

IN THE SUPREME COURT OF TEXAS

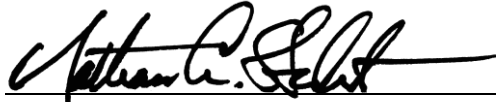
Misc. Docket No. 16-9033

APPROVAL OF LOCAL RULES FOR THE BEXAR COUNTY CIVIL DISTRICT COURTS

ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves the following local rules for the Bexar County Civil District Courts.

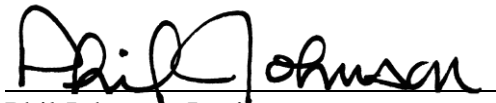
Dated: March 22, 2016



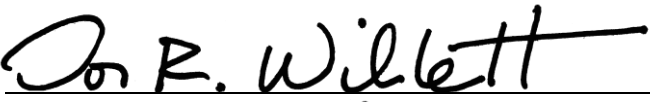
Nathan L. Hecht, Chief Justice



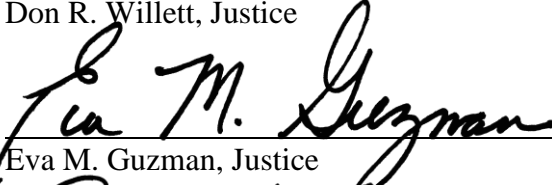
Paul W. Green, Justice



Phil Johnson, Justice



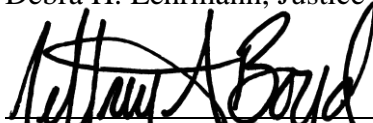
Don R. Willett, Justice



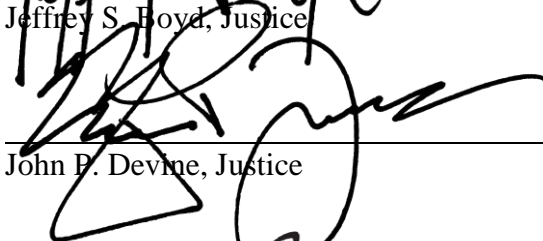
Eva M. Guzman, Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey V. Brown, Justice

PART 3
CIVIL DISTRICT COURT RULES (Revised)

1. Introduction

Every trial and hearing in civil district court is scheduled on one of the following dockets: (a) the Nonjury Docket administered by the Presiding Civil Judge; (b) the Jury Docket administered by the Monitoring Judge and the Jury Assignment Clerk; (c) the ADR docket administered by the ADR coordinator; or (d) another docket established by the Civil District Judges.

2. Allocation of Judges

The civil district judges rotate monthly as Presiding Civil Judge ["Presiding Judge"]. Each week a fixed number of judges, as determined by the Civil District Judges, are assigned to assist the Presiding Judge with the nonjury docket. The other judges are assigned to try jury cases (and nonjury trials of more than two days or as referred by the Presiding Judge). The judges trying jury cases assist the Presiding Judge with nonjury matters from 8:30 to 9:30 and resume their jury trials at 9:30. When the jury docket for the week has been completed, the available judges assist the Presiding Judge for the rest of the week.

3. Nonjury Docket (Presiding Civil District Court)

The Presiding Civil District Court hears all nonjury matters, including pretrial matters in cases set for a jury trial, with the exception of issues allocated to the Monitoring Judge under Rule 4.

A. Each morning, and most afternoons, the Presiding Civil District Judge calls several dockets. Settings on all dockets are handled by the Presiding Civil District Clerk: 210-335-2000.

(1) The 8:30 Docket. The 8:30 docket includes discovery hearings, summary judgments, pleading disputes, and other matters that do not require witnesses.

(2) The 9:00 Docket. The 9:00 docket includes nonjury trials on the merits, temporary orders, injunctions, family law protective orders, special appearances, venue hearings, and other matters that may require significant court time or involve witnesses.

(3) The 10:00 Docket. Each Tuesday, Wednesday, and Thursday, the State's protective order docket is called.

