IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 09-9109

APPROVAL OF LOCAL RULES FOR WICHITA COUNTY

ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court of Texas approves the following amendments to the local rules for the district courts, constitutional county court, and statutory county courts of Wichita County.

In Chambers, this 30th day of June, 2009.

Wallace B. Jefferson, Chief Justice

Nathan L. Hecht, Justice

Harriet O'Neill, Justice

Dale Wainwright, Justice

Scott Brister, Justice

David M. Medina, Justice

Paul W. Green, Justice

Phil Johnson, Justice

Don R. Willett, Justice

ORDER ADOPTING WICHITA COUNTY
LOCAL RULES OF PRACTICE
OF THE
DISTRICT, CONSTITUTIONAL AND
STATUTORY COUNTY COURTS,
As Amended February, 2009

IT IS ORDERED by the District Judges, County Court at Law Judges, and County Judge of Wichita County, Texas, pursuant to Rule 3a, Texas Rules of Civil Procedure and Articles 28.01 and 33.08 of the Texas Code of Criminal Procedure, that:

1. the following Local Rules of Practice, as amended, are adopted and shall become effective thirty (30) days after the date of this order, and upon approval of the Presiding Judge of the Eighth Administrative Region and the Supreme Court of Texas;

2. the Clerks of these Courts shall, upon approval of these rules by the Supreme Court of Texas, record the same together with a copy of this Order and the Order of the Supreme Court of Texas, approving the same, in the minutes of these Courts;

3. the Clerks of these Courts shall, upon request, make available, to each lawyer practicing in Wichita County, Texas, a copy of these Rules, together with a copy of this Order;

4. these Rules shall be construed and interpreted in addition to, and in conformity with, and not as superseding the Constitution and Laws of the State of Texas and rules of the Supreme Court of Texas or the Court of Criminal Appeals. These Rules shall not be construed to prohibit the Courts of Wichita County from making orders, settings or procedures, which, in the Courts' discretion, may further the orderly administration of justice; and,

5. should any of these Rules, or any part thereof, not be approved by the Supreme Court of Texas, or should any of these Rules, or any part thereof, be held invalid for any reason, such failure to approve or such invalidity shall not affect the validity of any other rule or part thereof, all of which have been separately considered and adopted.

SIGNED the 27 day of February, 2009.

ROBERT P. BROTHERTON
30TH District Court

JIM HOGAN
County Court at Law #1

ROY T. SPARKMAN
78th District Court

TOM BACUS
County Court at Law #2

MARK T. PRICE
89th District Court

WOODROW W. GOSOM, JR.
Wichita County Court

APPROVED by the Presiding Judge of the Eighth Administrative Region on the 9th day of March, 2009.

JEFF WALKER
Presiding Judge
8th Administrative Region

PROPOSED CHANGES
TO THE LOCAL RULES

RULE 3.6. SUBMISSION OF ORDERS WITHOUT A HEARING

No order shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel, there shall be an order setting the matter for hearing that accompanies the motion.

No order modifying or terminating community supervision shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and the Community Corrections and Supervision Department and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel and the Community Corrections and Supervision Department, there shall be an order setting the matter to hearing that accompanies the motion.

RULE 4.5. SUBMISSION OF ORDERS WIHTOUT A HEARING (NEW RULE)

No order shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel, there shall be an order setting the matter for hearing that accompanies the motion.

No order modifying or terminating community supervision shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and the Community Corrections and Supervision Department and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel and the Community Corrections and Supervision Department, there shall be an order setting the matter to hearing that accompanies the motion.

RULE 5.1 TEMPORARY HEARINGS

c. Time Limits

Except upon prior approval of the Court, in all matters in which managing conservatorship is in issue, the parties shall be granted not more than two (2) hours to present the case, which time shall be equally divided. In all other temporary matters, including a modification of a temporary order, the parties shall be granted not more than one (1) hour to present the case, which time shall be equally divided. Counsel should not request an extended setting at the time the application for temporary relief is presented to the Court for scheduling unless, because of unusual circumstances, the time limits are unworkable or inappropriate. The Court shall determine the amount of time that shall be allotted for the hearing. This rule does not apply to hearings in which the Texas Department of Family and Protective Services is a party.

d. Documents Required

In all cases in which temporary payment of debts or support of a spouse and/or the child is in issue, each party shall be required to furnish:

1. A statement of monthly income and expenses in a form substantially similar to that attached to these rules as Appendix 2.

2. Copies of that party's federal income tax returns for the two calendar years prior to the temporary hearing **and/or**

3. All payroll statements, pay stubs, W2 forms, and/or 1099 forms which evidence that party's earnings for the calendar year prior to the temporary hearing and from January 1 of the current year through the date of the temporary hearing.

WICHITA COUNTY
LOCAL RULES OF PRACTICE
OF THE
DISTRICT, CONSTITUTIONAL
AND
STATUTORY COUNTY COURTS

As amended
February, 2009

WICHITA COUNTY
LOCAL RULES OF PRACTICE
of the
District, Constitutional and Statutory County Courts

TITLE 1. RULES GOVERNING ALL PROCEEDINGS

RULE 1.1 CONDUCT AND COURTROOM DECORUM

a. Policy

Judges and attorneys have a duty to uphold the highest standards of conduct and to earn and promote public respect for the judiciary, the legal profession and the American system of justice.

b. The Texas Lawyer's Creed

The Standards of Professional Conduct in Section IV of the Texas Lawyer's Creed, as promulgated by the Texas Supreme Court and the Texas Court of Criminal Appeals are adopted and incorporated herein by reference as guidelines for participating in litigation in the District, Constitutional and Statutory County Courts of Wichita County.

c. Appearance of Counsel

Upon a party's first appearance through counsel, the attorney whose signature first appears on the initial pleading shall be the attorney in charge, unless another attorney is specifically designated therein. The attorney's appearance shall be a general appearance and the attorney will remain as the attorney in charge until the final disposition of the case or until permitted to withdraw with leave of court.

d. Ex-Parte Communications Prohibited; Inquiries Directed to the Court

All ex-parte communications with the Court by attorneys, pro se parties, and any other persons are prohibited. This prohibition includes, but is not limited to, electronic communications. Any person seeking information from the Court regarding any matter whatsoever shall direct such inquiry to the Court Coordinator for the Court. Unsolicited emails, sent to the Judge's email address, may be deleted without being opened. Emails sent to the Judge's email address in response to an inquiry by the Judge shall be copied to all attorneys of record as well as any pro se parties. Such emails shall include the full name, mailing address, telephone number, fax number (if applicable) and State Bar of Texas number (if applicable) of

the sender. The Judge may, at any time, require all communications to be by first class mail or certified mail and may refuse to accept any communication made by any other means.

e. Conduct Required of Counsel

1. Counsel shall timely appear before the Court at each setting and following each recess.

2. Counsel shall be appropriately attired for all court proceedings.

3. Counsel shall rise and remain standing while addressing the Court.

4. Counsel shall address all statements, requests and objections to the Court and not to opposing counsel.

5. Counsel shall not argue objections in the presence of the jury without prior leave of court.

6. Counsel shall not interrupt or talk over opposing counsel, except to state formal objections.

7. Counsel shall remain behind counsel table while examining witnesses. If requested by counsel, and approved by the Court, counsel may stand at a podium while examining witnesses.

