

LOCAL RULES OF THE FAMILY TRIAL DIVISION OF THE JUDICIAL DISTRICT COURTS OF HARRIS COUNTY, TEXAS

RULE 1. OBJECTIVE

- 1.1 Purpose of the Rules. These rules are established to ensure the just, fair, and impartial resolution of the rights of both the parties and the children involved. They aim to facilitate an efficient and cost-effective adjudication process while adhering to procedural rules and substantive law. Where appropriate, these rules also promote the use of alternative dispute resolution methods to support these objectives.

RULE 2. TRANSFER OF CASES

- 2.1 Multiple Suits and Later-Filed Cases. When a suit filed in a Family Trial Division court is in any way terminated (by non-suit or otherwise), a subsequent suit or cause of action involving the same parties or the same subject matter shall be filed in, or transferred to, the court that first had jurisdiction of the parties or subject matter. This rule applies to all controversies, including divorce, support, conservatorship, and all matters incident to them, whether sought by original proceedings or by modification, clarification, or enforcement of a former order, judgment or settlement agreement. When such a situation is disclosed for the first time after the hearing or trial has begun, the judge shall immediately order the suit to be transferred to the court where the prior suit was filed.
- 2.2 Continuing, Exclusive Jurisdiction, and Transfers/Consolidations in CPS matters. All provisions of the Texas Family Code regarding continuing, exclusive jurisdiction, and transfers/consolidations in a suit by a governmental entity shall take precedence over these rules.
- 2.3 Severance. If a severance is granted, the new case remains assigned to the court where the original case is pending, bearing the same file date and the same number as the original case with a letter designation.
- 2.4 Presiding for Another. In all cases where a judge signs an order on behalf of another court, the case shall remain in the original court.
- 2.5 Improper Court. If a case is on the docket of a court by any manner other than as prescribed by these rules, the Administrative Judge of the Family Trial Division shall transfer the case to the proper court.

RULE 3. FLOW OF CASES

3.1 Docket Call Procedures.

- 3.1.1 Attorneys and self-represented litigants who anticipate being late for docket call must notify the court and the opposing party of: 1) cause number; 2) your name; 3) time estimate; and 4) if in another court, what court they can be located.
- 3.1.2 If the attorney for the moving party, or the self-represented litigant, fails to appear in the courtroom within thirty (30) minutes of docket call, the court may pass the setting at its discretion.

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Marilyn Burgess
District Clerk

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By: Angellia Dozier

- 3.2 Child Appearance. Unless directed by the court, children are not permitted in the courtroom. If the court determines that it is necessary to interview a child in chambers or that the child must testify in court, the party requesting the interview or presenting the child as a witness must coordinate a specific time with the court coordinator. A child may not be brought to the courthouse for these purposes without prior arrangements under this rule unless required by court order, including a writ of habeas corpus or attachment. Upon the child's arrival, the party responsible for the child's attendance must immediately notify the court coordinator. The child may not enter the courtroom or the judge's chambers without the express consent of the judge.
- 3.3 Scheduling Orders. An attorney or self-represented litigant entering a pending case must determine whether a Scheduling Order has been issued and, if so, obtain a copy from the District Clerk's office. In cases where a Scheduling Order has been issued, parties seeking affirmative relief are responsible for providing a copy of the Scheduling Order to all parties who have made, or will subsequently make, a general appearance in the case.
- 3.4 Trials.
- 3.4.1 Manner of Setting. Cases shall be set for trial by order of the court.
- 3.4.2 Date of Setting. The Trial Docket is the final trial setting. In all contested matters set for final trial, all counsel or self-represented litigants must appear at the Trial Docket and announce their readiness for trial, unless they have previously appeared before the court and been assigned a specific date and time for trial. Unless all parties agree otherwise, the setting must comply with Texas Rules of Civil Procedure 245 through 249.
- 3.4.3 Assignment to Trial. A case is assigned to trial when the parties are called to the court to commence either a jury or non-jury trial on the merits.
- 3.4.4 Dead Weeks. The following dates are designated as "Dead Weeks," during which no cases will be set for trial on the merits without the consent of all parties and the court. However, Dead Week protections do not apply in cases that have statutory priority, including petitions for writs of habeas corpus, CPS final trials with an impending dismissal date, and protective orders under Title 4:
- a. The week of the 11th Administrative Judicial Region Conference (March or April);
 - b. The week of the State Bar Convention (June);
 - c. The week of the State Bar of Texas Advanced Family Law Course (August);
 - d. The week of the Conference of the Judicial Section (September); and
 - e. December 18th through December 31st each year.
- 3.4.5 Judgments and Orders. All judgments and orders must be submitted to the court for signing within ten (10) days of the date of rendition, unless otherwise directed by the court. The party directed to prepare the judgment or order must provide all opposing parties with a copy of the proposed document at least five (5) days before the entry date. Any forms required by governmental entities must be submitted with the judgment or order.