(4) The 2:00 Docket. The tax docket is heard two times each month on Wednesdays. The cost docket is heard the last Thursday of each month. The expunction docket is heard every Thursday.

B. Presiding Court Announcements. When each case is called at docket call, parties shall announce whether they are ready or not ready, whether they want to confer, or whether the matter will be dropped, reset by agreement, or disposed of by agreed order. Parties are also expected to provide an accurate estimate of the amount of court time contested hearings will require including appropriate time for judges to review briefing and authorities. Where time announcements prove to be inaccurate, the Presiding Judge or the Judge to whom the case is assigned shall have the option to confer with the attorneys and parties regarding an accurate announcement and reassign the case for hearing to another court and/or on another day. When no announcement is made, the setting on the matter will be dropped.

C. Multiple Announcements by an Attorney. When an attorney has more than 2 civil, criminal, or other settings either on the Presiding docket or which conflict with settings on the Presiding docket, the Presiding Judge shall have discretion as to how those cases set on the Presiding docket are assigned. Judges will ordinarily, in the exercise of their discretion, give preference to federal settings, criminal settings, and court-ordered special settings. If an attorney has more than 2 settings, the attorney must confer with all counsel on all cases at least two days prior to the date of the settings. The scope of this conference is to notify counsel of the multiple settings, discuss resetting, and to provide opposing counsel with a cell number or other contact information. If an agreement as to how to resolve the conflict cannot be reached, it is the responsibility of the attorneys involved to advise the Presiding Judge of same when the case is called for hearing. The Presiding Judge will then direct the attorneys as to how to proceed. It is the responsibility of the attorney, not the attorney's client, to make announcements in Presiding Court. Failure to comply with this section may result in the settings of the case(s) on the presiding docket being dropped or such other action as the Presiding Judge deems appropriate.

D. Discovery Hearings. When setting a discovery hearing, attorneys and pro se litigants must comply with Rule 191.2, T.R.C.P., which requires a statement that the parties have tried to resolve the discovery dispute by agreement before resorting to court.

E. Computation of Time. Consistent with rules 4, 21, and 21a, T.R.C.P., the courts will not count Saturdays, Sundays, or legal holidays when calculating any three-day notice period, except when the period has been extended because notice was given by mail. In both Presiding Court and in Monitoring Court, the day of filing the notice is not counted and the date of the hearing is counted for the required 3-day notice.

F. Orders

1. *Separate Documents.* Except in the case of motions and orders setting hearings, all orders and judgments must be filed separately from any motion or other document.

2. *Approval Blocks Required.* Unless otherwise ordered by the Court, all orders and judgments presented for a judge's signature must have appropriate signature blocks for the attorney presenting the Order and all other attorneys of record indicating their approval as to form and substance or approval as to form, as appropriate. If a local attorney is presenting an order on behalf of an out-of-county attorney, the order should bear the signature block of the local and out-of-county attorneys. A full signature block consists of the attorney's signature, printed name, mailing address, email address, bar number, telephone number, and fax number.

3. *Agreed Orders.* If the Order deals with a matter that is agreed to by the attorneys of record, the order must bear full signature blocks for all attorneys of record and state "Agreed" or "Agreed as to Form and Substance."

4. *Limited Ruling on Submission.* Bexar County District Judges do not ordinarily rule on submission. A hearing must be set with the Presiding Clerk or an agreed order bearing a full signature block of all attorneys of record may be presented. All default judgments must comply with the Servicemembers' Civil Relief Act, 50 U.S.C. *Appendix*, section 521.

5. *Preparation of Orders.* Unless otherwise ordered by the Court, orders made by the Court must be reduced to writing, presented to the court for entry not later than two weeks from the date of hearing, and must bear the approval blocks for all attorneys of record and self-represented parties. If a proponent of the order is unable to secure the approval of the other attorney/party, a Motion to Enter the Order must be filed and set in the Court which heard the motion. A copy of the Judges' Notes for the hearing at which the Judge rendered the order or a copy of the court reporter's notes for the hearing should accompany all Motions to Enter.