8. Counsel shall neither make nor insinuate derogatory or insulting remarks about opposing counsel.

9. Counsel shall address the Court as "Your Honor" or "Judge" and except with leave of court, shall refer to all counsel, parties and witnesses (except children) by their surnames, using such titles as Mr., Mrs., Miss, Dr., etc. as appropriate, and not by first names or nicknames, or any discriminatory or inappropriate classification.

10. Counsel shall neither exit nor enter the bar while court is in session without prior permission of the Court or the bailiff. This rule does not apply during Docket Calls or during the Court's weekly criminal non-jury docket.

11. Counsel shall request leave of court before approaching the bench or to approach the witness when necessary to work with documentary or tangible evidence.

12. Counsel shall not lean on the bench except as may be necessary to prevent jurors from overhearing bench conferences. Counsel shall not engage in personal discussions with the Court or each other during trial while in the presence of jurors, parties, or witnesses.

13. Counsel shall advise counsel's clients, witnesses and others subject to counsel's control of these rules of conduct and courtroom decorum.

f. Conduct Required of All Other Persons

All other persons in the courtroom during trials and other proceedings shall be attentive to the proceedings and shall refrain from any action which may disrupt the proceedings. Therefore, all such persons shall comply with the following:

1. All persons shall be appropriately attired for court proceedings.

   All persons entering the courtroom shall be dressed in clothing reasonably befitting the dignity and solemnity of court proceedings.

2. No tobacco use in any form is permitted.

3. No bottles, beverage containers, paper cups or edibles are allowed in the courtroom, except as permitted by the Court.

4. No gum chewing is permitted.

5. No reading of newspapers, books, or magazines is permitted.

6. No propping of feet on tables or chairs is permitted.

7. No talking or unnecessary noise is permitted which interferes with the court proceeding.

8. No person may, by facial expression, shaking or nodding of the head, or by any other conduct, express approval or disapproval of any testimony, statement or transaction in the courtroom.

9. All persons shall rise when the judge enters the courtroom, and at such other times as the bailiff shall instruct.

10. No person shall bring packages, suitcases, boxes, duffel bags, shopping bags or containers into the courtroom without the prior approval of the bailiff or the Court.

11. No person shall be permitted any verbal or physical contact with a prisoner without the prior approval of the bailiff or sheriff.

12. No person shall bring radios, tape recorders, computers, cameras, or other electronic devices into the courtroom unless the device is required for the court proceeding and prior approval has been given by the bailiff or the Court. Cellular telephones and pagers are permitted, but must be turned off or set to "silent" mode.

13. No children under the age of twelve (12) shall be permitted in the courtrooms during any court proceeding without prior approval of the Court.

g. Enforcement

The sheriff or bailiff of the court shall enforce the rules of conduct and courtroom decorum.

RULE 1.2. REQUESTS FOR CONTINUANCE OR POSTPONEMENT

a. Consent or Notice Required

No request for a continuance, to pass, postpone or reset any trial, pretrial, or other hearing shall be granted unless counsel for all parties consent, or unless all parties not joining in such request have been notified and have had an opportunity to object. Agreement by counsel for all parties to a continuance does not mean automatic approval by the Court, and the Court reserves the right to deny or require a hearing even on agreed continuances.

b. Contents of Motion

Unless counsel for all parties consent in writing to the request for a continuance and the same is approved by the Court, a motion must be filed pursuant to Rule 251, et seq. of the Texas Rules of Civil Procedure, as amended or Article 29.01, Texas Code of Criminal Procedure, as applicable, and the motion must be accompanied by an order setting the motion for a hearing. Any motion that does not meet these requirements will be denied without prejudice to the right to refile.

c. **Attorney vacation and attorney CLE.**

Subject to the following provisions, an attorney designated either as the attorney in charge or lead counsel may designate days for vacation or Continuing Legal Education, during which time the attorney will not be assigned to trial or required to engage in pre-trial procedures.

1. All designations must be in writing and filed with the appropriate Clerk, the Court Administrator and each Court Coordinator.

2. All designations must be made at least sixty (60) days prior to the first day of the period designated.

3. No more than two (2) consecutive weeks may be designated.

4. During the months of June, July, and August, no more than three (3) jury weeks may be designated.

Designations made pursuant to this rule will protect the attorney from trials scheduled during the designated period, unless an order specially setting the case for trial was signed prior to the designation being filed.

RULE 1.3. CONFLICT IN TRIAL SETTINGS

a. **Duty of Counsel to Notify Court**

Whenever an attorney has two or more cases on trial dockets for trial at the same time, it shall be the duty of the attorney to bring the matter to the attention of the courts concerned immediately upon learning of the conflicting settings. Failure to timely notify the conflicting courts can result in sanctions allowed by the Texas Rules of Civil Procedure or the Texas Code of Criminal Procedure.

b. **Priority of Cases In Event of Conflict**

The trial courts of Wichita County shall give preference to hearings and trials of the following matters. In the event of a setting conflict between trial courts of Wichita County, the affected courts shall attempt to resolve the conflict by agreement. During regularly scheduled jury weeks, and during weeks in which a District Court has summoned a special venire, jury trials shall take priority over all other settings. During non-jury weeks, the trial courts shall give preference to hearings and trials of the

following:

1. Federal Court settings;

2. Temporary injunctions;

3. Criminal actions, with the following criminal actions given preference over other criminal actions:

   A. Criminal actions against defendants who are detained in jail pending trial;

   B. Criminal actions involving a charge that a person committed an act of family violence, as defined by Section 71.004, Family Code; and

   C. An offense under:

      (i) Section 21.11, Penal Code (Sexual Assault);

      (ii) Chapter 22, Penal Code (Assaultive Offenses), if the victim of the alleged offense is younger than 17 years of age;

      (iii) Section 25.02, Penal Code (Prohibited Sexual Conduct), if the victim of the alleged offense is younger than 17 years of age; and

      (iv) Section 25.06, Penal Code (Harboring Runaway Child)

4. Election contests and suits under the Election Code;

5. Orders for protection of the family under Subtitle B, Title 4, Family Code;

6. Permanency Hearings under Section 263.304, Texas Family Code;

7. Final Hearings for Children under the care of TDPRS;

8. Appeals of final rulings and decisions of the Texas Worker's Compensation Commission and claims under the Federal Employer's Liability Act and the Jones Act; and,

9. Appeals of final orders of the Commissioner of the General Land Office under Section 51.3021, Natural Resources Code.

c. **Secondary Priorities**

A matter not included in Rule 1.3.b, shall be set at the discretion of the trial court in which the matter is pending, observing the following priorities:

1. Matters where delay will cause physical or economic injury to either the parties or the public;

2. Matters involving substantial substantive or constitutional rights will take precedence over matters involving permits, licenses, or privileges;

