

Motion for Summary Judgment Reporting

Frequently Asked Questions

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FILING OF MOTION FOR SUMMARY JUDGMENT

- 1. Does the time to set a Motion for Summary Judgment for hearing or submission start running if a party files a Motion for Summary Judgment as an exhibit/attachment to a Motion for Leave of Court to File Motion for Summary Judgment?**

No. Until the Motion for Summary Judgment (MSJ) is filed as a pleading, the compliance periods do not start. If an MSJ is attached as an exhibit to any other motion, it would not be considered filed for compliance reporting purposes.

- 2. If a Motion for Leave of Court and the Motion for Summary Judgment are filed at the same time (not as an exhibit or attachment), does time start running if leave of the court has not been granted yet?**

If leave of court is required to file an MSJ, the time to set an MSJ for hearing or submission does not start until the court grants the party leave to file the MSJ.

- 3. If an MSJ is filed as an exhibit/attachment and time does not start running, does it start when leave is granted by the court, or must the party file the motion independently after leave is granted?**

Please see Questions #1 and #2 and consult the court regarding whether the MSJ must be re-filed after leave of the court is granted.

- 4. When do we start tracking a motion for summary judgment?**

Clerks will need to track compliance with the MSJ timeframes set out in Section 23.303 of the Texas Government Code from the date a motion for summary judgment is filed until a deadline is missed, or until the ruling is filed.

- 5. What do we do if we have a case where the MSJ was filed before March 1, 2026, with the notice of hearing, but the order on the motion was filed after March 1, 2026? Should these be reported?**

No. MSJs filed before March 1, 2026, should not be reported, even if the associated order is filed on or after that date. Per [Supreme Court Misc. Docket 26-9012](#), the new rules apply only to MSJs filed on or after March 1, 2026. This also applies to the reporting requirements provided under [Government Code, Section 23.303](#).

- 6. How does OCA suggest that the clerk notify the judge's office of the filing of an MSJ? Is it sufficient to send it through a workflow queue in Odyssey or should the clerk notify the judge with a weekly report or something similar?**

Notice by the clerk to the court when an MSJ is filed is not a compliance element for reporting purposes. Under Texas Rules of Civil Procedure, Rule 166a(c), upon the filing of a motion for summary judgment the clerk must *immediately* call it to the court's attention. Rule 166a does not specify the method of notice, therefore the clerk and the court will need to coordinate to establish a method for notice to the court.

- 7. On our scheduling orders, can we set a deadline of 120 days before a trial date for a motion for summary judgment to be filed?**

The time to file a motion for summary judgment is not a compliance or reporting element. Please see Texas Rules of Civil Procedure, Rule 166a.

- 8. When more than one motion for summary judgment is filed in the same case, are each reported separately?**

Yes. The compliance reporting elements must be tracked for each motion for summary judgment that is filed, including when they are filed within the same case.

- 9. Are we required to report motions for partial summary judgment?**

Yes. A motion for partial summary judgment is subject to the same compliance standards and reporting requirements as other motions for summary judgment.

SUMMARY JUDGMENT REPORTING PERIODS

10. We were told that reporting starts as of March 1, 2026. What is the timeframe for the start of reporting?

The MSJ compliance timeframes and reporting requirements are effective March 1, 2026, per [Supreme Court Misc. Docket 26-9012](#). All motions for summary judgment filed on or after March 1, 2026, should be reported.

The report must be submitted to OCA by the 20th of the month following the end of a quarter.

The first report, covering FY2026 Q3 (March – May 2026), and the second report, covering FY 2026 Q4 (June – August 2026), are both due by September 20th, 2026. This is a one-time grace period for the initial Q3 report; for all subsequent reports, the following schedule applies:

Quarter 1:	September 1 – November 30	Due Dec. 20
Quarter 2:	December 1 – February 28/29	Due Mar. 20
Quarter 3:	March 1 – May 31	Due Jun. 20
Quarter 4:	June 1 – August 31	Due Sep. 20

11. Should the clerk report compliance with the time requirements for setting the date of hearing/submission and then again report compliance with the time requirements for the filing of the court's ruling? Or should the clerk only report compliance with the time requirements when the MSJ is disposed (filing of the court's ruling)?