RULE 4. DISCLOSURES

- 4.1 Duty of Disclosure. Notwithstanding a discovery request, each party to a suit has a duty to exchange, without objection, the items in Rules 4.2 and 4.3, below. "Disclosure" includes producing copies of documents within a party's possession, custody, or control. Failure to comply with this rule may be grounds for sanctions as provided by Tex. R. Civ. P. Rule 215 or exclusion of evidence under Tex. R. Civ. P. 193.6.
- 4.2 Property Disclosure. In all cases for divorce or annulment (with or without children) both parties shall disclose the following information about property in which the party claims an interest:
- a. The party's last two federal income tax returns (whether joint or individual);
 - b. Copies of deeds, deeds of trust, promissory notes, and most recent mortgage statement(s);
 - c. Copies of the most recent account statement for any pension, retirement, profit-sharing, or other employee benefit plan;
 - d. Copies of all insurance policies, including life, auto, casualty, liability, health and dental insurance covering a party or a child the subject of the suit;
 - e. The most recent account statement for all funds held in financial institutions including, but not limited to, banks, savings and loans, credit unions, and brokerage firms; and
 - f. The most recent credit card statement for all credit card accounts in the name of the parties, or either party.
- 4.3 Financial Information. In all cases requesting child support or spousal maintenance, both parties must disclose the following:
- a. The party's last two federal income tax returns (whether joint or individual);
 - b. The party's wage statements or paystubs for the last two months; and
 - c. A statement of health and dental insurance availability, including a breakdown of cost to cover the spouse or child(ren).
- 4.4 Timing of Disclosure. Disclosure required under this rule shall be made as follows:
- a. by a petitioner or movant no later than 30 days after the respondent files their first pleading or makes a general appearance in the case, whichever occurs first; and
 - b. by a respondent no later than 30 days after they file their first pleading or make a general appearance in the case, whichever occurs first.
- 4.5 Method of Disclosure. The disclosures required under this rule shall be made by furnishing the documents to the opposing party's attorney of record at their e-service address or, if the opposing party is self-represented, by furnishing the disclosures to the opposing party at the party's address listed on their pleading.
- 4.6 Duty to Supplement. Each party has a duty to reasonably supplement their disclosures before trial.

RULE 5. REQUIRED DOCUMENTS FOR EXCHANGE PRIOR TO HEARINGS AND TRIALS

5.1 Before temporary orders hearings. If either party is seeking temporary orders for child support, spousal support, payment of family expenses, or attorney's fees, both parties shall exchange the following documents by 2:00 p.m. the business day before the hearing.

- a. A financial information statement listing that party's income and monthly expenses;
- b. The party's last two federal income tax returns (whether joint or individual);
- c. The party's paystubs for the last two months; and
- d. A statement of health and dental insurance availability, including a breakdown of cost to cover individuals, spouses, and children.

5.2 Before final trials.

5.2.1 If either party is seeking final orders for child support, spousal maintenance, or attorney's fees, both parties shall exchange the following documents at least 10 days before trial:

- a. financial information statement listing that party's income and monthly expenses;
- b. The party's last two federal income tax returns (whether joint or individual);
- c. The party's wage statements or paystubs for the last two months; and
- d. A statement of health and dental insurance availability, including a breakdown of cost to cover the spouse or child(ren).

5.2.2 In all cases, the parties shall also exchange the following documents, as applicable, at least 10 days before trial:

- a. A sworn inventory and appraisement;
- b. A proposed property division;
- c. Suggested child support findings;
- d. Suggested spousal maintenance findings; and
- e. Proposed parenting plan.

5.3 Delivery of Required Documents. Delivery must comply with the methods authorized by the Texas Rules of Civil Procedure.

5.4 Duty to Supplement. If a hearing or trial is reset, each party must reasonably supplement or amend the documents required under this rule. Any supplementation must be provided no later than 10 days before the new trial date.

5.5 Failure to Comply. This rule shall constitute a discovery request under the Texas Rules of Civil Procedure. Failure to comply with this rule may be grounds for sanctions as provided by Tex. R. Civ. P. Rule 215 or exclusion of evidence under Tex. R. Civ. P. 193.6.