3. Matters involving important issues that greatly concern the public or materially affect the public welfare; and

4. Matters involving complete restoration of a ward's capacity or modification of a ward's guardianship.

RULE 1.4. CASE FILING

a. The District Clerk is hereby designated as filing clerk and it shall be his duty to assign to the various courts all cases filed in the District Courts and the County Courts at Law of Wichita County (except misdemeanors and probate cases). All cases, except modification cases where there is a court of continuing jurisdiction, shall be assigned based upon a random plan that shall be determined by the District Clerk as approved by the Board of Judges. All cases where there is a court of continuing jurisdiction shall be filed in the court of continuing jurisdiction. Any petition filed for a new case shall be accompanied by a "New Suit Filing and Service Instructions Sheet", attached hereto as Appendix 1.

b. In the event a case is filed and assigned to a particular court, and the case is then dismissed and re-filed, the subsequently filed case shall be assigned to the same court. If the subsequently filed case does not get assigned to the same court as the initial lawsuit, the case shall be transferred to the originally assigned court upon motion of any party or upon the Court's own motion.

c. Any case filed as a Bill of Review shall be filed in the same court that heard the original case.

d. All petitions for writ of habeas corpus shall be filed in the Court where the underlying case is pending.

RULE 1.5. TRIAL SETTINGS

a. All matters to be heard on regular non-jury days shall be set with the Court's Coordinator. Except where provided by statute or the Rules of Civil Procedure, all non-jury settings shall be on at least 10 days notice to opposing counsel and/or parties.

All parties shall be responsible for notifying the Court Coordinator as soon as practical of settlement and/or cancellations of trials and/or settings.

b. Jury weeks and non-jury weeks shall be set by the Courts by August of the preceding year. The Clerk shall maintain a separate calendar for jury matters. Civil and criminal docket call shall be held at 8:30 a.m. on the third Friday of the month. If the designated date for docket call falls on a holiday, unless notice is given with a different schedule, docket call shall be on the preceding Thursday.

Written announcements for docket call may be made to the Court Administrator and Coordinator in writing, by fax or electronically, provided same are received at least three (3) days prior to the docket call. Any announcement of "Not Ready" shall be accompanied by a motion for continuance. Failure to announce shall be an announcement of Ready.

Requests for jury trial settings shall be delivered to the Court Coordinator, Court Administrator, and opposing counsel. Except upon order of the Court, or where otherwise required by law, delivery of such request shall be received by the date of the docket call 2 months prior to the date of the requested jury trial. (i.e. for a March jury trial, the request must be received by the January docket call). The Courts may on their own motion, and shall, upon the timely request of any party issue a Docket Control Order which shall set the appropriate deadlines for the case and shall include a trial setting.

c. At least fifteen (15) minutes prior to the time designated for trial or hearing, all counsel and parties shall be present and ready, with witnesses, except upon leave of the Court.

d. Prior to requesting a setting, counsel shall attempt to coordinate a setting with opposing counsel.

e. Summary judgment shall be by submission only, except upon leave of Court for good cause shown.

RULE 1.6. CONFERENCE REQUIRED

a. Except for motions expressly allowed by law to be filed ex-parte, before filing any motion, counsel for a moving party shall confer with the counsel for all parties affected by the requested relief to determine whether or not the contemplated motion will be opposed. Such conference is required for all motions except motions to dismiss the entire action or indictment, motions to suppress, motions for summary judgment and motions for new trial.

b. All motions shall contain a certificate by the party filing same that efforts to resolve the dispute without Court intervention have been attempted and failed and shall set forth specifically the efforts taken by date, action and method. If an opposing party is prose, and that party does not respond to efforts to confer, counsel may certify that the pro se party failed to respond.

c. Any motion omitting such certificate shall not be set for hearing until such certification has been filed.

RULE 1.7. UNCONTESTED MATTERS

Uncontested civil matters, pending in the District Courts, will be heard on Wednesday of each week, at 4:00 p.m. Cases will be heard in the Annex Courtroom unless otherwise notified by the Court. In order to be heard on this uncontested docket, irrespective of the District Court to which the case has been assigned, the party requesting the hearing shall contact the Court Coordinator for the 30th District Court and schedule the hearing.

Uncontested civil cases pending in the County Courts at Law will be heard in the Court in which the case is pending.

RULE 1.8. AD LITEM APPOINTMENTS

In cases where attorneys or guardians ad litem are required by law and unless otherwise agreed by the parties, the request for appointment of same shall be made in writing to the Court Administrator who will supply the attorney's name next appearing on the courts' rotating lists.

RULE 1.9. ORDERS SENT TO JUDGES

Except in response to a ruling or order entered by the Court, no order shall be filed without an accompanying Motion clearly setting forth the relief sought and the specific grounds in support of the relief. Any Order submitted to the Court shall be signed by the attorney submitting the Order, approving the Order as to form, unless it is submitted as a Rule 11 Agreement, in which case the attorneys shall sign the Order, approving it as to form and content. In all cases, the attorney submitting the Order shall provide to all opposing counsel and/or pro se parties a copy of the Order bearing the Clerk's file stamp.

RULE 1.10. PROCEDURE FOR THE DISTRICT CLERK OF WICHITA COUNTY TO RECEIVE AND FILE ELECTRONICALLY TRANSMITTED COURT DOCUMENTS

The following rules govern the procedure for the District Clerk of Wichita County ("the clerk") to receive and file electronically transmitted court documents.

1. The clerk is authorized to accept for filing via electronic transmission any document which might be filed in a court action except: (a) returns of service of issuances; (b) bonds; (c) signed orders or judgments.

2. Documents electronically transmitted for filing will be received by the clerk on a plain paper facsimile and printed by a laser printer, thereby rendering the copy of archival quality. No document printed on thermal paper shall be filed.

3. No document electronically transmitted shall be accepted by the clerk for filing until court costs and fees have been paid. Court costs and fees may be paid by MasterCard or Visa or through an escrow account established with the clerk. Documents tendered to the Clerk electronically without payment of court costs and fees, or with incomplete information on the charge authorization or request, or which do not conform to applicable rules, will not be filed.

4. A fee schedule for electronic filing shall be adopted annually by the clerk.

5. An electronically transmitted document accepted for filing will be recognized as the original record for file or for evidentiary purposes when it bears the clerk's official date and time file stamp.

6. Every document electronically transmitted for filing shall conform to the requirements for filing established by the Texas Rules of Civil Procedure, i.e., shall be on paper measuring approximately 8-1/2 x 11 inches, shall be signed individually by the party or the party's attorney of record, and shall contain that individual's State Bar of Texas identification number, if any, address, telephone number and telecopier number. The quality of the original hard copy shall be clear and dark enough to transmit legibly.

7. The sender shall maintain the original of the document with the original signature affixed as required by section 51.806, Texas Government Code.

8. A cover sheet must accompany every transmission which shall (a) clearly identify the sender, the documents being transmitted, and the number of pages; (b) have clear and concise instructions concerning issuance or other request; and (c) have complete information on the charge authorization or escrow account debit for court costs and fees.

