

SECOND ADMINISTRATIVE JUDICIAL REGION OF TEXAS REGIONAL RULES OF ADMINISTRATION

RULE 1: TIME STANDARD

District and Statutory County Court Judges of the County in which cases are filed should, as far as reasonably possible, ensure that all cases are brought to trial or final disposition in conformity with the following time standards:

a. CRIMINAL CASES:

- (1) Felonies. Within 12 months of arrest or return of indictment, whichever is earlier.
- (2) Misdemeanors. Within 6 months of arrest or filing of complaint, whichever is earlier.

b. CIVIL CASES OTHER THAN FAMILY LAW:

- (1) Civil Jury Cases. Within 18 months of appearance date.
- (2) Civil Non-Jury Cases. Within 12 months from appearance date.

c. FAMILY LAW CASES:

- (1) Contested Family Law Cases. Within 6 months from appearance date or within 6 months from the expiration of the waiting period provided by the Family Code where such is required, whichever is later.
- (2) Uncontested Family Law Cases. Within 3 months from appearance date or within 3 months from the expiration of the waiting period provided by the Family Code where such is required, whichever is later.

d. JUVENILE CASES.

In addition to the requirements of Title 3, Texas Family Code:

- (1) Detention hearings. On the next business day following admission to any detention facility.
- (2) Adjudicatory or Transfer (Waiver) Hearings
 - (a) Concerning a juvenile in a detention facility. Not later than 10 days following an admission to such a facility, except for good cause shown of record.
 - (b) Concerning a juvenile not in a detention facility. Not later than 30 days following the filing of the petition, except for good cause shown of record.
- (3) Disposition Hearings. Not later than 15 days following the adjudicatory hearing. The Court may grant additional time in exceptional cases that require more complex evaluation.
- (3) Nothing herein shall prevent a judge from recessing a juvenile hearing at any state of the proceeding where the parties are agreeable or when in the opinion of the

judge presiding in the case the best interests of the child and society shall be served.

e. **COMPLEX CASES.**

It is recognized that in especially complex cases or special circumstances it may not be possible to adhere to these standards.

RULE 2: SUPPLYING INFORMATION

The Local Administrative Judge of each County shall cause the proper Clerk to send the Regional Presiding Judge a copy of the report sent each month to the Office of Court Administration, and such other information regarding docket management systems of the County as may be requested by the Presiding Judge.

RULE 3: DISPOSITION OF CIVIL CASES

The Board of Judges or Judges giving preference to civil cases in each County must adopt and uniformly follow local rules governing the filing, docketing and assignment of civil cases to achieve the time standards of Rule, above, and Rule 6, Supreme Court Rules of Judicial Administration, and meet the requirements of Rules, 7 9 and 10, Supreme Court Rules of Judicial Administration.

RULE 4: DISPOSITION OF FAMILY LAW AND JUVENILE CASES

The Board of Judges or Judges giving preference to Family Law and Juvenile cases in each County must adopt and uniformly follow local rules governing the filing, docketing and assignment of Family Law and Juvenile cases to achieve the time standards of Rule 1, above, and Rule 6, Supreme Court Rules of Judicial Administration, and meet the requirements of Rules 7, 9 and 10, Supreme Court Rules of Judicial Administration.

RULE 5: DISPOSITION OF FELONY AND MISDEMEANOR CASES

The Board of Judges or Judges giving preference to criminal cases in each County must adopt and uniformly follow local rules conforming with Rule 1, above, for the processing of criminal cases.

RULE 6: SELECTION AND CONTROL OF JURIES

The Board of Judges of each County must adopt a Jury Plan governing the selection, management, assignment and time of jury service, file the same with the District Clerk and, when required, secure the approval of the Commissioner's Court.

RULE 7: JUDGE'S VACATION, ABSENCES AND DISQUALIFICATION

The Board of Judges of each County must adopt a plan for judicial absences, vacation and educational events and a method of notifying the Regional Presiding Judge of the need for visiting judges.

RULE 8: THE RULE WITH RESPECT TO RULES

- a. The Rules adopted by the several Counties within each Administrative Region must conform with the requirements of these Rules.
- b. The Local Rules must be numbered to cover the same subject matter prescribed by the Rules, using a section numerical system and decimal subsection system in accordance with the following description of content. In the absence of a section or subsection, interested persons may assume there is no Rule covering the described subject. Local Rules shall use a decimal system allowing for a larger group of special circumstances. (i.e., 1.1, 1.11, 1.12, 1.2, 1.21; 2.1-10.99).
- c. Local Rules shall not be effective until approved by the Presiding Judge of the Region and Supreme Court of Texas.

RULE 9: LOCAL COURT ADMINISTRATION

The Board of Judges of each County must adopt as a part of the Local Rules a rule providing for regular meetings of the judges, committee assignments and other designation of duties necessary to the work of the Courts of the County as required by Chapter 5, Art. 22.a-1, V.T.C.S.

RULE 10: CONFLICTING ENGAGEMENTS OF ATTORNEYS

- a. Attorney already in trial in another Court.
 - (1) When informed that an attorney is presently in trial, the Court will determine where and when assigned. This information will be verified upon request of opposing counsel. The case will be placed on "hold" or reset, depending upon when the attorney will be released.
 - (2) If the attorney is not actually in trial as represented by the attorney or agent, the case will be tried without further notice.
- b. Attorney assigned to two Courts for the same date:
 - (1) It is the duty of the attorney to call the affected Judge's attention to all dual settings as soon as they are known.

(2) Insofar as practicable, Judges should attempt to agree on which case has priority, otherwise the following priorities shall be observed by the Judges of the respective Courts:

- (I) Criminal Cases.
- (II) Cases given preference of Statute.
- (III) Preferentially set cases.
- (IV) Case set at earliest date.
- (V) Case with earliest filing date.
- (VI) Courts in metropolitan County areas should yield to Courts in rural County areas in all other instances of conflicting settings.
- (VII) In event of unresolved conflict between two judges, the issue will be decided by the Local Administrative Judge or the Regional Presiding Judge.

Rule 11: ATTORNEY VACATIONS

- a. DESIGNATION OF VACATION. Subject to the provision of subparts b and c of this rule, an attorney may designate not more than four weeks of vacation during a calendar year as vacation, during which that attorney will not be assigned to trial or required to engage in any pretrial proceedings. This rule operates only where lead counsel, as defined by T.R.C.P. 8, is affected, unless the trial court expands coverage to other counsel.
- b. SUMMER VACATIONS. Written designation for vacation weeks during June, July, or August must be filed with the district clerk by May 15. Summer vacation weeks so designated will protect the attorney from trials during those summer weeks, even if an order setting the case for trial was signed before the vacation designation was filed.
- c. NON-SUMMER VACATIONS. Written designation for vacation in months other than June, July, or August must be filed with the district clerk by February 1. Non-summer vacation weeks may not run consecutively for more than two weeks at a time. Non-summer vacation weeks so designated will not protect an attorney from a trial by an order signed before the date the designation is filed.

EFFECTIVE the 3rd day of January, 1996, subject to approval by the Supreme Court of Texas.

ADOPTED by the Council of Judges, Second Administrative Judicial Region of Texas, in San Antonio, Texas, this 26th day of September, 1995.