Each MSJ should be reported only one time. If the MSJ court setting deadline is missed, it should be reported in the quarter in which the setting deadline was missed (MSJ file date + 90 days). This will stop compliance tracking for the MSJ because overall noncompliance will not change based on the ruling file date. Until the 90th day after the MSJ is filed, the Court may set the date for hearing/submission, therefore the clerk should only report court setting noncompliance after that date.

If the court meets the setting deadline, the reporting period for that MSJ will be during the reporting quarter in which the court's ruling was filed or in which the ruling deadline date falls if it was missed. The clerk should report whether the court filed its ruling by the deadline (compliant) or the ruling deadline was missed (noncompliant).

12. Please explain how we determine the correct reporting quarter, is it based on the date the MSJ was filed? Or disposed?

The reporting quarter is not determined by the MSJ file date. It is determined by the ruling file date or the quarter in which the court setting deadline or ruling deadline was missed. Please see Question #11.

13. Since the latest deadline for a setting is 90 days after the MSJ was filed and the deadline for a ruling is 90 days after that, we may not have much to report until the first quarter of FY 2027, is that correct?

Not all courts will use the full time allowed to set the hearing or submission date or to issue a ruling. While the compliance elements for most MSJs will fall into more than one quarter, it is possible that all elements may be completed within a quarter.

For example:

MSJ filed 3/1/2026 → **MSJ set 4/7/2026** → MSJ heard/considered 4/24/2026 → **MSJ ruling filed 5/15/2026**

All of these dates fall into the 3rd quarter of FY 2026 (Mar 1 - May 31) and are in compliance with MSJ timeframes. The clerk will report this MSJ as compliant in Q3 FY2026.

14. Are we reporting the number of MSJs filed in the quarter, the number of setting deadlines met or not met in the quarter, and the number of ruling deadlines met in the quarter?

Clerks are required to report the number of MSJs that are compliant and the number that are noncompliant within the reporting quarter. Each MSJ is reported only once for overall compliance. Determination of overall compliance for reporting purposes may be based on court setting date compliance or ruling file date compliance, or both. Please see Questions #11 and #12.

SUMMARY JUDGMENT REPORTING RESPONSIBILITY

15. Do these requirements apply to statutory probate courts?

Yes, statutory probate courts are a type of statutory county court and clerks should report their compliance with Government Code Sec. 23.303.

16. Are clerks required to report for courts that only handle criminal cases?

Yes. Per Government Code, Section 23.303, the reporting requirements apply to the business courts, district courts, and statutory county courts. Clerks will need to submit zero reports each quarter for these courts.

17. Can you explain how this reporting works with probate cases?

If a motion for summary judgment is filed in a probate case, the compliance and reporting requirements are the same as they are in civil cases.

18. Why are courts required to report filings when those are managed by the clerk's office?

The clerks of the district courts, statutory county courts, and business courts are responsible for reporting on each court's compliance with the timeframes prescribed by Government Code, Section 23.303 to the Office of Court Administration. Courts are not responsible for submitting reports to OCA regarding motions for summary judgment. However, courts will need to ensure that the clerks have the information necessary to track and report compliance with the timeframes prescribed in Government Code, Section 23.303.

CASE MANAGEMENT SYSTEM CONFIGURATION

19. What will the reporting process be for my case management system?

Reporting requirements and the OCA MSJ Report Workbook are not affected by the type of case management system (CMS) used by the court. OCA has communicated with CMS vendors, but we have no additional

information regarding how data collection will be implemented in the various case management systems. Please consult your CMS vendor with any questions about MSJ reporting configurations. The **OCA Data Quality & Assistance Program** may be able to offer assistance with data collection strategies, please visit [TJB | Judicial Data | Data Quality & Assistance Program](#) for information.

20. Does the response, reply or brief need to be mapped for OCA reporting purposes?

The filing of a response, reply or brief is not a compliance element for purposes of summary judgment reporting, so the deadlines for those filings do not need to be tracked for OCA reporting purposes.

COURT SETTING TIMEFRAMES

IMPORTANT: Clerks should consult and defer to the judge of the court regarding compliance deadlines and setting or ruling dates.

21. Can the court set an MSJ hearing or submission date as soon as it is filed, or does the court have to wait until after the 35 days after the date of filing to make the setting?

The 35-day period from the date of filing in which the court must not set the MSJ for hearing on oral arguments or consideration on submission is not specified in Government Code, Section 23.303, therefore it is not taken into consideration for reporting purposes.