9. The clerk upon receipt of an electronically transmitted document shall verify the completeness of the transmission.

10. The clerk when satisfied that the transmission is complete shall confirm the charge authorization or escrow account debit and note the authorization code on the cost receipt. Thereafter, the documents tendered electronically shall be deemed accepted for filing and the clerk shall affix the clerk's official date and time file stamp to the document.

11. If the transmission is found to be incomplete or court costs or fees, if required, are not paid, the clerk will notify the sender as soon as practicable that the transmission has not been filed and the reason.

12. After filing an electronically transmitted document the clerk will electronically transmit to the sender an acknowledgment of the filing, together with cost receipt, if any.

13. No citation or writ bearing the official seal of the court may be transmitted electronically.

14. Electronic transmission of a document does not constitute filing. Filing is complete when the clerk's official date and time file stamp is affixed to the document.

15. Each page of any document received by the clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the last page of a document will determine the time of receipt but not time of filing. Transmissions completed during a normal business day before 5:00 p.m. and accepted for filing will be filed on the date of receipt. Transmissions completed after 5:00 p.m., on weekends or holidays will be verified and filed before 10:00 a.m. on the first business day following receipt of transmission. The sender is responsible for determining if there are any changes in normal business hours.

TITLE 2. RULES GOVERNING CIVIL PROCEEDINGS

RULE 2.1. APPLICATION FOR EX PARTE ORDERS (Non Domestic Cases)

a. Counsel presenting any application for an ex parte order shall, at the time the application is presented to the Court, certify in writing that:

1. to the best of counsel's knowledge, the party against whom the relief is sought is not represented by counsel; or

2. if the party against whom the relief is sought is represented by counsel, that (i) such counsel has been notified of the application and does not wish to be heard by the Court thereon; or (ii) counsel presenting the application has diligently attempted to notify opposing counsel, has been unable to do so, and the circumstances do not permit additional efforts to give such notice.

b. No ex-parte order shall be presented to the court unless accompanied by a copy of the application or motion.

RULE 2.2. PRETRIAL CONFERENCE

a. Prior to all jury trials, there shall be a pretrial conference. If a pre-trial conference has not been set by the Court, the Plaintiff shall be responsible for requesting a pre-trial conference.

b. Unless otherwise ordered specifically, at least 14 days prior to the pre-trial conference, the parties shall serve or exchange the following things:

1. Exhibit lists (and make exhibits available for inspection);

2. Witness lists;

3. Designation of deposition excerpts (written or video tape);

4. Motions in Limine.

c. The parties are to serve objections to the above referenced items, including objections to each party's exhibits, no later than seven (7) days after receipt of the above-referred items.

d. Trial counsel are ordered to attend the pre-trial conference and discuss all aspects of the trial and shall be prepared to make an announcement of "ready" or "not ready". Any announcement of "not ready" shall be accompanied by a motion for continuance.

e. All motions and/or objections that have been filed and served in compliance with the preceding paragraphs will be addressed at the pre-trial conference.

f. Failure to comply with the foregoing may result in sanctions pursuant to the Texas Rules of Civil Procedure, and without limitation, includes exclusion of exhibits, witnesses, or waiver of objections.

RULE 2.3. WITHDRAWAL OF COUNSEL

a. Withdrawal

Withdrawal of counsel shall be governed by Rule 10 of the Texas Rules of Civil Procedure, as amended, and the following rules.

b. Notice to Client

If another attorney is not to be substituted as attorney for the party, or if the party does not consent to the motion to withdraw, the withdrawing attorney shall notify the client in writing that the Court will be requested to sign an order granting the withdrawal on or after ten (10) days following the date of such notice. Notice shall be sent by certified mail, return receipt requested.

c. No Delay of Trial

Unless allowed in the discretion of the Court, no motion to withdraw shall be granted that is presented within thirty (30) days of the trial date or at such time as to require a delay of trial.

RULE 2.4. ALTERNATIVE DISPUTE RESOLUTION

a. Policy

It shall be the policy of the courts of Wichita County, Texas to encourage the peaceable resolution of disputes and early settlement of pending litigation, including family law litigation, by referral to alternative dispute resolution (ADR) pursuant to the Texas Alternative Dispute Resolution Procedures Act, Texas Civil Practice and Remedies Code, Chapter 154.

b. ADA Mandatory for jury trials

No jury trial on the merits shall be conducted in any case until all contested issues have been referred to an ADR procedure, and ADR has been unsuccessful; or the Court has determined that ADR is inappropriate for the case. ADR is not mandatory in non-jury cases, but the Court may require ADR either on the motion of any party or upon the Court's own motion.

c. Manner of Referral

It is anticipated that the parties shall cooperate in referring such issues to an ADR procedure under terms and conditions as are mutually agreeable, without the need for court intervention. If the parties are unable to cooperate or agree to a referral of such issues to an ADR procedure, then upon written notification to the Court by one of the parties that efforts to coordinate a referral have been unsuccessful, the Court, without a hearing, may, and in the event of a case pending a jury trial, shall enter an order of referral to an ADR procedure, and under such terms and conditions selected by the Court.

d. Objection to Referral

If the Court enters an order of referral to an ADR procedure, any party may object to such referral pursuant to Texas Civil Practice and Remedies Code, Chapter 154. Upon the filing of an objection, the Court shall schedule a hearing. If the Court finds that there is a reasonable basis for the objection, the Court may, in its discretion, order that the case not be referred to an ADR procedure and order the case set for trial on the merits.

e. **Discovery Abated**

After the case has been referred to an ADR procedure by the parties or the Court, further discovery under the Texas Rules of Civil Procedure shall not be conducted until completion of the ADR procedure, except upon leave of court or the agreement of all parties.

f. **Attendance at ADR**

Except upon leave of Court, only the parties, an authorized agent, corporate representative, insurance company representative, accountant or CPA, and attorneys shall attend. All parties with the authority to settle the case shall be present.

RULE 2.5. DISMISSAL FOR WANT OF PROSECUTION

The Court, on its own motion, may dismiss a case for want of prosecution. The procedure provided in Rule 165a of the Texas Rules of Civil Procedure, as amended, shall apply. Any party may file a motion to dismiss a case pursuant to Rule 165a, of the Texas Rules of Civil Procedure.

RULE 2.6 FILING RESPONSES TO DISCOVERY

a. Except upon special order of the Court, only the discovery responses and related material required by the Texas Rules of Civil Procedure, the Texas Rules of Evidence, the Texas Civil Practices and Remedies Code, or other statute, shall be filed with the Clerk of the Court.

b. If relief is sought concerning any discovery dispute, a party may file copies of only those portions of the material related to the dispute, without obtaining a special order.

c. A party may file discovery and related material in support of a motion for summary judgment, or for any response or reply to such a motion, or for any other pretrial motion, response or reply, without obtaining a special order. Only the portions of a deposition or other discovery material related to the motion, response or other pretrial matter may be filed without a special order.

d. A party may file discovery materials not previously on file for use on appeal or for other post-judgment purposes without a special order.

