

**IN THE SUPREME COURT OF TEXAS**


Misc. Docket No. 06- 9172

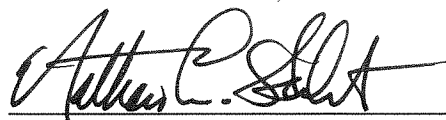
**APPROVAL OF LOCAL ADMINISTRATIVE RULES  
FOR THE DISTRICT COURTS OF HARRIS COUNTY**

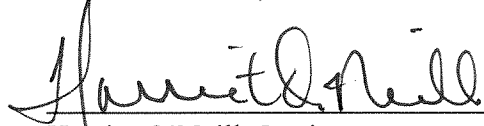
**ORDERED** that:

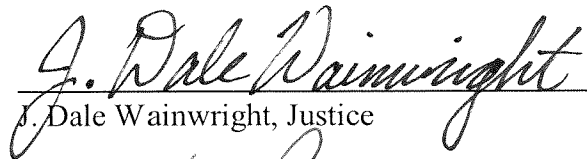
Pursuant to Texas Rule of Civil Procedure 3a, the following Local Administrative Rules for the District Courts of Harris County are approved.

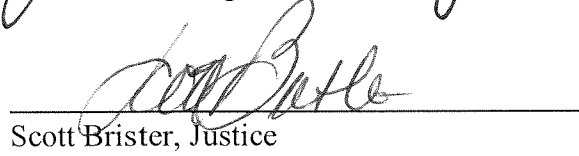
In Chambers, this 12<sup>th</sup> day of December, 2006.

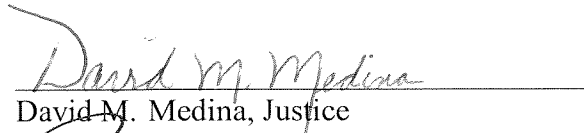
  
Wallace B. Jefferson, Chief Justice

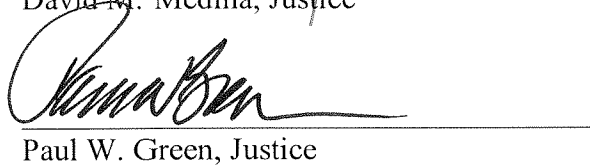
  
Nathan L. Hecht, Justice


  
Harriet O'Neill, Justice

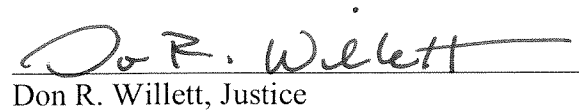
  
J. Dale Wainwright, Justice

  
Scott Brister, Justice

  
David M. Medina, Justice

  
Paul W. Green, Justice

  
Phil Johnson, Justice

  
Don R. Willett, Justice



## Second Administrative Judicial Region of Texas

Olen Underwood

Presiding Judge

*Kassi Cranfill*  
Regional Administrator

*Nathan Jensen*  
Regional Assistant

November 17, 2006

Honorable Nathan L. Hecht  
Justice, Supreme Court of Texas  
Attn: Jody Hughes, Rules Attorney  
P.O. Box 12248  
Austin, Texas 78711

Re: Harris County District Judges Rules of Administration

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 requesting approval by the Justices of the Harris County District Judges Rules of Administration.

I hereby approve this addition of the Harris County District Judges Rules of Administration. Please advise this office of the Courts actions.

Thank you for your usual courtesies.

Sincerely,

A handwritten signature in black ink that reads "Olen Underwood".

Olen Underwood  
OU/kc

cc: Jack Thompson, Harris County District Court Administrator

*Administrative Office of the District Courts*  
Harris County, Texas

Jack E. Thompson  
DISTRICT COURT ADMINISTRATOR  
Fax No. 713-755-8973

1201 Franklin, 7<sup>th</sup> Floor  
Houston, Texas 77002-2022  
713-755-6575

November 10, 2006

Hon. Olen Underwood  
Montgomery County Courthouse  
207 West Phillips, 3<sup>rd</sup> Floor  
Conroe, Texas 77301

Dear Judge Underwood:

At the October 10<sup>th</sup> meeting of the Board of District Judges, the Board approved the attached Harris County District Judges Rules of Administration.

I am requesting your approval on the attached. If so approved, please transmit them to the Chief Justice of the Supreme Court of Texas for his consideration for approval.

