

*Hon. Andrea K. Bouressa, First Business Court Division*  
*Hon. Bill Whitehill, First Business Court Division*  
*Hon. Melissa Andrews, Third Business Court Division*  
*Hon. Patrick K. Sweeten, Third Business Court Division*  
*Hon. Marialyn Barnard, Fourth Business Court Division*



*Hon. Stacy R. Sharp, Fourth Business Court Division*  
*Hon. Jerry D. Bullard, Eighth Business Court Division*  
*Hon. Brian Stagner, Eighth Business Court Division*  
*Hon. Sofia Adrogué, Eleventh Business Court Division*  
*Hon. Grant Dorfman, Eleventh Business Court Division*

## **LOCAL RULES OF THE TEXAS BUSINESS COURT**

### ***Effective April 1, 2026***

#### **Rule 1: Purpose, Scope, and Compliance**

The Texas Business Court is dedicated to the fair, efficient, and timely resolution of business disputes. These rules supplement and clarify the application of the Texas Rules of Civil Procedure (TRCP) in the Business Court. Citations to these rules must follow the citation format BCLR [Number], such as BCLR 3.

The Local Rules will be uniformly applied in the Texas Business Court. However, parties must familiarize themselves with the Court's website ([TJB | About Texas Courts | Business Court \(txcourts.gov\)](https://www.tjb.org/about-texas-courts-business-court)) and the information available there, including any judge- or division-specific practices, standing orders, the fee schedule, and various forms provided for the parties' convenience and use.

The Business Court Clerk will monitor filings for compliance with the TRCP and the BCLR as to form. If a document is deficient as to form, the Clerk may return it for correction without accepting it.

#### **Rule 2: Assignment, Severance, and Consolidation**

Under Texas Government Code § 25A.009, to promote the orderly and efficient administration of justice, the Business Court judges may exchange benches and sit and act for each other in any matter pending before the Court.

The administrative presiding judge may reassign cases for the purpose of equalizing the docket. The trial and all in-person hearings in a reassigned case will remain in the same Division regardless of the judge assigned, absent the agreement of all parties. When a case is reassigned for any reason, the assigned judge's forms, templates, and division-specific guidelines and procedures, if any, govern.

A party is deemed to agree to this Court's supplemental jurisdiction of any claim, including a counterclaim, cross-claim, or third-party claim, unless that party moves to sever or otherwise objects within 30 days after the later of (1) the moving party's appearance in this Court; or (2) the filing of the first pleading or removal notice containing fair notice of the claim.

A motion to consolidate cases must be filed in the first-filed case.

### **Rule 3: Case Information Sheet and Counsel of Record**

A Business Court Case Information Sheet must be filed concurrently with, and attached to, any filing that initiates a new Business Court case. Subject to substitution or withdrawal, attorneys will be included in the counsel-of-record list only if they are identified on: (1) the Case Information Sheet; (2) a party's initial pleading in this Court; (3) a filed notice of appearance; or (4) any order granting pro hac vice admission. Attorneys should ensure their contact information appears on one of the above filings to ensure receipt of e-mail or other communication from the court concerning settings and other case-related matters. Attorneys and their staff wishing to receive service of any filings, notices of hearing, or orders in a case must also subscribe for e-service with E-File Texas.

### **Rule 4: Case Management and Discovery**

- (a) **Scheduling Orders.** Every case will be governed by a scheduling order. Parties must confer on and jointly file a proposed scheduling order using the form provided on the Business Court's website for the assigned judge: (i) within 30 days from the first appearance of any defendant, or (ii) if the action was removed or transferred to the Business Court, within 30 days from the filing of the notice of removal or the order of transfer.
- (b) **Corporate Disclosure Obligations.** The proposed scheduling order must be accompanied by each party's corporate-disclosure statement, identifying all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent corporations, or other legal entities who or which are financially interested in the outcome of the litigation. If a large group of persons or firms can be specified by a generic description, individual listing is not necessary. Later-joined parties must file corporate-disclosure statements within 14 days after their first appearance. Each corporate-disclosure statement must also list the names of opposing law firms and/or counsel in the case. **Governmental entities need not file a corporate-disclosure statement.**
- (c) **Discovery Disputes.** Motions under TRCP 190 through 215, or otherwise related to discovery disputes, are governed by the procedures below. This rule does not preclude parties from seeking an immediate ruling by telephone on any dispute that arises during a deposition that justifies such a conference with the Court. The procedures below are a prerequisite to filing any discovery motion, except motions to quash under TRCP 199.4, TEX. FIN. CODE § 59.006, and similar time-sensitive rules or statutory provisions.
- (d) **Discovery-Motion Prerequisite.**
  1. *Summary of Dispute.* Before filing a discovery-related motion, a party must engage in a thorough, good-faith attempt to resolve or narrow the dispute. If the dispute remains unresolved, then the party seeking relief must file a letter summarizing the

dispute. Each such letter must contain a certification that, before filing the letter, the party engaged in personal consultation with the other parties and diligent attempts to resolve or further narrow the dispute. The certificate must specify the date(s) of such conference, which parties participated, the specific results achieved, and whether the parties discussed cost-shifting, proportionality, or alternative discovery methods that might resolve or narrow the dispute. **Except by leave of Court, the summary must not exceed 700 words, excluding the certificate; the certificate must not exceed 300 words.**

