties need not appear until called. However, all parties and their attorneys are expected to be available for trial upon short notice during the week that the case has been set for trial. Any case not reached during the week that it is set for trial will be reset by the Court after consultation with the parties.

(c) At the time the parties report for trial they will deliver to the Court and the other parties a witness list, exhibit list, any motion in limine and any requested instructions and questions if a jury trial and proposed findings of fact and conclusions of law if a non-jury trial. Any witnesses or exhibits not shown on such list can be used at the trial only upon leave of the Court. Prior to commencement of trial all exhibits will be marked, exchanged and examined by counsel so that the trial will not be delayed by such examination.

(d) Counsel intending to offer videotaped depositions or other films at trial, except those offered solely for impeachment, must make such tapes and films available to opposing counsel sufficiently in advance of trial so that a hearing on any objections can be held before commencement of trial. Any tapes or films not so tendered will not be permitted into evidence at the trial. All parties must timely examine any tendered tapes or films and request a hearing immediately if there are objections to the admissibility of any part of the tapes or films. Any objections not heard prior to trial will be waived.

**Rule 3.04: Settlement Prove-Ups and Default Judgment Hearings**

Requests for hearing to approve settlements in cases involving minors and default judgments, where the amount is unliquidated, shall be made to the Court Coordinator who will schedule the same for hearing.

**Rule 3.05: Stipulations and Admissions**

It is the responsibility of each attorney practicing before the Courts of Tarrant County, Texas, to stipulate to all facts which are not in dispute and to waive formal proof as to any documents to be introduced about which there is no dispute as to authenticity.



**Rule 3.06: Motion Practice**

(a) Parties are directed to use all reasonable means to resolve pre-trial disputes to avoid the necessity of judicial intervention.

(b) No motions, objections or special exceptions will be set for hearing unless the moving party shall have certified in such motion or in a letter substantially the following:

"A conference was held on (date) with (name of attorney for opposing party) on the merits of this motion. Agreement could not be reached. Therefore it is presented to the Court for determination."

or

"A conference was not held with (name of opposing attorney) on the merits of this motion because (explanation of inability to confer)."

(c) Court Coordinators are responsible for scheduling the dates and times for hearings. Upon receiving the date and time of hearing, the moving party shall immediately notify all other parties in writing as to the date, time and subject matter of the hearing. A copy of this communication shall be provided to the Court Coordinator.

(d) On request of a party and with consent of the Judge, a matter not requiring a record by the Court Reporter may be conducted by telephone. The moving party shall be responsible for advising opposing parties of the method and time of hearing and shall be responsible for arranging the conference call.

(e) By agreement, parties may submit matters for ruling by the Judge without a personal appearance and oral presentation. The Judge should be advised in writing when such procedure is desired.

**Rules 3.07 to 3.10 -- Reserved**

**Rule 3.11: Deposition Guidelines**

(a) In an attempt to have uniformity and save time and expense resulting from hearings on discovery matters the following guidelines will generally be followed by the Courts on matters pertaining to oral depositions:

- (1) A party filing a lawsuit in Tarrant County must give his deposition in Tarrant County, if requested.
- (2) A party properly sued in Tarrant County must give his deposition in Tarrant County, if requested.
- (3) The party initiating a deposition may elect to take the deposition orally or on written questions and the opposing party may elect to cross-examine orally or on written questions.
- (4) Unless the parties through their attorneys otherwise agree, fees charged by an expert for giving of deposition testimony shall be paid by the party requesting the deposition. The fee for the preparation of an expert's report, not previously reduced to writing and sought under Rule 166b(2)(e)(4), Texas Rules of Civil Procedure, shall be paid by the party by whom the expert is employed.

(5) Notice of less than ten (10) days under Rules 21a and 200, Tex.

R. Civ. P., shall be presumed to be unreasonable.

However, these matters are best handled by agreement of the parties. Furthermore, parties are not precluded from submitting disputes as to such matters to the Court for determination by proper motion and hearings.

