

LOCAL RULES OF ADMINISTRATION & PROCEDURE
451ST AND 498TH JUDICIAL DISTRICT COURTS
KENDALL COUNTY, TEXAS

Rule 1
GENERAL

Rule 1.1 **APPLICABILITY OF LOCAL RULES**

These local rules are applicable to all actions and cases filed in the 451st and the 498th Judicial District Court of Kendall County beginning October 1, 2025.

Rule 1.2 **TIME STANDARDS FOR CASE DISPOSITION**

The District Judges for Kendall County will, so far as reasonably possible, ensure that all cases are brought to trial or final disposition in conformity with the time standards set forth in Rule 6 of the Rules of Judicial Administration of the Texas Supreme Court and Rule 1 of the Rules of Judicial Administration of the Sixth Judicial Region of Texas.

Rule 1.3 **COURT SESSIONS — CALENDARS — HOLIDAYS — VACATIONS**

1.3.1 **CALENDARS**

The Court Coordinator for each court shall publish the court's calendar showing the jury and non-jury weeks for each Court. The Calendars shall be published on the Kendall County website: www.kendallcountytexas.gov

1.3.2 **OFFICIAL HOLIDAYS**

Official Holidays for the respective courts shall be posted by the Commissioner's Court of Kendall County and such other times as may be directed by the judges of the respective courts.

1.3.3 **VACATIONS**

Each District Court shall set its weeks of vacation on the public calendars of the court.

1.3.4 **HOURS OF COURT PROCEEDINGS**

Court shall be in session Monday through Friday from 9:00 A.M. until recess or adjournment, unless otherwise directed by the Presiding Judge of the court with respect to an individual case.

Rule 2
LOCAL ADMINISTRATIVE JUDGE

Rule 2.1 **LOCAL ADMINISTRATIVE JUDGE FOR DISTRICT COURTS**

Pursuant to Texas Government Code 74.091(a), the Local Administrative Judge shall perform such duties as required by Tex. Gov't Code §74.092 or as otherwise required by law.

Rule 2.2 LOCAL ADMINISTRATIVE JUDGE

A Local Administrative Judge shall be one of the District Judges of Kendall County.

- 2.2.1 **TERM.** The District Judge of the 451st Judicial District Court shall serve as the Local Administrative Judge as of the effective date of this Order until the first election as delineated herein. The first election of the Local Administrative Judge shall be held in January 2026. The first term for the Local Administrative Judge shall be one year. Each successive term, beginning January 2027, shall be two-year terms.
- 2.2.2 **ELIGIBLE VOTERS.** All District Judges are eligible voters.
- 2.2.3 **MANNER OF ELECTION.** The nominee who receives a simple majority of the votes will be elected. In the event of a tie vote, the Regional Presiding Judge will be asked to break the tie.
- 2.2.4 **POWERS AND DUTIES.** The Local Administrative Judge shall have all the necessary powers, both expressed and implied, to execute, implement and perform the duties set forth in the Government Code Chapter 74, the Rule 9 of Judicial Administration and the rules promulgated by the 6th Administrative Judicial Region.

Rule 3

FILING AND ASSIGNMENT OF ACTIONS

Rule 3.1 APPLICATION

These rules shall apply to cases pending before the 451st and 498th District Courts of Kendall County (collectively referred to as the District Courts) and the Constitutional County Court of Kendall County (hereafter, County Court) beginning on October 1, 2025. On such date, all cases are ORDERED TRANSFERRED, as required, in the manner delineated in Rule 3 of this Local Rule.

- 3.1.1 **ASSIGNMENT OF CASES TO THE COUNTY COURT FROM THE KENDALL COUNTY CLERK:**
The Kendall County Clerk shall assign the following cases to the County Court:
 - a. Uncontested probate cases; and
 - b. Guardianship cases.
- 3.1.2 **ASSIGNMENT OF CASES TO THE 498th DISTRICT COURT BY THE KENDALL COUNTY CLERK:**

- a. Class A and Class B misdemeanor cases;
- b. Juvenile cases;
- c. Traffic cases appealed from the justice courts and the municipal courts;
- d. Criminal cases appealed from the justice courts and the municipal courts; and
- e. All other matters where the County Court and District Court have concurrent jurisdiction, that are not otherwise assigned to the County Court.

3.1.3. ASSIGNMENT OF CASES TO THE 498th DISTRICT COURT FROM THE KENDALL COUNTY DISTRICT CLERK:

a. All odd numbered family causes that exist as of September 30, 2025 will be re-assigned to the 498th District Court. Beginning on October 1, 2025, all newly filed family causes will be randomly assigned through the District Clerk's case management software so that each odd numbered cause will be automatically assigned to the 498th District Court.

