

LOCAL RULES
OF ADMINISTRATION FOR CASES PENDING IN
ATASCOSA COUNTY

1. Application

1.1. These rules apply to cases pending before the Statutory County Court at Law of Atascosa County (hereafter, Court at Law), the Constitutional County Court of Atascosa County (hereafter, County Court), and the 81st and 218th District Courts of Atascosa County (hereafter, District Courts), and within the concurrent jurisdiction of these courts.

2. Assignment of Cases to the County Court

2.1. The Atascosa County Clerk shall assign the following cases to the County Court:

- a. Probate cases; and
- b. Civil cases appealed from the justice courts, excluding eviction cases.

2.2. The Atascosa County District Clerk shall assign the following cases to the County Court:

- a. Juvenile cases.

3. Assignment of Cases to the Court at Law

3.1. The Atascosa County Clerk shall assign the following cases to the Court at Law:

- a. Class A and class B misdemeanor cases;
- b. Civil cases filed with the Atascosa County Clerk, excluding civil cases appealed from the justice courts;
- c. Applications for occupational driver's licenses;
- d. Traffic cases appealed from the justice courts and the municipal courts;
- e. Criminal cases appealed from the justice courts and the municipal courts;
- f. Eviction cases appealed from the justice courts;
- g. Guardianship cases;
- h. Applications for protective orders; and
- i. All other matters in which the County Court and Court at Law have concurrent jurisdiction, not assigned to the County Court.

3.2. The Atascosa County District Clerk shall assign the following cases to the Court at Law:

- a. All family law matters;
- b. Civil cases in which the matter in controversy exceeds \$500 but does not exceed \$250,000, excluding interest, statutory or punitive damages and penalties, and attorney fees and costs, as alleged on the face of the petition;
- c. Appeals of final rulings and decisions of the division of worker's compensation of the Texas Department of Insurance regarding worker's compensation claims, regardless of the amount in controversy;
- d. Applications for protective orders;
- e. Applications for occupational driver's licenses; and
- f. All other matters in which the County Court and Court at Law have concurrent jurisdiction, not assigned to the County Court.

4. Assignment of Cases to the District Courts

4.1. The Atascosa County District Clerk shall assign and evenly distribute the following cases to the District Courts:

- a. Suits on behalf of this state to recover penalties or escheated property;
- b. Misdemeanors involving official misconduct;

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MARGARET E. LITTLETON, DISTRICT CLERK

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CLERK DISTRICT COURT ATASCOSA CO. TX
BY M. Littleton DEPUTY

- c. Contested elections; and
 - d. All other matters in which the District Courts have jurisdiction, not assigned to the Court at Law.
5. **Transfer of Cases from the County Court to the Court at Law**
- 5.1. On the County Court's own motion or upon a motion of a party, the following types of cases may be referred, assigned and/or transferred to the Court at Law at the discretion of the County Court Judge:
- a. Juvenile cases;
 - b. Probate cases;
 - c. Guardianship cases;
 - d. Appeals from the justice and municipal courts; and
 - e. Any other matter in which the Court at Law has concurrent jurisdiction with the County Court.
6. **Unavailability of Judges**
- 6.1. The Court at Law Judge may substitute and hear cases assigned to or scheduled for the County Court, and the docket transferred from the County Court to the Court at Law if the County Court Judge is:
- a. Absent because of vacation, sick leave, attendance at educational programs or other similar reasons;
 - b. Disabled;
 - c. Recused;
 - d. Disqualified;
 - e. Present but occupied with other cases; or
 - f. No longer holding the position of County Court Judge because of death, resignation, or other cause.
- 6.2. The County Court Judge may substitute and hear cases assigned to or scheduled for the Court at Law, and the docket transferred from the Court at Law to the County Court if the County Court has subject matter jurisdiction and if the Court at Law Judge is:
- a. Absent because of vacation, sick leave, attendance at educational programs or other similar reasons;
 - b. Disabled;
 - c. Recused;
 - d. Disqualified;
 - e. Present but occupied with other cases; or
 - f. No longer holding the position of Court at Law Judge because of death, resignation, or other cause.
- 6.3. The Court at Law Judge or a District Court Judge may substitute and hear cases assigned to or scheduled for the District Courts, if a District Court Judge is:
- a. Absent because of vacation, sick leave, attendance at educational programs or other similar reasons;
 - b. Disabled;
 - c. Recused;
 - d. Disqualified;
 - e. Present but occupied with other cases; or
 - f. No longer holding the position of District Court Judge because of death, resignation, or other cause.
- 6.4. A District Court Judge may substitute and hear cases assigned to or scheduled for the Court at Law, if the Court at Law Judge is:
- a. Absent because of vacation, sick leave, attendance at educational programs or other similar reasons;
 - b. Disabled;
 - c. Recused;
 - d. Disqualified;
 - e. Present but occupied with other cases; or
 - f. No longer holding the position of Court at Law Judge because of death, resignation, or other cause.

7. Emergency and Special Matters

- 7.1. Emergency and special matters that are within the concurrent jurisdiction of the County Court and Court at Law shall be assigned to the Court at Law and Court at Law judge.
- a. Secondly if the Court at Law is unavailable, emergency and special matters that are within the jurisdiction of the County Court shall be assigned to the County Court and County Court Judge.
- 7.2. Emergency and special matters that are within the concurrent jurisdiction of the District Courts and Court at Law shall be assigned to the Court at Law and Court at Law judge.
- a. Secondly, if the Court at Law Judge is unavailable, emergency and special matters that are within the concurrent jurisdiction of the District Courts and Court at Law shall be assigned to the District Courts and a District Court Judge.
- 7.3. Emergency and special matters that are within the exclusive jurisdiction of the District Courts shall be assigned to the District Courts and the Presiding District Court Judge.
- a. Secondly, if the Presiding District Court Judge is unavailable, emergency and special matters that are within the exclusive jurisdiction of the District Courts shall be assigned to the District Courts and the District Court Judge who is not the Presiding District Court Judge.
- 7.4. Notwithstanding the foregoing, the Presiding District Court Judge may assign emergency and special matters to the Court at Law Judge or another District Court Judge.

8. Setting Cases for Court Proceedings

- 8.1. All matters before the County Court must be set by the County Court Coordinator or County Court Judge.
- 8.2. All matters before the Court at Law must be set by the Court at Law Court Coordinator or Court at Law Judge.
- 8.3. All matters before the District Courts must be set by the District Court Coordinator or District Court Judge.

IT IS ORDERED that these rules are effective as of the date of their publication on the Office of Court Administration's website.

Agreed, ordered, and signed this 1st day of January 2025.



Russell Wilson
218th District Judge



Weldon P. Cude
Atascosa County Judge



Jennifer Dillingham
81st District Judge



Bob Brendel
Atascosa County Court at Law Judge