6. *Severance Orders.* Any severance order must state the style of the case and list the names of the plaintiffs and defendants and the attorneys of record in the severed case. When a severance order is entered, a new cause number will be assigned to the severed case

G. Policies (General). The Presiding Judge will adhere to the following policies:

1. *Telephone Hearings (non-inmate).* If an attorney or a self-represented litigant is in need of a hearing by telephone, a Motion for Telephonic Hearing must be filed and set with the Presiding District Clerk on three days' notice to the opposing party/attorney. Alternatively, if all parties agree that the telephone hearing can take place, a Rule 11 Agreement must be submitted for filing prior to the date that the hearing will take place. If no agreement can be reached, a telephonic or other hearing on the motion will take place as designated by the Presiding Judge or the Judge to whom the case is assigned.

2. *Telephone Hearings (Inmates).* If a party to any proceeding is incarcerated and has filed an answer or has been notified of a hearing but the time for filing an answer has not yet passed, or the inmate or their counsel has otherwise requested a hearing, the incarcerated party shall have the right to participate in the scheduled hearing by telephone, or, if the inmate is in the Bexar County Jail, a bench warrant may be issued. The decision to schedule a telephone hearing with a Bexar County inmate or to bench warrant the inmate shall be made by the Presiding District Judge. All telephone hearings are processed by the Staff Attorney's Office, (210) 335-2123.

3. *Foreign Language and Sign Language Interpreters.* All interpreters are scheduled through the Office of the Civil District Court General Administrative Counsel (210) 335-2300. A party that needs an interpreter other than a Spanish language interpreter should, to the extent possible, call the office to arrange for the interpreter at least two weeks in advance of the hearing. If the party requesting the interpreter determines that the interpreter is no longer required, the party must notify the Office of the Civil District Court General Administrative Counsel immediately. Spanish language interpreters are generally available on a daily basis and no advance request is required.

4. *Copies of Documents.* All persons requesting copies of documents by mail from the District Clerk must furnish the clerk a return, self-addressed, stamped envelope.

5. *Mediation Rules.* The Bexar County Civil District Judges have adopted rules for mediation, which are available on the district clerk's website. Mediation may be ordered in a non-jury case by a judge at the judge's discretion. Mediation is required in jury cases pursuant to Rule 8 of these local rules.

H. Policies (Family Law). These policies are not intended to, and shall not, modify or supersede the Texas Rules of Civil Procedure or the Texas Family Code.

1. *Standing Order Regarding Children, Property and Conduct of the Parties in Divorce Suits and Suits Affecting the Parent-Child Relationship.* Bexar County District Courts require that in every divorce case and in suits affecting the parent-child relationship, the Petitioner shall attach to the original petition and to each copy of the petition a copy of the Bexar County Standing Order Regarding Children, Property and Conduct of the Parties.

2. *Required Education.* Unless otherwise ordered by the Court, all parties involved in divorces with minor children must complete the Helping Children Cope with Divorce, KIDS (Kids in Divorce Situations), or some similar education before their divorce will be granted.

3. *Testimony by Minors.* The Courts discourage calling minor children as witnesses to testify in court in family law matters involving

their parents. If a minor child's testimony is absolutely required, children are not to be brought to court to testify until such time as their testimony is scheduled by the judge.

4. *Default Divorces.* On entry of default divorce decrees, all parties shall comply with the requirements of Texas Rules of Civil Procedure 239 and 239a including the requirement that a certificate of last known address of the defaulting party be filed. Pursuant to the Servicemembers' Civil Relief Act, all default judgments must be accompanied by a non-military affidavit with sufficient facts for the Court to determine the military status of the defaulting party or with a Military Status Report from the Department of Defense Manpower Data Center attached.

5. *Social Studies and Psychological Evaluations.* When the Court orders a social study or a psychological evaluation, the parties shall not appear for a contested final hearing until the social study or psychological evaluation has been completed. If there is difficulty obtaining the social study or psychological evaluation, or some reason that the study or evaluation is no longer warranted, the parties must seek relief from the order requiring the social study or psychological evaluation before appearing for trial. All social studies and psychological evaluations shall be completed within 90 days absent leave of the court.