1. For purposes of this Order, the term "family causes" include, but are not limited to, divorce, annulment, suits affecting parent child-relationship, minority disability removal when there is no court of continuing jurisdiction, child support when there is no court of continuing jurisdiction, paternity cases, applications for protective orders and all matters incident to or originating from such cases.

2. All pending cases in the 451st and the 498th District Court will remain in that court until conclusion of that pending issue. Any motions to modify, motions to enforce, or new actions in such case will be reassigned to either District Court as set forth in this Order.

b. All odd numbered civil causes that exist as of September 30, 2025 will be re-assigned to the 498th District Court. Beginning on October 1, 2025, all newly filed civil causes will be randomly assigned through the District Clerk's case management software so that each odd numbered cause will be automatically assigned to the 498th District Court.

1. For purposes of this Order, the term "civil causes" include, but are not limited to, suits involving injury or damage, real property, contract, civil cases relating to criminal matters, tax issues and all other cases involving civil related issues. All pending cases in the 451st and the 498th District Court will remain in that court until conclusion of the matter.

- c. All applications for occupational driver's licenses; and
- d. All eviction cases appealed from the justice courts; and
- e. All other matters where the County Court and District Court have concurrent jurisdiction, that are not otherwise assigned to the County Court.

3.1.4. ASSIGNMENT OF CASES TO THE 451st DISTRICT COURT FROM THE KENDALL COUNTY DISTRICT CLERK:

a. All even numbered family causes that exist as of September 30, 2025 will be re-assigned to the 451st District Court. Beginning on October 1, 2025, all newly filed

family causes will be randomly assigned through the District Clerk's case management software so that each even numbered cause will be automatically assigned to the 451st District Court.

1. For purposes of this Order, the term "family causes" include, but are not limited to, divorce, annulment, suits affecting parent child-relationship, minority disability removal when there is no court of continuing jurisdiction, child support when there is no court of continuing jurisdiction, paternity cases, applications for protective orders and all matters incident to or originating from such cases.

2. All pending cases in the 451st and the 498th District Court will remain in that court until conclusion of that pending issue. Any motions to modify, motions to enforce, or new actions in such case will be reassigned to either District Court as set forth in this Order.

b. All even numbered civil causes that exist as of September 30, 2025 will remain in the 451st District Court. Beginning on October 1, 2025, all newly filed civil causes will be randomly assigned through the District Clerk's case management software so that each even numbered cause will be automatically assigned to the 451st District Court.

1. For purposes of this Order, the term "civil causes" include, but are not limited to, suits involving injury or damage, real property, contract, civil cases relating to criminal matters, tax issues and all other cases involving civil related issues. All pending cases in the 451st and the 498th District Court will remain in that court until conclusion of the matter.

c. All applications for occupational driver's licenses; and

d. All eviction cases appealed from the justice courts; and

e. All other matters where the County Court and District Court have concurrent jurisdiction, that are not otherwise assigned to the County Court; and

f. All felony causes.

Rule 3.2 TRANSFER OF CASES FROM THE COUNTY COURT TO THE 498th JUDICIAL DISTRICT COURT

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 498th District Court:

a. Probate cases; and

b. Guardianship cases; and

c. Any other matter in which the District Court has concurrent jurisdiction with the County Court.

Rule 3.3 TRANSFER OF CASES

All District Court cases may be transferred between the 451st and the 498th District Court. However, a case may not be transferred without the consent of the Judge of the Court to which it is to be transferred except as directed by the Regional

Presiding Judge.

Rule 3.4 COOPERATION BETWEEN DISTRICT COURT BENCHES

A Judge of the 451st District Court and/or the 498th District Court may sign any Judgment or Order in either District Court, regardless of where the case is pending or whether the case is transferred. The Judgment, Order, or action is valid and binding as if the case were pending in the court of the District Judge who acts in the matter. Each Judgment and Order shall be entered in the Minutes of the Court in which the case is pending.

Rule 3.5 CONFLICT OF SETTINGS

In the event of a conflict of setting between the Courts of Kendall County, such conflict shall be resolved pursuant to Rule 10 of the Sixth Administrative Judicial Region of Texas. In the event of a conflict between a non-jury and jury setting, the jury setting shall have priority.

**Rule 4
JURY MANAGEMENT**

Rule 4.1 MANAGEMENT OF JURY

All jury panels are comprised by computerized random selections and a jury shuffle shall be automatic without necessity of demand.

4.1.1 The following jury panels are managed by the Kendall County Clerk;

- a. Class A and Class B misdemeanor cases;
- b. Juvenile cases;
- c. Traffic cases appealed from the justice courts and the municipal courts;
- d. Criminal cases appealed from the justice courts and the municipal courts;
- e. Probate cases; and
- f. Guardianship cases.

