

**LOCAL RULES OF THE 253<sup>RD</sup> JUDICIAL DISTRICT COURT OF  
CHAMBERS COUNTY, TEXAS**

**PURPOSE**

The Local Rules of the 253<sup>rd</sup> Judicial District Court of Chambers County have as their primary purpose the management of the court dockets sensibly, efficiently and fairly. These rules are to be an aid to the just disposition of cases without unnecessary delay or expense.

**RULE 1**

**APPLICATION, JURISDICTION AND FILING**

**Rule 1.1 Application**

These rules apply to all cases, civil, criminal, and family, heard by the Judge of the 253<sup>rd</sup> Judicial District Court.

**Rule 1.2 Jurisdiction**

**1.2.1. Exclusive Jurisdiction**

Exclusive jurisdiction of 253<sup>rd</sup> Judicial District Court encompasses matters defined by statute, rules of court, case law, or these rules as the sole province of District Courts.

**1.2.2. Concurrent Jurisdiction**

Concurrent jurisdiction of the 253<sup>rd</sup> Judicial District Court with the County Court at Law is set forth in Sections 25.0003 and 25.0382(a) of the Texas Government Code.

**Rule 1.3 Assignment of Cases**

**1.3.1. Unequal Assignment**

The District Clerk shall assign criminal and civil (including family) cases to each District Court of Chambers County on a two to one docketing system unless specifically instructed otherwise by the Board of Judges.

**1.3.2. Assignment of Exclusive Jurisdiction Cases**

The District Clerk shall assign cases of exclusive jurisdiction to the District Courts.

**1.3.3. Assignment of Concurrent Jurisdiction Cases**

The District Clerk shall assign cases of concurrent jurisdiction to the District Courts.

## **RULE 2**

### **LOCAL ADMINISTRATIVE DISTRICT JUDGE**

#### **Rule 2.1 Powers and Duties of Local Administrative District Judge**

##### **2.1.1. Election of the Administrative Judge**

Pursuant to Section 74.091 of the Texas Government Code, a majority of the District Judges will elect a Local Administrative District Judge for a term of not more than two years.

##### **2.1.2. Duties**

The Local Administrative District Judge will have the duties and responsibilities provided in Rule 9 of the Rules of Judicial Administration.

##### **2.1.3. Meetings of the District Judges of the County**

The Local Administrative District Judge or any District Judge may call meetings of the District Judges as needed. The Local Administrative District Judge shall preside over such meetings, or the District Judge who called the meeting. In a District Judge's absence, another District Judge may preside over the meeting.

## **RULE 3 CIVIL CASES**

#### **Rule 3.1 General**

All civil cases which the 253<sup>rd</sup> Judicial District Court of Chambers County has exclusive or concurrent jurisdiction shall be filed in the District Clerk's office of Chambers County. These rules shall be applicable to all civil cases filed in the 253<sup>rd</sup> Judicial District Court of Chambers County.

#### **Rule 3.2 Time Standards for Civil Case Disposition**

##### **3.2.1. Civil Jury Cases**

All civil jury cases should be tried or dismissed within 18 months from appearance date.

##### **3.2.2. Civil Non-Jury Cases**

All civil non-jury cases should be tried or dismissed within 12 months from appearance date.

#### **Rule 3.3 Transfer of Cases; Docket Exchange; Bench Exchange**

##### **3.3.1. Transfer**

After assignment to a particular court, a case may be transferred to another court by order of the Judge of the court in which the case is pending with the consent of the Judge of the court to which it is transferred. The court to which a case is transferred shall have jurisdiction over that case for all purposes.

### **3.3.2. Assign (presiding for another judge)**

After assignment to a particular court, a case may be assigned to another court by order of the Judge of the court in which the case is pending with the consent of the Judge of the court to which it is being assigned. Jurisdiction over a case assigned to another court shall remain with the originating court.

### **3.3.3. Recusal**

All motions to recuse shall be governed by the provisions of Rule 18a and 18b of the Texas Rules of Civil Procedure.