6. *Divorce Trials.* Unless waived by the Court, all litigants appearing for trial involving property or liability issues shall present the Court with a sworn Inventory & Appraisement substantially in the format of the sample posted to the district clerk's website, which shall contain an itemization including values of all contested items of property and all indebtednesses.

7. *Trials and Hearings Relating to Support.* Unless otherwise waived by the Court, all litigants involved in trials or hearings relating to child support or spousal support shall present the Court an itemization or summary of all of their income and expenses, substantially in the format of the sample posted to the district clerk's website, as well as a minimum of the prior 3 months of wage and income information and a tax return from the previous year, if child support and/or spousal support is an issue in the trial or hearing.

8. *Domestic Relations Office.* In cases involving children, the Court may, on its own motion, request that the Domestic Relations Office assist the Court. If the parties to a proceeding wish to involve the Domestic Relations Office in the case, a motion must be filed and a hearing set before the Presiding Civil District Judge. The Presiding Judge will determine if the involvement of the Domestic Relations Office is appropriate. No orders, including orders agreed to by the parties, will be signed unless the Presiding Judge has determined at a hearing that the involvement of the Domestic Relations Office will assist the Court.

Comment:

The following comments carry the same force and enforceability as the rules:

Rule 3. Non-jury Docket

8:30 Docket. The 8:30 docket was created in the 1980's to serve three purposes: (1) it clears out shorter matters early in the morning before the general docket is called at 9:00; (2) it gives the Presiding Court the early-morning assistance of the judges who are trying jury cases; and (3) it helps minimize conflicts for lawyers who have pretrial hearings but are in trial elsewhere in the courthouse by releasing them from their jury cases until 9:30.

Computation of Time. Under rules 4, 21, and 21a, T.R.C.P. weekends and holidays are not counted when calculating three-day notice periods and therefore notice must be given by Wednesday for a motion hearing on Monday. Three days are added to the notice periods when notice is given by mail.

It is helpful to understand how the Presiding Judge will interpret the common announcements at docket call and what action the judge will take:

No announcement by other side. If the opposing party does not answer, the judge will call you to the bench after the docket has been called and will review the file to confirm notice and to discuss with you the relief to be granted. In certain situations, the judge may ask you to telephone the other lawyer and find out why he or she did not come to court. This practice helps avoid time-consuming motions for rehearing.

Ready. If you have already conferred with opposing counsel, the matter cannot be resolved by agreement, and you need a hearing, you should announce ready. Once you have made a time announcement with the Presiding Court, you should not leave Presiding Court until you are assigned. Your failure to be present in Presiding Court when the case is to be assigned to the trial court will result in your matter not being assigned at that time.

Not ready. This means you have conferred, you are not ready, and you want to postpone the hearing. Presumably, the other side will not agree to a continuance; otherwise the setting would be dropped or reset by agreement.

Conferring. Frequently you will want to talk with opposing counsel in the hall or a conference room, but you want to keep your setting and be assigned to a court in the event you cannot reach an agreement. Judges want lawyers to confer because many disputes can be resolved when the lawyers talk face-to-face. Frequently, in family law cases there has been no opportunity to talk. The suit has just been filed, and the petitioner does not know whether the respondent will appear, or whether he has retained an attorney or is pro se. In such cases the judge will want both sides to confer, at least briefly. After you have conferred, if there is no agreement and you need a ruling, you should return to court and give your announcement and time estimate to the clerk or the judge. If you are still conferring at 11:00 A.M., you must report this to the clerk so the case will be kept on the docket while you continue to confer.

Dropped settings. In many cases you have not been able to serve or notify the other side, or you have your opponent's agreement to drop the setting and try to work things out informally, or perhaps you and your opponent have resolved your matter by agreement but do not intend to have a written order signed. In these situations you should ask that the setting be dropped. You have no right to drop a setting over your opponent's objection, even when it is your setting.