(b) A party initiating an oral deposition shall first attempt to communicate with opposing counsel to determine whether agreement can be reached as to date, time, place and materials, to be furnished at the time of deposition. Any written notice of deposition shall state as follows:

"A conference was held (or attempted) with the attorney for opposing party to agree on a date, time, place and materials to be furnished. Agreement could not be reached (or counsel will not respond) and the deposition is therefore being taken pursuant to this notice (or Agreement was reached and this notice complies with the agreement)."

Failure to hold such conference or to make adequate attempt to hold such conference prior to noticing a deposition shall be grounds to quash the deposition.

**Rules 3.12 to 3.29 -- Reserved**

**Rule 3.30: Matters Requiring Immediate Action**

(a) **Filing.** No application for action or relief of any kind shall be presented to a judge until the application or case has been filed with the clerk and assigned to a

(e) By agreement, parties may submit matters for ruling by the Judge without a personal appearance and oral presentation. The Judge should be advised in writing when such procedure is desired.

**Rules 3.07 to 3.10 – Reserved**

**Rule 3.11: Deposition Guidelines**

(a) In an attempt to have uniformity and save time and expense resulting from hearings on discovery matters the following guidelines will generally be followed by the Courts on matters pertaining to oral depositions:

- (1) A party filing a lawsuit in Tarrant County must give his deposition in Tarrant County, if requested.
- (2) A party properly sued in Tarrant County must give his deposition in Tarrant County, if requested.
- (3) The party initiating a deposition may elect to take the deposition orally or on written questions and the opposing party may elect to cross-examine orally or on written questions.
- (4) Unless the parties through their attorneys otherwise agree, fees charged by an expert for giving of deposition testimony shall be paid by the party requesting the deposition. The fee for the preparation of an expert's report, not previously reduced to writing and sought under Rule 166b(2)(e)(4), Texas Rules of Civil Procedure, shall be paid by the party by whom the expert is employed.

(5) Notice of less than ten (10) days under Rules 21a and 200, Tex.

R. Civ. P., shall be presumed to be unreasonable.

However, these matters are best handled by agreement of the parties. Furthermore, parties are not precluded from submitting disputes as to such matters to the Court for determination by proper motion and hearings.

(b) A party initiating an oral deposition shall first attempt to communicate with opposing counsel to determine whether agreement can be reached as to date, time, place and materials, to be furnished at the time of deposition. Any written notice of deposition shall state as follows:

"A conference was held (or attempted) with the attorney for opposing party to agree on a date, time, place and materials to be furnished. Agreement could not be reached (or counsel will not respond) and the deposition is therefore being taken pursuant to this notice (or Agreement was reached and this notice complies with the agreement)."

Failure to hold such conference or to make adequate attempt to hold such conference prior to noticing a deposition shall be grounds to quash the deposition.

**Rules 3.12 to 3.29 -- Reserved**

**Rule 3.30: Matters Requiring Immediate Action**

(a) **Filing.** No application for action or relief of any kind shall be presented to a judge until the application or case has been filed with the clerk and assigned to a

court, unless it is impossible to do so. If it is impossible to file an application or case before it is presented to a judge, then it shall be filed as soon thereafter as possible, and the clerk notified of all actions taken by the judge.

(b) **Presentment.** Every application for action or relief of any kind shall be presented first to the judge of the court to which it is assigned. If that judge is not available to hear the application, then it may be presented to any other court with subject matter jurisdiction. After a judge has announced a ruling on the application or deferred ruling, the application shall not be presented to any other judge without leave of the judge to which it was first presented.

(c) **Ex Parte Applications.** Every application for relief ex parte shall contain a certificate signed by counsel that:

- (1) To the best of his or her knowledge the party against whom relief is sought ex parte is not represented by counsel in the matter made the basis of the relief sought; or,
- (2) Counsel for the party against whom relief is sought ex parte has been notified of the application and has stated whether he or she wishes to be heard; or,
- (3) Diligent attempts to notify counsel for the party against whom ex parte relief is sought have been unsuccessful, and the circumstances do not permit additional efforts to give notice.

