

Supreme Court of Texas

Misc. Docket No. 23-9015

Final Approval of Amendments to Texas Rules of Judicial Administration 7 and 10

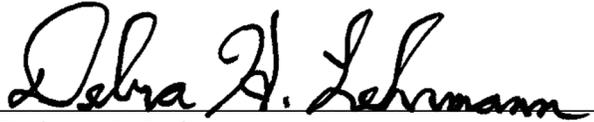
ORDERED that:

1. On September 27, 2022, in Misc. Dkt. No. 22-9087, the Court preliminarily approved amendments to Texas Rule of Judicial Administration 10 and invited public comment.
2. On October 14, 2022, in Misc. Dkt. No. 22-9091, the Court preliminarily approved amendments to Texas Rule of Judicial Administration 7 and invited public comment.
3. The comment periods have expired, and no additional changes have been made to the amendments. This Order contains the final version of the amendments, effective April 1, 2023.
4. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to each elected member of the Legislature; and
 - d. submit a copy of this Order for publication in the *Texas Register*.

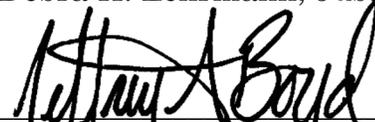
Dated: March 10, 2023.



Nathan L. Hecht, Chief Justice



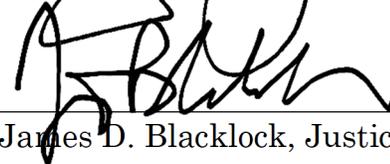
Debra H. Lehrmann, Justice



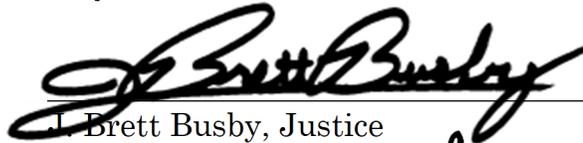
Jeffrey S. Boyd, Justice



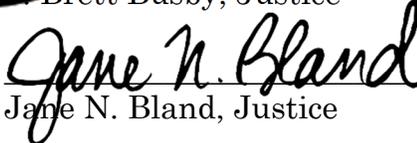
John P. Devine, Justice



James D. Blacklock, Justice



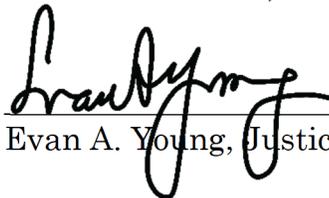
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

Rules of Judicial Administration

Rule 7. Administrative Responsibilities.

~~a.~~ A district or statutory county court judge ~~shall~~must:

(~~1~~a) diligently discharge the administrative responsibilities of the office;

(~~2~~b) rule on a case within three months after the case is taken under advisement;

(~~3~~c) if an election contest or a suit for the removal of a local official is filed in ~~his~~the judge's court, request the presiding judge to assign another judge who is not a resident of the county to dispose of the suit;

(~~4~~d) on motion by either party in a disciplinary action against an attorney, request the presiding judge to assign another judge who is not a resident of the administrative region where the action is pending to dispose of the case;

(~~5~~e) request the presiding judge to assign another judge of the administrative region to hear a motion relating to the recusal or disqualification of the judge from a case pending in his court; and

(~~6~~f) to the extent consistent with ~~safeguarding the rights of litigants to the just processing of their causes~~due process, consider utilizeusing methods to expedite the disposition of cases on the docket of the court, including:

(~~a~~1) adherence to firm trial dates with strict continuance policies;

(~~b~~2) the use of ~~telephone or mail~~teleconferencing, videoconferencing, or other available means in lieu of personal appearance ~~by attorneys~~ for motion hearings, pretrial conferences, scheduling, and ~~the setting of trial dates~~other appropriate court proceedings;

(~~e~~3) pretrial conferences to encourage settlements and to narrow trial issues;

(~~d~~4) taxation of costs and imposition of other sanctions authorized by the Rules of Civil Procedure against attorneys or parties filing frivolous motions or pleadings or abusing discovery procedures; and

(e5) local rules, consistently applied, to regulate docketing procedures and timely pleadings, discovery, and motions.

Rule 10. Local Rules, Forms, and Standing Orders.

(a) *General Rule.* Local rules, forms, and standing orders must not be inconsistent with other laws or rules and must be published on the Office of Court Administration's website.

(b) *Multi-Court Counties.* In multi-court counties having two or more court divisions, each division must adopt a single set of local rules, forms, and standing orders that govern all courts in the division.

(c) *Local Rule Contents.* Local rules must include:

(1) provisions for fair distribution of the caseload among the judges in the county;

(2) designation of the responsibility for emergency and special matters;

(3) plans for judicial vacation, sick leave, attendance at educational programs, and similar matters; and

(4) any other content required by sections 27.061 or 74.093(b) of the Texas Government Code.

(d) *Format.* Local rules, forms, and standing orders must be submitted in a format specified by the Office of Court Administration.

(e) *Presiding Judge Authority.* The presiding judge of an administrative judicial region may direct a court in the region to amend or withdraw a local rule, form, or standing order if the presiding judge determines that the rule, form, or standing order fails to comply with Rule 3a of the Texas Rules of Civil Procedure or that it is unfair or unduly burdensome.

(f) *Supreme Court Authority.* The Supreme Court may direct a court to amend or withdraw a local rule, form, or standing order if the Supreme Court determines that the rule, form, or standing order fails to comply with Rule 3a of the Texas Rules of Civil Procedure or Rule 1.2 of the Texas Rules of Appellate Procedure or that it is unfair or unduly burdensome.

(g) Forms. A court must not require a party to use a local form. A court must not reject a properly completed form approved by the Supreme Court or an organization that reports to the Supreme Court.

Comment to 2023 change: Rule 10 is amended to implement the changes to Texas Rule of Civil Procedure 3a and Texas Rule of Appellate Procedure 1.2. But it also applies to local justice court rules authorized by section 27.061 of the Texas Government Code. Paragraphs (e) and (f) expressly authorize the regional presiding judges and the Supreme Court to direct changes to or the repeal of local rules, forms, and standing orders. Paragraph (g) is added to prohibit a court from requiring the use of a local form. Paragraph (g) makes clear that access to the justice system cannot be denied because of a party's failure to use a local form. Paragraph (g) also specifies that a court cannot reject forms approved by the Supreme Court or organizations that report to the Supreme Court.