

ORDER OF THE SUPREME COURT OF TEXAS

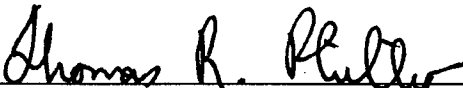
Misc. Docket No. 99- 9161

**Approval of Amendments to
Nueces County Local Rules**


IT IS ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court of Texas approves the attached amendments to the Nueces County Local Rules, Nueces County, Texas. This order is temporary pending further orders of this Court.

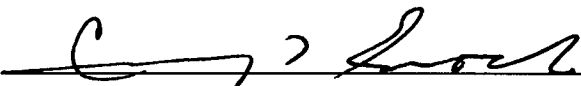
By the Court, en banc, in chambers, this 13th day of September 1999.



Thomas R. Phillips, Chief Justice



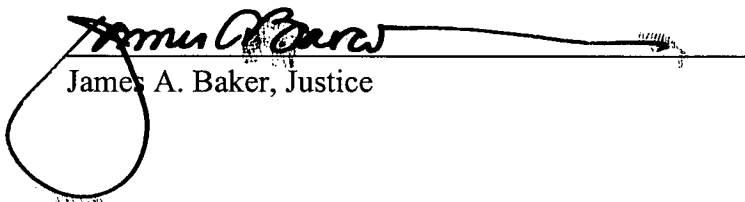
Nathan L. Hecht, Justice



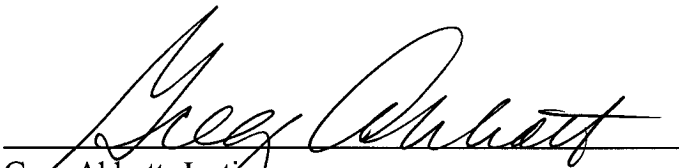
Craig T. Enoch, Justice



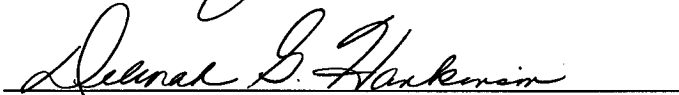
Priscilla R. Owen, Justice



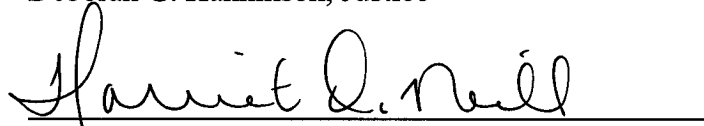
James A. Baker, Justice



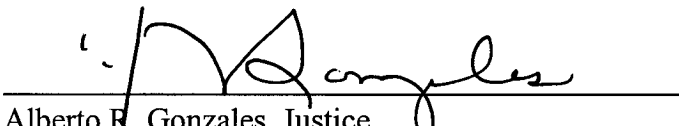
Greg Abbott, Justice



Deborah G. Hankinson, Justice



Harriet O'Neill, Justice



Alberto R. Gonzales, Justice

IN THE DISTRICT COURTS
AND COUNTY COURTS AT LAW
OF NUECES COUNTY, TEXAS
Misc. Order No. 99-_____
ORDER AMENDING
NUECES COUNTY LOCAL RULES

At a duly convened meeting of the Local Council of Judges, consisting of the Judges of the District Courts and the County Courts at Law of Nueces County, Texas held on July 28, 1999, said Council, by majority vote duly recorded in the minutes of the Council, amended Rule 2 of the Local Rules of Administration of Nueces County providing for the reassignment of cases in the District Courts and County Courts at Law of Nueces County, as follows:

Section 1. Rule 2 is amended to read as follows:

"RULE 2: ASSIGNMENT OF CASES:

A. DISTRICT COURTS

(1) The District Clerk, Clerk of all Courts, shall randomly assign all District Court nonfamily civil cases filed on or after September 1, 1999 to the District Courts ~~in the~~ following proportions: two-fifteenth (2/15) to each of the 28th, 94th, 117th, 148th, 214th, 319th and 347th District Courts, and one-fifteenth (1/15) to the 105th District Court.

(2) The District Clerk, Clerk of all Courts, shall randomly assign all family cases, other than Juvenile or child protective services cases, filed on or after September 1, 1999 to the District Courts in the following proportions: two-fifteenth (2/15) to each of the 28th, 94th, 117th, 148th, 214th, 319th and 347th District Courts, and one-fifteenth (1/15) to the 105th District Court.

(3) The District Clerk, Clerk of all Courts, shall randomly assign all District Court criminal cases filed on or after September 1, 1999 to the District Courts in equal proportions of one-eighth (1/8) each.