4.1.2 All other jury panels are managed by the Kendall County District Clerk.

**Rule 5
ADOPTION - AMENDMENT - NOTICE**

Rule 5.1 PROCEDURE FOR ADOPTION AND AMENDMENT OF LOCAL RULES

5.1.1 ADOPTIONS

These Rules are adopted pursuant to the adoption clause, *infra*.

5.1.2 AMENDMENTS

These Rules shall be reviewed beginning January 1, 2026 and thereafter with each election of the Local Administrative District Judge as delineated herein. These Rules may be amended in keeping with changes in the law, logistical problems and for other reasons as may be determined by the respective courts in keeping with the best interest of justice. Any amendment shall be voted on by the district court judges. A simple majority is required for any amendment to prevail. In the case of a tie, the Regional Presiding Judge shall cast the deciding vote. All amendments will be published pursuant to these rules.

Rule 5.2 ADOPTION OR AMENDMENT BY LOCAL ADMINISTRATIVE JUDGE

(a) The Local Administrative District Judge shall perform such duties as may be required by law, pursuant to Tex. Gov't Code § 74.092.

(b) These Rules may, from time to time, be temporarily altered or suspended by the Local Administrative District Judge pursuant to other law (e.g., Texas Gov't Code § 22.0035) or Texas Supreme Court Order. However, such temporary suspensions or amendments shall be published on the District Clerk's website and made available in the District Clerk's office during normal business hours.

Rule 5.3 NOTICE AND PUBLICATION OF RULES

These Local Rules of Administration and Procedure shall be published pursuant to Texas Rule of Civil Procedure 3a, Texas Rule of Appellate Procedure 1.2, and Texas Rule of Judicial Administration 10. The District Clerk shall publish a copy of these Rules on the District Clerk's website and make them available for download at no cost and copies shall at all times be available through the Kendall County District Clerk's Office, Boerne, Texas, 78006.

Rule 5.4 LOCAL PRACTICES NOT PUBLISHED IN THESE RULES

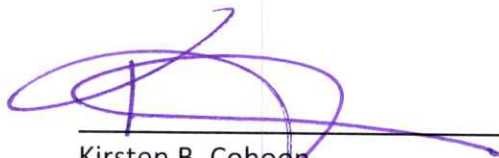
(a) The Local Rules of Administration and Procedure for the 451st and the 498th Judicial District Court of Kendall County, Texas, are adopted by authority granted to District Courts under Texas Gov't Code §74.092 and §74.093, the Texas Rules of Civil Procedure; the Rules of Judicial Administration, the Supreme Court of Texas and are supplemental to the Rules of Procedure adopted by the Texas Supreme Court, the Texas Rules of Civil Procedure, the Texas Family Code, the Texas Estates Code and the Texas Code of Criminal Procedure, and have been approved by the Local Administrative Judge of Kendall County, Texas and the Kendall County Special Committee.

(b) No Court may adopt a rule of practice or procedure in conflict with these Rules, but may adopt additional practice or procedure rules, at the discretion of the presiding judge. Any additional practice or procedures must be in writing and filed with the District Clerk's office, shall be published on the District Clerk's website, and

shall be made available in the District Clerk's office during normal business hours.

ADOPTED AND ENTERED pursuant to the Texas Court Administration Act this the 25th day of September, 2024 and effective on the 1st day of October, 2025

Signed: October 1, 2024

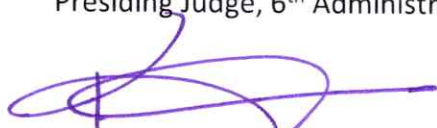


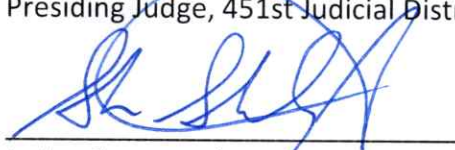
Kirsten B. Cohoon,

Pursuant to Tex. Gov't Code § 74.092(a)(2): THESE LOCAL RULES OF ADMINISTRATION & PROCEDURE FOR THE 451ST AND 498TH JUDICIAL DISTRICT COURTS OF KENDALL COUNTY, TEXAS were approved by a unanimous vote of the Kendall County District Court Special Committee.

Those Voting in Favor were:



Judge Stephen Ables
Presiding Judge, 6th Administrative Region

Judge Kirsten Cohoon
Presiding Judge, 451st Judicial District Court

Judge Shane Stolarczyk
Constitutional County Judge, Kendall County

Susan Jackson
Kendall County District Clerk

Denise Maxwell
Kendall County County Clerk

Those Opposed were:

Judge Stephen Ables
Presiding Judge, 6th Administrative Region

Judge Kirsten Cohoon
Presiding Judge, 451st Judicial District Court

Judge Shane Stolarczyk
Constitutional County Judge, Kendall County

Susan Jackson
Kendall County District Clerk

Denise Maxwell
Kendall County County Clerk