

**LOCAL RULES OF THE DISTRICT COURTS OF
LIBERTY COUNTY, TEXAS**

RULE 1

APPLICATION, JURISDICTION AND FILING

Rule 1.1 Application

These rules apply to all cases, civil, criminal, and family, of which the District Courts have exclusive jurisdiction or the County Courts at Law of Liberty County, Texas, have concurrent jurisdiction.

Rule 1.2 Jurisdiction

1.2.1. Exclusive Jurisdiction

Exclusive jurisdiction of District Courts encompasses matters defined by statute, rules of court, case law, or these rules as the sole province of District Courts.

Rule 1.3 Assignment of Cases

1.3.1. Equal Assignment

The District Clerk shall assign cases equally among the District Courts on a rotation basis unless specifically instructed otherwise by these rules or by the Board of Judges.

1.3.2. Assignment of Exclusive Jurisdiction Cases

The District Clerk shall assign cases of exclusive jurisdiction to the District Courts.

1.3.3. Assignment of Concurrent Jurisdiction Cases

The District Clerk shall assign cases of concurrent jurisdiction to the District Courts unless specifically instructed otherwise by these rules or by the Board of Judges.

RULE 2

LOCAL ADMINISTRATIVE DISTRICT JUDGE

Rule 2.1 Powers and Duties of Local Administrative District Judge

2.1.1. Election of the Administrative Judge

Pursuant to Section 74.091 of the Texas Government Code, a majority of the District Judges will elect a Local Administrative District Judge at the first meeting of the fiscal year for a two-year term.

2.1.2. Duties

The Local Administrative District Judge will have the duties and responsibilities provided in Rule 9 of the Rules of Judicial Administration.

2.1.3. Meetings of the Judges of the County

The Local Administrative District Judge or any District Judge may call meetings of the Judges as needed. The Local Administrative District Judge shall preside over such meetings, or the District Judge who called the meeting. In a District Judge's absence, another District Judge may preside over the meeting.

RULE 3

GENERAL COURT ADMINISTRATION FOR ALL CASES

Rule 3.1 Transfer of Cases; Docket Exchange; Bench Exchange

3.1.1. Assign (presiding for another judge)

After assignment to a particular court, a case may be assigned to another court by order of the Judge of the court in which the case is pending with the consent of the Judge of the court to which it is being assigned. Jurisdiction over a case assigned to another court shall always remain with the originating court.

3.1.2. Transfer (giving jurisdiction to another court for all purposes)

After assignment to a particular court, a case may be transferred to another court by order of the Judge of the court in which the case is pending with the consent of the Judge of the court to which it is transferred. The court to which a case is transferred shall have jurisdiction over that case for all purposes.

3.1.3. Exchange of Cases / Benches

The courts may at any time exchange cases and benches to accommodate their dockets or to expedite the court's trials.

3.1.4. Presiding for another Judge

In all cases where a judge presides for another court, the case shall remain pending in the original court.

3.1.5. Assignment of Judge or Transfer of Case on Recusal

If a District Judge determines on the judge's own motion that the judge should not sit in a case pending in the judge's court because the judge is disqualified or otherwise should recuse himself or herself, the Court shall enter a recusal order, request the presiding judge of that administrative judicial region to assign another judge to sit, and take no further action in the case except for good cause stated in the order in which the action is taken.

Rule 3.2 Docket Settings

3.2.1. Court Coordinator/Administrator

Each court shall appoint a court coordinator/administrator. It shall be the duty of each court coordinator/administrator to:

- 3.2.1.1. Establish procedures for setting cases for trial and hearings;
- 3.2.1.2. Provide the Court and the clerk assigned to that particular court with a printed docket sheet indicating the cases set for a trial or hearing for each day of court;
- 3.2.1.3. Provide all counsel and/or other necessary departments with a courtesy copy, if necessary, of the docket sheet indicating the cases set for a trial or hearing for each day of court;
- 3.2.1.4. Notify all counsel of settings and rulings of the Court as is provided by these rules or at the direction of the Court;
- 3.2.1.5. Coordinate all setting requests;
- 3.2.1.6. Coordinate with the District Clerk's office concerning jury trials and juror requirements;
- 3.2.1.7. Upon notification or motion, provide a certified interpreter in accordance with Chapter 21 of the Texas Civil Practice & Remedies Code and/or Article 38.30 or Article 38.31 of the Code of Criminal Procedure;
- 3.2.1.8. Coordinate all settings and necessary assistance for visiting judges and ensure that all rules and procedures of the originating court are followed by the visiting judge(s).