Sincerely,



Jack Thompson

JT:lr  
Enclosures

## **Harris County District Judges Rules of Administration**

### **Rule 1 Time Standard**

The objective of the rules of administration of the District Courts of Harris County is to obtain a just, fair, equitable, and impartial adjudication of the rights of litigants under established principles of substantive law and established principles of procedural law. To the end that this objective may be obtained with as great expedition and dispatch and at the least expense to the litigants and to the state, as may be practicable, the rules shall be applied to ensure that, so far as reasonably possible, all matters are brought to trial or final disposition in conformity with the time standards of the Second Administrative Judicial Region of Texas, Regional Rules of Administration.

### **Rule 2 Supplying Information**

The Administrative Judges of each trial division shall supply docket or other information concerning judicial activities of the trial division to the Administrative Judge for Harris County as requested by the Administrative Judge.

### **Rule 3 Disposition of Civil Cases**

The Local Rules of the Civil Trial Division apply.  
The Media Rules of the Civil Trial Division apply.  
The Local Rules Concerning Electronic Filing apply.

### **Rule 4 Disposition of Family Law and Juvenile Cases**

The Local Rules of the Family Trial Division apply.  
The Local Rules of the Juvenile Trial Division apply.

### **Rule 5 Disposition of Criminal Cases**

The Local Rules of the District Courts Trying Criminal Cases apply.

### **Rule 6 Selection and Control of Juries**

6.1 The Board of Judges must approve a jury plan for Harris County to be adopted by the Commissioners Court of Harris County.

6.2 The Jury Plan may be amended by a vote of the Board of Judges at a regular meeting of the Board at which notice has been given or at a special meeting of the Board of Judges called for that purpose. Any amendment must be adopted by the Commissioners Court of Harris County.

### 6.3 Jury Requests and cancellation of jury calls.

The Board of Judges may approve a plan outlining the procedures to be followed by the courts for jury requests and designating the days and times for juror calls. The Administrative Judge of Harris County may cancel a jury call for a particular day in consultation with the Jury Committee.

## **Rule 7 Judge's Vacation, Absences, Recusal and Disqualification**

A judge may request an assigned judge to be assigned for service in Harris County, in the event of a need by the judge due to vacation, sick leave, attendance at conferences, or other matters or in the event of voluntary recusal or disqualification. The form for the request is available through the Administrative Office of the District Courts.

## **Rule 8 The Rule with respect to the rules**

These rules are effective upon the approval of the Presiding Judge of the Second Administrative Judicial Region and the Supreme Court of Texas. These rules supersede any local rules of a trial division in the event of any conflict. These rules supersede any prior policy decisions made by the Board of Judges or Administrative Judge of Harris County to the extent of any conflict. These rules may be amended by a majority vote of the district judges at a duly called meeting.

## **Rule 9 Local Court Administration**

### 9.1 In General.

9.1.1 Each district judge in Harris County is a member of the Board of Judges.

9.1.2 The Board of Judges must elect an Administrative Judge of Harris County.

9.1.3 The courts of Harris County have been divided into the civil, criminal, family and juvenile trial divisions by statutory preferences and board policy. Each trial division will elect its own Administrative Judge pursuant to its own division rules. The following 25 courts constitute the civil division: 11<sup>th</sup>, 55<sup>th</sup>, 61<sup>st</sup>, 80<sup>th</sup>, 113<sup>th</sup>, 125<sup>th</sup>, 127<sup>th</sup>, 129<sup>th</sup>, 133<sup>rd</sup>, 151<sup>st</sup>, 152<sup>nd</sup>, 157<sup>th</sup>, 164<sup>th</sup>, 165<sup>th</sup>, 189<sup>th</sup>, 190<sup>th</sup>, 215<sup>th</sup>, 234<sup>th</sup>, 269<sup>th</sup>, 270<sup>th</sup>, 280<sup>th</sup>, 281<sup>st</sup>, 295<sup>th</sup>, 333<sup>rd</sup>, 334<sup>th</sup>. The following 22 courts constitute the criminal division: 174<sup>th</sup>, 176<sup>th</sup>, 177<sup>th</sup>, 178<sup>th</sup>, 179<sup>th</sup>, 180<sup>th</sup>, 182<sup>nd</sup>, 183<sup>rd</sup>, 184<sup>th</sup>, 185<sup>th</sup>, 208<sup>th</sup>, 209<sup>th</sup>, 228<sup>th</sup>, 230<sup>th</sup>, 232<sup>nd</sup>, 248<sup>th</sup>, 262<sup>nd</sup>, 263<sup>rd</sup>, 337<sup>th</sup>, 338<sup>th</sup>, 339<sup>th</sup>, 351<sup>st</sup>. The following 9 courts constitute the family division: 245<sup>th</sup>, 246<sup>th</sup>, 247<sup>th</sup>, 257<sup>th</sup>, 308<sup>th</sup>, 309<sup>th</sup>, 310<sup>th</sup>, 311<sup>th</sup>, 312<sup>th</sup>. The following 3 courts constitute the juvenile division: 313<sup>th</sup>, 314<sup>th</sup>, 315<sup>th</sup>.