Agreed resets. This means you and opposing counsel both want the matter reset. If you are ready and have conferred but cannot agree to the other side's request for a reset, you should announce ready and let your opponent seek a continuance.

Agreed orders. When the issues set for hearing have been settled, a written agreed order should be submitted later. Be sure to state whether

you need to present proof (e.g., in divorce settlements) or make a record pursuant to Rule 11, T.R.C.P.

Time estimates. Attorneys are expected to make realistic estimates of the time they think will be needed for the entire hearing.

4. Jury Docket (Monitoring Court and Jury Assignment Clerk)

A. General. Trials on the merits in all jury cases and in nonjury cases referred by the Presiding Judge are scheduled and assigned through the Jury Assignment Clerk. Each week, the Jury Assignment Clerk assigns jury trials (and referred non-jury matters) to courts as they become open. Jury cases are set for a specific week. Cases not reached during the week of the setting are automatically reset for trial during carry-over week — the last week of the month — without further notice. Each quarter of the year, a different civil district judge serves a rotation as Monitoring Judge. Motions on jury cases affecting trial settings — such as motions for continuance, motions for special setting, motions for pretrial scheduling order, motions to designate a case as complex, and motions to modify or extend a deadline in a scheduling order — are heard by the Monitoring Judge.

B. Procedures. Each week's jury docket is handled in the following manner.

1. *Friday.* By Friday, the Jury Assignment Clerk assigns cases to specific courts for trial, beginning with DFPS cases, followed by family-law cases and special settings, and working through the docket in numerical order, taking the older cases first. The clerk telephones lawyers and notifies them to which court they are assigned for trial on Monday. Motions in Limine, Motions to Realign Parties, Motions to Equalize Peremptory Challenges, and proposed Jury Charges are to be filed and exchanged the last business day before the jury trial date.

2. *Monday.* The cases remaining on the docket after the assignments on Friday are called for announcements at 8:30 on Monday morning in Monitoring Court. Lawyers are expected to announce whether they are ready for trial (with the estimated trial time), not ready and filing a motion for continuance, or that the case has been settled. When the Monday morning docket has been called, the clerk will tell lawyers where their case

ranks numerically on the list of remaining cases. Every case will be subject to assignment through Thursday. Cases not reached and assigned to a court by Thursday will automatically be placed on the docket for carry-over week (the last week of the month) for trial at that time.

3. *Tuesday, Wednesday, and Thursday.* During the middle of each week, the Monitoring Judge hears motions for continuance, motions to designate cases as complex, motions for special setting, and motions for pretrial scheduling orders. Settings on all jury matters except dismissals for want of prosecution are obtained through the Jury Assignment Clerk's office. Call 210-335-2520 for available hearing dates.

C. Policies. The Monitoring Judge will adhere to the following policies:

1. *Agreed Continuances.* When a continuance is agreed or unopposed, a motion must be presented to the Monitoring Court so that if the motion is granted the judge can select a reset date that is available for additional settings and reasonably acceptable to all lawyers. In certain situations a hearing may be required. Questions should be directed to the Jury Assignment Clerk, (210) 335-2520.

2. *Special Settings.* The Monitoring Judge may grant a special setting, which will place the case at the beginning of a week's docket before the ordinary settings. This decision requires a motion and hearing in Monitoring Court, even if all parties agree.

3. *Complex Cases.* The Monitoring Judge has the discretion to remove a case from the central docket for assignment to one judge for all further pretrial matters and trial on the merits. A motion and hearing in Monitoring Court is required even if all parties agree. If the motion is granted, the Jury Assignment Clerk and the Monitoring Judge will use a predetermined random procedure to determine which judge will preside over the case to its conclusion.