2. *Response.* Within 7 days after a letter summarizing a discovery dispute, any other party may file a response letter, which may include a certification responding to the certification in the summary letter. **Except by leave of Court, the response must not exceed 700 words, excluding the certificate; the certificate must not exceed 200 words.**
  3. *Replies.* No replies or further written arguments are permitted absent leave of Court.
  4. *Further Action.* After the summary and any response is submitted, the Court may schedule a telephone conference with counsel, order a motion and briefing on the dispute, provide further instruction, or issue an order if the Court, in its discretion, determines no further briefing is necessary. If the parties' discovery dispute is not resolved after satisfying this discovery-motion prerequisite, a party may file a discovery motion.
  5. A letter under this rule must include a certificate of compliance stating the number of words in the letter and the certificate of conference. The person certifying may rely on the word count of a computer program to prepare the document.
- (e) **Cost Shifting.** If a party requests cost shifting, the party's motion or response must state the amount of costs that should be shifted, how that amount was determined, and the basis for the requested cost shifting.

## **Rule 5: Motions**

### **(a) Word Limits.**

(i) The following word limits apply:

- Discovery motions and responses: 3000 words
- Discovery replies: 1250 words
- All other motions and responses: 7500 words
- All other replies: 3000 words.

Leave of court is required to exceed the word limits or for any further briefing.

- (ii) These word limits include footnotes and endnotes but do not include the case caption, any index, table of contents or table of authorities, signature blocks, attached evidence, or any required certificates.
  - (iii) Each such document must include a **certificate of compliance** following the signature block, which must state the number of words in the document. The person certifying may rely on the word count of the computer program used to prepare the document.
- (b) **Deadlines & Form.** Motions and responses must be in writing and must include all supporting arguments and authorities. A proposed order is required and must be filed as a separate instrument concurrently with the motion or response. **Unless otherwise ordered by the court, any response to an opposed nondispositive motion is due within 10 days after the motion is filed and any reply is due 7 days after the response is filed.** These deadlines do not apply if the TRCP contain a response or reply deadline for the type of motion filed.
- (c) **Citations.** Provide pinpoint citation for all legal authority. Do the same for evidence. For instance, cite to page and line for depositions, to page and paragraph number for affidavits and pleadings, and to page and section number for contracts and similar documents.
- (d) **Appendices.** The Court prefers that parties:
- Combine the main document and any appendices into a single PDF to file as few separate PDF attachments as possible. If more than one PDF must be filed, separate the PDFs by complete documents. That is, do not split a single document across two PDFs.
  - Number every page in the filing, including the main document and any appendices, with continuous page numbers, such that the document page number matches the PDF page number.
  - Provide a table of contents that enumerates each document in the appendix.
  - Bookmark each appendix document.
  - Scale images that exceed 8.5 x 11 to fit an 8.5 x 11 page.
- (e) **Unopposed Motions.** Unopposed motions must be labeled “Unopposed” in the caption. These will be considered and ruled upon as soon as practicable.
- (f) **Extension of Certificates of Conference.** Certificates of conference are required for all requests for relief except dispositive motions unless otherwise provided herein. The conference must be a meaningful, good-faith effort to resolve or narrow the dispute without the necessity of court intervention. For written discovery disputes, the parties must confer on each individual request at issue.

- (g) **Written Opinions.** A request for a written opinion under TRCP 360(a)(1) must be made within ten days after the written order deciding the matter.
- (h) **Motions for Summary Judgment.** A motion for summary judgment will be set for written submission on the last business day before the 60th day after the motion's filing unless the motion is set for a different hearing or submission date.

#### **Rule 6: Mediation and Settlement**

- (a) **Mediation.** A court may refer a pending dispute to mediation, either on its own or at a party's request.
- (b) **Settlement.** Counsel must notify the Court immediately of settlements or other agreements that obviate court settings, trials, or rulings on pending motions.

#### **Rule 7: Emergency Relief**

- (a) Prior to or immediately upon filing an application for a temporary restraining order or other *ex parte* relief, the applicant must notify the Business Court Clerk.
- (b) The applicant shall file a proposed order with an application for emergency relief.
- (c) Upon filing the application or no later than two (2) hours before requesting a hearing, the applicant must file a certificate signed by the filing attorney or party either (a) stating that the application contains detailed and specific grounds supporting a request for *ex parte* relief or (b) setting forth the date, time, and manner of notice to opposing parties. Notice shall include delivery to the opposing parties, or their counsel if known, of the application and proposed order.