22. The court is required to set the MSJ within 60 days or within 90 days if certain circumstances allow, so does the clerk track compliance for the court setting requirement based on 60 days or 90 days?

Because a court has up to 90 days to set the date for hearing on oral arguments or consideration on submission, the clerk may measure compliance based on 90 days from the MSJ filing date.

23. If the attorneys agree, can the hearing or submission date be reset past the 90-day deadline?

The timeframe in which the court must set an MSJ for hearing on oral arguments or consideration on submission refers to the requirement for the court to set a date for hearing on oral arguments or consideration on submission under Government Code, Section 23.303(a). This requirement does not control the actual date of the hearing or consideration on submission. If the court has made the setting, this compliance element is completed for reporting purposes and will not change based on a reset or continuance. Please see Texas Rules of Civil Procedure, Rule 166a, for additional requirements regarding the timeframes in which MSJs may be reset, which are not taken into consideration for reporting purposes.

24. What happens if the court files a ruling but did not set the MSJ? Is that considered noncompliant?

The MSJ would be out of compliance for the setting requirement; however, clerks should check with the court to see if a notice of setting was sent to the parties prior to the ruling but was not filed with the clerk. In that instance, the court should provide the setting date to the clerk, who may then record the setting date for compliance tracking and reporting purposes.

NOTICE OF SETTING

- 25. In our court, the clerks set hearings and court administrators set trial dates and other settings, and we already have dates set for these hearings. Who is responsible for notifying the parties of the hearings? Are the court administrators now responsible for setting these hearings and sending notices?**

Notice of setting is not a compliance element for reporting purposes. The clerk is required under Rule 166a to "send notice to the parties of the submission or hearing date." Whether the court or clerk sets the hearings and sends the notices may be a matter of local practices. Courts and clerks should work together to ensure that the notices are sent to all parties as required.

EVENTS OR CIRCUMSTANCES THAT MAY AFFECT MSJ TIMEFRAMES

***IMPORTANT:* Clerks should consult and defer to the judge of the court regarding the manner in which certain filings or events may affect compliance deadlines and setting or ruling dates.**

- 26. If an attorney files an amended motion for summary judgment, do we reset the timeline based on the amended filing?**

If an amended motion for summary judgment is filed the original MSJ will not be reported. The clerk will track compliance and reporting from the date the amended MSJ was filed.

- 27. Are the deadlines paused if a notice of bankruptcy, service member's affidavit, or other document is filed making the case inactive?**

If a notice of bankruptcy or Service Members Civil Relief Act affidavit is filed after an MSJ was filed it would result in an automatic stay of the proceeding and stop the summary judgment compliance tracking for reporting purposes. If the case is later returned to the court's active docket, the clerk may restart compliance tracking from the date the case was returned to the court's active docket. Please consult your software vendor for guidance on how to do this in your case management system. If using the optional OCA MSJ Workbook, please see the MSJ Workbook Instructions for guidance on how to do this in the MSJ Workbook.

- 28. If a nonsuit or dismissal is filed, do they still need to withdraw the motion for summary judgment?**

If a party or parties whose interests are dismissed or nonsuited previously filed a motion for summary judgment, the nonsuit or dismissal would stop the summary judgment compliance tracking for reporting purposes.

- 29. What happens if the case is abated before a ruling is made?**

If a case is abated after the date a motion for summary judgment was filed or was heard or considered it would effectively deactivate the motion for summary judgment and stop compliance tracking for reporting purposes. If the case is later returned to the court's active docket, the clerk may restart compliance tracking from the date the case was returned to the court's active docket. Also see Question #27.

30. What if the attorneys want to cancel the hearing on the motion for summary judgment? Does that stop the deadlines?

No.

31. What happens if the case is transferred to another court? Does the MSJ tracking stop or does the file date change?

If a case with a pending MSJ is transferred to another court, this would effectively stop compliance tracking in the court in which it was originally filed. The clerk will need to restart compliance tracking from the date on which the case was transferred and docketed in the transferee court.

32. What if the hearing on oral arguments is held but then the court issues a continuance? What date should be used as the hearing date?

If the hearing is initiated but a continuance is granted, the date on which the hearing is held based on the continuance should be used as the hearing date unless the MSJ is dismissed, denied or otherwise disposed on the original hearing date.