4. *Dismissal Docket.* Periodically the District Clerk sets older cases for dismissal for want of prosecution and notifies the

parties of the dismissal setting in Monitoring Court. Cases are set for dismissal docket the second and fourth Tuesdays of each month at 8:30 A.M. If no one appears at the hearing to ask that the case be retained on the docket, it will be dismissed. The Monitoring Judge decides which cases to retain on the docket and hears any motions to reinstate cases that have been previously dismissed for want of prosecution. It is the responsibility of the attorney or the party, if self-represented, to notify the Dismissals Clerk that a final order has been signed on a case which is set on the dismissal docket. The Dismissals Clerk may be reached at (210) 335-2120. Failure to notify the clerk of the signing of the final order may result in dismissal of the cause. Any case set on the dismissal docket cannot be set on the jury docket until a hearing is held before the monitoring judge and an order allowing the jury setting is obtained.

Comment:

The following comments carry the same force and enforceability as the rules:

Rule 4.

Limits on weekly settings. Years of experience with this system have proven that no week should be overloaded with jury settings because if too many cases are set at one time the courts will not be able to try all of them. If this were allowed to happen, the system would lose the predictability that is one of its main strengths. For this reason, the Jury Assignment Clerk sets limits on the number of weekly jury settings. Most of the time, each case is reached and disposed of during the week of the initial setting. Any remaining cases are invariably reached and tried during carry-over week.

“Longer non-jury cases” are removed from the Presiding Court docket and assigned with the jury cases because the Presiding Court cannot afford to devote any of its assisting judges to a long case.

“Carry-over week” is an important part of the system because it adds certainty to the trial settings earlier in the month: Lawyers and litigants

know that any cases not reached earlier in the month will be tried during the last week of the month, and this knowledge promotes settlement.

“Special settings” are given only when there are several out-of-town witnesses or parties, or when the litigants and witnesses have significant scheduling problems. In addition, they are sometimes granted in cases that will require two weeks or more to try. Within one week after a case has been given a special setting, the attorneys are expected to submit an agreed pretrial scheduling order or, if agreement is not reached, to set the matter for hearing.

“Complex Cases.” The central docket is not designed to handle those rare cases which are very complicated and require repeated pretrial hearings. In such cases, the central docket can produce inconsistent rulings, as lawyers constantly have to “reinvent the wheel” with each new judge who is assigned a hearing.

5. Scheduling Hearings

A. Non-jury Settings. A party may schedule a nonjury trial or hearing by filing a motion to set on a specific date and time with the Presiding Civil Court (210-335-2000), and serving a copy of the motion and a conformed copy of the order on all other parties. If the non-jury matter is expected to last longer than two days, a Motion for Referral to Jury Assignment Clerk must be filed and set at 8:30 A.M. in Presiding Court. The Presiding Judge will decide if the matter will be referred to the Jury Assignments Clerk for a setting.

B. Jury Settings. A party may schedule a jury trial by obtaining a date and time from the Jury Assignment Clerk (210-335-2520), providing the clerk a motion to set and an order, and serving a copy of the motion and a conformed copy of the order on all other parties. When a case is set for jury trial, the parties are scheduled for a hearing on the ADR docket. The jury fee must be paid prior to the setting or at the time of setting a case on the jury docket.

Comment:

The following comments carry the same force and enforceability as the rules:

Rule 5.

The notice of hearing or fiat that sets the matter for trial or other hearing must contain a short order at the end of the motion and a certificate of service signed by the attorney or self-represented party indicating that a copy of the notice has been sent to all opposing attorneys or self-represented parties.

6. Ex Parte Requests

A. General. Every request for relief from a civil district court must be presented to the Presiding Court, with the exception of the uncontested matters specified in Subsection B.

B. Uncontested Matters. The following matters may be presented to any available district judge: agreed and waiver divorces; agreed orders; nonsuits; friendly suits; uncontested adoptions; and uncontested requests for change of name.

C. Temporary Restraining Orders. All temporary restraining orders must be presented by an attorney or a self-represented party to Presiding Court for decision or for assignment to another judge. The attorney or party, if self-represented, making the request shall state in writing that: (1) to the best of his knowledge the respondent is not represented by counsel, (2) he has tried and has been unable to contact opposing counsel about the application, (3) opposing counsel has been notified of the application and does not wish to be heard, or (4) notifying the respondent or his counsel would cause irreparable harm to the movant.

