





















the net worth on any claimed separate estate. All inventories shall be supplemented from the date of the original inventory through the day of the trial. When a suit is tried, three (3) copies of all inventories and supplemental inventories shall be made available for use in trial.

**2.15 Child Support Guidelines.**

The amount of child support payable by the obligor parent shall be set in accordance with the current Child Support Guidelines adopted by the Supreme Court of Texas.

**2.16 For Kid's Sake Program**

In all divorce actions involving the custody of children, both Petitioner and Respondent shall attend the "For Kid's Sake" program at the direction of the Court prior to obtaining a setting on a final hearing.

The Petitioner will attend the first session available after the filing of the divorce action, and Respondent will attend the following session. The parties may agree to switch the dates among themselves to attend the "For Kid's Sake" program only by an agreement in writing filed with the District Clerk prior to the beginning of the first session.

Certificates of attendance for both the Petitioner and Respondent shall be filed with the Clerk prior to obtaining a setting of the final hearing.

## **RULE 3. CRIMINAL CASES**

### **3.10 Notice of Court Setting.**

a. The arresting agency, or the appropriate County Sheriff, shall give the defendant at the time of arrest, or release from jail on bond, a Notice of Court Setting which shall have a date for the defendant to appear in court, which date is a regularly scheduled criminal docket day as it appears on the court's calendar and such will be provided by the Court Coordinator, or appropriate District Clerk if there is no court Coordinator for the particular county in question, to the arresting agency or the appropriate County Sheriff.

### **3.12 Appearance of Defendant and Counsel/Court Attendance**

Immediately upon employment, the defense attorney shall give written notice thereof to the District Attorney and the Court Coordinator, or appropriate District Clerk if there is no Court Coordinator for the particular county in question, stating the name of the accused, the offense(s) charged and cause number, if known. The Court Coordinator will forward the notice to the District Clerk, who will note the attorney's name on the docket sheet.

### **3.13 Case Flow Scheduling.**

In Bastrop, Burleson, and Washington Counties, cases will be scheduled by the Court Coordinator at the direction of the Court. In Lee County only, cases shall be set at the direction of the Court, either by a Court designated Court Coordinator, by the District Clerk or through the County Attorney's office. In all counties, all cases in order to be reset from the initial setting set by the Court, must be set as reflected on a case reset form to be supplied by the Court. State's counsel, defense counsel and the defendant must sign a reset form reflecting the next setting on the case before being excused from Court on the current setting. Any defendant having signed a reset form and then failing to appear in Court at the appointed time shall have his/her bond forfeited. No case may be reset, added to, or removed from, the Court's docket without Court approval. All cases set for trial,

whether jury or non-jury, may not be passed by agreement of counsel. Such may only be reset upon the granting by the Court of a motion for continuance, unless the Court removes such from the trial docket on its' own motion.

### **3.15 Docket Call**

- a. Defendants shall appear at docket call with their counsel. The State must appear at all docket calls to announce "ready" or "not ready."
- b. Docket Call shall begin promptly at 9:00 a.m. on the day which it is scheduled , unless a different time for such is designated by the Court.

### **3.16 Pleas**

- a. Pleas of guilty, whether there is an agreed recommendation as to punishment by the State or not, may be made before the Court at any docket call.

### **3.17 Trial Procedure**

- a. Trials begin or resume at 9:00 a.m. unless the Court designates a different time.
- b. No Pre-trial matters will be heard on Trial Day unless granted leave by the Court.

### **3.18 Continuance/Resetting/Postponements.**

No agreement by the attorneys to continue, reset or postpone any setting shall be effective unless approved by the Court.

### **3.19 Motions/Pre-trial Hearings/Pre-trial Matters.**

All Pre-trial hearings shall be conducted in accordance with Article 28.01 of the Texas Code of Criminal Procedure.

## **RULE 4. ATTORNEYS OF RECORD**

### **4.10 Conduct and Decorum of Counsel.**

- a. Each attorney is expected to conduct himself or herself in accordance with the State Bar of Texas Code of Professional Responsibility, the Texas Rules of Civil Procedure, the Texas Code of Criminal Procedure, the Regional Rules of Administration for the Second Administrative Region, these local rules, and such other rules of conduct as may be published by the courts of this county and state. All attorneys, litigants, and witnesses shall be expected to act in a manner calculated to promote decorum, respect for the judicial system, and the prompt and fair administration of justice.
- b. In addressing the Court, attorneys shall rise and remain standing at their positions at counsel table. They shall not approach the Bench except with permission or upon request of the Court. When the Court is addressing an attorney, that attorney shall rise and remain standing until the Court finishes speaking.

Attorneys shall not lean on the Bench or appear to engage the Court in a confidential manner.

All remarks of Counsel to the Court shall be addressed to the Court and not to the Judge as an individual.

- c. Attorneys shall be responsible for advising their clients and witnesses of the formalities of the courts.
- d. All officers of the court are expected to be prompt and prepared.
- e. The taking of photographs, the making of video or audio recordings, or the broadcasting of any judicial proceeding in or from any courtroom, or so close thereto as to disturb the order and decorum of the court, either while court is in session or at recess, is prohibited, unless prior permission is granted by the court.
- f. All counsel are admonished to respect the letter and spirit of all canons of ethics including particularly those dealing with discussion of cases with representatives of the press or radio and discussion of the facts or law of the case with the Court outside of the Courtroom and not in the

presence of opposing counsel.

g. The Court shall enforce all breaches of conduct by any appropriate action.