33. What happens if a motion to recuse is filed? Does that stop compliance tracking?

If a motion to recuse is filed the court cannot be held accountable for the period during which the motion is considered by the deciding court, therefore compliance tracking based on the MSJ file date will effectively stop. The clerk will need to track compliance for the MSJ from the date on which a judge is assigned to hear the case if recusal was granted or as of the date the motion to recuse was denied. Also see Question #27.

34. What if the parties do not submit their proposed orders before the hearing or submission date?

Submission of proposed orders is required under Texas Rules of Civil Procedure, Rule 166a, but is not a compliance element for purposes of MSJ reporting.

COURT'S RULING

IMPORTANT: Clerks should consult and defer to the judge of the court regarding compliance deadlines and setting or ruling dates.

35. Is the court's ruling due within 90 days of the setting date or the date the court enters on the docket that the MSJ was heard or considered?

The court must enter the date the motion was heard or considered in the docket and file its ruling within 90 days of that date. The clerk will track ruling compliance from that date. The court setting date refers to the date by which a court must set the date of the hearing on oral arguments or consideration on submission, it is not the date on which the motion was heard or considered.

36. Is a written ruling considered the signed order by the Judge, or is it a letter from the court informing the parties of the ruling?

The court is required to sign a written ruling, file it with the clerk, and provide the ruling to the parties. A letter providing notice to the parties of the court's ruling is not the ruling for purposes of compliance reporting.

37. Texas Rules of Civil Procedure, Rule 166a says the court must provide the ruling to the parties within 90 days, but clerks are required to deliver all orders to all parties in a case under Rule 21. Are both the court and the clerk required to deliver the summary judgment ruling to the parties? If not, who is responsible?

Although Government Code, Section 23.303 requires the court to "provide the ruling to the parties within 90 days after the hearing or submission date," clerks are required under Texas Rules of Civil Procedure, Rule 21(f)(10) to serve or deliver copies of all orders entered in a case to all parties. Delivery of orders through mandatory integration with the state judicial records database may satisfy this requirement. Whether the court or clerk provides the ruling to all parties may be a matter of local practices. Courts and clerks should work together to ensure that the ruling is sent to all parties as required.

OCA MSJ REPORT WORKBOOK; REPORT SUBMISSION

IMPORTANT: Clerks should consult and defer to the judge of the court regarding compliance deadlines and setting or ruling dates.

38. In the sample report, we cannot insert a line so that our dates are in order, is there a way we can get that fixed? Can a column be added to calculate which quarter the MSJ needs to be reported in?

The OCA MSJ Report Workbook is not a sample report and should be used only as an optional tool to assist clerks in collecting the information needed to submit the reports. MSJ reports must be submitted through the OCA Court Tools (Courtal) website at <https://courtal.txcourts.gov/>. Please visit <https://www.txcourts.gov/reporting-to-oca/district-county-court-level-reporting/motion-for-summary-judgment/> for information and instructions.

The OCA MSJ Report Workbook is available at <https://www.txcourts.gov/reporting-to-oca/district-county-court-level-reporting/motion-for-summary-judgment/> and all worksheets will be unlocked so that the user can insert rows and re-sort the entries to the desired order.

Please be aware that the reporting quarter is not determined by the MSJ file date, it is based on the quarter in which the ruling is filed if it is in compliance with the deadline, or in the quarter in which a deadline was missed (setting or ruling). Because the reporting quarter may be controlled by three different factors, the clerk will need to identify the reporting quarter based on the date on which the final compliance status is determined.

TIP: If a separate workbook is used for each quarter, the MSJs designated "Y" or "N" in column N, All Requirements Met, after the end of the quarter will be reportable for that quarter.

If the MSJ court setting deadline is missed, it should be reported in the quarter that includes the date by which the court was required to make the setting for a hearing on oral arguments or consideration on submission (MSJ file date + 90 days). This will stop compliance tracking for the MSJ because overall noncompliance will not change based on the date the ruling is filed, even if the file date is in compliance.

The clerk will need to determine what quarter in which to report an MSJ based on three possible criteria:

- **SETTING DATE:** If the court setting date is not in compliance, the clerk must report the MSJ as noncompliant in the quarter in which the setting deadline falls (MSJ file date + 90 days). If the court setting date was in compliance, continue to Ruling File Date.

