

Melisa Miller, District Clerk  
Montgomery County, Texas  
By *[Signature]* Deputy

JAN 03 2024

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At 8:52 a.m. 01/03/24

IN THE 418<sup>th</sup> DISTRICT COURT OF MONTGOMERY COUNTY, TEXAS

**STANDING ORDER ON MOTIONS AND HEARINGS IN THE 418<sup>th</sup> DISTRICT COURT**

IT IS HEREBY ORDERED that the following shall apply with respect to all motions and hearings in the above Court in Civil Cases:

1. All motions and hearings **that do not require live testimony shall** be set by SUBMISSION, with at least 10 days notice to opposing counsel/parties and be in compliance with Rule 2.3 of the *Local Rules of Practice Before the Family Courts of Montgomery County, Texas and Local Rules for the Administration of Family Cases in Montgomery County, Texas*. (If the Texas Rules of Civil Procedure require more than 10 days notice on any given matter (e.g., Motions for Summary Judgment), then the time period set by such rules shall apply).

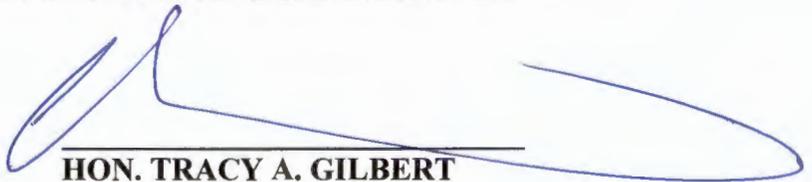
2. Submission dates shall be obtained from the Court Administrator or Coordinator and shall be included in a NOTICE OF SUBMISSION, which shall be served on all counsel/parties as required under Number 1 above. Any motion must also have a proposed order, granting the relief sought, filed as a separate instrument.

3. Counsel may request an oral hearing in writing when filing any motion or other matter that has been set by submission. Likewise, opposing counsel/parties may request an oral hearing in writing when filing any response, along with a proposed order denying the relief sought, which must be filed at least two working days before the submission date. (Failure to file a response may be considered a representation of no opposition to the motion). The Court Administrator or Coordinator will advise the counsel/party requesting an oral hearing if an oral hearing is granted. If an oral hearing is granted, the Court Administrator or Coordinator will advise the counsel/party that requested the oral hearing of the date and time for the hearing, and said counsel/party shall give proper notice to all counsel/parties. Filing a request for an oral hearing is not considered a response to the motion.

4. Any motion **that requires live testimony** shall be set for oral hearing on the date and time given by the Court Administrator or Coordinator, and the movant shall give proper notice to all counsel/parties.

5. **Except on leave of Court, no motion (except Motions for Summary Judgment, Motions for Default Judgment, Motions for Voluntary Dismissal or Nonsuit, Motions for New Trial, and Motions Involving Service of Citation) will be considered until the moving party has filed a CERTIFICATE OF CONFERENCE stating that the movant has conferred, or attempted to confer, with the opposing counsel/party(ies), including the date(s) and time(s) of the attempt(s) and the manner(s) of communication of the attempt(s), and that no agreement could be reached on the subject of the motion in compliance with Rule 2.3 of the *Local Rules of Practice Before the Family Courts of Montgomery County, Texas and Local Rules for the Administration of Family Cases in Montgomery County, Texas*.**

**THIS STANDING ORDER ON MOTIONS AND HEARINGS IN THE 418<sup>th</sup> DISTRICT COURT SHALL BECOME EFFECTIVE IMMEDIATELY**



HON. TRACY A. GILBERT  
418<sup>th</sup> Judicial District Court