RULE 2.7. ORDERS AND DECREES

a. Reduction to Writing Within Thirty (30) Days

Within thirty (30) days after rendition, announcement of the Court's ruling or announcement of settlement by counsel, all final judgments and decrees shall be reduced to writing by counsel designated by the Court, forwarded to opposing counsel for approval as to form, and within thirty (30) days after receipt by opposing counsel, shall be delivered to the Court for signature. Temporary orders shall be reduced to writing within (10) days, and within ten (10) days after receipt by opposing counsel, shall be forwarded to the Court in the same fashion. Agreed orders of any kind shall be approved by all counsel as to form and content.

b. Continuance or Dismissal if Written Order Not Furnished

Upon failure to furnish the Court with a temporary order, final judgment, or decree, within the applicable time period, the Court may continue the case or place the case on the Court's dismissal docket, at the Court's discretion.

c. Procedure for Entry of Order

If counsel is unable to secure all opposing counsel's approval as to form, counsel may:

1. File a motion for entry of the proposed judgment, order or decree and secure a hearing for the same, with notice to all opposing counsel pursuant to Rule 21a, Texas Rules of Civil Procedure. At a hearing, the Court may assess costs and attorney's fees within the Court's discretion; or

2. Present the Court with the proposed judgment, decree or order, together with a letter requesting the Court to sign the same if the Court has not received a written objection from opposing counsel within ten (10) days from the date of the letter. Each party who submits a proposed judgment for signature shall serve the proposed judgment and a copy of the letter on all other parties who have appeared and remain in the case, in accordance with Rule 21a, Texas Rules of Civil Procedure. If the Court receives a written objection from opposing counsel within the stated time, the

proponent of the judgment, decree or order shall schedule a hearing for entry of the same pursuant to subdivision 1 of this rule.

RULE 2.8. MINOR SETTLEMENTS

Any order providing for a minor settlement and the investment of settlement proceeds by the District Clerk shall include the social security number, address (physical address, not a post office box) and date of birth for the minor. All settlement proceeds shall be invested in interest bearing accounts. Information pertaining to the child (social security number, address and date of birth) shall not be released except upon Court Order or as required by the Clerk for investing the funds. Upon proper proof to the District Clerk, once the child attains 18 years of age, the clerk may pay the proceeds to the minor without further order of the Court.

TITLE 3. RULES GOVERNING CRIMINAL PROCEEDINGS IN DISTRICT COURTS

RULE 3.1. ARRAIGNMENT

After indictment, all defendants, their attorneys and bondpersons are required to personally appear for the defendant's formal arraignment unless arraignment is waived as set out below. Arraignment may be waived in writing if signed by the attorney, and filed at least forty-eight (48) hours prior to the scheduled arraignment. Arraignment shall be scheduled for the second Friday following indictment at 8:30 a.m. Failure to appear shall result in forfeiture of bail pursuant to Article 22.01 CCP et seq.

RULE 3.1.1. PRETRIAL CONFERENCE

Prior to a criminal case being called for trial, the Court shall schedule a Pretrial Conference. All defendants, their attorneys and the attorneys for the State of Texas are required to personally appear at the Pretrial Conference. Not later than seven (7) days prior to the Pretrial Conference, the attorney for the State shall provide the attorney for the defendant either a written plea bargain offer or a written notice that the State does not intend to make a plea bargain offer in the case. The attorney for the defendant shall communicate the State's position to the defendant prior to the Pretrial Conference. At the Pretrial Conference, the attorneys shall announce to the Court, or its designee, whether the case will be resolved by way of a plea bargain or will remain on the trial docket.

RULE 3.2. SCHEDULING OF PLEAS

a. Plea information

The District Attorney and counsel for the defendant shall coordinate the scheduling of pleas with the Court Administrator, and as required by the specific judge, shall complete a plea information form promulgated by the courts. If required by the specific judge, a completed plea information form shall be filed with the District Clerk and the Court Administrator. In the courts requiring a plea information form, no plea hearing shall be scheduled until a completed plea information form has been filed with the proper designee.

b. For purposes of a plea, any judge of a district court in Wichita County may act as the judge of any other district court in Wichita County without formal order. The authority of this subsection applies to an active or retired judge assigned to a court as provided by law.

c. For purposes of a plea, any judge of a county court at law in Wichita County may act as the judge of any other county court at law in Wichita County without formal order. The authority of this subsection applies to an active or retired judge assigned to a court as provided by law.

RULE 3.3. APPOINTMENT AND DUTIES OF COURT APPOINTED COUNSEL

a. Non-capital cases and Capital Cases in which the Death Penalty is not Sought.

Counsel for indigent defendants shall be appointed pursuant to the provisions of the Wichita County Plan and Standing Rules and Orders for Procedures for Timely and Fair Appointment of Counsel for Indigent Accused Persons, heretofore adopted by the trial courts of Wichita County.

b. Capital Cases in Which the Death Penalty is Sought

Counsel for indigent defendants, charged with a capital offense in which the death penalty is sought, shall be appointed pursuant to the provisions of Art. 26.052 CCP.

Appointed counsel shall comply with all requirements of the Plan as it exists at the time of the adoption of these rules and as it may be amended in the future. Failure of appointed counsel to adhere to such requirements may result in such counsel's removal under the removal provisions of the Plan.

RULE 3.4. WITHDRAWAL OF RETAINED COUNSEL

No retained attorney shall be permitted to withdraw from a case without first presenting a written motion and obtaining from the court an order permitting withdrawal, and provided the withdrawal of counsel does not interfere with the orderly disposition of the criminal prosecution.

RULE 3.5. NOTICE OF COURT APPEARANCE

The duty to notify a defendant of his obligation to appear before the Court in a criminal case shall be a joint duty placed upon both the surety and the defense counsel.

RULE 3.6. SUBMISSION OF ORDERS WITHOUT A HEARING

No order shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel, there shall be an order setting the matter for hearing that accompanies the motion.

No order modifying or terminating community supervision shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and the Community Corrections and Supervision Department and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel and the Community Corrections and Supervision Department, there shall be an order setting the matter to hearing that accompanies the motion.

TITLE 4. RULES GOVERNING CRIMINAL PROCEEDINGS IN COUNTY COURTS

RULE 4.1 ARRAIGNMENT

After release on bond, all defendants and their attorneys are required to personally appear for the defendant's formal arraignment at docket call unless arraignment is waived as set out below. Arraignment may be waived in writing if signed by the attorney and filed at least forty-eight (48) hours prior to the scheduled arraignment. Arraignment shall be at docket call on Monday, four (4) weeks after release on bond, or as ordered by the Court. Failure to appear shall result in forfeiture of bail pursuant to Article 22.01 CCP, et seq.

RULE 4.2 DOCKET CALL

Regular criminal docket call for the County Courts at Law shall be held at 9:00 a.m. on Monday of each week. If the designated date for docket call falls on a holiday, unless notice is given with a different schedule, docket call shall be on the following Tuesday. Special dockets shall be called as directed by the Judge of the Court. Written announcements for misdemeanor docket call may be made to the Court Coordinator in writing or by fax or email.