In the example below, the MSJ was filed on 3/9/2026 and the court set it on 7/10/2026. The setting deadline based on 90 days from filing was 6/8/2026, so the setting date of 7/10/2026 is not in compliance. The clerk will report the MSJ as noncompliant in the quarter in which the 6/8/2026 setting deadline fell, the 4th Quarter of FY 2026.

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Spreadsheet for resource purposes only. Not for OCA report submission. Results are not guaranteed, users are advised to verify.					Withdrawn, Dismissed, Denied or Otherwise Disposed Prior to Date of Hearing/ Consideration or Deactivating Event Filed* (Enter Y or N) NOTE: Do not report.								
Court Type	Court ID	Court Name	Cause No.	MSJ File Date NOTE: Enter file date of each MSJ, even if multiple filed in same case.		Court Setting Due Date	Court Setting Date NOTE: Enter date Court setting is made; if not set, leave blank.	Court Setting Requirement met? (Y/N)	Date of Oral Hearing or Consideration on Submission	Judgment/ Ruling Due Date	Judgment/ Ruling File Date	Ruling Requirement met? (Y/N)	ALL REQUIREMENTS MET
District	444444444	4th District Court	12222	3/9/2026	N	6/8/2026	7/10/2026	N	8/28/2026	11/30/2026	9/28/2026	Y	N

- **RULING FILE DATE:** If the court setting date was in compliance, the clerk will continue tracking for ruling date compliance. If the ruling file date is within 90 days of the date the MSJ was heard or considered on submission as entered on the court's docket, the ruling file date will be in compliance. The clerk will report the MSJ in the quarter in which the ruling file date falls.

In the example below, the MSJ was filed on 3/9/2026 and the court set the date for hearing or consideration on 5/29/2026. The setting deadline based on 90 days from filing was 6/8/2026, so the setting date of 5/29/2026 is in compliance.

The court held the hearing or considered the MSJ on submission on 6/24/2026. The ruling deadline was 9/22/2026 based on 90 days from the hearing/consideration date of 6/24/2026. The court filed its ruling on 9/9/2026, which is within the 90-day deadline of 9/22/2026, therefore the ruling file date is also in compliance. The clerk will report this MSJ as compliant in the quarter in which the ruling file date of 9/9/2026 falls, which is the 1st quarter of FY 2027.

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Spreadsheet for resource purposes only. Not for OCA report submission. Results are not guaranteed, users are advised to verify.					Withdrawn, Dismissed, Denied or Otherwise Disposed Prior to Date of Hearing/ Consideration or Deactivating Event Filed* (Enter Y or N) NOTE: Do not report.								
Court Type	Court ID	Court Name	Cause No.	MSJ File Date NOTE: Enter file date of each MSJ, even if multiple filed in same case.		Court Setting Due Date	Court Setting Date NOTE: Enter date Court setting is made; if not set, leave blank.	Court Setting Requirement met? (Y/N)	Date of Oral Hearing or Consideration on Submission	Judgment/ Ruling Due Date	Judgment/ Ruling File Date	Ruling Requirement met? (Y/N)	ALL REQUIREMENTS MET
District	444444444	4th District Court	12222	3/9/2026	N	6/8/2026	5/29/2026	Y	6/24/2026	9/22/2026	9/9/2026	Y	Y

- **RULING DEADLINE DATE:** If the Court's ruling is not filed within the 90-day deadline from the date of hearing or consideration on submission, the MSJ is noncompliant as of the ruling deadline date. Even if the ruling is filed after the deadline, the clerk will report the MSJ as noncompliant in the quarter in which the ruling deadline date falls because that is the date the MSJ became noncompliant.

In the example below, the MSJ was filed on 3/9/2026 and the court set the date for hearing or consideration on 5/29/2026. The court setting deadline based on 90 days from filing was 6/8/2026, so the setting date of 5/29/2026 is in compliance.

The court held the hearing or considered the MSJ on submission on 6/4/2026. The ruling deadline was 9/2/2026 based on 90 days from the hearing/consideration date of 6/4/2026. The court did not file its ruling until 9/9/2026; therefore, the ruling file date is noncompliant. The clerk will report this MSJ as noncompliant in the quarter in which the ruling deadline of 9/2/2026 falls, which is the 1st quarter of FY 2027.

