

ORDER OF THE SUPREME COURT OF TEXAS

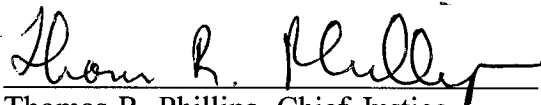
Misc Docket No. 97-9187

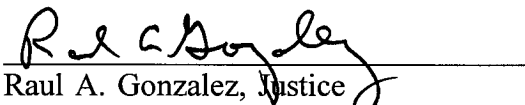
**AMENDMENTS TO THE REVISIONS OF
THE RULES OF JUDICIAL ADMINISTRATION**


ORDERED that:

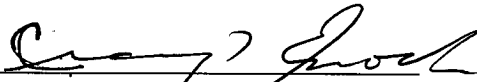
1. Rule 11 of the Texas Rules of Judicial Administration, adopted on September 22, 1997, Misc. Order No. 97-0172, is amended as shown in the attached two pages.
2. This amended Rule applies to all pending cases effective November 12, 1997.
3. The Clerk is directed to file a copy of this Order with the Secretary of State forthwith, and to cause a copy of the Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*.


SIGNED AND ENTERED this 12th day of November, 1997.



Thomas R. Phillips, Chief Justice



Raul A. Gonzalez, Justice

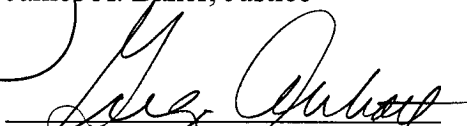

Nathan L. Hecht, Justice



Craig T. Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice

RULE 11. PRETRIAL PROCEEDINGS IN CERTAIN CASES

11.1 Applicability. [No change.]

11.2 Definitions. [No change.]

11.3 Assignment of Pretrial Judge.

- (a) *By presiding judge.* On motion or request under 11.4, a presiding judge may assign an active district judge, including himself or herself, to a case to conduct all pretrial proceedings and decide all pretrial matters.
- (b) *Authority of pretrial judge.* [No change.]
- (c) *Different judges assigned.* [No change.]
- (d) *Assignment outside region.* [No change.]
- (e) *No objections to pretrial judge.* [No change.]
- (f) *Termination of assignment.* [No change.]

11.4 Procedure for Obtaining Assignment of a Pretrial Judge.

- (a) *Motion or request required; who may file.* [No change.]
- (b) *Contents of motion or request.* [No change.]
- (c) *Where filed.* [No change.]
- (d) *Response.* [No change.]
- (e) *Briefs.* [No change.]
- (f) *Hearing.* Unless all parties in the case agree to a motion or request, the presiding judge may not grant the motion without conducting an oral hearing. The hearing may be held in any county within the region or in Travis County. The presiding judge must give notice of the time and place for the hearing to all parties and the regular or pretrial judges in the cases identified in (b)(1) and (b)(2).
- (g) *Evidence.* In ruling on the motion or request, the presiding judge may consider all documents filed in the case or the related case, all discovery conducted in the case or the related case, any stipulations filed by the parties in the case or the related case, affidavits filed in connection with the motion, request, or response, and oral

testimony.

(h) *Decision.* [No change.]

(i) *Order.* [No change.]

(j) *Service and notice.* [No change.]

11.5 Review. [No change.]

11.6 Expenses of Pretrial Judge. [No change.]



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711
TEL: (512) 463-1312
FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
NATHAN L. HECHT
JOHN CORNYN
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

EXECUTIVE ASST
WILLIAM L. WILLIS

ADMINISTRATIVE ASST
NADINE SCHNEIDER

November 12, 1997

Office of the Secretary of State
Statutory Filings Section
Room 214 Rudder Building
1019 Brazos Street
Austin, Texas 78701

By order of the Supreme Court of Texas, the enclosed order is forwarded for appropriate filing. Please contact this office if you have questions in this matter.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.



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ADMINISTRATIVE ASST
NADINE SCHNEIDER

November 12, 1997

Mr. Antonio Alvarado
Executive Director
State Bar of Texas
1414 Colorado Street
Austin, Texas 78701

Dear Mr. Alvarado,

Please find enclosed, a copy of the order of the Supreme Court of Texas of this date. Per this order, a copy is to be published as soon as possible in the Texas Bar Journal. You may contact the undersigned if there are any questions in this matter.

Sincerely,
SIGNED

John T. Adams
Clerk

Encl.

cc: Ms. Kelley King