RULE 6. MOTIONS

- 6.1 Forms. Motions shall be in writing and shall be accompanied by a proposed order granting the relief sought. The proposed order shall be a separate instrument.
- 6.2 Response. Responses shall be in writing and shall be accompanied by a proposed order. Failure to file a response may be considered a representation of no opposition.
- 6.3 Submission. Motions may be heard by written submission. Notice of submission setting must be served at least 10 days before the date of the hearing, or more if required by statute or rule. The notice must state that: 1) the motion will be heard by submission; 2) no party may appear for the hearing in person; and 3) any response to the motion must be on file at least 3 days before the submission date, or longer if required by statute or rule.
- 6.4 Unopposed Motions. Unopposed motions shall be labeled "Unopposed" in the caption.
- 6.5 Opposed motions. Opposed motions shall contain a certificate of conference that: 1) states that the movant and respondent have conferred with each other and in good faith have attempted to resolve the matter; and 2) identifies the basis of disagreement between counsel; or 3) states that the parties have not been able to confer, and states in detail all efforts made to confer, including dates and methods of attempted communication.
- 6.6 The court may decline to consider an opposed motion that does not comply with these rules.
- 6.7 The provisions of subparts 6.5 and 6.6 do not apply to motions for voluntary dismissal or nonsuit (except in suits in which a governmental agency seeks to terminate parental rights), motions involving service of citation, post-judgment filings, agreed judgments or motions to enter agreed orders, and any dispositive motions.

RULE 7. REFERRAL TO ASSOCIATE JUDGE

- 7.1 Referral. All pending cases and cases filed after the date of the adoption of these rules are hereby referred to the associate judge of each court pursuant to Chapter 201, Tex. Fam. Code, subject to limitations imposed by that same chapter.
- 7.2 Order of Referral. This Rule shall constitute the Order of Referral required by 201.006, Tex. Fam. Code, as to any pending or future cases under Title 1, 2, 4, 5, or 6 Tex. Fam. Code.

RULE 8. ALTERNATE DISPUTE RESOLUTION

- 8.1 Temporary Hearings. In cases involving disputed issues, the court may refer the parties to mediation at its discretion.
- 8.2 Final Trial. Cases shall be submitted for alternate dispute resolution procedures before trial. Unless authorized by the court, all cases must be mediated prior to final trial. Failure to participate in mediation may result in dismissal of the case.

RULE 9. CONFLICTING ENGAGEMENTS

9.1 Inter-County. The Rules of the 11th Administrative Judicial Region of Texas control conflicts in settings of all cases between a Harris County court and a court not in Harris County.

9.2 Intra-County. Between the trial courts seated within Harris County:

9.2.1 Trial/Trial. An assigned trial setting takes precedence over a conflicting trial setting not yet assigned.

9.2.2 Trial/Non-Trial. Trial settings take precedence over conflicting non-trial settings.

9.2.3 Attorney Assigned to Two Courts for the Same Day. Rule 13(b) of The Rules of the 11th Administrative Judicial Region of Texas shall govern.

9.3 Waiver. The court with precedence may yield.

9.4 Lead Counsel. This rule applies only to lead counsel, as defined by Tex. R. Civ. P. 8, unless the court determines to extend its application to other counsel.

9.5 Engaged Counsel. Counsel is considered engaged and unavailable for trial if they are actively participating in the trial or hearing of another case.

9.6 Reporting of Conflicting Engagements. Counsel has a duty to promptly notify the court upon learning of a conflicting engagement that may affect their availability for trial. Failure to comply with the Rules of the 11th Administrative Judicial Region of Texas regarding conflicting attorney engagements may result in sanctions.

RULE 10. VACATIONS OF COUNSEL

10.1 General Rule. Subject to the provisions of 10.2 of this rule, an attorney may designate not more than four weeks of vacation during a calendar year as vacation, during which that attorney will not be assigned to trial or required to engage in any pretrial proceedings. This rule operates only where lead counsel, as defined by Tex. R. Civ. P. 8, is affected, unless the court determines to extend its application to other counsel. The vacation designation shall be honored only if it is made on the vacation letter form approved by the Board of District Judges of the Family Trial Division and is accompanied by the attorney's designation of at least one attorney who has consented to act for the vacationing attorney. The designated attorney shall be called upon to act only if the client consents to the designated attorney's representation, and then only if the court requests the designated attorney's participation due to an emergency.

10.2 Time for Designation. Written designation for vacation weeks during June, July, or August must be filed with the District Clerk by May 15. Written designation for vacation weeks in months other than June, July, or August must be filed with the District Clerk by February 1. Designated vacation weeks protect the attorney from trials or pretrial proceedings during those weeks, unless an order setting the case for trial was signed and the case was assigned to trial before the vacation designation was filed.