**Rules 3.31 to 3.39 -- Reserved**

### **Rule 3.40: Private Service of Process**

(a) For purposes of supervision and discipline the court deems those persons authorized to serve citations and other notices by order pursuant to Rule 103, Texas Rules of Civil Procedure to be officers of the court. Any such person filing a false return or engaging in service contrary to law or rule may be subject to punishment by an order of contempt. Such order may prohibit such person from serving citations and notices in Tarrant County.

(b) Any proposed order authorizing private service under Rule 103 will not be signed by the judge unless accompanied by a certificate signed by counsel requesting such an appointment. Such certificate shall set out the name and address of the person to be so authorized and affirm that such person is not less than eighteen years of age, is not a party, and has no interest in the outcome of the suit in which the authorization is sought.

### **Rules 3.41 to 3.89 -- Reserved**

### **Rule 3.90: Dismissal for Want of Prosecution**

(a) The courts will periodically give notice of their intention to dismiss for want of prosecution. Such notice will be given at least thirty (30) days prior to the signing of consequent dismissal order.

(b) The clerk shall provide notice of the court's intention to dismiss for want of prosecution by complying with the provisions of Paragraph (1) of Rule 165a of the Texas Rules of Civil Procedure.

**Rules 3.91 to 3.99 -- Reserved**

*Part 4. Rules for Disposition of Family Law Cases*


**Rules 4.01 to 4.99 -- Reserved**


*Part 5. Rules for Disposition of Criminal Cases*


**Rules 5.01 to 5.99 -- Reserved**





Adopted October 2nd, 1990

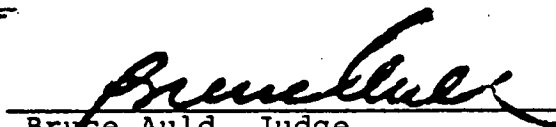
  
Fred W. Davis, Judge  
17th District Court

  
Joe Bruce Cunningham, Judge  
342nd District Court

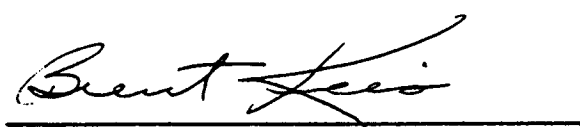
  
William L. Hughes, Jr., Judge  
48th District Court


  
Michael D. Schattman, Judge  
348th District Court

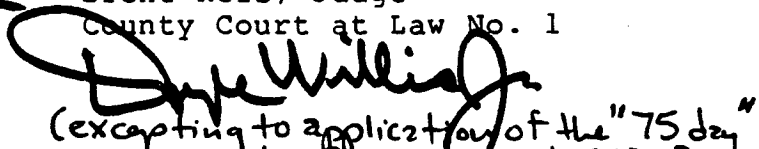
  
George Crowley, Judge  
67th District Court

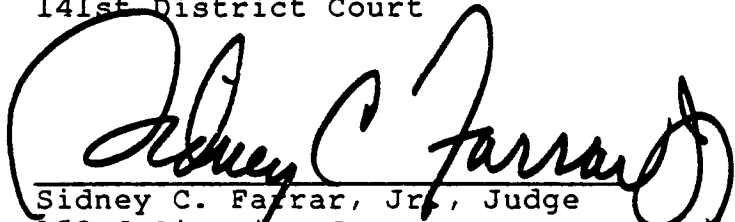
  
Bruce Auld, Judge  
352nd District Court

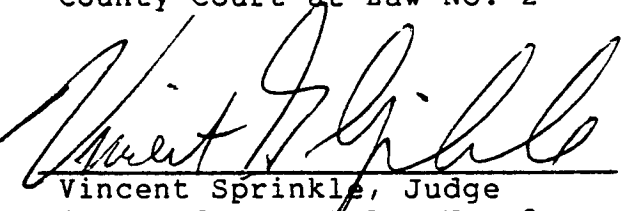
  
Jeff Walker, Judge  
96th District Court

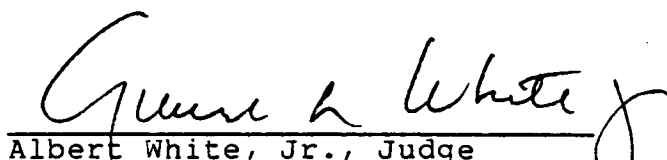
  
Brent Keis, Judge  
County Court at Law No. 1

  
Dixon W. Holman, Judge  
141st District Court

  
(excepting to application of the "75 day"  
requirement of paragraph (C) of  
Rule 3.01 to County Courts 2+2w)  
Doyle Willis, Jr., Judge  
County Court at Law No. 2

  
Sidney C. Farrar, Jr., Judge  
153rd District Court

  
Vincent Sprinkle, Judge  
County Court at Law No. 3

  
Albert White, Jr., Judge  
236th District Court

(APPENDIX TO TARRANT COUNTY LOCAL RULES)

EIGHTH ADMINISTRATIVE JUDICIAL REGION  
RULES OF ADMINISTRATION

**AUTHORITY.** These rules are promulgated pursuant to Article 200a-1, V.T.C.S., and Supreme Court Rules of Judicial Administration, adopted February 4, 1987.

- RULE 1:** The general rule with respect to disposition of cases.
