

192nd Judicial District Court

Hon. Maria Aceves, Presiding

George L. Allen, Sr. Courts Building – 600 Commerce Street, 7th Floor, Dallas, TX 75202

Court Coordinator: (214) 653-7709 • E-mail: Veronica.Vaughn@dallascounty.org

192ND JUDICIAL DISTRICT COURT POLICIES AND PROCEDURES

Dallas Courts' Local Rules

The Local Rules adopted for use in the District Courts of Dallas County, including this Court, may be located through the link on the Court's Bulletin Board link above. Please also review any emergency or amended orders listed on our website. **Failure to comply with the Local Rules will result in the motion at issue being stricken or the hearing cancelled.**

Scheduling Order/Trial Settings

After the first answer is filed, the Court sends out the Uniform Level 1 or 2 Scheduling Order. Level 3 cases receive a trial setting notice. Some cases designated as Level 1 or 2 may receive a one page trial setting.

The parties may file a continuance, and the first continuance will be granted provided the case is less than one year in age. Additional continuances are disfavored and must follow Local Rule 3.01. Counsel must provide detailed reasons for requesting the additional continuance. All counsel must sign additional continuance requests. Absent extenuating circumstances, the failure of the parties to meet the deadlines stated by the Court's Scheduling Order (including mediation deadline and completion of discovery) will not be sufficient grounds for a continuance. A hearing may also be required.

Motion Docket

The Court will only consider timely filed pleadings related to motions. MSJ responses are due seven days before the hearing, and all other responsive motions are due three days before the hearing.

All arguments must be made to the Court and opposing counsel in writing, not saved as surprise arguments at the hearing. Counsel must cite relevant authority for legal propositions and support factual assertions with competent evidence.

All motions containing a request for attorneys' fees must be supported by the legal basis for fees and specific evidence supporting the amount requested in the motion. Failure to do so will result in the relief requested being denied.

Hearing times are scheduled in consultation with the movant's counsel. Counsel must request a hearing length appropriate for the motion(s) at issue. The Court has a busy docket, often with

multiple hearings scheduled back-to-back, and the parties should not expect the Court to permit hearings to run over the time allotted.

Orders must be filed with every motion before setting a hearing.

TROs

Judge Aceves hears her TROs from the 192nd if she is available. If she is not available, she will refer the TRO to Associate Judge Hurdle. If neither Judge Aceves nor Associate Judge Hurdle are available, the Court Administrator will contact the other District Courts to find a Judge to hear the TRO. Attorneys are **NOT** to “shop” a TRO from the 192nd District Court.

TROs from other courts will be considered by Judge Aceves *only* with permission from that Court, pursuant to the established procedure. All Civil District Judges require compliance with Local Rule 2.02 on ex parte requests.

Certificates of Conference

Motions require certificates of conference as stated in Local Rule 2.07. Failure to include a proper certificate of conference on a motion, except as excluded in Local Rule 2.07, will result in the hearing being cancelled or the motion not being considered.

Protective Orders

In cases where the parties believe that a Protective Order is necessary, the Court requires that the parties use the form that is available on the Court’s website. The Court understands that in rare cases, good cause may exist that requires variance from this Order.

Motions for Substitute Service

In cases where the plaintiff believes substitute service is necessary, the Court requires that the plaintiff use the form that is available on the Court’s website. The Court understands that in some cases, good cause may exist that requires variance from this Order. If a party desires to make changes to the Court’s standard Order, the plaintiff must explain the need to do so in the accompanying motion.

Discovery Disputes

The Court expects the parties to diligently work together to resolve discovery disputes before involving the Court. The Court will not grant motions to compel or quash if the parties have not made a sincere effort to resolve discovery disputes themselves, and the movant must detail these efforts.

Cancellation of Hearings

To cancel a hearing, please call the Clerk to cancel your hearing, (214) 653-7748; then send an email to the Court Coordinator and to other counsel/pro se parties.

Motions for Summary Judgment

No summary judgment motions may be set for hearing within 30 days of trial. (This requirement is included in the Uniform Scheduling Order). A party may move for leave to allow such hearing based upon extenuating circumstances.

Bench Trials

Proposed judgments and proposed findings of fact and conclusions of law must be submitted seven days before the scheduled trial setting, along with trial briefs on contested issues of law. These must be submitted to the Court Coordinator via e-mail in MS Word format.

Judgments and Dismissal Orders

Within 30 days after the Court has announced a verdict or judgment, or the Court receives a written announcement of settlement from either party or from a mediator, counsel must submit to the Court a proposed judgment or dismissal order, unless ordered otherwise. Failure to furnish the Court with such a proposed judgment or dismissal order may result in the entry of an Order of Dismissal with prejudice with costs taxed at the Court's discretion.

DWOP Notices/Docket

Notices of intent to dismiss a case for want of prosecution when no answer has been filed are sent by the Court Coordinator approximately 30 days after the suit is filed. If a plaintiff needs more time to effect service, etc., advise the Court Coordinator in writing prior to the hearing and the dismissal time **may** be extended.

Cameras in the Courtroom

The Court follows Misc. Docket No. 92-0067 of the Supreme Court of Texas approved March 11, 1992, regarding procedures for electronic media coverage. Copies may be obtained from the Deputy Clerks, Court Coordinator and the text is available under "Media" through the Court's Bulletin Board link above.

Mediation/ADR/Collaborative Law

Uniform Level 1 and 2 Scheduling Orders require mediation 30 days before trial. The parties are to choose their own mediator or notify the Court so one can be appointed. If the parties are opposed to mediation, they must notify the Court in writing of the reasons for such opposition. It is the

Court's policy to require mediation of all cases, but not to force parties to mediate if good reason exists not to mediate.

It is counsel's responsibility to inform the Court if they have been unable to agree to a mediator 30 days after the trial notice has been issued. Judge Aceves also encourages use of the collaborative law process for appropriate cases. Information regarding collaborative law may be found at <http://www.collaborativelaw.us/>

Copies to Counsel/Pro Se Parties

Any communication to the Court, even a cover letter or email, must copy the opposing counsel and pro se parties.

Use of Courtroom

Counsel/parties are welcome to use the courtroom for purposes of preparing for trial, including use of the technology, provided court is not in session. Contact the Deputy Clerks or the Court Coordinator to determine an appropriate time.