

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 06-~~3122~~

APPROVAL OF LOCAL RULES FOR THE DISTRICT COURTS OF EDWARDS, KINNEY, TERRELL, AND VAL VERDE COUNTIES

ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the following Local Rules for the District Courts of Edwards, Kinney, Terrell, and Val Verde Counties are approved.

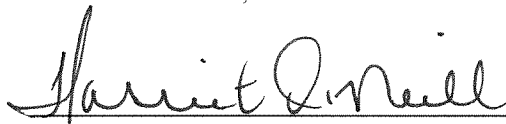
In Chambers, this ^{21st} day of August, 2006.

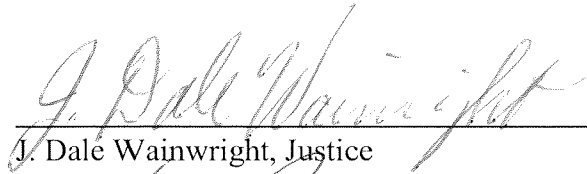



Wallace B. Jefferson, Chief Justice

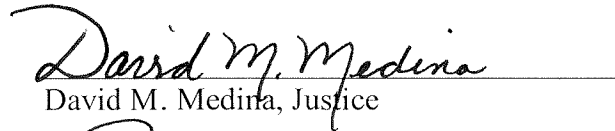



Nathan L. Hecht, Justice

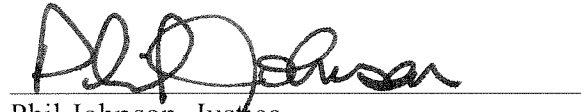

Harriet O'Neill, Justice


J. Dale Wainwright, Justice


Scott Brister, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice

Don R. Willett, Justice

EDWARDS, KINNEY, TERRELL AND VAL VERDE

63rd Judicial District
Val Verde County Judicial Center
P.O. Drawer 1089
Del Rio, Texas 78841

District Clerk

830-774-7538

Local Rules Of Practice For The 63rd
District Courts of Texas

PART ONE: RULES OF CONDUCT AND DECORUM

Rule

1. Addressing the Court.
2. Leaning on the bench.
3. Dress Code.
4. Attorneys instructions to clients of formalities of court.
5. Address Judges and opposing counsel with respect at all times.
6. Punctual attendance in Court by attorneys at all times.
7. Recording and Photographing Prohibited.
8. Cell Phones and Pagers Prohibited.
9. Reading Material.
10. Food and Drinks.

PART TWO: CIVIL RULES
SECTION ONE-SETTINGS

Rule

1. Written request for settings.
2. Agreements as to settings
3. Order on the docket, preferential settings.

SECTION TWO-JURY CASES

4. Jury.
5. Mediation.
6. Written Charge Questions.

SECTION THREE-DOMESTIC RELATIONS

7. Court Mandated Divorce Seminar.
8. Support and Temporary Spousal Alimony
9. Social Studies.

SECTION FOUR-JUDGMENTS

10. Approval as to Form
11. Signature without approval

PART THREE: CRIMINAL RULES

SECTION ONE-SETTINGS

1. Settings

SECTION TWO-PRETRIAL

Rule

2. Pretrial hearings
3. Pre-Trial motions and Plea papers.

SECTION THREE-JURY TRIAL

4. Jury trial.

SECTION FOUR-TRIAL BEFORE THE COURT

5. Waiver of jury trial

SECTION FIVE-JUDGMENTS

6. Criminal judgments

PART FOUR: GENERAL RULES

SECTION ONE-DOCKET CALL

1. Dockets
2. Time

**SECTION TWO-REMOVAL OF CASE
FROM DOCKET SETTING**

- 3.. Continuance
4. Dismissal for Want of Protection

LOCAL RULES OF PRACTICE FOR THE 63RD DISTRICT COURTS OF TEXAS

Pursuant to the authority granted District Courts under Rule 3a, T.R.C.P., and art. 33.08, C.C.P., to promulgate Rules of Practice for conducting the business of District Courts, the rules, suggestions and procedures set out below will be in effect in these courts unless subsequently modified, changed or amended.

PART ONE: RULES OF CONDUCT AND DECORUM

Rule 1. When addressing the Court, lawyers shall at all times promptly rise and remain standing at their position at the counsel table, and shall not approach the bench except with permission or on request of the Court. Lawyers shall remain seated at counsel table while interrogating a witness, except as may be necessary in the handling or display of exhibits or demonstrative evidence. Any person who is physically disabled to the extent that he/she can not comply with this rule shall be excused therefrom.