- RULE 2:** The specific requirements as to the information to be supplied by or to the administrative judges' of each county.
- RULE 3:** The rule governing the disposition of civil cases.
- RULE 4:** The rule governing the disposition of family law and juvenile cases.
- RULE 5:** The rule governing the disposition of felony and misdemeanor cases.
- RULE 6:** The rule governing the selection and control of juries.
- RULE 7:** The rule with respect to judges' vacations, absences, etc.
- RULE 8:** The rule with respect to rules.
- RULE 9:** The rule with respect to local courts administration.
- RULE 10:** The rule with respect to attorneys having conflicting engagements.
- RULE 11:** The rule with respect to attorneys' vacations.

**RULE 1. TIME STANDARDS FOR THE DISPOSITION OF CASES.** District and statutory county court judges of the county in which cases are filed should, as far as reasonably possible, ensure that all cases brought to trial or final disposition in conformity with the following time standards:

**a. CRIMINAL CASES**

As provided by law with preference given to defendants held in local custody.

**b. CIVIL CASES OTHER THAN FAMILY LAW**

**(1) Civil Jury Cases**

Within 18 months from appearance date.

**(2) Civil Nonjury Cases**

Within 12 months from appearance date.

**c. FAMILY LAW CASES**

**(1) Contested Family Law Cases**

Within 6 months from appearance date or within 6 months from the expiration of the waiting period provided by the Family Code where such is required, whichever is later.

**(2) Uncontested Family Law Cases**

Within 3 months from appearance date or within 3 months from the expiration of the waiting period provided by the Family Code where such is required, whichever is later.

**d. JUVENILE CASES**

As provided by Title 3, Texas Family Code or other applicable law.

**e. COMPLEX CASES**

It is recognized that in especially complex cases or special circumstances it may not be possible to adhere to these standards.

RULE 2. The local administrative judge of each county shall cause the proper clerk to send the regional presiding judge a copy of the report sent each month to the Office of Court Administration, and such other information regarding docket management systems of the county as may be requested by the presiding judge.

RULE 3. The board of judges or judges giving preference to civil cases in each county must adopt and uniformly follow local rules governing the filing, docketing and assignment of civil cases to achieve the time standards of Rule 6, Supreme Court Rules of Judicial Administration, and meet the requirements of Rules 7, 9, and 10, Supreme Court Rules of Judicial Administration.

RULE 4. The board of judges or judges giving preference to family law and juvenile cases in each county must adopt and uniformly follow local rules governing the filing, docketing and assignment of family law and juvenile cases to achieve the time standards of Rule 6, Supreme Court Rules of Judicial Administration, and meet the requirements of Rules 7, 9, and 10, Supreme Court Rules of Judicial Administration.