B. COUNTY COURTS AT LAW OTHER THAN COUNTY COURT AT LAW NO. 5

(1) The District Clerk, Clerk of all courts, shall randomly assign all County Courts at Law probate, civil, and criminal cases filed on or after September 1, 1999 to the County Courts at Law 1, 2, 3, and 4 in equal portions of one-fourth (1/4) each, except appeals from the Justice of the Peace Courts, Municipal Courts, and all past, pending, and future filed guardianships.

(2) The District Clerk, Clerk of all Courts, shall transfer all past, pending, and future criminal and civil appeals from Justice of the Peace Courts, Municipal Courts, and guardianship cases to the County Court at Law No. 5 on September 1, 1999, and thereafter file all such cases in this Court to be adjudicated and administered.

(3) The District Clerk, Clerk of all Courts, shall maintain a separate docket for all mental health cases pending or filed after September 1, 1999. Each of the County Courts at Law 1, 2, 3, 4, and 5 shall preside over the mental health case docket on a monthly rotation, beginning September 1, 1999.

(C) COUNTY COURT AT LAW NO. 5

(1) The District Clerk, Clerk of all Courts, shall transfer all juvenile cases to County Court at Law No. 5 pursuant to Section 5 (a) of H.B. 3780 on September 1, 1999, and thereafter shall file all such cases in this Court to be adjudicated and administered.

The County Court at Law No. 5 is designated and serve as the juvenile court on and after September 1, 1999. During the absence or inability of the Judge of the County Court at Law No. 5 to temporarily preside in a particular case the Local Administrative District Judge shall assign a District Judge to preside in juvenile court, otherwise V.T.C.A. Government Code subsection 25.0009 will apply.

(2) The District Clerk, Clerk of all Courts, shall transfer all pending child protective services cases to County Court at Law No. 5 on September 1, 1999, and thereafter shall file all such cases in this Court to be adjudicated.

(3) On September 1, 1999, the District Clerk, Clerk of all Courts, shall transfer all past and pending civil and criminal appeals from the Municipal Courts, and the Justice of the Peace Courts, as well as, all past and pending guardianships to County Court at Law No. 5. Thereafter all such cases are to be filed and docketed to this Court for adjudication and administration.

D. TRANSFER OF CASES PENDING ON AUGUST 31, 1999.

(1) The Local Administrative District Judge shall transfer and assign all Juvenile cases pending in the Juvenile Court on August 31, 1999 to County Court at Law No. 5.

(2) The Local Administrative District Judge shall transfer all child protective services cases pending in the 28th, 94th, 105th, 117th, 148th, 214th, 319th and 347th District Courts on August 31, 1999 to County Court at Law No. 5.

(3) The Local Administrative County Court at Law Judge shall transfer, and assign all criminal and civil appeals from Municipal

Courts, Justice of the Peace Courts and guardianship cases, past and pending in the County Courts at Law Nos. 1, 2, 3, and 4 on September 1, 1999 to County Court at Law No. 5.

E. ASSIGNMENT OF CASES PENDING APPOINTMENT OF JUDGE OF THE COUNTY COURT AT LAW NO. 5.

(1) Pending the appointment of a Judge of the County Court at Law No. 5, the Local Administrative District Judge may assign one or more District Judges to preside over Juvenile Court on a month to month basis or as necessary.

(2) Pending the appointment of a Judge of the County Court at Law No. 5, the Local Administrative District Judge shall assign the child protective services cases to the District Courts from which said cases were transferred to the County Court at Law No. 5.

(3) Pending the appointment of a Judge of the County Court at Law No. 5, the Local Administrative District Judge shall randomly assign the District Courts to all child protective services cases filed on or after September 1, 1999.

(4) Pending the appointment of a Judge of the County Court at Law No. 5, the Local Administrative County Court at Law Judge shall randomly assign the County Courts at Law to all guardianship cases filed on or after September 1, 1999.

(5) After the appointment of a Judge of the County Court at Law No. 5, the Local Administrative District Judge and the Local Administrative County Court at Law Judge shall reassign or retransfer to the County Court at Law No. 5 all cases described in this sub-rule previously assigned to a District Judge or County Court at Law Judge during the vacancy of the County Court at Law No. 5, unless the assigned District Judge or County Court at Law

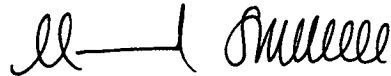
Judge elects to retain a particular case in the interest of justice.

Section 2. The amendments are effective September 1, 1999 or upon approval of the Supreme Court, whichever occurs first.

Signed on August 12, 1999 for and in behalf of the Local Council of District Judges and County Court at Law Judges of Nueces County, Texas.



