

# 246th, 247th, 308th, 310th, 312th, and 507th District Courts’ Joint Policies and Procedures

## 1. Policies and Procedures Incorporated by Reference

Additional supplemental instructions and policies are published on each court’s website and scheduling platform.

## 2. Scheduling Information for the 246th

### 2.1. Scheduling

Matters can be scheduled for oral hearings or consideration by submission by emailing [246hearings@justex.net](mailto:246hearings@justex.net).

### 2.2. Contested Matters

Contested trials and hearings will be heard in-person unless prior arrangements for remote appearance ([Zoom](#)) have been made.

## 3. Scheduling Information for the 247th and 308th

### 3.1. Online Scheduling for Oral Hearings and Submissions

Non-trial settings must be scheduled using the online scheduling system available on each court’s website.

### 3.2. Trial Settings

In accordance with the standard scheduling order, trial dockets are called virtually (via Zoom). After the parties have made their announcements, the court will give further instruction as to whether trial will proceed virtually or in-person.

### 3.3. Signing Box

Select “Signing Box” in the online scheduling system to call the court’s attention to orders that are ready for signing.

### 3.4. Availability

Frequently check the scheduling system as dates/times may become available throughout the week as settings are passed or canceled.

## 4. Scheduling Information for the 310th, 312th, and 507th

### 4.1. Online Scheduling

Except for CPS hearings and final trials, all hearing dates for e-filed motions must be scheduled through the e-hearing system available through the District Clerk's website. For non-electronically filed motions by self-represented litigants, the party should contact the Court Clerk to schedule a hearing.

[CLICK HERE TO LEARN HOW TO SCHEDULE YOUR EHEARING.](#)

## **4.2. Contested Matters**

Contested trials and hearings will be heard in-person unless prior arrangements for remote appearance ([Zoom](#)) have been made.

## **5. General Docket Information**

### **5.1. Proving Up an Agreed Order**

An agreed order may be proven up by any method permitted by the specific court, including Zoom, in-person, or by filing an affidavit or unsworn declaration. Sample affidavits and declarations are available on the courts' websites through links provided by the Harris County Law Library. Agreed orders generally do not need to be set for submission unless they are contested or missing signatures from a party or their counsel.

### **5.2. Dismissals for Want of Prosecution**

The 246th and 507th dismissal for want of prosecution (“DWOPs”) are set on the court’s DWOP docket (oral hearing will be held). The 247th, 308th, 310th, and 312th DWOPs are set on the court’s submission docket (no oral hearing will be held).

- If a respondent has not appeared, a case may be dismissed unless a return of service or a properly executed waiver is on file before the dismissal date.
- If all respondents have appeared, the case may be dismissed unless: (1) the case has been settled and proven-up before the dismissal date, (2) trial has been set and approved to occur within 90 days of the dismissal date, or (3) before the dismissal date, a motion to retain has been granted by the court.

### **5.3. Monitoring the Docket Sheet**

It is the responsibility of the parties to monitor the case docket sheet for the court’s rulings. Docket sheets are available through the Case Search function on the [Harris County District Clerk’s website](#).

## **6. General Policies for Hearings**

### **6.1. Late Calls**

If you are running late for a hearing, email the “late” email address listed on the court’s website with a copy to all counsel or self-represented litigants. Tardiness, without reasonable excuse, will result in the duration of the delay being deducted from the tardy party's time in the hearing.

### **6.2. Mediation**

Mediation is required before all temporary order hearings and final trials, unless waived by the court.

### **6.3. Time Limits**

#### Temporary Orders

Where there are no contested parent-child issues, the hearing is limited to 1.5 hours total. When parent-child issues are contested, the hearing is limited to 3 hours total. Time will be evenly allocated between the parties with an allotment for 1-2 short breaks.

In the 310th and 312th, *ALL* hearings for temporary orders shall be limited to 45 minutes per side.

## Final Trial

The parties will be limited to the amount of time reserved for trial when scheduling, with the time evenly allocated between the parties or as otherwise equitably allocated by the court.

### **6.4. Exhibits**

#### Labeling and Naming

Exhibits must be pre-marked and numbered using numerals. Exhibits must be pre-marked on the document itself, and the title of each exhibit file shall correspond with the pre-marked exhibit, for example, “Petitioner Ex. 01.”

#### Exchange by Parties

For all settings, exhibits must be exchanged by the parties and sent to the Court by 2:00 p.m. the business day before the hearing. Failure to timely exchange exhibits may result in the exclusion of those exhibits. Rebuttal or impeachment exhibits that were not exchanged before the hearing must be responsive to a matter raised by the other side.

