

**THE DISTRICT COURTS OF BRAZORIA COUNTY, TEXAS**  
**LOCAL RULES OF ADMINISTRATION**

**FILED**  
At \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
**DEC 28 2022**  
*Donna Stasko*  
Clerk of District Court Brazoria Co., Texas  
By \_\_\_\_\_ DEPUTY

**RULE 1. EQUALIZING CASELOADS AND DIVIDING THE DOCKET**

**1.1 Family Law Cases.** Family law actions shall be filed as follows:

**1.1.1.** 45% in the 300<sup>th</sup> District Court and 55% in the 461<sup>st</sup> District Court on a pro rata basis.

**1.1.2** All CPS cases shall be filed in the 300<sup>th</sup> District Court.

**1.1.3** Any conflict with an attorney or party with the District Judge presiding over a family case will result in the case being transferred by docket entry to the other District Court presiding over family cases with the consent of the District Judge.

**1.2 Tax Cases.** All actions for recovery of ad valorem taxes shall be filed in the 239<sup>th</sup> District Court.

**1.3 Inmate Civil Cases.** All actions filed by inmates pursuant to Chapter 14 of the Texas Civil Practice and Remedies Code shall be filed in the 412<sup>th</sup> District Court.

**1.4 Other Civil Cases.**

**1.4.1** All civil cases (other than Family Law, Tax, and Inmate Civil Cases) shall be filed on a pro rata basis among three (3) District Courts as follows:

**1.4.1.1** 33.33% in the 149<sup>th</sup> District Court;

**1.4.1.2** 33.33% in the 239<sup>th</sup> District Court; and

**1.4.1.3** 33.33% in the 412<sup>th</sup> District Court.

**1.4.2** The District Clerk of Brazoria County shall assign by lot (using a system approved by the Presiding Judge) all such cases according to the above stated percentages. Assignment to a specific court shall be determined and made after a case has been filed.

**1.5 Criminal Cases.**

**1.5.1** All criminal cases involving defendants charged with criminal offenses occurring on the premises of, or while under the authority of, the Texas Department of Criminal Justice (the TDCJ Docket) shall be filed in the 412<sup>th</sup> District Court.

- 1.5.2** All capital murder cases shall be assigned by the Presiding Judge for the District Courts of Brazoria County, Texas. All other murder cases shall be on a rotating basis.
- 1.5.3** All felony cases, except for the TDCJ Docket, murder cases, and Capital murder cases shall be filed on a pro rata basis among five (5) District Courts as follows:
- 1.5.3.1** 20% in the 149<sup>th</sup> District Court;
  - 1.5.3.2** 20% in the 239<sup>th</sup> District Court;
  - 1.5.3.3** 20% in the 300<sup>th</sup> District Court;
  - 1.5.3.4** 20% in the 412<sup>th</sup> District Court; and
  - 1.5.3.5** 20% in the 461<sup>st</sup> District Court.
- 1.5.4** Grand Juries shall be organized and empaneled by the District Judges for District Courts, the 149<sup>th</sup> District Court, the 239<sup>th</sup> District Court, the 300<sup>th</sup> District Court, the 412<sup>th</sup> District Court, and the 461<sup>st</sup> District Court on an alternating basis as determined by the Judges.
- 1.6** **Modifications to Case Allocations.** The percentages allocated to each District Court for Civil and Criminal cases may be changed by action taken at any meeting of the Judges of the above listed District Courts at which 100% of the Judges are present and approve the new allocations or by Order signed by all District Judges.
- 1.7** **Transfers.** A matter pending in any of the above-mentioned Courts may be heard by any judge having jurisdiction, with permission of both judges involved, without necessity of a formal transfer.
- 1.8** **Central Jury Panels.** All jury panels for courts of record sitting in Brazoria County shall be assigned from a central panel as provided by law and according to the approved system on file in the office of the District Clerk.

## **RULE 2. EMERGENCIES AND SPECIAL MATTERS**

- 2.1** Except when the District Clerk's Office is not open for business due to an emergency, no application for immediate or temporary relief shall be presented to a Judge until it has been filed and assigned to a Court as provided in these Rules.
- 2.2** Whenever immediate action of a Judge is required when the District Clerk's Office is not open for business due to an emergency, the case shall, nevertheless, at the earliest practicable time be docketed and assigned to a Court as provided by these rules, and all writs and process shall be returnable to that Court.

2.3 This Rule shall not apply to actions under Chapter 262 of the Texas Family Code.

**RULE 3. JUDICIAL LEAVE**

3.1 District Court Judges may take personal vacation at any time during the year. Judicial vacations and educational events will be scheduled in advance by each District Court Judge, subject to changed conditions, and coordinated with the other District Court Judges.

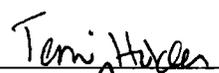
3.2 District Court Judges may take sick leave as is essential for their health and well-being.

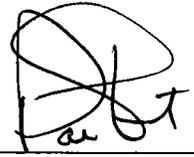
3.3 Attendance at judicial conferences is considered an official duty and as court time.

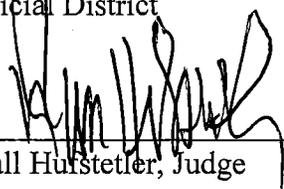
**RULE 4. RULE PROHIBITING PHOTOGRAPHING, RECORDING, AND BROADCASTING**

4.1 The taking of photographs, film, video or broadcasting of judicial proceedings in or from the courtroom, or so close thereof as to disturb the order and decorum thereof, either while court is in session or at recess, is prohibited, unless written permission is granted by the Court.

ADOPTED AND SIGNED this 27 day of December, 2022.

  
\_\_\_\_\_  
Terri Holder, Judge  
149<sup>th</sup> Judicial District

  
\_\_\_\_\_  
Patrick Sebesta, Judge  
239<sup>th</sup> Judicial District

  
\_\_\_\_\_  
K. Randall Hufstetler, Judge  
300<sup>th</sup> Judicial District

  
\_\_\_\_\_  
Justin R. Gilbert, Judge  
412<sup>th</sup> Judicial District

  
\_\_\_\_\_  
Patrick Bulanek, Judge  
461<sup>st</sup> Judicial District