3.2.2. Setting Requests

Requests for hearings shall be made in writing to the court in which the matter is pending in accordance with these rules, and the attorneys making such request shall serve all counsel and parties appearing pro se with notice of the hearing.

Rule 3.3 Complex Cases

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

Rule 3.4 Appearance via Videoconferencing

For trials and contested matters, any party requesting to appear by videoconferencing or other electronic means must file a motion with the court and serve all counsel and parties with a notice of hearing. The Court has the discretion to allow or not allow appearance via videoconferencing or other electronic means.

Rule 3.5 Deposition Testimony

Use of deposition testimony in court shall be done in accordance with the Texas statutes and rules and provided by a licensed Texas court reporter as defined under Government Code, Sec. 52.001, or by only those alternative methods in accordance with the laws of this state.

Rule 3.6. Use of Artificial Intelligence

Attorneys and self-represented litigants are cautioned against submitting to the Court any pleading, written motion, or other paper drafted using generative artificial intelligence (e.g., ChatGPT, Harvey.AI, generative AI services) and/or sources researched by artificial intelligence (e.g., Google AI or Copilot) without checking the submission for accuracy because certain technologies may produce factually or legally inaccurate content and should never replace the author's independent legal judgment.

The use of artificial intelligence to summarize, record, or translate proceedings is not allowed in the courtroom by any party, witness, or interpreter.

Rule 3.7 Conflicting Trial Settings

It is the duty of an attorney to notify all courts in which an attorney has conflicting settings as soon as practicable. Judges should attempt to agree on which case has priority; otherwise, the following priorities may be observed by the Judges of the respective courts:

3.7.1 Criminal cases.

3.7.2. Cases given preference by statute.

3.7.3. Preferentially set cases.

Rule 3.8. Conflicting Ancillary Hearings

It is the duty of an attorney with conflicting ancillary hearings to notify opposing counsel of the conflict immediately upon learning of same. The attorney shall inform the court prior to docket call of the location of counsel, the court or courts where counsel is appearing, the matter being heard, and the estimated time of appearance. Failure to notify the court of such conflict may result in a default on the matter before the court, or sanctions.

Rule 3.9. Designation of Attorney in Charge

Every case shall have a designation of attorney in charge.

Rule 3.10. Jurors May Separate

When jurors have been sworn in, the Court may, at its discretion, permit the jurors to separate until the Court has given its charge to the jury. However, each Court may establish a procedure for jurors to be provided meals or taken as a whole by the Bailiff(s) to a local restaurant, paid for by the County, throughout the trial of a case in order to ensure that all jurors return timely prior to the continuation of court proceedings.

**RULE 4
CIVIL CASES**

Rule 4.1 General

All civil cases which the District Courts of Liberty County have exclusive or concurrent jurisdiction shall be filed in the District Clerk's office of Liberty County. These rules shall be applicable to all civil cases filed in the District Courts of Liberty County.

Rule 4.2 Time Standards for Civil Case Disposition

4.2.1. Civil Jury Cases

All civil jury cases will be tried or dismissed within 18 months from appearance date.

4.2.2. Civil Non-Jury Cases

All civil non-jury cases will be tried or dismissed within 12 months from appearance date.

Rule 4.3 Filing and Assignment of Cases

4.3.1. Assignment

All civil cases filed shall be assigned in the District Courts of Liberty County on a rotating basis and in compliance with these rules. Once assigned to a court, a case will remain on the docket of that court for all purposes unless assigned or transferred to another court as herein provided.

4.3.2. Previous Judgment or filing

Any claim for relief based upon a previous judgment shall be assigned to the court of original judgment.

4.3.3. Consolidation

A motion to consolidate cases shall be heard in the court where the lowest numbered case is pending. If the motion is granted, the consolidated case will be given the number of the lowest numbered case and assigned to that court.

4.3.4. Severance

If a severance is granted, the new case will be assigned to the court where the original case is pending; however, a new file date and a new cause number will be assigned to the now severed case.

4.3.5. Removal to District Court

A case which has been assigned to a County Court at Law in error because the subject matter is within the exclusive jurisdiction of the District Courts will be returned to the District Clerk for reassignment to the District Court.