RULE 4.3 SCHEDULING PLEAS

The Criminal District Attorney and counsel for the defendant shall coordinate the scheduling of pleas with the Court Coordinator, and as required by a specific judge, shall complete a plea information form promulgated by the courts.

RULE 4.4 APPOINTMENT AND DUTIES OF COURT APPOINTED COUNSEL

Counsel for indigent defendants shall be appointed pursuant to the provisions of the Wichita County Plan and Standing Rules and Orders for Procedures for Timely and Fair Appointment of Counsel for Indigent Accused Persons, heretofore adopted by the trial courts of Wichita County.

RULE 4.5. SUBMISSION OF ORDERS WITHOUT A HEARING

No order shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel, there shall be an order setting the matter for hearing that accompanies the motion.

No order modifying or terminating community supervision shall be submitted to the Court for approval without a hearing unless it has been approved by opposing counsel and the Community Corrections and Supervision Department and is accompanied by the motion requesting the relief granted. If the order has not been approved by opposing counsel and the Community Corrections and Supervision Department, there shall be an order setting the matter to hearing that accompanies the motion.

TITLE 5. RULES GOVERNING FAMILY LAW PROCEEDINGS

RULE 5.1. TEMPORARY HEARINGS

a. Scheduling

All temporary hearings shall be set on a date and a time scheduled by the Court. At the time the setting is requested for the temporary hearing, counsel shall make an announcement of the estimate of time required to present the case.

b. Notice Required When Responding Party Seeking Affirmative Relief

An application to the court for a temporary order and notice of any hearing thereupon which is presented by a party responding to an application for temporary orders in which that party is seeking affirmative relief shall be served on the adverse party in accordance with Rule 5 and Rule 21a of the Texas Rules of Civil Procedure, as amended.

c. Time Limits

Except upon prior approval of the Court, in all matters in which managing conservatorship is in issue, the parties shall be granted not more than two (2) hours to present the case, which time shall be equally divided. In all other temporary matters, including a modification of a temporary order, the parties shall be granted not more than one (1) hour to present the case, which time shall be equally divided. Counsel should not request an extended setting at the time the application for temporary relief is presented to the Court for scheduling unless, because of unusual circumstances, the time limits are unworkable or inappropriate. The Court shall determine the amount of time that shall be allotted for the hearing. This rule does not apply to hearings in which the Texas Department of Family and Protective Services is a party.

d. Documents Required

In all cases in which temporary payment of debts or support of a spouse and/or the child is in issue, each party shall be required to furnish:

1. A statement of monthly income and expenses in a form substantially similar to that attached to these rules as Appendix 2.

2. Copies of that party's federal income tax returns for the two calendar years prior to the temporary hearing **and/or**

3. All payroll statements, pay stubs, W2 forms, and/or 1099 forms which evidence that party's earnings for the calendar year prior to the temporary hearing and from January 1 of the current year through the date of the temporary hearing.

e. In all cases in which the Clerk is designated by law to provide certain information to a third party, including but not limited to, reports of divorce or annulment of marriage, information on child in suit affecting parent-child relationship and certificate of last known address, the forms containing this information **MUST** be presented to the Court at the time the judgment is presented for signature, and then filed with the Clerk along with the judgment. Failure to tender the required form/s with the judgment will render the judgment non-fileable.

f. Applications for TRO's filed with the Clerk after 4:00 p.m. shall be dated the next day's date and acted on by the Clerk the next day.

RULE 5.2. PARENT EDUCATION AND FAMILY STABILIZATION COURSE

a. Course Mandatory

All parties in a suit affecting the parent-child relationship, including an action to modify an order in a suit affecting the parent-child relationship, shall attend and complete a parent education and family stabilization course approved by the court in which the suit is pending. Except as provided herein, the provisions governing a parent education and family stabilization course in Section 105.009, Texas Family Code, as amended, shall apply.

b. Waiver of Course

For good cause shown, after notice and hearing, the Court may waive the requirement of a course. If a party claims an inability to afford to take a course, and the court finds the claim is meritorious, the court may order that party to attend and complete a course that is offered on a sliding scale fee or without charge, if a course of that type is available.

c. Deadline for Completion

Each party shall complete the course prior to a final hearing on the merits of the case.

d. Verification of Attendance

Each party completing the course shall file a certificate of completion with the court within thirty (30) days of completion of the course, or at the time of that party's next court appearance, whichever is sooner.

e. Sanctions

If a party fails to attend and complete the course, the Court may make such orders with regard to the failure as are just, including holding the party in contempt of court, striking pleadings, or invoking any sanction provided by Rule 215, Texas Rules of Civil Procedure, as amended.

RULE 5.3. INVENTORY AND APPRAISEMENT

a. Inventory and Appraisement Required

In all cases in which the character, value or division of property or debts is in issue, each party shall file, not less than thirty (30) days prior to trial, a sworn inventory and appraisement of all of the separate and community property owned or claimed by the parties and all debts and liabilities owed by the parties. It is recommended that each party file this inventory in a form substantially similar to Form 5-1 of the Texas Family Law Practice Manual published by the State Bar of Texas.

b. Composite Inventory and Appraisement

After each party's sworn inventory and appraisement has been filed, and if property issues are not completely resolved, the parties shall file a composite inventory and appraisement in a form substantially similar to that attached as Appendix 3. The Petitioner shall initiate the composite inventory and forward it to the Respondent for completion not less than fourteen (14) days prior to trial. The Respondent shall complete and file the composite inventory with the court and serve a copy of the same on the Petitioner not less than seven (7) days prior to trial

c. Sanctions for Failure to File

If a party or the parties fail to prepare and/or file the initial inventory or the composite inventory as required, the Court may conduct a pretrial hearing and make such orders with regard to the failure as are just, including but not limited to, sanctions pursuant to Rule 215(2)(b) of the Texas Rules of Civil Procedure, as amended.

RULE 5.4. CHILD SUPPORT SERVICES

a. Automatic Referral to Attorney General

Each order or decree which provides for child support to be paid through the Texas Child Support Disbursement Unit shall include and shall be deemed to include, an application for child support services provided by the Texas Attorney General pursuant to Chapter 76, Texas Human Resources Code, as amended. This rule shall apply to all orders for child support, whether entered before or after the effective date of these rules.

b. Fees for Services

Such reasonable fees as allowed by law, may be set and collected by the District Clerk at the time a suit affecting the parent-child relationship is filed.

c. May Decline Services

A person entitled to receive child support services may decline such services on forms provided by the Texas Attorney General at the time collection efforts are initiated. Only the services of the Texas Attorney General may be declined.

d. Record of Order of Child Support

Whenever the Court orders the payment of child support, modifies or enforces a child support order, the obligee or the obligee's attorney shall complete a record of order of child support. Forms shall be available from the District Clerk.