D. Other Extraordinary Relief. Other requests for extraordinary relief, such as requests for writs of habeas corpus, sequestration, attachment, and garnishment, and requests for family law protective orders, must be presented by an attorney or a self-represented party to the Presiding Judge for decision or assignment to another judge. When any judge has denied such a request, the matter may not be presented to a different judge without assignment by the Presiding Court. In the case of ex parte and final protective orders, there are two forms which must be attached to all said orders. The forms are entitled "Schedule A" and "Data Entry Form for Texas Crime Information Center" and are available in the Bexar County District Clerk's Office and on the Bexar County District Clerk's website.

Comment:

The following comments carry the same force and enforceability as the rules:

Rule 6.

Temporary Restraining Orders. Except as set out in Rule 6C of these rules, if an attorney is aware that another party is represented by counsel or is reasonably sure that the other party has counsel, the proponent of the temporary restraining order must give notice to opposing counsel that the TRO will be presented to the Presiding Judge at a specific date and time. When relying on rule 6(C)(2), the applicant should describe with reasonable particularity the unsuccessful efforts to contact opposing counsel.

7. Post-Trial Hearings

A. Contested Trials and Hearings. With the exception of post-judgment discovery and enforcement proceedings and family-law motions to modify or clarify a final order, after a contested trial on the merits all motions must be scheduled with and heard by the judge who presided over the trial. Motions to enter a judgment, order, or decree should be scheduled directly with the judge who made the ruling at issue.

B. Default Judgments. Motions to set aside or modify no-answer default judgments must be set before the Presiding Court in the same manner as other non-jury matters. Motions to set aside or modify post-answer default judgments (e.g., after failure to appear for trial or after the granting of sanctions) must be set before the judge who granted the judgment.

8. ADR Docket

A. ADR Hearing. Each month one judge will be responsible for deciding whether cases should be referred for alternate dispute resolution. All jury cases will be scheduled for an ADR hearing before trial. At the ADR hearing it will be presumed that mediation should be ordered, but the ADR judge may decide that mediation would not be appropriate in a particular case. In most cases the court will order mediation and appoint a mediator. If no one appears at the ADR docket, and a written agreement has not been presented, the court will order mediation and select a mediator at random from a list

of qualified mediators. If the parties do not mediate in accordance with the court's order, it is within the discretion of the Monitoring Court to impose sanctions.

B. Mediation Agreements. The court will honor agreements that choose a particular mediator. Agreements must state the mediator's name, how the fee will be split, and the deadline for mediation, and must contain a provision authorizing sanctions for noncompliance.

C. Pro Bono Mediations. Any agreement to use a Pro Bono mediator must be approved by the ADR Judge after a showing of the inability to pay by one of the parties to the suit.

9. Vacations and Other Unavailability

A. Notice. Attorneys who plan to take a vacation, or who know that they will be unavailable for hearings, and who wish to prevent the scheduling of hearings during their absence must give written notice to the Bexar County District Clerk and to the attorneys-in-charge for other parties in the cases affected at least two weeks before the vacation or period of unavailability will begin. The notification letter must provide an address, telephone number, and telecopier number for service of notice and in family-law cases must designate alternate counsel in the event an emergency arises during the vacation or period of unavailability.

B. Existing Settings. Existing settings will not be dropped, postponed, or rescheduled solely on the basis of a vacation or unavailability letter. Attorneys who desire to take a vacation or otherwise be unavailable must reschedule existing hearings by agreed order or by motion for continuance and ruling from the Presiding Court.

10. Attorney General Involvement and Right to Notice

A. Orders for Child Support. Each order or decree which provides for child support to be paid through the Texas State Disbursement Unit shall be deemed to include an application for IV-D child support services provided through the Office of the Attorney General, pursuant to Texas Family Code section 231. Unless required to accept such services pursuant to other laws, a person entitled to receive IV-D child support services may decline such services by

filing a written Refusal of Child Support Services with the Bexar County District Clerk. Refusal of IV-D Child Support Services does not preclude that person from making a subsequent written application for such services.

