

RULES OF 414TH DISTRICT COURT

Judge Ryan A. Luna
501 Washington Ave., Room 307
Waco, Texas 76701
Phone: (254) 757-5053
E-mail: 414th@mclennan.gov

These rules are in addition to the Local Rules for the District Courts in McLennan County.

1. The court will call the docket at 9:00 a.m. and 1:30 p.m. each day, except for Monday mornings when juries are being impaneled. Attorneys and their clients are expected to be present and on time for docket call.
2. Hearings can be scheduled at specific times if necessary. The attorney will need to discuss the specifics with the Court Administrator to allow for a special setting. Generally, the court will not send hearing notices. Upon setting a motion or other matter for hearing, a party must serve notice on all other parties in written or other verifiable form, within one business day of receipt of such setting.
3. Subject to the requirements of Texas Rule of Civil Procedure 21d, the court encourages the use of Zoom hearings for matters that are uncontested or require only argument of counsel without the presentation of evidence or testimony. Zoom hearings may also be considered under limited circumstances where an attorney, a party, or a potential witness resides more than 50 miles from Waco. Zoom hearings may be considered for other matters in the discretion of the court for good cause shown. The electronic device used to access a Zoom hearing for any participant must reflect the participant's given name or they will not be allowed in the hearing. **The Zoom I.D. for the 414th is 733-427-1433.**
4. The court will allow telephone hearings under limited circumstances. The attorneys will need to confirm with the administrator before scheduling any such hearing. It will be the requesting attorney's responsibility to initiate any conference call necessary.
5. Settings (hearings/trials) must be scheduled through the Court Administrator's office, via phone or email. When requesting a setting, the attorney requesting the date should confer with opposing counsel before scheduling. At the time settings are scheduled, a realistic estimate of total time should be given to the administrator. If cancellations are necessary, the administrator needs to be advised as soon as possible, either by phone or e-mail.
6. In all discovery disputes, the attorneys must attempt to resolve through discussion before seeking a hearing with the court and a certificate of conference must be attached to any discovery motion. If no certificate of conference is attached, no hearing will be set. The certificate of conference must be complete prior to setting the hearing, or it will not be considered.
7. Any order for the court's consideration must be e-filed as a proposed order or be presented to the court administrator prior to submission to the Judge. E-mail proposed orders to: 414th@mclennan.gov.

8. Exhibits may be e-mailed to the Court Reporter and Court Administrator prior to the hearings. However, they must be clearly marked with exhibit labels and must be exchanged at least 48 hours before any hearing. Any deadline contained in these rules does not alter any deadlines established by the Texas Rules of Civil Procedure or other law.
9. Once a trial date is set, the pre-trial hearing will be held on Friday, 10 days before the trial date, unless the court requires a different date. Any scheduling order shall require the exchange and filing, if required by rule or statute, of all pre-trial materials before the date of the pre-trial hearing. For purposes of this rule, “pre-trial materials” include fact witness lists, expert witness lists, motions in limine, designations and cross-designations of deposition excerpts, objections to designations and cross-designations of deposition excerpts, Daubert or other motions challenging expert testimony and proposed jury charges.
10. The parties must be prepared to present objections regarding pre-trial materials other than proposed jury charges and respond to such objections at the pre-trial hearing. Any exhibits that can be agreed on should be agreed on before the pre-trial hearing. Attorneys must e-mail their requested proposed jury charges in Microsoft Word format to the Court Administrator. **PURSUANT TO RULE 165a AND THE COURT’S INHERENT POWER, FAILURE TO APPEAR FOR A PRE-TRIAL HEARING MAY RESULT IN CLAIMS FOR AFFIRMATIVE RELIEF BEING DISMISSED FOR WANT OF PROSECUTION.**
11. The court will make every reasonable effort to ensure that each case filed is brought to trial or final disposition in conformity with the time standards adopted by Rule 6 of the Supreme Court Rules of Judicial Administration. The court will be instituting a dismissal docket for inactive cases, and a trial setting will be necessary to maintain the case on the court’s docket once a dismissal notice is sent.
12. In divorce cases involving children and in Original Suits Affecting the Parent Child Relationship, parties must attend either the Seminar for Divorcing parents or Co-Parenting Course/Shared Parenting Course and file their certificate before a final hearing will be set.
13. Mediation is required before all final orders hearings lasting longer than two (2) hours. Failure to mediate may not be used as an excuse to avoid a final orders hearing. Exceptions may be made in certain cases. Parties seeking an exception must file a verified motion with a certificate of conference. Failure to mediate before trial may result in imposition of sanctions, as permitted by law.
14. The court encourages attorneys to represent qualified clients on a *pro bono* basis. An attorney representing a pro bono client on a matter set for hearing on a docket containing multiple other cases, may inform the court of his or her pro bono representation, in which event the court will make every reasonable effort to give that matter priority, subject to the other scheduling needs of the court.