Hon. Nanette Hasette
Local Administrative District Judge



Hon. Marisela Saldana
Local Administrative County
Court at Law Judge

**IN THE DISTRICT COURTS
OF NUECES COUNTY, TEXAS**

Misc. Order No. 99-_____

**PROPOSED AMENDMENT TO RULE 4 OF THE
NUECES COUNTY LOCAL RULES**

At a duly convened meeting of the Local Council of Judges of Nueces County, Texas held on February 10, 1999, said Council adopted the following amendment to Rule 4 of the Local Rules of Administration of Nueces County providing for the additional pre-trial procedures.

Section 1. Rule 4 is amended to read as follows:

"RULE 4: PRE-TRIAL PROCEDURES:

Settings for any matter to be heard by the Court may be obtained from the Court Coordinator.

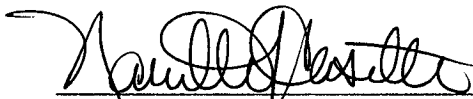
Docket control conferences, pre-trial conferences, and hearings shall be attended by the attorney for the party who is authorized to act for the party in taking those actions listed in Rule 166, **TEXAS RULES OF CIVIL PROCEDURE**.

Each case filed in Nueces County Courts at Law and District Courts shall be governed by a discovery control plan and scheduling order, **except** for Attorney General Title IV-D cases. Such plan will be determined by the filing of a Case Information Sheet provided by the District Clerk. The Case Information Sheet must be filed within 10 days of the filing of any original petition. A discovery control plan and scheduling order will not be implemented without the Case Information Sheet.

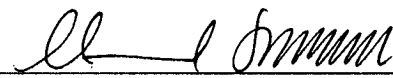
Section 2. This Order is effective upon approval of the Texas Supreme Court.

Signed on the 12 day of August, 1999 for and in behalf of the Local Council of District

Judges and County Court at Law Judges of Nueces County, Texas.



HON. NANETTE HASETTE
LOCAL ADMINISTRATIVE
DISTRICT JUDGE



HON. MARISELA SALDANA
LOCAL ADMINISTRATIVE COUNTY
COURT AT LAW JUDGE



Nanette Hasette
28th District Court Judge
Nueces County Courthouse

LINDA MARIE HARRISON
COURT COORDINATOR
(512) 888-0506

August 27, 1999

Mr. John T. Adams, Clerk
Supreme Court of Texas
Supreme Court Building
201 W. 14th Street, Room 104.201
Austin, Texas 78701

Re: Proposed Amendment of Rule 2 and Rule 4
of the Nueces County Local Rules

Dear Mr. Adams:

Under Rule 3a Texas Rules of Civil Procedure, submitted are the following three documents: (1) Order Amending Nueces County Local Rules, (2) Proposed Amendment to Rule 4 of the Nueces County Local Rules, and (3) Letter approving amendments from Judge Darrell Hester, Judge Presiding for the Fifth Administrative Judicial Region.

Your cooperation in obtaining the approval of these Orders is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Nanette Hasette", written over a horizontal line.

Nanette Hasette,
Local Administrative District Judge

Enclosures

NH/lmh

cc: Hon. Darrell Hester
Oscar Soliz, Nueces County District Clerk
File

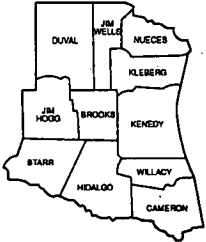


FIFTH ADMINISTRATIVE JUDICIAL REGION

DARRELL HESTER, PRESIDING JUDGE
CAMERON COUNTY COURTHOUSE
964 EAST HARRISON STREET
BROWNSVILLE, TEXAS 78520

RAUL MARTINEZ, JR.
ADMINISTRATIVE ASSISTANT
(956) 574-8160
(956) 546-0724
FAX (956) 544-0879

August 25, 1999



Mr. John T. Adams, Clerk
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

Re: Revised Rules 2 and 4, Local Rules of the Nueces County
District Courts and County Courts at Law

Dear Sir:

There has been a minor correction in the subject Local Rules.

A copy of the corrected proposed revision of Rule 2 and Rule 4 of the Local Rules of the Nueces County District Courts and County Courts at Law has been reviewed by me. I approve this revision.

Please bring this to the attention of the Court.

Yours truly,


Darrell Hester

dbh/rm

cc:

Judge Nanette Hasette
Local Administrative Judge

Judge Marisela Saldana
Local Administrative Judge



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK
JOHN T. ADAMS

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

September 14, 1999

Hon. Nanette Hasette
Admin. Judge and Judge
28th District Court
901 Leopard, Suite 803
Corpus Christi, Texas 78401

Dear Judge Hasette,

Please find enclosed, a copy of the order of the Supreme Court that temporarily approved, amendments to the local rules for Nueces County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Darrell Hester
5th Admin Judicial Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library