Rule 2. Leaning on the bench will not be permitted.

Rule 3. In the Courtroom, all attorneys and court officials shall dress in keeping with the dignity required for court proceedings. Parties, and all men attending court shall tuck in their shirts, and remove their hats, and women are to wear a dress, slacks or other appropriate clothing.

Rule 4. Lawyers shall advise their clients of the formalities of the court and obtain cooperation therewith, thereby avoiding embarrassment to the court as well as to other persons.

Rule 5. Judges and opposing counsel should be respectfully addressed at all times. All objections and legal arguments by counsel shall be directed to the judge and not to opposing counsel.

Rule 6. All lawyers shall be prompt in attendance at all court sessions. All lawyers should make whatever arrangements are necessary to comply with this rule.

Rule 7. During court sessions and recesses between sessions of Court no broadcasting, television, recording(audio or visual) or photographic (nor equipment capable of doing the same)

06 - 9129 all be allowed in the Courtroom or on the same floor where the courtroom is located, unless the

Court grants permission to possess and use such equipment at such time and place.

Rule 8. All pagers and cell phones must be turned off upon entering the Courtroom.

Rule 9. No reading of newspapers, magazines and/or books will be allowed in the courtroom, except for officers of the Court, and only then, inside the bar.

Rule 10. No food or drinks are allowed in the Courtroom, except for officers of the Court, and then only coffee or water will be allowed.

PART TWO: CIVIL RULES

SECTION ONE-SETTINGS

Rule 1. All cases, contested or uncontested, MUST be set by way of WRITTEN MOTION WITH ORDER ATTACHED. Attorneys requesting settings will notify the opposing counsel of such motion by certified mail or by hand delivery at least ten (10) days before the date of such setting. In addition, said request shall include an estimated length of time necessary for the hearing. If opposing counsel cannot go to trial on such date, he/she shall immediately notify the Court coordinator in writing stating the reason he/se cannot go to trial.

ONLY the Judge or Court Coordinator can set a case. Motions to Set should be sent to the Court at P.O. Drawer 1089, Del Rio, Texas 78841-1089.

Rule 2. A contested case may be set for trial on the merits or for pre-trial hearing by agreement of counsel and approved by the Court, or may be set by order of the Court.

Rule 3. All cases shall be set in the same sequence as the dates of the orders setting the cases are filed, provided, however, for good cause, after motion and hearing, a case may be advanced on the docket by order of the Court.

SECTION TWO-JURY CASES

Rule 4. A jury demand must be filed and a jury fee paid prior to obtaining a setting on the

jury docket.

Rule 5. Unless waived by the Judge, a Certificate of Completion of Mediation must be on file no later than the Thursday prior to the date the jury is to report .

Rule 6. In all contested civil jury cases, before announcements of "Ready", counsel shall furnish the Court with all written questions anticipated for the charge of the Court.

SECTION THREE-DOMESTIC RELATIONS

Rule 7. A certificate of completion of a court mandated Family Stabilization Seminar or pre-approved divorce seminar must be on file prior to the parties obtaining a divorce. The course is required for both parties in domestic relations cases involving minor children, filed after May 1, 2005. Court mandated divorce seminars include "For Kids Sake" "Putting Kids First" "Kids in Divorce Situations" or any other program approved by the District Court.

Rule 8.

Before any contested trial or hearing involving child support or temporary spousal alimony, each party shall prepare and file with the Court a financial information statement.

Unless waived by the Court, all child support payments shall be made through the Child Support Disbursement Unit, San Antonio, Texas and forwarded to the Obligee. Temporary spousal support is to be made through the office of the District Clerk.

Rule 9.

Arrangements for the preparation of a social study shall be made in all adoptions before the case will be set for trial.

In contested domestic relation cases involving custody of children wherein a social study is requested, the anticipated costs of preparation must be deposited with the District Clerk or other satisfactory arrangements made to guarantee payment to the person preparing the social study.

Without such arrangements, the preparation of a social study will not be ordered.

SECTION FOUR-JUDGMENTS

Rule 10. All judgments should be approved by all attorneys involved in the case before being presented to the Court for signature.