**4.11 Withdrawal of Counsel.**

No attorney of record shall be permitted to withdraw from any case without presenting a Motion to Withdraw and obtaining from the Court an order granting leave to withdraw. No Motion to Withdraw will be entertained by the Court unless it includes a certificate of the client's last known address. If withdrawal is without the written consent of the client, the withdrawing attorney shall forward to his client by certified mail a copy of his or her motion to withdraw and a copy of the request for setting or notice of submission without a hearing. A hearing is required in criminal cases. A copy of the motion to withdraw and request for setting or notice of submission without a hearing shall be delivered or mailed to any opposing counsel. Leave to withdraw may be denied where the motion is presented so near the trial date as to require delay of the trial. After leave is granted, the withdrawing attorney shall send the client a copy of the order granting leave to withdraw by certified mail. A copy of the order shall then be sent to opposing counsel.

**4.12 Attorney Vacations.**

Each attorney desiring to assure that he will not be assigned for trial during a vacation period not to exceed four (4) consecutive weeks of a given year may advise the Court Coordinator in writing not less than ninety (90) days prior to the first day of such vacation. In the event an attorney already has a setting at the time the vacation notice is filed, it shall be the attorney's responsibility to notify opposing counsel and the Court Coordinator and either file an agreed reset for approval by the Court or a motion for continuance and obtain a ruling by the Court.

**ORDER ADOPTING LOCAL RULES OF ADMINISTRATION**

BE IT ORDERED by the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Courts of Bastrop, Burluson, Lee and

Washington Counties, Texas that the following Local Rules of Administration are hereby adopted under the authority of, and in conformity with, Section 74.093 of the Texas Government Code, Rule 3a of the Texas Rules of Civil Procedure, Rules 9 and 10 of the Texas Rules of Judicial Administration and the Regional Rules of Administration for the Second Administrative Judicial Region of Texas.

BE IT FURTHER ORDERED these rules shall govern the administrative operation of the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Courts of Bastrop, Burleson, Lee and Washington Counties, Texas on and after the effective date of such rules.

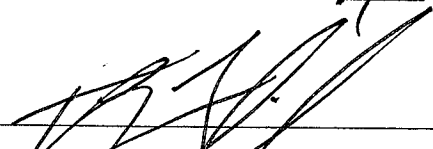
BE IT FURTHER ORDERED that these rules be delivered to the Supreme Court of Texas and to the Presiding Judge of the Second Administrative Judicial Region for consideration and approval.

BE IT FURTHER ORDERED that these rules shall be reproduced and copies be made available to each attorney practicing before the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Courts of Bastrop, Burleson, Lee and Washington Counties, Texas at least 30 days prior to the Effective date hereof.

BE IT FURTHER ORDERED that the Local Rules of Administration of the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Courts of Bastrop, Burleson, Lee and Washington Counties, Texas shall be published on or before November 15, 2004, and shall become effective on December 15, 2004.

BE IT FURTHER ORDERED that this order and these rules shall be recorded in the minutes in the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Courts of Bastrop, Burleson, Lee and Washington Counties, Texas and that the original of this order, signed by the judges of such Courts shall be preserved by the District Clerk as a permanent record of these Courts.

SIGNED and ENTERED this 16 day of November, 2004.



Terry Flenniken, Presiding Judge  
21<sup>st</sup> Judicial District Court, State of Texas



Harold R. Towslee, Presiding Judge  
335<sup>th</sup> Judicial District Court, State of Texas



# Second Administrative Judicial Region of Texas

Olen Underwood  
Presiding Judge

*Kassi Cranfill*  
Administrative Assistant

*Christina Crawford*  
Secretary/Receptionist

December 10, 2004

Honorable Nathan L. Hecht  
Justice, Supreme Court of Texas  
P.O. Box 12248  
Austin, Texas 78711

Re: Local Rules for the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Court of Bastrop, Burleson, Lee and Washington County, Texas

Dear Judge Hecht:

Pursuant to, and in accordance with Rule 3a, Texas Rules of Civil Procedure, and Rule 8, Regional Rules of Administration, Second Administrative Judicial Region of Texas, I am enclosing for approval by the Justices of the Supreme Court, Local Rules for the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Court of Bastrop, Burleson, Lee and Washington County, Texas.

I hereby approve the Local Rules for the 21<sup>st</sup> and 335<sup>th</sup> Judicial District Court of Bastrop, Burleson, Lee and Washington County, Texas. Please advise this office of the Courts actions.

Thank you for your usual courtesies.

Sincerely,

A handwritten signature in black ink, appearing to read "Olen Underwood", written over a printed name.

Olen Underwood

OU/kc

cc: Hon. Terry Flenniken, 21<sup>st</sup> Judicial District Court  
Hon. Harold R. Towslee, 335<sup>th</sup> Judicial District Court