

# IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 14-**9092**

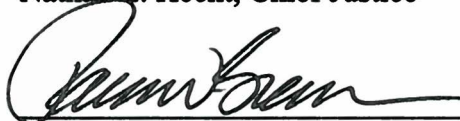
## APPROVAL OF AMENDED RULE 3.5 OF THE RULES OF THE CIVIL TRIAL DIVISION OF THE HARRIS COUNTY DISTRICT COURTS AND AMENDED RULE 9.1 OF THE HARRIS COUNTY DISTRICT JUDGES RULES OF ADMINISTRATION

**ORDERED** that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves amended rule 3.5 of the Rules of the Civil Trial Division of the Harris County District Courts and amended rule 9.1 of the Harris County District Judges Rules of Administration.

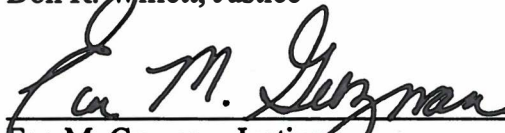
Dated: April 21, 2014.


  
Nathan L. Hecht, Chief Justice

  
Paul W. Green, Justice

  
Phil Johnson, Justice

  
Don R. Willett, Justice

  
Eva M. Guzman, Justice

  
Debra H. Lehrmann, Justice

  
Jeffrey S. Boyd, Justice

  
John P. Devine, Justice

  
Jeffrey V. Brown, Justice

Rule 3.5, Rules of the Civil Trial Division, Harris County District Courts, is amended to read as follows:

### **3.5 ANCILLARY DOCKET.**

**3.5.1 *Ancillary Docket.*** The ancillary docket consists of the following:

- a) Applications for temporary restraining orders;
- b) Motions to dissolve or modify temporary restraining orders;
- c) Motions to modify the bond for a temporary restraining order;
- d) Motions to authorize emergency medical treatment;
- e) Requests before any suit has been filed to appoint umpires or arbitrators;
- f) The following matters, when brought under Chapter 81 of the Texas Health & Safety Code:
  - i. Motions for orders of protective custody;
  - ii. Motions for orders of temporary protective custody;
  - iii. Motions for orders for temporary detention pending a hearing on a motion to modify an order for outpatient treatment;
  - iv. Appointment of attorneys for persons subject to protective custody or detention orders; and
  - v. Probable cause hearings.

**3.5.2 *Ancillary Judge.*** The Ancillary Judge is responsible for hearing all matters on the ancillary docket. Each judge will serve as Ancillary Judge for one-half of a calendar month according to a schedule adopted by the judges of the Civil Trial Division. The Ancillary Judge will be available at the courthouse on business days during regular business hours, and will provide the county switchboard with the means to locate the Ancillary Judge at all other times.

If not available to serve at any time during the term, the Ancillary Judge will designate, in writing, another judge to serve ad interim, and will notify the Administrative Judge of the Civil Trial Division, the ancillary clerk, and the county switchboard of that designation.

In the absence or unavailability of the Ancillary Judge or designee under the rule, matters requiring judicial attention will be presented to the Administrative Judge of the Civil Trial Division for ruling or assignment to another judge for ruling.

**3.5.3 *Authority to Grant Ancillary Relief.*** No judge other than the Ancillary Judge may grant ancillary relief without a written order from the Ancillary Judge or Administrative Judge of the Civil Trial Division. However, either the Presiding Judge or the Ancillary Judge may grant an extension of a temporary restraining order. In requests for ancillary relief, the Ancillary Judge shall hear the matters as “Judge Presiding” for the court in which the case is pending.

**Rule 9.1, Harris County District Judges Rules of Administration, is amended to read as follows:**

**9.1 In General.**

- 9.1.1 Each district judge in Harris County is a member of the Board of Judges.**
- 9.1.2 The Board of Judges must elect an Administrative Judge of Harris County.**
- 9.1.3 The courts of Harris County have been divided into the civil, criminal, family, and juvenile trial divisions by statutory preferences and board policy. Each trial division will elect its own Administrative Judge pursuant to its own division rules. The following 24 courts constitute the civil division: 11th, 55th, 61st, 80th, 113th, 125th, 127th, 129th, 133rd, 151st, 152nd, 157th, 164th, 165th, 189th, 190th, 215th, 234th, 269th, 270th, 281st, 295th, 333rd, 334th. The following 22 courts constitute the criminal division: 174th, 176th, 177th, 178th, 179th, 180th, 182nd, 183rd, 184th, 185th, 208th, 209th, 228th, 230th, 232nd, 248th, 262nd, 263rd, 337th, 338th, 339th, 351st. The following 10 courts constitute the family division: 245th, 246th, 247th, 257th, 280th, 308th, 309th, 310th, 311th, 312th. The following 3 courts constitute the juvenile division: 313th, 314th, 315th.**
- 9.1.4 The Administrative Judge of Harris County and the Administrative Judge of each trial division compromise the Executive Committee.**