Rule 11. When a party prepares a judgment and submits the judgment for approval by the Court, a copy of that judgment must be sent to opposing counsel. If no objection to the judgment is filed with the Court by opposing counsel within ten (10) days, the judgment will be signed.

PART THREE: CRIMINAL RULES

SECTION ONE-SETTINGS

Rule 1. All criminal cases shall be set ONLY by Court Order or by administrative notice of setting by the Court Coordinator. If for good cause defense counsel cannot go to trial on such date, he shall, file a Motion For Continuance within five (5) days of receipt of the setting notice, and advise the Court Coordinator in writing stating such reason for continuance.

SECTION TWO-PRETRIAL

Rule 2. All cases shall be set for a pretrial hearing. Non-evidentiary pretrial matters will be heard but not recorded by a court reporter, unless the court orders that a record be made.

Evidentiary pretrial motions will be heard prior to trial unless otherwise ordered by the Court. A record will be made of all evidentiary pre-trial hearings.

Rule 3. All pretrial motions shall be filed in accordance with the Code of Criminal Procedure.

All plea papers shall be prepared in advance of trial settings.

SECTION THREE-JURY TRIAL

Rule 4. After pretrial hearing, all cases will be set for jury trial unless the defense attorney

request a court trial or a date for a plea of guilty.

SECTION FOUR-TRIAL BEFORE THE COURT

Rule 5. If defense request a court trial, a jury waiver must be filed with the court. Said waiver is to be signed and sworn to by defendant and approved by the Court.

SECTION FIVE-JUDGMENTS

RULE 6. The Court shall prepare all judgments in criminal cases.

PART FOUR: GENERAL RULES

SECTION ONE-DOCKET CALL

Rule 1. The trial dockets of the 63rd District Court of Edwards, Kinney, Terrell and Val Verde are to be in accordance with the published schedule on file and available for copying in the offices of the District Judge and as posted at the District Courtroom.

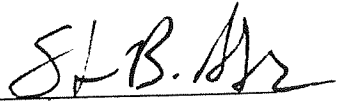
Rule 2. Docket call is at 9:00 a.m. in Val Verde and Kinney Counties, 9:30 a.m. in Edwards County, and 10:00 a.m. in Terrell County unless otherwise noticed in writing.

SECTION TWO-REMOVAL OF CASE FROM DOCKET SETTING

Rule 3. Except as provided herein, after a case is set by written order or administrative notice of setting, it cannot be removed from the docket unless a written Motion for Continuance is filed five (5) days prior to setting date and approved by the Court, by written mutual agreement, by dismissal, or by other agreed final disposition filed with the District Clerk prior to the setting date.

Rule 4. If a case is set by written order or by administrative notice of setting, and not otherwise removed from the docket setting by the rules established herein, the Court will call the case and if no appearance or announcement is made, the case will be dismissed for want of prosecution.

Approved:



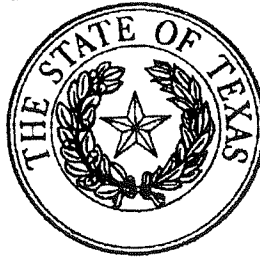
Stephen B. Ables
Presiding Judge, Sixth Administrative District

Approved:

Texas Supreme Court

COPY

VAL VERDE COUNTY JUDICIAL CENTER
100 E. BROADWAY, 2ND FLOOR
P.O. DRAWER 1089
DEL RIO, TEXAS 78841-1089



OFFICE NO. 830-774-7523
TELEFAX NO. 830-774-1359

JUDGE THOMAS F. LEE
63RD JUDICIAL DISTRICT OF TEXAS
EDWARDS, KINNEY, TERRELL, and VAL VERDE COUNTIES

June 20, 2006

Mr. Jody Hughes
Rules Clerk
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711-2248

Re: Texas Rules of Court-Local

Dear Mr. Hughes:

Pursuant to our conversation last Thursday, concerning local rules to be applied in the counties of the 63rd Judicial District, I enclose those rules for your examination. These rules have been approved by Judge Ables, Administrative Judge for the Sixth Administrative Region. Under the provisions of Rule 3a of the Texas Rules of Court-State, the local rules must be approved by the Texas Supreme Court before they go on to West Publishing Company and for that reason I am submitting them to you for examination. If I can provide any additional information on the matter, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Thomas F. Lee".

Thomas F. Lee
63rd District Judge