4.3.6. Setting Requests

Requests for hearings shall be made in writing to the court in which the matter is pending in accordance with these rules, and the attorneys making such request shall serve all counsel and parties appearing pro se with notice of the hearing.

4.3.7. Docket Control Orders

Each court may generate docket control orders for each civil case pending. The order shall contain a trial setting, cut-off date for discovery, pretrial conference date, and any other requirements as established by each individual court.

4.3.8. Trial Settings

Cases shall be set for trial by order of the Court, upon request of a party, on the Court's own motion, or by a docket control order.

All requests for non-jury trials before the Court shall be set by the Court at the earliest possible trial date on those dates established by the Court for non-jury weeks. The request shall be in writing and copies of said request served upon all attorneys and parties pro se involved in the case. The Court shall have sole discretion as to which non-jury trial week the case will be assigned. The party obtaining the setting shall notify all counsel and parties appearing pro se of the setting.

All requests for jury trials shall be in writing and copies of said request served upon all attorneys and parties pro se involved in the case. The Court shall have sole discretion as to which case and which jury trial week the case will be assigned. The party obtaining the setting shall notify all counsel and parties appearing pro se of the setting.

If a case is not tried the week it is assigned, the Court shall reset the case to the following trial date. All requests for preferential trial settings shall be made in writing with notice to all counsel and parties appearing pro se. The Court shall set preferential trial requests for a hearing on the earliest possible date.

Rule 4.4 Dismissal Docket; Involuntary Dismissals

4.4.1. Dismissal Dockets

All cases not brought to trial or otherwise disposed of which have been on file for more than the specified time period as established by these rules shall be placed on the dismissal docket by the Court.

4.4.2. Notice

When a case has been placed on the dismissal docket, the District Clerk shall promptly send notice of the Court's intention to dismiss for want of prosecution to each attorney of record, attorney ad litem or guardian ad litem, Office of the Attorney General, and pro se party whose address is shown in the clerk's file. A copy of such notice shall be filed with the papers of the cause.

4.4.3. Motion to Retain

Unless a written motion to retain has been filed prior to the dismissal date as set forth in the notice of intention to dismiss, such case shall be dismissed. Notice of the signing of the order of dismissal shall be given as required by Rule 165 (a) of the Texas Rules of Civil Procedure. Failure to mail notices as set out above shall not affect any of the periods mentioned in Rule 306 (a) of the Texas Rules of Civil Procedure except as provided in that rule.

4.4.4. Motion for reinstatement

A motion for reinstatement after dismissal shall follow the procedure and be governed by the provisions of Rule 165 (a) of the Texas Rules of Civil Procedure relating to reinstatement.

Rule 4.5 Hearings on Pre-Trial Motions

4.5.1. Form

Motions and responses shall be in writing and shall be accompanied by a proposed order granting or denying the relief sought. The proposed order shall be a separate instrument.

4.5.2. Submission

Motions shall state a date of submission which shall be at least **10** days from filing, except on leave of court. The motion will be submitted to the Court upon that date.

4.5.3. Response

Responses shall be in writing. Responses shall be filed at least **three (3)** working days before the submission date. Failure to file a response may be considered a representation of no opposition.

4.5.4. Oral argument

The motion or response may include a request for oral argument. Said request shall be in writing and set forth reasons for the necessity of such hearing. It is in the sound discretion of the Court whether to grant the request for oral hearing. A request for an oral argument is not a response under Rule 3.8 (c).

4.5.5. Certificate of Conference

Opposed motions and responses shall contain a Certificate of Conference indicating that the counsel involved have attempted to resolve the dispute prior to filing of the motion or response, the date of such attempt and the manner of communication of such an attempt, or any other requirement of the court.

Rule 4.6 Continuances

Any motion for continuance of the trial setting shall be presented to the Court pursuant to the docket control order, or the Texas Rules of Civil Procedure. The order granting or denying such motion shall contain an order resetting the case for trial for a specific date and time.

Rule 4.7 Alternate Dispute Resolution and Mediation

4.7.1. Alternate Dispute Resolution

In order to encourage the early settlement of disputes and to carry out the responsibilities of the courts set out in Chapter 154 of the Texas Civil Practices and Remedies Code, appropriate alternative dispute resolution procedures will be encouraged and utilized.

4.7.2. Mediation

The courts encourage mediation in order to facilitate the settlement of disputes and litigation. Each court shall adopt a procedure for the use of mediation in all civil cases. It is in the sound discretion of the trial court whom to use as a mediator and the procedures for same.

