

OCT 02 2025

**AMENDED RULES FOR ADMINISTRATION OF
CASES IN THE DISTRICT COURTS
OF HENDERSON COUNTY, TEXAS**

Betty Herriage
District Clerk
Henderson County, Texas
By [Signature] Deputy

Three District Courts have jurisdiction in Henderson County, Texas; to wit:
3rd Judicial District
173rd Judicial District
392nd Judicial District

These Rules are promulgated in order to comply with Tex. H.B. 16, 89th Leg., 2d C.S. (2025) and to administer the allocation of cases filed in the District Courts of Henderson County, Texas and shall take effect **December 5th, 2025.**¹

RULE 1 – CIVIL & FAMILY CASES IN THE DISTRICT COURTS

A. Docketing and Assignment of Filed Cases: All Civil and Family cases, excluding those filed in the County Courts-at-Law, shall be assigned and docketed by the District Clerk to either the 173rd District Court or the 3rd District Court in accordance with the procedures set forth below:

- (1) The District Clerk shall assign cases by lot in accordance with the following ratio: eighty percent (80%) of cases shall be assigned to the 173rd District Court, and twenty percent (20%) shall be assigned to the 3rd District Court.
- (2) All non-criminal cases filed with the District Clerk in the District Courts shall be filed in numerical sequence at the time of filing. The District Clerk shall assign a cause number to each case using the following format: a case type code ("CV" for civil, "FAM" for family, "JUV" for juvenile, and "TAX" for tax cases), followed by the last two digits of the calendar year, a dash (-), a four-digit sequential number beginning with 0001 each January 1, another dash (-), and the number of the District Court to which the case is assigned. Each District Court maintains its own separate sequential numbering system, so the case numbers assigned in one court are number independent from those assigned in another. **See Table 1.**

Examples: CV25-0001-173, FAM25-0001-173, JUV25-0001-173, TAX25-0001-173

- B. Re-Filing of Cases: If a case previously assigned to a District Court is non-suited or dismissed then later re-filed involving the same or similar parties or cause of action, the District Clerk shall assign the re-filed case to the same District Court as the original filing. However, if the original case was assigned to the 392nd District Court, the re-filed case shall be assigned and docketed in either the 173rd or the 3rd District Court in accordance with the provisions set forth in section A. above.
- C. Temporary Restraining Orders: Requests for immediate temporary restraining orders or other emergency relief shall be directed to the judge of the court in which the case has been or will be filed. If that judge is unavailable, the request may be presented to another District Judge.

¹ House Bill 16 amended the enabling statutes for the 173rd and 392nd District Courts. Under the amendments, the 173rd District Court is directed to give preference to civil and family law matters, while the 392nd District Court is directed to give preference to criminal cases.

- D. Transfer of Cases between Courts: To promote the efficient distribution of cases and balance the workload among the District Courts, the District Judges may, from time to time, transfer individual cases or categories of cases from one District Court to another. Any such transfer requires the consent of the judge of the District Court to which the case or category of cases is being assigned.
- E. Hearing of Cases by Other District Judges: The three District Judges may preside over matters in each other's courts without requiring a formal transfer of the case. This procedure requires the consent of both judges involved.
- F. Bills of Review: Cases involving a Bill of Review shall be assigned to the District Court that rendered the original judgment being challenged.

RULE 2 - CRIMINAL CASES IN THE DISTRICT COURTS

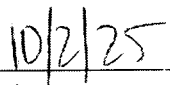
- A. Grand Juries: The responsibility for empaneling and overseeing grand juries shall be shared between the 392nd District Court and the 3rd District Court in the following manner: the 392nd District Court shall conduct two consecutive six-month grand jury terms, followed by one six-month grand jury term conducted by the 3rd District Court. This rotation shall continue in the same sequence unless otherwise agreed upon by the District Judges. Indictments returned by the grand jury shall be filed in the court that impaneled the grand jury returning the indictment.
- B. Docketing and Assignment of Filed Cases: All cases, regardless of the court in which the indictment is filed in after grand jury, shall be assigned and docketed by the District Clerk in either the 3rd District Court or the 392nd District Court in accordance with the procedures set forth below:
 - (1) The District Clerk shall assign cases by lot in accordance with the following ratio: eighty percent (80%) of cases shall be assigned to the 392nd District Court, and twenty percent (20%) shall be assigned to the 3rd District Court.
 - (a) Murder and Capital Murder cases shall be assigned based on the date of offense, using a rolling 4-to-1 rotation: the first four cases will be assigned to the 392nd District Court and every fifth case will be assigned to the 3rd District Court.
 - (2) All Criminal cases filed with the District Clerk in the District Courts shall be filed in numerical sequence at the time of filing. The District Clerk shall assign a cause number to each case using the following format: "CR" denoting criminal cases, followed by the last two digits of the calendar year, a dash (-), a four-digit sequential number beginning with 0001 each January 1, another dash (-), and the number of the District Court to which the case is assigned. Each District Court maintains its own separate sequential numbering system, so the case numbers assigned in one court are independent from those assigned in another. *See Table 1.*

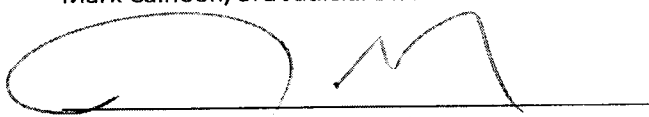
Example: CR25-0001-392

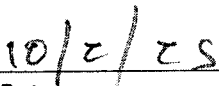
- C. Seizure Cases: Felony cases associated with a civil seizure case shall be assigned to the District Court in which the civil seizure case is assigned.
- D. Habeas Corpus Cases: Felony cases associated with a habeas corpus action shall be assigned to the District Court in which the habeas corpus case is assigned.

- E. Re-Filing of Cases: If a case previously assigned to a District Court is non-suited or dismissed and later re-filed or re-indicted involving the same defendant or cause of action, the District Clerk shall assign the re-filed or re-indicted case to the same District Court as the original filing. However, if the original case was assigned to the 173rd District Court, the re-filed or re-indicted case shall be assigned to either the 392nd or the 3rd District Court in accordance with the provisions set forth in section A. above.
- F. Disposition of Cases: Felony cases will be set for arraignment approximately 30 days after indictment. A pre-trial hearing will be set approximately 60 days from arraignment. Following all pre-trial hearings, the Courts will hold one or more Status Conference hearings prior to the trial announcement date.



Mark Calhoon, 3rd Judicial District Court

Date

R. Scott McKee, 392nd Judicial District Court

Date

Table 1 (Cause Number Formatting)

"CV" for Civil "CR" for Criminal "FAM" for Family "JUV" for Juvenile "TAX" for Tax	Last two digits of calendar year in which case was filed	Four digit sequential number assigned when case is filed- beginning with 0001 each calendar year	District Court assigned in accordance with Civil Rule 1A(1) & Criminal Rule2B(1)
CV	25	0001	3 or 173
FAM	25	0001	3 or 173
JUV	25	0001	3 or 173
TAX	25	0001	3 or 173
CR	25	0001	3 or 392