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Spreadsheet for resource purposes only. Not for OCA report submission. Results are not guaranteed, users are advised to verify.					Withdrawn, Dismissed, Denied or Otherwise Disposed Prior to Date of Hearing/Consideration or Deactivating Event Filed* (Enter Y or N) NOTE: Do not report.								
Court Type	Court ID	Court Name	Cause No.	MSJ File Date NOTE: Enter file date of each MSJ, even if multiple filed in same case.		Court Setting Due Date	Court Setting Date NOTE: Enter date Court setting is made; if not set, leave blank.	Court Setting Requirement met? (Y/N)	Date of Oral Hearing or Consideration on Submission	Judgment/ Ruling Due Date	Judgment/ Ruling File Date	Ruling Requirement met? (Y/N)	ALL REQUIREMENTS MET
District	444444444	4th District Court	12222	3/9/2026	N	6/8/2026	5/29/2026	Y	6/4/2026	9/2/2026	9/9/2026	N	N

39. How will the reports be submitted to OCA?

Motion for Summary Judgment reports must be submitted through the OCA Court Tools (Courtal) website submission procedures. For MSJ Courtal Report Submission Instructions, please visit:

<https://www.txcourts.gov/reporting-to-oca/district-county-court-level-reporting/motion-for-summary-judgment/>

Clerks will report only the totals for Compliant and Noncompliant MSJs in the reporting quarter. Clerks are not required to report the compliance details for each MSJ filed. If the data required for the report is not available, the clerk may select “Data unavailable” for the court(s) affected. Please note that this will be classified as reporting non-compliance in the annual report provided to the Legislature and Governor's Office.

Court Name	District Clerk Office			County Clerk Office (Read-Only)		
	Total Motions for Summary Judgment					
	Compliant	Non-Compliant	Non-Reporting Reason	Compliant	Non-Compliant	Non-Reporting Reason
Civil Court at Law No. 1			☒ Data unavailable ☐ Does not report			☐ Data unavailable
Criminal Court at Law No. 1			☐ Data unavailable ☒ Does not report			☐ Data unavailable

District clerks may select “Does not report” for any statutory county court for which they do not submit reports to OCA. This does not count as a zero report.

The MSJ Report Workbook is provided solely as an optional tool to assist clerks in tracking MSJs for reporting purposes. It is not a report and should not be sent as such to OCA.

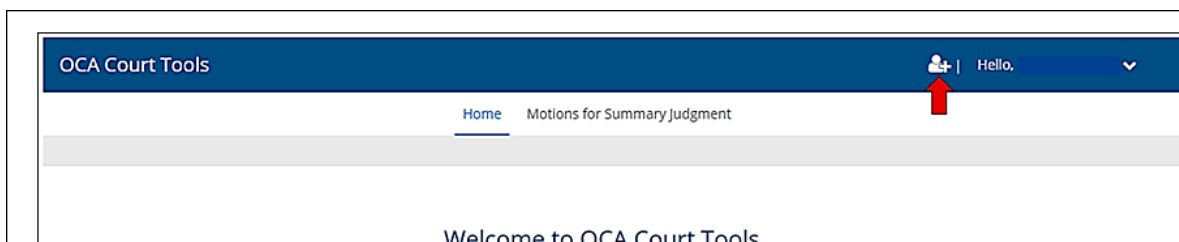
40. I logged into Courtal but I don't see the MSJ submission option. Do I have to request it from OCA?

If you do not see Motions for Summary Judgment tab at the top of the screen after you log into Courtal, it means your User account does not have Manage MSJ rights.

The Courtal manager in your office will need to assign the Manage Motion for Summary Judgment rights to each person who will be submitting the MSJ reports for your office.

The person who has Manage User rights will need to log into Courtal.

Click on the icon at top right of your screen (indicated by red arrow below):



Select “Edit” for the user profile to be edited, then scroll down and select Manage Motion Summary Judgment:

Save the changes. Use these steps to Edit the profile of each user in your office who will need to submit MSJ reports in Courtal.

The person who has Courtal Manage User rights will need to perform these steps for each user in the office who will be submitting MSJ reports. If the person who will Manage Users does not see the Manage MSJs tab when he/she logs into Courtal, he/she will first need to manage their own User profile to add Manage MSJ rights, then he/she will be able to assign this right to other users.

Please send additional MSJ questions not addressed in these FAQs to: judinfo@txcourts.gov