Rule 4.8 Settlements

All trial counsel are required to make a bona fide effort to settle cases at the earliest possible date before trial. The Court will expect counsel to confer with his/her client and with opposing counsel concerning settlement offers. When an attorney settles or dismisses a case which is set for trial, he/she shall give notice to the Court as soon as possible.

Rule 4.9 Jury Charge Questions and Instructions

Each party shall prepare in proper written form and present to the Court prior to trial or the jury selection, all jury charge questions and instructions which are raised by the pleadings and evidence and upon which the party has an affirmative burden. The charge shall be provided in written form.

Rule 4.10 Guardians and Attorneys Ad Litem

When it is necessary for the Court to appoint a guardian ad litem for minor or incompetent parties or an attorney ad litem for absent parties, independent counsel, not suggested by any of the parties or their counsel, will be appointed. However, the Court may appoint an attorney who is already counsel of record for one of the parties if the Court finds that no conflict of interest or other circumstances exist which would prevent such attorney from providing adequate representation for such minor, incompetent or absent parties.

Rule 4.11 Entry of Interim Orders

An interim order is any temporary order entered by the Court during the pendency of the suit. In the event that the Court renders an oral interim order, the Court shall require a party to prepare a written order complying with the Court's rendition and set a hearing date for entry. The party

preparing the order shall obtain approval as to form from the opposing counsel or pro se litigant. If signatures are not obtained then a motion to enter the judgment or order should be set for oral hearing or by submission.

Rule 4.12 Entry of Final Orders

In the event that the Court renders an oral final order, the Court shall require a party to prepare a written final order complying with the Court's ruling and set a hearing date for entry. The party preparing the order shall obtain approval as to form from the opposing counsel or pro se litigant. If signatures are not obtained, then a motion to enter the judgment or order should be set for oral hearing or by submission.

**RULE 5
FAMILY LAW CASES**

Rule 5.1 General

The filing, assignment, and transfer of cases under the Family Code shall be filed in accordance with Rule 1 of these rules. All cases filed pursuant to the Family Code with the exception of Title 3 of the Family Code shall be governed by Rule 3 of these rules.

Rule 5.2 Time Standards for Family Law Case Disposition

5.2.1. Contested cases shall be tried or dismissed within 6 months from the 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.

5.2.2. Uncontested cases shall be tried or dismissed 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.

Rule 5.3 Ex Parte Restraining Orders, Protective Orders and Temporary Orders

5.3.1. Ex Parte Restraining Orders and Protective Orders

Ex Parte Restraining Orders and Protective Orders shall be presented to the court in which it has been assigned. If the presiding judge of said court is not available, then the Ex Parte Order or Protective Order may be presented to any sitting District or County Court at Law Judge available. In all cases, only the court coordinator/administrator of the court to which the case is assigned may set the hearing.

5.3.2. Temporary Orders Entry

All temporary orders shall be presented to the Court for entry within **ten (10) days** after the

hearing or at the entry date set by the Court. Failure to comply could subject the case to dismissal. The party preparing the order shall obtain approval as to form from the opposing counsel or pro se litigant. If signatures are not obtained, then a motion to enter the order should be set for oral hearing or by submission.

RULE 6 CRIMINAL CASES

Rule 6.1 Filings/Return of Indictments

6.1.1. Assignment of Cases After Indictment

Except as otherwise provided in this Rule, the Clerk shall equally distribute every criminal case filed by indictment into the District Courts.

6.1.2. New Indictments After Assignment

After assignment, the clerk shall assign any new indictment against a defendant to the same court.

6.1.3. Re-indictments

The clerk shall assign any re-indictment of the same defendant to the same court in which the prior indictment was assigned.

6.1.4. Co-Defendant Indictment

The clerk, after random assignment of an indictment to a court, shall assign any co-defendant subsequently indicted to the same court in which the first co-defendant's indictment was assigned.

Rule 6.2 Scheduling Order/Discovery Order

Each court may adopt a scheduling/discovery order to be entered in each case at the time of arraignment, if possible. The scheduling/discovery order may include procedures for the exchange of information, evidence inspection, expert designations, pretrial motions, trial, and dates and deadlines to conform with the discovery order.

Rule 6.3 Motions for Continuance

All motions for continuance, whether filed by the State or the Defendant, must comply with the applicable law contained in the Code of Criminal Procedure and must be presented to and considered by the Court. Except for good cause shown and upon compliance with these rules, the Court shall not consider any motion for continuance on the scheduled trial date.