#### **Rule 8: Removal and Remand**

- (a) Removal does not alter any deadline imposed by the TRCP. Deadlines under an existing scheduling order remain in place until a new scheduling order is entered by the Business Court. All court settings are vitiated upon removal; however, the removing party must apprise the Business Court of any existing court settings in the removal notice filed under TRCP 355.
- (b) The copies required to be attached to a notice of removal under TRCP 355(b)(3) must be certified copies.
- (c) To be considered in the Business Court, any motions pending at the time of removal must be re-filed in the Business Court and set for hearing or submission according to these rules.

#### **Rule 9: Sealing Court Records**

- (a) Parties shall not file unredacted trade-secret or other confidential information unless they want it to become a public court record. The court expects parties to draft their

submissions in a manner that does not disclose confidential information, redacting any confidential information not critical to the filing.

- (b) Absent an emergency, a party seeking *in camera* review shall send to the Court (not file) unredacted copies of the records sought to be sealed, at the option of the assigned judge: (1) by sending a secure link containing the records to the division's email address at the domain txcourts.gov, which is posted on the Court's website, (2) by uploading to Case Center, or (3) as otherwise allowed by prior arrangement with the court manager. The records should be Bates numbered. This requirement applies to documents sent for consideration before a TRCP 76a(4) hearing on a motion to seal court records and also should be used to satisfy the requirements for delivery of a "sealed envelope" under Texas Civil Practice and Remedies Code § 134A.0065. Papers submitted *in camera* for these purposes are not "court records" that are presumed to be open to the general public. See TRCP 76a(2)(a).
- (c) Notice: Electronically filing a document with E-File Texas's indicator "Contains Sensitive Data" does not seal the document, and the filing will be available upon request of any party or non-party.

#### **Rule 10: Miscellaneous**

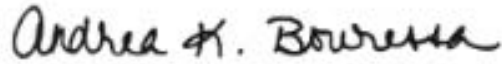
- (a) **Pro Hac Vice Applications by Nonresident Attorneys.** A nonresident licensed attorney who wishes to appear in a case in the Court but is not licensed in Texas must comply with Rule 19 of the Rules Governing Admission to the Bar of Texas and Tex. Gov't Code § 82.0361. See <https://ble.texas.gov/non-resident-attorney-fee-info>. If an attorney has been admitted pro hac vice in a case that is then removed or transferred to the Business Court, that attorney remains admitted pro hac vice and need not file a new motion for admission. For any pro hac vice motion still pending at the time of removal or transfer, the attorney must file an amended motion for admission pro hac vice in the Business Court but is not required to pay a second fee.
- (b) **Vacation Letters.** An attorney or self-represented litigant may file, in each case where the litigant or attorney is appearing, a vacation letter reserving a reasonable number of days, not to exceed four weeks within a calendar year, during which no hearings, depositions, or trials are requested to be set. A vacation letter does not vitiate any existing setting. If a matter is set in conflict with a previously filed vacation letter, the affected person should bring the issue to the Court's attention.
- (c) **Artificial Intelligence.** Use of artificial intelligence is not prohibited, but the filing attorney or party is independently responsible for the accuracy of all filings and must comply with all legal and ethical duties, including TRCP 13 and Civil Practice and Remedies Code, Chapters 9–10.
- (d) **Remote Proceedings.** No party or attorney is required to appear in a remote proceeding in which oral testimony is heard, but a party or attorney shall be deemed

to agree to remote attendance at a court proceeding under Texas Government Code § 25A.017(e) and TRCP 358 unless that party or attorney files an objection to the remote proceeding within three business days of the filing containing the notice or order of the setting.

**(e) Amicus briefs:**

- (i) **Leave Required.** A party seeking to file an amicus brief must file a motion for leave to file that complies with Local Rule 5 and is accompanied by the proposed brief.
- (ii) **Contents of an Amicus Brief.** An amicus brief must avoid the repetition of facts or legal arguments contained in the principal briefs and must focus on points either not made or not adequately discussed in those briefs. The brief must comply with Local Rule 5 and specifically set forth, under separate headings:
  - (1) the identity and interest of the amicus curiae in the outcome of the litigation;
  - (2) the source of any fee paid or to be paid for preparing the brief; and
  - (3) disclose whether any party's counsel authored the brief in substantial part.

APPROVED AND EFFECTIVE AS OF APRIL 1, 2026:



Andrea K. Bouressa, First Division



Stacy R. Sharp, Fourth Division



Bill Whitehill, First Division




Jerry D. Bullard, Eighth Division



Melissa Andrews, Third Division



Brian Stagner, Eighth Division



Patrick K. Sweeten, Third Division



Sofia Adrogué, Eleventh Division



Marialyn Barnard, Fourth Division



Grant Dorfman, Eleventh Division &  
Administrative Presiding Judge