RULE 5.5. PARENTAGE DETERMINATION SERVICES

a. Automatic Referral to Attorney General

All cases involving parentage as an issue to be determined and adjudicated by the Court, whether an action arising in a Suit to Establish or Terminate the Parent Child Relationship, Divorce, or other proceeding, 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, constituting the Attorney General as a necessary party in such case. (This rule shall apply to all cases involving parentage as an issue to be determined and adjudicated by the Courts of Wichita County after the effective date of these rules.)

b. Genetic Parentage Testing

In all such cases where parentage is an issue to be determined and adjudicated by the Court, if there is no agreement or acknowledgment of parentage, as appropriate under law, the Attorney General shall coordinate genetic paternity testing through the accredited and state approved and contracted vendor laboratory.

c. May Decline Services

Unless required to accept Title IV-D child support services pursuant to other laws, any petitioner entitled to receive services pursuant to this rule may decline services by filing a written Refusal of IV-D Child Support Services with the Office of the Attorney General. Refusal of IV-D services pursuant to this rule does not preclude a subsequent written application for services.

TITLE 6. (RESERVED FOR EXPANSION)

TITLE 7. MISCELLANEOUS

RULE 7.1. AUTHORITY FOR RULES

These rules are adopted pursuant to the Texas Government Code, Section 75.011 and Rule 3a of the Texas Rules of Civil Procedure, as amended, and the constitutional, statutory and inherent powers of the court to regulate proceedings before them and to provide for the orderly and efficient dispatch of litigation.

RULE 7.2. TITLE AND CITATION

These rules shall be known as the **Wichita County Local Rules of Practice of the District, Constitutional and Statutory County Courts** or the **Wichita County Local Rules.**

RULE 7.3. PARTIAL CIVIL INVALIDITY

In the event any of the foregoing rules or any part thereof is held to be invalid for any reason, such invalidity shall not affect the validity of the remaining rules and parts of rules, all of which have been separately numbered and adopted.

RULE 7.4. TERMS

The terms counsel, lawyer, and attorney of record as used in these rules shall apply to an individual litigant in the event a party appears pro se.

RULE 7.5. CONSTRUCTION OF RULES

Unless otherwise expressly provided, the past, present or future tense shall each include the other; the masculine, feminine or neuter gender shall each include the other; and the singular and plural shall each include the other.

RULE 7.6. APPLICATION OF RULES

These rules supersede any prior local rules of practice. These rules shall become effective upon approval by the **proper authority.**

RULE 7.7 MENTAL HEALTH AND PROBATE

These rules apply to mental health and probate matters except as otherwise ordered by the judges of the County Courts at Law. Counsel handling these cases should contact the Court Coordinators of the respective courts for specific guidelines applicable to those cases.

APPENDIX 1

CAUSE NO. _____

TIME OF FILING: _____

NEW SUIT FILING & SERVICE INSTRUCTIONS

THE AMOUNT IN CONTROVERSY IS MORE THAN $5,000.00 AND LESS THAN $100,000.00
YES [ ] NO [ ]

THIS CASE HAS EXCLUSIVE JURISDICTION IN THE DISTRICT COURT [ ] COUNTY COURT AT LAW [ ]
BECAUSE OF THE NATURE OF THIS CASE, MORE SPECIFICALLY IT IS A SUIT FOR _____

Damage-Auto	____	Tax	____	Worker's Compensation	____
Damage-Non Auto	____	Condemnation	____	Other Civil Cases	____
Divorce	____	Debt	____		
Other Family Law	____	U.R.E.S.A.	____		

PLEASE ISSUE SERVICE REQUESTED BELOW:

CITATION _____ WRIT_____ NOTICE _____ OTHER _____

AND:

_____ RETURN TO ATTORNEY _____ SEND TO SHERIFF

_____ SEND TO CONSTABLE _____ SERVE BY CERTIFIED MAIL

THE AMOUNT OF MONEY DEPOSITED IS $_____

NO SERVICE IS TO BE FORWARDED TO SHERIFF OR CONSTABLE UNLESS THERE ARE SUFFICIENT FUNDS AVAILABLE IN DEPOSIT TO COVER THE COST OF SERVICE OR THERE IS A PAUPER'S OATH ON FILE IN THE CASE OR IT IS A CASE IN WHICH ADVANCE PAYMENT OF FEES IS EXEMPT BY LAW. NO EXCEPTIONS!

SPECIAL SERVICE INSTRUCTIONS (IF ANY):

_____

_____

_____

APPENDIX 2

FINANCIAL INFORMATION STATEMENT

CLIENT: _____

CAUSE NUMBER: _____

MONTHLY INCOME

Gross Income $_____

Total Monthly Payroll Deductions:

Withholding	$_____
FICA (Social Security)	$_____
Mandatory Retirement	$_____
Voluntary Retirement	$_____
Deferred Compensation	$_____
Life Insurance	$_____
Credit Union (savings)	$_____
Credit Union (loan payment)	$_____
Health Insurance	$_____
Other Deductions	$_____
	$_____
	$_____

Total Deductions $_____

NET PAY $_____

Other Income: (itemize below)

_____ $_____

_____ $_____

_____ $_____

TOTAL MONTHLY INCOME $_____

MONTHLY EXPENSES

Rent or mortgage payment	$_____
Real property taxes (if not included in mortgage payment)	$_____
Homeowner's insurance (if not included in mortgage payment)	$_____
Renter's or fire insurance	$_____
Maintenance of residence (repairs, yardwork, etc.)	$_____
Utilities (gas, water, electric, garbage, sewer, etc.)	$_____
Telephone	$_____
Groceries	$_____
Dining out	$_____
School lunches	$_____
Uninsured doctor expenses	$_____
Uninsured prescription and pharmaceutical expenses	$_____
Uninsured routine dental care	$_____
Uninsured orthodontal care	$_____
Health and hospitalization insurance (if not paid by employer or deducted from wages)	$_____
Life insurance (if not paid by employer or deducted from wages)	$_____
Clothing purchases	$_____
Laundry and dry cleaning	$_____
Vehicle payment	$_____
Gas and oil for vehicle	$_____
Vehicle repair and maintenance	$_____

Vehicle insurance $_____

Parking fees $_____

School tuition $_____

School supplies $_____

Children's extracurricular activities $_____

Childcare while at work $_____

Childcare for other times $_____

Entertainment $_____

Hairstyling, barber $_____

Contributions $_____

Dues $_____

Subscriptions $_____

Prior obligations for child suppot or alimony $_____

Other Creditors: (itemize below):

NAME	PURPOSE	BALANCE	MONTHLY PAYMENT
		$	$
		$	$
		$	$
		$	$
		$	$
		$	$

Total monthly payments to other creditors $_____

TOTAL MONTHLY EXPENSES $_____

STATE OF TEXAS)
)
COUNTY OF WICHITA)

I, _____, state on oath that, to the best of my knowledge and belief, the foregoing financial information statement contains a full and complete accounting of my monthly income from all sources and my monthly expenses.

SIGNED on the _____ day of _____, _____.