9.1.4 The Administrative Judge of Harris County and the Administrative Judge of each trial division comprise the Executive Committee.

## 9.2 Election of the Administrative Judge of Harris County

9.2.1 The Administrative Judge of Harris County must be elected by the Board of Judges at the December meeting of odd numbered years for a two year term, starting January 1<sup>st</sup> of the even numbered year.

9.2.2 The Executive Committee will nominate a candidate(s) for Administrative Judge of Harris County, whose name(s) will be announced at the November meeting of the odd numbered years. Any other name may be nominated from the floor at the December meeting.

## 9.3 Vacancy of Administrative Judge of Harris County.

In the event of a vacancy in the office of Administrative Judge of Harris County, the Board of Judges will elect a new Administrative Judge of Harris County at its next regular meeting to complete the term. The Executive Committee may appoint an acting Administrative Judge to act before the next meeting.

## 9.4 Absence of Administrative Judge of Harris County.

In the event of the absence of the Administrative Judge of Harris County from the county, the Judge must designate an acting Administrative Judge of Harris County.

## 9.5 Meetings of the Board of Judges.

9.5.1 The Board of Judges shall meet regularly on the second Tuesday of the month from 12:15 to 1:15.

9.5.2 The Administrative Judge of Harris County or two members of the Executive Committee may call a special meeting by written notice distributed 72 hours in advance of the meeting. Any special meeting will state an ending time for the meeting.

9.5.3 The Board of Judges may vote to cancel or reschedule any monthly meeting.

9.5.4 No more than two meetings in any calendar year may be canceled.

## 9.6 Meetings of the Executive Committee

9.6.1 The Administrative Judge of Harris County may call a meeting of the Executive Committee.

9.6.2 Two division Administrative Judges may call a meeting of the Executive Committee.

## 9.7 Duties of the Executive Committee.

The Executive Committee is responsible for coordinating the activities and policies of the Board of Judges and communicating with the respective divisions.

## 9.8 Duties of the Administrative Judge of Harris County

9.8.1 The Administrative Judge of Harris County has all of the duties as set out in Rule 9 and 10 of the Rules of Judicial Administration and in Section 74.092 of the Government Code.

9.8.2 The Administrative Judge of Harris County must implement the policies of a majority vote of the Board of Judges at a duly called meeting.

9.8.3 An action taken by the Administrative Judge of Harris County without approval of a majority vote of the Board of Judges may be subject to review or change by the Board of Judges at a regularly scheduled or specially called meeting.

9.8.4 The Administrative Judge of Harris County must preside over meetings and must appoint members to the following standing committees: Auditor, Administration of Justice, Facilities, Jury, Legislative, Purchasing, and Rules. The Judge may also appoint members to any new committee as a need arises.

## **Rule 10 Conflicting Engagement of Attorneys**

### 10.1 Inter-county

Rule 10 of the Second Administrative Judicial Region of Texas, Regional Rules of Administration control conflicts in settings between a Harris County court and a court not in Harris County

### 10.2 Intra-County

10.2.1 Trial/non trial. Trials take precedence over conflicting non-trial settings.

10.2.2 Trial/trial. A trial setting that is assigned takes precedence over a conflicting trial setting not yet assigned. If two cases are assigned at the same time, criminal cases take precedence.

10.2.3 The court with precedence may yield.

10.2.4 This rule operates only where lead counsel, as defined by TRCP8 is affected unless the court expands coverage to other counsel.

## **Rule 11 Attorney Vacations**

11.1 Rule 11 of the Second Administrative Judicial Region of Texas Regional Rules of Administration apply. The forms for the vacation letter are available from the Harris County District Clerk's Office. Electronic submission of the form, through the website, is preferred.

11.2 In family cases, the vacation letter must be accompanied by the designation of another attorney to act for the vacationing attorney in the event of an emergency. The designated attorney may be called upon to act only if the client consents and the court requires it.

11.3 Vacation letters may not be used in the criminal or juvenile division.

11.4 Any judge may recognize an attorney vacation in a discretionary manner.