

DEC 4 2025

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

Betty Herriage
District Clerk
Henderson County, Texas

Deputy

Three District Courts have jurisdiction in Henderson County, Texas; to wit:

3rd Judicial District
173rd Judicial District
392nd Judicial District

Two County Courts at Law have jurisdiction in Henderson County, Texas; to wit:

County Court at Law
County Court at Law 2

These Rules are promulgated jointly by the judges of the District and County Courts at Law of Henderson County, Texas to govern the administration and allocation of cases filed with the District Clerk. Rule three has been promulgated to comply with Tex. H.B. 16, 89th Leg., 2d C.S. (2025).

RULE 1- FAMILY CASES FILED WITH THE DISTRICT CLERK

A. Docketing and Assignment of Filed Cases: All family cases filed in Henderson County shall be filed with the District Clerk. **Family cases shall NOT be filed with the County Clerk.** The District Clerk shall assign and docket these cases among the 173rd District Court, 3rd District Court, County Court at Law, and County Court at Law 2, in accordance with the procedures set forth below:

1) *Assignment by Ratio*: The District Clerk shall assign family cases by lot in accordance with the following ratio:

- a) Forty percent (40%) to the 173rd District Court;
- b) Ten percent (10%) to the 3rd District Court;
- c) Twenty-five percent (25%) to the County Court at Law; and
- d) Twenty-five percent (25%) to the County Court at Law 2.

2) *Case Numbering and Filing Sequence*: All family cases filed with the District Clerk shall be assigned in numerical sequence based on the order of filing. Each case shall receive a unique cause number formatted as follows:

- a) Case Type Code: ("FAM" for family cases, and "JUV" for juvenile cases), followed by the last two digits of the calendar year, a dash (-), a four-digit sequential number beginning with 0001 each January, another dash (-), and the court identifier (District Court or County Court at Law) to which the case is assigned. Each court shall maintain its own independent sequential numbering system, so the cause numbers assigned in one court are not duplicated in another. *See Table 1 for Illustration.*

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

RULE 2 – NON-FAMILY AND NON-CRIMINAL-RELATED CIVIL CASES FILED WITH THE DISTRICT CLERK

A. Docketing and Assignment of Filed Cases: All non-family and non-criminal-related civil cases filed with the District Clerk 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) *Assignment by Ratio*: The District Clerk shall assign all non-family and non-criminal-related civil cases by lot in accordance with the following ratio:
 - a) Twenty percent (20%) to the 3rd District Court; and
 - b) Eighty percent (80%) to the 173rd District Court.
- 2) *Case Numbering and Filing Sequence*: All non-family and non-criminal-related civil cases filed with the District Clerk shall be assigned in numerical sequence based on the order of filing. Each case shall receive a unique cause number formatted as follows:
 - a) Case Type Code: (“CV” for non-tax cases 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, another dash (-), and the court identifier (District Court) to which the case is assigned. Each court shall maintain its own independent sequential numbering system, so the cause numbers assigned in one court are not duplicated in another. *See Table 1 for Illustration.*

Examples: CV25-0001-173, 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 assignment. However, if the original case was assigned to the 392nd District Court and is not a criminal-related civil case, 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 judge.
- D. Transfer of Cases Between Courts: To promote the efficient distribution of cases, the District Judges may, from time to time, transfer individual cases or categories of cases from one District Court to another.
- E. Hearing of Cases by Other District Judges: The three District Judges may hear matters in each other’s courts without requiring a formal transfer of the case.
- F. Bills of Review: Cases involving a Bill of Review shall be assigned to the District Court that rendered the original judgment being challenged.
- G. Applications for Protective Orders: Applications for Protective Orders shall be assigned in accordance with the procedures in Section A. above, UNLESS, the applicant and respondent are parties to a family case or the application is filed in relation to a criminal case. If the applicant and the respondent are parties to a family case, the application shall be filed and assigned in the court in which the family case is pending. If the application is filed in relation to a criminal case, the application shall be filed and assigned in the court in which the criminal case is pending.