#### Providing to Court

- a. Create and email a file share link using your cloud storage service to the designated exhibit email listed on the court’s website. The subject line of the email shall state the full cause number, your party identification, and the date of the court proceeding. Do not use the share feature intended for collaboration that requires an account with that service.
- b. For property divisions involving marital estates with numerous assets or debts, include with the exhibits an editable file (i.e., .xls) containing the party’s proposed property division.

## **7. Hearings by Submission**

### **7.1. No Oral Hearing**

A matter set for consideration by submission will be considered and ruled upon without an oral hearing.

### **7.2. Motions that Must Be Set for Hearing by Submission**

The following contested motions must be set for hearing by submission (see exceptions below):

- a. Adoption evaluation;
- b. Appointment of attorney ad litem or amicus attorney;
- c. Attorney’s fees (interim fees or deposit of costs);\*
- d. Confer with child;\*
- e. Consolidate;
- f. Continuance;\*
- g. Custody Evaluation;
- h. Discovery disputes (compel discovery/deposition, motion for protection/to quash);\*\*
- i. Drug testing;\*
- j. Enter/sign order;
- k. Genetic testing;
- l. Judgment nunc pro tunc;
- m. Leave of Court;\*
- n. Mediation (compel & referral);
- o. Objection to remote/in-person proceeding;
- p. Reconsider;
- q. Reinstate;
- r. Retain;

- s. Substituted service;
- t. Summary judgment;
- u. Transfers that are not mandatory (e.g. inconvenient forum); and
- v. Withdrawal of counsel.\*

\*These motions may be set concurrently with a hearing for temporary orders, pretrial, or final trial, if insufficient time exists to set by submission before the oral hearing/trial.

\*\* These motions are considered by oral argument (not by submission) in the 246th, 310th, 312th, and 507th District Court.

### **7.3. Notice**

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.

### **7.4. Responses**

Must be filed and served at least 3 days before the submission date, or earlier if required by statute or rule.

## **8. Entries**

### **8.1. Temporary/Interim Orders**

Entry dates on Temporary/Interim Orders will be set by the Court in its rendition or at an oral announcement of an agreement.

### **8.2. Final Orders**

Entry dates on final orders will be set by the Court in its rendition or at an oral prove-up of an agreement. Failure to enter the order before that date may result in dismissal of the case.

### **8.3. Contested Entries**

Movant must attach a proposed order to the motion to enter (do not mark with exhibit label) and the proponent must sign indicating approval as to form. Nonmovant must attach markup identifying proposed edits and a clean copy signed indicating approval as to form.

In the 308th and 310th—Contested entry is considered by submission.

In the 246th, 247th, 312th, and 507th—Contested entry is heard by oral argument by any method permitted by the specific court, including Zoom, in-person, or hybrid.

### **8.4. Uncontested Entries**

If the order has all signatures, file the proposed order before your entry date for the judge's signature.

## **9. Temporary Orders and Final Trial**

### **9.1. Local Rules**

The parties shall comply with the applicable provisions of the Rules of the Judicial District Courts of Harris County, Texas Family Trial Division, including but not limited to Rule 4, Disclosure of Property, and Financial Information.

## **9.2. Temporary Injunctions**

The parties are encouraged to agree to standard mutual injunctions and it is the policy of the court to grant these to maintain the status quo of the parties.

## **9.3. Time Standards for Disposition**

Rule 6 of the Texas Rules of Judicial Administration provides time standards for the disposition of cases.

## **9.4. Scheduling Trial**

Trial dates will be set by the court in automatically generated scheduling orders. You may also contact the court coordinator to request that a scheduling order be generated.

## **10. Trial by Default**

### **10.1. No Answer**

If the respondent has not filed an answer or appeared in the case, a certificate of last known address and nonmilitary affidavit/declaration must be on file before trial.

### **10.2. Inventory and Appraisal Required**

In all divorces, a sworn inventory and appraisal must be pre-marked and submitted as an exhibit before the trial by default begins. (See Rule 6.4, above.)

## **11. Pretrial Conferences**

Pretrial conferences are required only for the following matters: jury trials; adoptions; terminations; and suits requesting special immigrant status findings (i.e. SIJS). Prior to the pre-trial conference for a jury trial, the parties must complete all actions identified in the Pretrial Conference Checklist (See Court's website).

Failure to attend pretrial may result in the suit being dismissed for want of prosecution. Other matters may be set for a pretrial conference on a case-by-case basis if requested by the court or by the parties.

## **12. Court Appointments**

### **12.1. Wheel**

Wheels are used for appointments where the parties are not in agreement, although the court may deviate from the wheel for good cause if permitted by statute.

### **12.2. Applications for Inclusion**

Counsel wanting to be placed on a wheel shall send the application located on the court's website to [Melissa\\_Love@justex.net](mailto:Melissa_Love@justex.net).

## **13. Birth or Adoption of Child**

The birth or adoption of a child by lead counsel shall create a rebuttable presumption that a 90-day continuance should be granted upon request.