Rule 6.4 Post Conviction Proceedings

The clerk shall file any motion to revoke probation or any post-conviction application for writ of

habeas corpus in the court having granted probation or entered the judgment in the case.

Rule 6.5 Time Standards for Felony Criminal Cases

Felony criminal cases shall be brought to trial or final disposition within 12 months of arrest or return of indictment, whichever is earlier, if possible. It is recognized that in complex cases or special circumstances it may not be possible to adhere to these standards as provided herein.

Rule 6.7 Court-Appointed Counsel

All court-appointed counsel shall comply with the Liberty District Court and County Court Plan filed with the Texas Indigent Defense Commission.

Rule 6.8 Trial Settings

The Court shall have sole discretion as to which case and which jury trial week the case will be assigned. When announcement is made by the State and Defense that he/she is ready for trial, all subpoenas, scheduling of witnesses, discovery, notification to the Court if interpreters are needed, etc., shall be completed immediately.

If a case is not tried the week it is assigned, the Court shall reset the case to the following trial date. All requests for preferential trial settings shall be made in writing with notice to all counsel and parties appearing pro se.

**RULE 7
ATTORNEY VACATIONS**

Each attorney who desires to assure himself/herself a vacation may do so automatically by complying with the Rule 11 of the Second Administrative Region of Texas Regional Rules of Administration.

**RULE 8
RECORDING OR BROADCASTING BY ANY PERSON, COURT SPECTATOR,
COURT PARTICIPANT, MEDIA OR ENTITY**

Each court may adopt his/her rules for the broadcasting, televising, photographing and recording of any courtroom activity. The rules shall contain safeguards to ensure that media coverage and recording shall not detract from the dignity of the court proceedings or otherwise interfere with the achievement of a fair and impartial court proceeding.

**RULE 9
PREVIOUS RULES**

Any previous local rules in the District Courts of Liberty County are hereby repealed.

**RULE 10
LAWYER'S CREED APPLICABLE**

The Texas Lawyer's Creed shall be observed in all proceedings before the court.

**RULE 11
BOARD OF JUDGES**

The Board of Judges shall consist of all the District Judges and County Court at Law Judges that serve Liberty County. The meeting shall be called by either the Local Administrative Judge of the District Courts or the Local Administrative Judge of the County Courts at Law.

**RULE 12
ADOPTION, APPROVAL, AND NOTICE**

Rule 12.1 Adoption

These rules are adopted by the District Judges for all purposes and by the County Court at Law Judges for those provisions that affect the concurrent jurisdiction of the county courts.

Rule 12.2 Approval

Upon submission to the Judge of the Second Administrative Region and posting these local rules to the Office of Court Administration's *Local Rules, Forms, and Standing Orders* website, the rules shall become effective immediately, and so long thereafter until amended, repealed, or modified. Each numbered or lettered paragraph of these rules shall be considered to be separate and distinct from all other portions hereof, and if any portion should be declared by a higher court to be improper, such declaration will not affect any other portion not so declared to be improper.

Rule 12.3. Notice

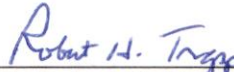
The District Clerk is directed to submit a copy of these rules to the Office of Court Administration pursuant to Rule 3a of the Texas Rules of Civil Procedure and to record these Rules in the Minutes of the District Courts.

ADOPTION

Adopted the 18th day of August, of the year 2025, to become effective upon publication on the Office of Court Administration's Local Rules, Forms, and Standing Orders website.



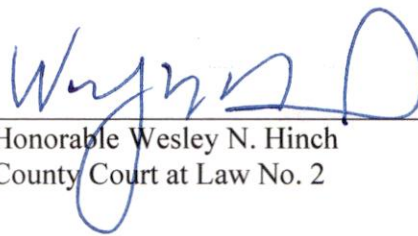
Honorable Chap B. Cain, III
253rd District Court
Local Administrative District Judge



Honorable Robert H. Trapp
Second Administrative Judicial Region
(sitting as Judge of the 75th District Court)



Honorable Thomas Chambers
County Court at Law No. 1



Honorable Wesley N. Hinch
County Court at Law No. 2

FILED
at 10:50 o'clock A M

AUG 19 2025

DELIA SELLERS

Clerk, District Court, Liberty, TX

BY Delia Sellers DEPUTY