B. Orders Adjudicating Parentage. All timely proceedings to adjudicate parentage and suits in which a denial of parentage has been filed and an order for genetic testing has been entered shall, upon filing, be deemed to include an application for Title IV-D services provided by the Office of the Attorney General of Texas pursuant to Chapter 231 of the Texas Family Code. The Office of the Attorney General is thereby a party entitled to notice of proceedings pursuant to Section 102.009(d) of the Texas Family Code. Unless required to accept such services pursuant to other laws, a person entitled to receive IV-D child support services may decline such services by filing a written Refusal of Child Support Services with the Bexar County District Clerk. Refusal of IV-D Child Support Services does not preclude that person from making a subsequent written application for such services.

C. Paternity Testing. The Office of the Attorney General shall coordinate genetic testing through the accredited and state approved and contracted vendor laboratory in all cases in which parentage is an issue to be determined and adjudicated by the Court, unless the parties agree to an adjudication of parentage, a valid acknowledgement of paternity has been filed, or the time limitation to bring the suit to adjudicate parentage has expired. Unless required to accept such services pursuant to other laws, a person entitled to receive IV-D child support services may decline such services by filing a written Refusal of Child Support Services with the Bexar County District Clerk. Refusal of IV-D Child Support Services does not preclude that person from making a subsequent written application for such services.

11. Applicability

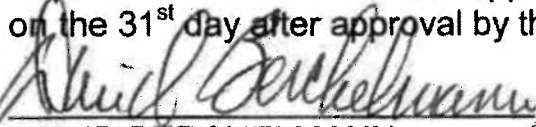
These rules supersede and replace Part 3 (Civil District Court Rules) of the *Rules of Practice, Procedure and Administration in the District Courts of Bexar County* (_____20__).

Administrative Offices. The administrative offices of the Civil District Courts may be contacted as follows: *Presiding Civil District Court:* (210)

335-2000; *Civil District Courts General Administrative Counsel*: (210) 335-2300; *Jury Assignment Clerk*: (210) 335-2520; *ADR Coordinator*: (210) 335-3930; *Dismissals Clerk*: (210) 335-2120; Staff Attorney, Bexar County Civil District Courts: (210) 335-2123.

ADOPTION OF RULES

The foregoing "Local Rules, Bexar County Civil District Courts" are hereby adopted by the undersigned Civil District Judges in Bexar County, Texas on the 7th day of November, 2012, and submitted to the Supreme Court of Texas for approval. These rules shall become effective on the 31st day after approval by the Supreme Court of Texas.



DAVID BERCHELMANN
37TH DISTRICT COURT




BARBARA NELLERMOE
45TH DISTRICT COURT



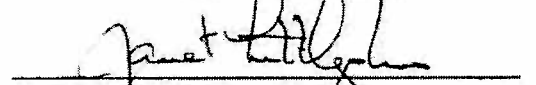
ANTONIA ARTEAGA
57TH DISTRICT COURT



RENEE MCELHANEY
73RD DISTRICT COURT




JOHN GABRIEL
131ST DISTRICT COURT



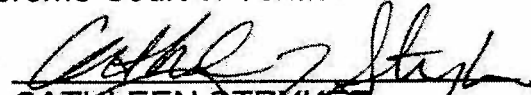
JANET LITTLEJOHN
150TH DISTRICT COURT




MARTHA TANNER
166TH DISTRICT COURT



DAVID PEEPLES
JUDGE, 4TH ADMINISTRATIVE
JUDICIAL REGION



CATHLEEN STRYKER
224TH DISTRICT COURT



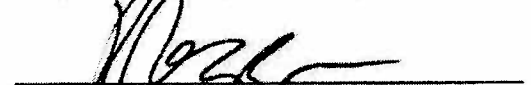
PETER SAKAI
225TH DISTRICT COURT



RICHARD PRICE
285TH DISTRICT COURT



SOLOMON CASSEB, III
288TH DISTRICT COURT



KAREN POZZA
407TH DISTRICT COURT



LARRY NOLL
408TH DISTRICT COURT



VICTOR NEGRON
438TH DISTRICT COURT