

ADMINISTRATIVE ORDER 24-0807-01

LOCAL RULES OF	§	COUNTY COURT-AT-LAW II
	§	
ADMINISTRATION	§	WEBB COUNTY, TEXAS

LOCAL RULES AND CONTINUANCE POLICY

Application. The following local rules are adopted for court hearings in the County Court-at-Law II of Webb County, Texas.

Purpose. To provide common sense ground rules, clear expectations, and legal parameters; to allow all participants to enter court hearings with the same understanding of the local processes and expectations; to provide parties, witnesses, attorneys and the public the greatest access to justice; to reduce costs to litigants; to comply with the Texas Supreme Court Time Standards; to avoid case backlogs and unnecessary delays; in the interest of judicial economy; and in the interest of the efficient administration of justice, Webb County Court-at-Law II hereby adopts these local rules.

Authority. Pursuant to Rule 3a, TEXAS RULES OF CIVIL PROCEDURE, Webb County Court-at-Law II hereby adopts these local rules.

WEBB COUNTY COURT-AT-LAW II LOCAL RULES

- Local Rule 1. Read your work critically.
- Local Rule 2. Cooperation is not collaboration. Cooperate.
- Local Rule 3. Meaningfully confer before arguing to the Court.
- Local Rule 4. All must work towards justice, a final resolution, and final disposition.
- Local Rule 5. Agreements are not binding on the Court.
- Local Rule 6. Virtual appearances are actual appearances.
- Local Rule 7. Argue to the Court, not with the Court.
- Local Rule 8. Closing arguments, if given, should recite all necessary elements, and the testimony and evidence supporting those.
- Local Rule 9. Requests for relief must be reasonable and legally supported.
- Local Rule 10. Court personnel are the Court.

REQUESTS FOR CONTINUANCE

Counsel must follow the TEXAS RULES OF CIVIL PROCEDURE, other applicable rules and statutes, and proper motion practice for proper consideration of any requested relief, including continuance requests. Oral requests for continuance are highly disfavored, and requests for reset should be in writing, at least 48 hours before a hearing—or as soon as practical. Written, verified motions for continuance are preferred to Rule 11 Agreements. See LOCAL RULE 5. Motions for continuance should state whether opposing counsel, or any opposing self-represented person, agrees or opposes the request. The Court's preference to requests for additional time are as follows, and in this order:

- a) Agreed-to, written motions for continuance;
- b) Unopposed, written motions for continuance;
- c) Opposed, written, and verified motions for continuance;
- d) Rule 11 Agreements; and
- e) Oral¹ in-court requests made on the record.

PROPOSED ORDERS

Proposed orders granting the motion for continuance should be filed together with written motions for continuance. The proposed orders ***must include findings*** for the Court to adopt, consistent with the motion and requested relief.

ADVISORIES TO THE COURT

Written advisories, filed well in advance of a court hearing, regarding conflicting court-scheduled hearings are highly encouraged and reflect consideration to the Court and opposing counsel. Advisories should be filed at least 48 hours before a hearing for proper consideration—or as soon as a scheduling conflict arises.

CONTINUANCE POLICY

Absent exigent, unforeseen circumstances, the Court, as a matter of policy, generally grants continuances in the following circumstances:

1. Lack of service;
2. First setting; and
3. First appearance by counsel.

¹ In-court oral requests to continue a case should only be made because of emergencies or last-minute, unforeseen situations, otherwise last-minute requests for continuance reflect failure to prepare beforehand—and all of which is not in the best interest of justice or judicial economy.

CONTINUANCE POLICY EXCEPTIONS

If the first appearance of counsel is not on the first or second final setting of a case, then counsel takes the case as is, without further delays. Accordingly, counsel must research the procedural history of a case before agreeing to the representation.

REPEATED SETTING POLICY

Cases set for final hearing for a fourth time automatically received a fifth setting—a dismissal setting. At dismissal, parties should present evidence or information showing, on the record, a) diligence in legal work and final resolution and b) good cause to keep the case on the Court's docket. Evidence of good cause includes a clear procedural plan to resolve any contested issues or clear plan to reach final disposition.

REQUESTS FOR JUDICIAL FINDINGS ON TIME STANDARDS

Texas judges ensure that all cases reach final disposition in conformity with the Texas Supreme Court Time Standards. TEX. R. JUD. ADMIN. 6.1 If a matter is complex, counsel is encouraged to request a hearing to present evidence for the Court to make findings that the case is complex. TEX. R. JUD. ADMIN. 6.1(d)

JURY TRIAL REQUEST POLICY

Requests for jury trial made after pre-trial hearings are deemed untimely. Counsel should file requests for jury trial as soon as possible, and well in advance of the final hearing. Otherwise, counsel should file written jury trial requests with information detailing why a jury trial request was not made sooner.

ADOPTED on August 1, 2024; and, **SIGNED** and **EFFECTIVE** August 7, 2024.



JUDGE VICTOR VILLARREAL