C-1-PB-17-000002

Administrative Order	§	In the Probate Court
	§	Number One
2017-5	§	Travis County, Texas

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DANA DeBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

Standing Order Referring Matters to Associate Judge

Under Texas Government Code Section 54A.204, this Court has appointed an associate judge to perform the duties authorized by Texas Government Code Chapter 54A, Subchapter C. Texas Government Code Section 54A.207 authorizes the Court to refer to an associate judge any aspect of a suit over which the probate court has jurisdiction, including any matter ancillary to the suit.

Matters referred.

Under Texas Government Code Section 54A.208(a) and through this omnibus standing order, this Court refers to any associate judge appointed to serve in this Court any class and type of case over which the probate court has jurisdiction, including any aspect of a suit and any matter ancillary to the suit.

Objection to assignment of Associate Judge to hear trial on the merits

Under Texas Government Code Section 54A.207, a party may file an objection to the assignment of an associate judge to hear any trial on the merits. A trial on the merits is any final adjudication from which an appeal may be taken to a court of appeals. If a party objects to an associate judge hearing a trial on the merits or presiding at a jury trial, the party must file an objection no later than the 10th day after the date the party receives notice that the associate judge will hear the trial. ***A person filing an objection must also deliver a copy of the objection to all parties and to the Probate Court Administrator on the day the objection is filed with the County Clerk.*** If an objection is filed, the referring court will hear the trial on the merits or preside at a jury trial.

Right to de novo appeal

Under Texas Government Code Section 54A.213, an associate judge must give all parties notice of the right to a de novo hearing before the referring court. Notice is given in this Standing Order, and notice is posted on the bulletin board outside the courtroom of the Travis County Probate Court. Before the start of a hearing by an associate judge, a party may waive the right to a de novo hearing before the referring court in writing or on the record. ***Any person requesting a de novo hearing before the referring Court as permitted by Texas Government Code Section 54A.216 must also deliver a copy of the request to the Probate Court Administrator on the day the request is filed with the County Clerk.***

Signed November 29, 2017.

Guy Herman, Presiding Judge