### **3.3.4. Removal to District Court**

A case which has been assigned to a County Court at Law in error because the subject matter is within the exclusive jurisdiction of the District Courts will be returned to the District Clerk for reassignment.

## **Rule 3.5 Docket Settings**

### **3.5.1. Court Coordinator/Administrator**

The 253<sup>rd</sup> Judicial District Court shall appoint a court coordinator/administrator. It shall be the duty of the court coordinator/administrator to:

Establish procedures for setting cases for trial and hearings;

Provide the court, the clerk assigned to that particular court, and the general public with a printed docket sheet indicating the cases set for a hearing for each day of court;

Provide the court with a submission docket indicating the cases set for submission;

Notify all counsel of settings and rulings of the court as is provided by these rules or at the direction of the court;

Coordinate all setting requests; and

Coordinate with the District Clerk's office concerning jury trials and juror requirements.

### **3.5.2. Setting Requests**

Requests for hearings should be made in writing to the court in which the matter is pending in accordance with these rules, and the attorneys making such request shall serve all counsel and parties appearing pro se with notice of the hearing.

### **3.5.3. Trial Settings**

Cases should be set for trial by order of the court, upon request of a party, on the court's own motion, or by a docket control order.

### **Rule 3.6 Dismissal Docket; Involuntary Dismissals**

#### **3.6.1. Dismissal Dockets**

All cases not brought to trial or otherwise disposed of which have been on file for more than the specified time period as established by these rules should be placed on the dismissal docket by the Court.

#### **3.6.2. Notice**

When a case has been placed on the dismissal docket, the District Clerk shall promptly send notice of the court's intention to dismiss for want of prosecution to each attorney of record and pro se party whose address is shown in the clerk's file. A copy of such notice shall be filed with the papers of the cause.

#### **3.6.3. Motion to Retain**

Unless a written motion to retain has been filed prior to the dismissal date as set forth in the notice of intention to dismiss, such case shall be dismissed. Notice of the signing of the order of dismissal shall be given as required by Rule 165a of the Texas Rules of Civil Procedure. Failure to mail notices as set out above shall not affect any of the periods mentioned in Rule 306a of the Texas Rules of Civil Procedure except as provided in that rule.

#### **3.6.4. Motion for reinstatement**

A motion for reinstatement after dismissal shall follow the procedure and be governed by the provisions of Rule 165a of the Texas Rules of Civil Procedure relating to reinstatement.

### **Rule 3.7 Continuances**

Any motion for continuance of the trial setting shall be presented to the court pursuant to the docket control order, or the Texas Rules of Civil Procedure. The order granting or denying such motion shall contain an order resetting the case for trial for a specific date and time.

### **Rule 3.8 Alternate Dispute Resolution and Mediation**

#### **3.8.1. Alternate Dispute Resolution**

In order to encourage the early settlement of disputes and to carry out the responsibilities of the courts set out in Chapter 154 of the Texas Civil Practices and Remedies Code, appropriate alternative dispute resolution procedures will be encouraged and utilized.

#### **3.8.2. Mediation**

Mediation is encouraged in order to facilitate the settlement of disputes and litigation.

### **Rule 3.9 Settlements**

All trial counsel are required to make a bona fide effort to settle cases at the earliest possible date before trial. The court will expect counsel to confer with his/her client and with opposing counsel concerning settlement offers. When an attorney settles or dismisses a case which is set for trial, he/she shall give notice to the court as soon as possible.

**Rule 3.10 Guardians and Attorneys Ad Litem**

When it is necessary for the court to appoint a guardian ad litem for minor or incompetent parties or an attorney ad litem for absent parties, independent counsel, not suggested by any of the parties or their counsel, will be appointed.

**Rule 3.11 Entry of Interim Orders**

An interim order is any temporary order entered by the court during the pendency of the suit. In the event that the court renders an oral interim order, the court shall require a party to prepare a written order complying with the court's rendition. The party preparing the order shall obtain approval and signature as to form from the opposing counsel and/or pro se litigant. If signatures are not obtained then a motion to enter the judgment or order should be set for oral hearing or by submission.