RULE 5. The board of judges or judges giving preference to criminal cases in each county must adopt and uniformly follow local rules conforming with the Code of Criminal Procedure, for the processing of criminal cases.

RULE 6. The board of judges of each county must adopt a jury plan governing the selection, management, assignment and time of jury service, and file the same with the district clerk, and, when required, secure the approval of the commissioners court.

RULE 7. The board of judges of each county must adopt a plan for judicial absences for vacation and educational events and a method of notifying the regional presiding judge of the need for visiting judges.

RULE 8. (a) The rules adopted by the several counties within each administrative region must conform to the requirements of these rules.

(b) The local rules must be numbered to cover the same subject matter as prescribed by these rules using a section numerical system and decimal subsection system in accordance with the following description of content. Local rules shall use a decimal system allowing for a larger group of special circumstances. 1.1, 1.11, 1.12, 1.2, 1.21; 2.1-10.99.

(c) Local rules shall not be effective until approved by the presiding judge of the administrative region and by the Supreme Court of Texas.

RULE 9. The Board of Judges of each county must adopt as a part of the local rules a rule providing for regular meetings of the judges, committee assignments and other designations of duties necessary to the work of the courts of the county as required by Chapter 5, Article 200a-1, V.T.C.S.

RULE 10. CONFLICTING ENGAGEMENTS.

(a) Attorney already in trial in another court:

(1) When an attorney is presently in trial, said attorney shall inform other courts of the court and cause number of the conflicting trial. 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.

(2) 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.

(b) An attorney assigned to more than one court for the same date:

(1) It is the duty of an attorney to call the affected judges' attention to all multiple settings as soon as they are known.

(2) 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:

(I) Criminal cases.

(II) Cases given preference by statute.

(III) Preferentially set cases.

(IV) Case with earliest filing date.

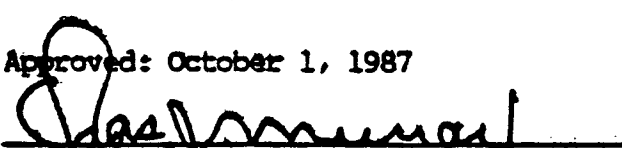
(V) Case set at earliest date by court official.

(VI) Courts should yield to courts in rural counties in an instance of conflicting setting where necessary to utilize a called jury panel.

RULE 11. ATTORNEY VACATIONS. Local courts shall establish rules providing, except when a case has been previously set, for attorneys vacations including provision for length of vacation and time of advance notice to the Court.

Adopted: October 1, 1987 by Council of Judges, Eighth Administrative Judicial Region.

Approved: October 1, 1987

  
Presiding Judge, Eighth Administrative  
Judicial Region



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

P.O. BOX 12248      CAPITOL STATION  
AUSTIN, TEXAS 78711  
(512) 463-1312

CLERK  
JOHN T. ADAMS

JUSTICES  
FRANKLIN S. SPEARS  
C. L. RAY  
RAUL A. GONZALEZ  
OSCAR H. MAUZY  
EUGENE A. COOK  
JACK HIGHTOWER  
NATHAN L. HECHT  
LLOYD DOGGETT

EXECUTIVE ASST.  
WILLIAM L. WILLIS

ADMINISTRATIVE ASST.  
MARY ANN DEFIBAUGH

November 27, 1990

The Honorable Michael D. Schattman, Judge  
348th District Court  
Tarrant County Courthouse  
Fort Worth, Texas 76196-0281

Dear Judge Schattman:

Enclosed is a copy of this Court's order approving the Local Rules of Court for Tarrant County which you have submitted.

Please note that the Supreme Court has been approving local rules provisionally. We believe that the Uniform Local Rules committee is nearing completion of its task. You may therefore be asked to further amend your local rules in the not too distant future.

Sincerely,

A handwritten signature in black ink, appearing to be "John T. Adams".

John T. Adams  
Clerk

cc. Hon. Jeff Walker, Presiding Judge  
Eighth Administrative Region  
Hon. Thomas P. Hughes, District Clerk