_____
SIGNATURE OF PARTY

SIGNED under oath before me on the _____ day of _____, _____.

_____
NOTARY PUBLIC
State of Texas

APPENDIX 3

COMPOSITE INVENTORY

CAUSE NUMBER _____

IN THE MATTER OF THE MARRIAGE OF

_____ **AND** _____

PETITIONER: _____ **RESPONDENT:** _____

PETITIONER'S ATTORNEY: _____

RESPONDENT'S ATTORNEY: _____

Community Property = CP
Wife's Separate Property = WSP
Husband's Separate Property = HSP

PROPERTY ITEM NUMBER	PROPERTY DESCRIPTION	PETITIONER		RESPONDENT		COURT'S NOTES
		VALUE	CHARACTER	VALUE	CHARACTER	

COMPOSITE INVENTORY

Page Number _____ of _____

Community Debt = CD
Wife's Separate Debt = WSD
Husband's Separate Debt = HSD

DEBT ITEM NUMBER	DEBT DESCRIPTION	PETITIONER		RESPONDENT		COURT'S NOTES
		AMOUNT	CHARACTER	AMOUNT	CHARACTER	

COMPOSITE INVENTORY

Page Number _____ of _____

COMPOSITE INVENTORY

CAUSE NUMBER _____

THE STATE OF TEXAS)
)
COUNTY OF WICHITA)

I, Petitioner in the above-styled and numbered cause, state on oath that, to the best of my knowledge and belief, the foregoing composite inventory contains:

(1) a full and complete list of all properties in my possession or subject to my control that I claim belong to the community estate of myself and my spouse, with the values thereof;

(2) a full and complete list of all properties in my possession or subject to my control that I claim or admit as my or my spouse's separate property and estate, with the values thereof;

(3) a full and complete list of the debts claimed by me or my spouse.

SIGNED on the _____ day of _____, _____.

_____
PETITIONER

SIGNED under oath before me on the _____ day of _____, _____.

_____
NOTARY PUBLIC,
State of Texas

COMPOSITE INVENTORY

CAUSE NUMBER _____

THE STATE OF TEXAS)
)
COUNTY OF WICHITA)

I, Respondent in the above-styled and numbered cause, state on oath that, to the best of my knowledge and belief, the foregoing composite inventory contains:

(1) a full and complete list of all properties in my possession or subject to my control that I claim belong to the community estate of myself and my spouse, with the values thereof;

(2) a full and complete list of all properties in my possession or subject to my control that I claim or admit as my or my spouse's separate property and estate, with the values thereof;

(3) a full and complete list of the debts claimed by me or my spouse.

SIGNED on the _____ day of _____, _____.

_____
RESPONDENT

SIGNED under oath before me on the _____ day of _____, _____.

_____
NOTARY PUBLIC
State of Texas

6246-C

FILED FOR RECORD
AT: 2:50 O'Clock P M

MAY - 1 2014

PATTI FLORES, Clerk Dist.
Courts & County Courts at Law
Wichita County, Texas
By _____ Deputy

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 14-9091

ENTERED

APPROVAL OF AMENDED LOCAL RULE 2.7 OF THE WICHITA COUNTY LOCAL RULES OF PRACTICE OF THE DISTRICT, CONSTITUTIONAL, AND STATUTORY COUNTY COURTS

ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves the following amendments to Local Rule 2.7 of the Wichita County Local Rules of Practice of the District, Constitutional, and Statutory County Courts.

Dated: April 28, 2014.

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

Local Rule 2.7 of the Wichita County Local Rules of Practice of the District, Constitutional, and Statutory County Courts is amended to read as follows:

RULE 2.7. ORDERS AND DECREES

a. Reduction to Writing; Submission to Counsel and Court

Within twenty (20) calendar days after rendition, announcement of the Court's ruling or announcement of settlement by counsel, all final judgments and decrees shall be reduced to writing by counsel designated by the Court and forwarded to the Court and opposing counsel for approval as to form.

Within ten (10) calendar days after receipt by opposing counsel, opposing counsel shall deliver the order to the Court for signature, or deliver to the Court and all counsel specific written objections to the form of the proposed order. The Court will determine the written objections and either sign and enter the proposed order or inform counsel for the parties of the changes that need to be made to the proposed order.

Temporary orders shall be reduced to writing within ten (10) calendar days, and within five (5) calendar days after receipt by opposing counsel, shall be forwarded to the Court in the same fashion.

Agreed orders of any kind shall be approved by all counsel as to form and content. All other orders shall be approved as to form.

The foregoing time limits may be expanded upon written motion for good cause shown.

b. Continuance or Dismissal if Written Order Not Furnished

Upon failure to furnish the Court with a temporary order, final judgment, or decree, within the applicable time period, the Court may continue the case or place the case on the Court's dismissal docket, at the Court's discretion.

ORDER ADOPTING AMENDMENT TO
RULE 2.7
WICHITA COUNTY
LOCAL RULES OF PRACTICE
OF THE
DISTRICT, CONSTITUTIONAL AND
STATUTORY COUNTY COURTS,

IT IS ORDERED by the District Judges, County Court at Law Judges, and County Judge of Wichita County, Texas, pursuant to Rule 3a, Texas Rules of Civil Procedure and Articles 28.01 and 33.08 of the Texas Code of Criminal Procedure, that:

1. the following Amendment to Rule 2.7 of Local Rules of Practice of the Courts of Wichita County, Texas is adopted and shall become effective thirty (30) days after the date of this order, and upon approval of the Presiding Judge of the Eighth Administrative Region and the Supreme Court of Texas;

2. the Clerks of these Courts shall, upon approval of this Amendment by the Supreme Court of Texas, record the same together with a copy of this Order and the Order of the Supreme Court of Texas, approving the same, in the minutes of these Courts;

3. the Clerks of these Courts shall, upon request, make available, to each lawyer practicing in Wichita County, Texas, a copy of this Amendment, together with a copy of this Order;

4. this Amendment shall be construed and interpreted in addition to, and in conformity with, and not as superseding the Constitution and Laws of the State of Texas and rules of the Supreme Court of Texas or the Court of Criminal Appeals. This Amendment shall not be construed to prohibit the Courts of Wichita County from making orders, settings or procedures, which, in the Courts' discretion, may further the orderly administration of justice; and,

5. should this Amendment not be approved by the Supreme Court of Texas, or should this Amendment, be held invalid for any reason, such failure to approve or such invalidity shall not affect the validity of any other Local Rule of Practice of Wichita County, Texas or part thereof, all of which have been separately considered and adopted.

SIGNED the 13 day of February, 2013.

ROBERT P. BROTHERTON
30TH District Court

W. BERNARD FUDGE
78th District Court

MARK T. PRICE
89th District Court

BARY BUTLER
County Court at Law #1

GREG KING
County Court at Law #2

WOODROW W. OOSSOM, JR.
Wichita County Court

APPROVED by the Presiding Judge of the Eighth Administrative Region on the 19th day of Feb., 2013.

JEFF WALKER
Presiding Judge
8th Administrative Region