**Rule 3.12 Entry of Final Orders**

In the event that the court renders an oral final order, the court shall require a party to prepare a written final order complying with the court's ruling. The party preparing the order shall obtain approval and signature as to form from the opposing counsel or pro se litigant. If signatures are not obtained then a motion to enter the judgment or order should be set for oral hearing or by submission.

**RULE 4  
FAMILY LAW CASES**

**Rule 4.1 General**

The filing, assignment, and transfer of cases under the Family Code shall be filed in accordance with Rule 1 of these rules. All cases filed pursuant to the Family Code with the exception of Title 3 of the Family Code shall be governed by Rule 3 of these rules.

**Rule 4.2 Time Standards for Family Law Case Disposition**

Cases should be tried or dismissed within 6 months from the appearance date or within 6 months from the expiration of the waiting period provided by the Family Code where such is required, whichever is later.

**Rule 4.3 Ex Parte Restraining Orders, Protective Orders and Temporary Orders**

**4.3.1. Ex Parte Restraining Orders and Protective Orders**

Ex Parte Restraining Orders and Protective Orders should be presented to the court in which it has been assigned. Only the court coordinator/administrator of the court may set the hearing.

#### **4.3.2. Temporary Orders Entry**

All temporary orders should be presented to the court for entry within ten (10) days after the hearing or at the entry date set by the court.

### **RULE 5 CRIMINAL CASES**

#### **Rule 5.1 Filings/Return of Indictments**

##### **5.1.1. Assignment of Cases After Indictment**

The District Clerk shall assign criminal cases to each District Court of Chambers County on a two to one docketing system unless specifically instructed otherwise by the Board of Judges.

##### **5.1.2. New Indictments After Assignment**

After assignment, the clerk shall assign any new indictment against a defendant to the same court.

##### **5.1.3. Re-indictments**

The clerk shall assign any re-indictment of the same defendant to the same court in which the prior indictment was assigned.

##### **5.1.4. Co-Defendant Indictment**

The clerk, after random assignment of an indictment to a court, shall assign any co-defendant subsequently indicted to the same court in which the first co-defendant's indictment was assigned.

#### **Rule 5.2 Time Standards for Criminal Cases**

Disposition of Criminal Cases should be in conformity with those provisions set forth in Article 32A of the Code of Criminal Procedure.

### **RULE 6 ATTORNEY VACATIONS**

Each attorney who desires to assure himself/herself a vacation may do so automatically by complying with the Rule 11 of the Second Administrative Region of Texas Regional Rules of Administration.

**RULE 7**  
**MEDIA PLAN AND RULES REGARDING RECORDING BY INDIVIDUALS**

The attached Media Plan and Rules Regarding Recording by Individuals are in effect for the broadcasting, televising, photographing and recording of any courtroom activity related to the 253<sup>rd</sup> Judicial District Court, Chambers County, Texas. These rules contain safeguards to ensure that media coverage and recording shall not detract from the dignity of the court proceedings or otherwise interfere with the achievement of a fair and impartial court proceeding.

**RULE 8**  
**ADOPTION, APPROVAL, AND NOTICE**

**Rule 8.1 Adoption**

These rules are adopted by the District Judge of the 253<sup>rd</sup> Judicial District Court.

**Rule 8.2 Notice**

The District Clerk is directed to submit a copy of these rules to the Office of Court Administration pursuant to Rule 3a of the Texas Rules of Civil Procedure and to record these Rules in the Minutes of the 253<sup>rd</sup> District Court.

**ADOPTION**

Adopted the 15<sup>th</sup> day of February, of the year 2023, to become effective upon publication on the Office of Court Administration's website.

FILED  
THIS THE 16 DAY OF February  
A.D. 2023 AT 9:30 O'CLOCK A.M.  
PATTI L. HENRY  
DISTRICT CLERK, CHAMBERS COUNTY, TEXAS  
BY [Signature] DEPUTY

[Signature]  
HONORABLE CHAP B. CAIN, III  
253<sup>rd</sup> Judicial District Court