RULE 11. ADMINISTRATION OF FAMILY TRIAL DIVISION

- 11.1 Presiding Judge. Each Family Trial Division judge, except the local administrative district judge, serves as Presiding Judge for a calendar month in rotation in order of judicial district numbers.
- 11.2 Administrative Judge of the Family Trial Division.
- 11.2.1 Term. At their regular May meeting, the Family Trial Division judges shall elect the Administrative Judge of the Family Trial Division for a one-year term beginning June 1 and ending the next May 31. No judge may serve more than two consecutive terms as Administrative Judge. If a vacancy occurs in the office of Administrative Judge, the judges of the Family Trial Division must hold an election to fill the vacancy at their next monthly meeting.
- 11.2.2 Substitute. The Administrative Judge of the Family Trial Division may, by written order, designate any other judge of the Division to act as the Administrative Judge if the judge is absent or unable to act. The substitute administrative judge shall have all the duties and authority granted by these rules to the Administrative Judge during the period of the designation.
- 11.3 Meetings. The Family Trial Division judges shall meet regularly each month at times and places as the Administrative Judge of the Family Trial Division may direct by a written notice distributed, except in case of emergency, at least 72 hours in advance of the meeting.
- 11.4 Reports to the Administrative Judge. On a monthly basis, the District Clerk shall supply to the Administrative Judge of the Family Trial Division information concerning the number of filings, dispositions, trials, and other judicial activities in each Family Trial Division court.

RULE 12. APPLICABILITY

- 12.1 Effective Date. These rules shall become effective on May 01, 2025.
- 12.2 Cross-Reference. Any reference in these rules to a statute or a court rule shall also apply to any successor statute or court rule; whether recodification, revision or amendment.
- 12.3 Applicability. These rules are applicable to both jury and non-jury cases.

RULE 13. APPLICATION FOR & REFUSAL OF IV-D CHILD SUPPORT SERVICES

- 13.1 As provided in Section 13.3, all final divorce and paternity decrees, including any subsequent modification, that provides for child support paid through the Texas Child Support Disbursement Unit and all cases in which the Domestic Relations Office, shall be deemed to include an application for IV-D child support services provided by Harris County and the Office of the Attorney General of Texas, pursuant to Chapter 231 of the Texas Family Code.
- 13.2 Unless required to accept IV-D child support services pursuant to other laws, a child support obligee entitled to receive services pursuant to this rule may decline services by filing a written Refusal of Child Support Services with the District Clerk. Refusal of IV-D child support services pursuant to this rule does not preclude a subsequent written application for services.


- 13.3 A Family District Court may implement this rule by written notice from the Presiding Judge to the Administrative Family Judge, District Clerk, Domestic Relations Office, and the IV-D Agency. The rule is effective in that Court on the thirtieth (30) day following written notice and applies only to final orders signed after that date.


RULE 14. LANGUAGE ACCESS PLAN

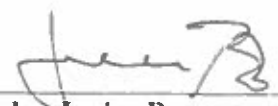
- 14.1 If a litigant, witness, or participant requires language assistance services, they must contact the court's coordinator in advance of the hearing or trial to arrange for a certified interpreter. Failure to make timely arrangements may result in delays in the proceeding.
- 14.2 If you choose not to notify the court in advance and instead bring your own interpreter, please ensure they are certified by the Judicial Branch Certification Commission. Limited exceptions exist for the use of non-certified court interpreters.
- 14.3 Subject to available county resources, language assistance services provided by the courts may be free of charge. However, under Texas Rule of Civil Procedure 183, the court may order one or more parties to bear the cost.

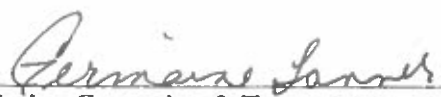
The foregoing is hereby Ordered and Adopted as the Rules of the Judicial District Courts of Harris County, Texas, Family Trial Division. The District Clerk is hereby directed to record a copy of this order in the minutes of each Judicial Courts. Additionally, the Office of Court Administration is directed to publish a copy of these rules on its website.

Signed on this 23rd of April, 2025.


Judge Angela Graves-Harrington
Administrative Judge, Family Trial Division
246th District Court Judge


Judge Gloria E. López
Chair of Rules Committee, Family Trial Division
308th District Court Judge


Judge Janice Berg
Member of Rules Committee,
Family Trial Division
247th District Court Judge


Judge Germaine J. Tanner
Member of Rules Committee,
Family Trial Division
311th District Court Judge