**JUDGE KRISTEN BRAUCHLE, TAX MASTER**

**TAX COURT RULES & PROCEDURES**

**COURTS: 61ST 113TH 125TH 127TH 129TH 133RD 151ST 157TH 270TH**

**JUDGMENT**

* All information contained in the judgment must be typed, including amounts.
* On the certificate of service in the judgment, label each property owner as “defendant”.
* Numbers in the evidence must match the numbers in the judgment.
* File a default checklist for all defaulting defendants. This includes cases that are partial defaults.
* Include trial dates on both the default checklist and master’s report.

**SUPPORTING DOCUMENTS SUBMITTED WITH JUDGMENT**

* Answer
* Returns
* Proof of Ownership
* Ad Litems answer and affidavit
* Proof that notice was sent out (Form 3877) or fax confirmation
* Trial Notice
* Cost Judgment – 3 collection attempts sent by regular and certified mail before setting it for a hearing

**ATTORNEY AD LITEM (AAL)**

**Appointment of Attorney Ad Litem**

* File motion to appoint attorney ad litem within 10 days of filing the return of citation with the court. (Per Protocol)
* Set motion to appoint attorney ad litem within 15 days of filing the motion. (Per Protocol)
* Motion for reappointment or motion to appoint AAL for additional parties must clearly state relief requested and the basis for motion.

**Duties of Attorney Ad Litem**

* File an answer within the time limits of the Texas Rules of Civil Procedure
* File “Identification of Heirs or Other Parties” with court within 10 days of locating heirs or other parties.
* File AAL Affidavit with court 10 days before trial
* Appear at trial

**EXCESS PROCEEDS**

* Set for the 2nd Tuesday of each month at 1:30 pm
* Provide proof that District Clerk’s letter to the property owner was sent pursuant to §34.03 or §34.04 of the Texas Property Code.
* If the § 34.03 or §34.04 letter is unavailable, the taxing authority must send the notice of the hearing at least 60 days before the hearing.
* Submit proof that notice of the hearing was sent out (Form 3877) or fax conformation
* Motion should state the amount of funds that are in the registry
* Motion should prove how much is owed.
* Motion should state the amount requested, the date of judgment and sale, and the statutory authority for the motion.
* Must submit orders Granting and Denying the motion

**CERTIFICATES OF SERVICE**

* List name of Certifying Attorney
* List names, address and fax number of parties served
* Note method or service (certified return receipt number, fax, etc.) for each party
* If the party is represented by an attorney, note which party the attorney represents

**MOTIONS**

* Submit an order granting and an order denying with each motion filed.
* Submit a Master’s Report with each motion filed.
* Motions should clearly state the relief requested and the basis for the motion.

**DOCKET SCHEDULE—EFFECTIVE DECEMBER 1, 2010**

**Tuesdays**

**9:00 AM AAL Trials**

 Motions for Ad Litem

 Substitution of Service

 Motion for New Trial

 Withdrawal or Substitution of Attorney

 Nunc Pro Tunc

 Set Aside Judgments

 Motion to Modify

 Motion to Vacate

 Rule 106 Motions

 Motion to Reinstate

 Continuances

 Motion to Appoint Attorney for Receiver

**10:00 AM** Trials

**1:30 PM** Pretrial Motions

Summary Judgments

 Motion for Discovery

 Excess Proceeds (2nd Tuesday of the month)

 Status Conferences (3rd Tuesday of the month)

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