

IN THE SUPREME COURT OF TEXAS

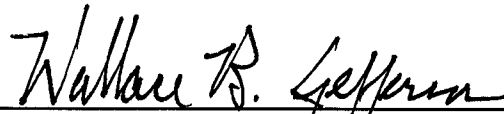
Misc. Docket No. 05- **9050**

**APPROVAL OF LOCAL RULES OF THE COUNTY COURT AT LAW,
HARRISON COUNTY, TEXAS**

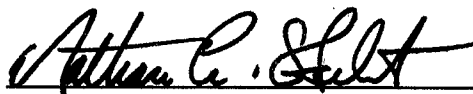
ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3, the following Local Rules of the County Court at Law, Harrison County, Texas, are approved.

In Chambers, this 7th day of March, 2005.



Wallace B. Jefferson, Chief Justice



Nathan L. Hecht, Justice



Priscilla R. Owen, Justice

Harriet O'Neill, Justice

J. Dale Wainwright

J. Dale Wainwright, Justice

Scott Brister

Scott Brister, Justice

David M. Medina

David M. Medina, Justice

Paul W. Green

Paul W. Green, Justice

**LOCAL RULES
OF
HARRISON COUNTY COURT AT LAW**

RULE 1: ADOPTION OF RULES, LOCAL ADMINISTRATION

Pursuant to the Constitutional powers and duties of the judicial authority and the State of Texas, and under the authority of Rule 3a of the Rules of Civil Procedure, the following local rules of practice and procedure are hereby adopted to govern the trial of all cases in the Harrison County Court at Law. Nothing contained in these Rules shall be construed or interpreted as interfering with the right of the trial judge to make such orders, settings, or procedural directions as in his/her discretion may be necessary and proper for the expedient and orderly dispatch of the business of the Court. These Rules are intended to be consistent with and subject to the Rules of Civil Procedure and the statutes and constitution of the State of Texas.

The County Clerk shall mail a copy of these Rules to the members of the bar association in Harrison County and to such non-resident attorneys who make appearances before this Court.

The Clerk is ordered to spread a copy of these Rules upon the minutes and to furnish a copy to the Supreme Court of Texas.

This Court will be governed by these Rules, and all attorneys are required to become familiar with these rules and be governed thereby. The Clerk of this Court has a copy of such Rules available upon request by the attorney of record, in any case pending.

RULE 2: REQUEST FOR SETTINGS

- (A) At any time after the filing of an answer upon the request of any party or the Judge's own motion, the Court Coordinator, acting upon the direction of the Judge, shall set the case for trial on the non-jury or jury docket.
- (B) When requesting a setting, the approximate length of time required for the trial shall be given in order to facilitate scheduling.
- (C) The request for a trial setting of a civil case shall be made by a telephone conference call. The party requesting the setting shall establish the conference call. The party requesting the setting shall ensure that all parties who have filed an answer are included in the conference call with the Judge for the purposes of setting the case for trial unless such parties do not wish to participate.
- (D) Criminal cases shall continue to be set at the time the case is called on the regularly scheduled arraignment docket and shall remain on the jury or non-jury docket until the case is disposed of by trial, removed from the docket with the consent of both parties, or disposed of in some other manner.

RULE 3: PRESENTMENT OF PRE-TRIAL MATTERS

Each case set for trial shall also be set for a pre-trial conference by the Court.

All pre-trial matters, motions, dilatory pleas, objections to witnesses or deposition or video tape evidence shall be heard at the pre-trial conference provided that the moving party shall have first communicated with opposing counsel to determine whether such matters will be opposed. Any such matters not presented to the Court at the pre-trial conference shall be deemed waived. Parties are expected to edit video tapes to exclude inadmissible or repetitive or irrelevant material insofar as possible.

RULE 4: JURY CHARGES

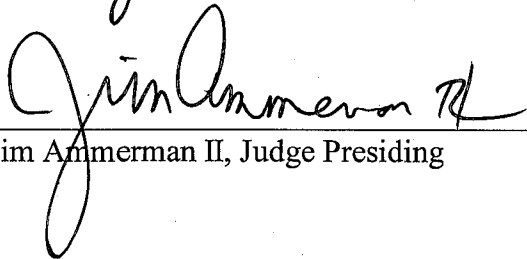
In all jury trial cases, anticipated special questions, definitions and instructions shall be submitted to the Court in writing at or prior to the beginning of the trial. If a party fails to submit a proposed charge, the Court may re-set the case to another date.

RULE 5: APPOINTMENT OF COUNSEL

The Court will follow the Harrison County Indigent Defense Plan as promulgated by the Courts of Harrison County and approved by the Supreme Court of Texas.


These Rules are effective immediately.

Signed this 21 day of JANUARY 2005



Jim Ammerman II, Judge Presiding

Approved:



John Ovard, Presiding Judge
First Administrative Judicial Region

February 7, 2005



Judge

JIM AMMERMAN II

County Court-At-Law
Harrison County Courthouse
200 West Houston, Room 263
Marshall, Texas 75670
(903) 935-4838

Court Coordinator
Rhonda Lyons

Court Reporter
Melissa Bailey

December 30, 2004

Judge John Ovard
133 N. Industrial Boulevard, LB50
Dallas, TX 75207

Dear Judge Ovard:

Enclosed is a copy of the local rules I wish to implement. These rules are intended to affect local matters only and any matters not mentioned by these rules will be governed by the Texas Code of Criminal Procedure and the Texas Rules of Civil Procedure.

If the Supreme Court looks kindly on these proposed rules and sees fit to approve them, then kindly let me know and I will order them effective immediately.

Thank you in advance for your courtesy, and until I hear from you further, I remain

Very truly yours,

A handwritten signature in black ink that reads "Jim Ammerman II".

Jim Ammerman II
Judge Presiding

JA/rl

c: Ms. Lisa Hobbs, Rules Attorney
Supreme Court of Texas
P. O. Box 12248
Austin, TX 78711