RULE 3 - CRIMINAL AND CRIMINAL-RELATED CIVIL CASES FILED WITH THE DISTRICT CLERK

A. Grand Juries: The responsibility for empaneling and overseeing grand juries shall be shared between the 392nd and 3rd District Courts.

1) Rotation of Grand Jury Responsibility:

- a) The 392nd District Court shall conduct two consecutive six-month grand jury terms; and
- b) The 3rd District Court shall then conduct one six-month grand jury term.

2) This three-term rotation shall continue in the same sequence unless otherwise agreed upon by the District Judges.

3) Indictments returned by the grand jury shall be filed in the court that empaneled the grand jury returning the indictment.

B. Docketing and Assignment of Filed Cases: All indictments returned by the Grand Jury and all criminal and criminal-related civil cases filed with the District Clerk shall be assigned and docketed to either the 392nd District Court or the 3rd District Court, regardless of which court empaneled the grand jury that returned the indictment. Assignments shall be made by the District Clerk in accordance with the following procedures:

1) Assignment by Ratio: The District Clerk shall assign criminal and criminal-related civil cases by lot in accordance with the following ratio:

a) Cases Not Involving the Offense of Murder or Capital Murder:

- (1) Twenty percent (20%) to the 3rd District Court; and
- (2) Eighty percent (80%) to the 392nd District Court.

b) Murder and Capital Murder Cases:

- (1) Murder and Capital Murder cases shall be assigned based on the date of offense, using a rolling 4-to-1 rotation: Under this rotation, the first four cases shall be assigned to the 392nd District Court, and every fifth case shall be assigned to the 3rd District Court.

2) Case Numbering and Filing Sequence: All criminal and criminal-related civil cases filed with the District Clerk shall be assigned in numerical sequence based on the order of filing. Each case shall receive a unique cause number formatted as follows:

- a) Case Type Code: (“CR” for criminal cases and “CRC” for criminal-related civil cases), followed by the last two digits of the calendar year, a dash (-), a four-digit sequential number beginning with 0001 each January, another dash (-), and the court identifier (District Court) to which the case is filed. Each court shall maintain its own independent sequential numbering system, so the cause numbers assigned in one court are not duplicated in another. *See Table 1 for Illustration.*

Examples: CR25-0001-392, CRC25-0001-3

- C. Seizure Cases: Felony cases associated with a TX CCP Chapter 59 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. Application for Protective Order Cases: Applications for Protective Orders filed in relation to a felony case shall be filed and assigned to the District Court in which the indicted or filed case is assigned.
- F. 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 file and assign the re-filed or re-indicted case to the same District Court as the original assignment. However, if the original case was assigned to the 173rd District Court, the re-filed or re-indicted case shall be filed and assigned to either the 392nd or the 3rd District Court in accordance with the provisions set forth in section B. above.



Judge Mark Calhoon (Dec 4, 2025 11:57:35 CST)

Judge Mark Calhoon, 3rd Judicial District Court

Dec 4, 2025

Date



R. Scott McKee (Dec 3, 2025 15:04:21 CST)

Judge R. Scott McKee, 392nd Judicial District Court

Dec 3, 2025

Date



Clinton Davis (Dec 3, 2025 15:17:53 CST)

Judge Clint Davis, 173rd Judicial District Court

Dec 3, 2025

Date



Nancy Adams Perryman (Dec 4, 2025 08:47:58 CST)

Nancy Perryman, County Court at Law 2

Dec 4, 2025

Date



Judge Scott Williams (Dec 4, 2025 08:55:21 CST)

Judge Scott Williams, County Court at Law

Dec 4, 2025

Date

Table 1 (Cause Number Formatting)

"CV" for Civil "CR" for Criminal "FAM" for Family "JUV" for Juvenile "TAX" for Tax "CRC" for Civil related to Criminal	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 or CCL or CCL2
JUV	25	0001	3 or 173 or CCL or CCL2
TAX	25	0001	3 or 173
CR	25	0001	3 or 392
CRC	25	0001	3 or 392