



ANGELA GRAVES-HARRINGTON
JUDGE, 246TH JUDICIAL DISTRICT COURT

246TH DISTRICT COURT POLICIES AND PROCEDURES

1. Policies and Procedures Incorporated by Reference

1.1. Court's Website

The Court has published supplemental instructions and policies on its website.

1.2. Extraordinary Circumstances

In the event of a pandemic, natural disaster, courthouse closure, or other occurrence, that prevents the normal operation of the courts, the Court will publish additional policies and guidance on its website.

2. General Docket Information

Docket Type	Days	Time
Trial	Monday	9:00 AM
Uncontested	Monday – Thursday	8:00 AM – 8:45 AM*
Contempt	Tuesday	9:00 AM
Temporary Orders and Ancillary	Tuesday and Wednesday	9:00 AM and 1:30 PM
CPS	Thursday	8:30 AM
Protective Order	Thursday	9:00 AM
Entry, Submission, Pre-trial	Friday	9:00 AM
Discovery Disputes	Friday	1:30 PM

*The Court will also hear uncontested matters at other times subject to the Court's availability.

2.1. Proving Up an Agreed Order

An agreed order may be proven-up by Zoom or by filing an affidavit or unsworn declaration together with all necessary forms and the final order signed by all counsel and parties. Entries of agreed orders do not need to be set for submission unless the order is missing signatures from a party to the agreement or that party's counsel.

2.2. Dismissals for Want of Prosecution (DWOP)

The Court automatically schedules dismissals for want of prosecution (“DWOPs”).

- If the respondent has not appeared, a case may be dismissed unless a return of service or a properly executed waiver is on file before the dismissal date.
- If the respondent has appeared, the case may be dismissed unless: (1) the case has been settled and proven-up before the dismissal date, or (2) trial has been set and approved to occur within 90 days of the dismissal date.

2.3. Monitoring the Docket Sheet

Parties are responsible for monitoring the case docket sheet for the court’s rulings. Docket sheets are available through the Case Search function on the [Harris County District Clerk’s website](#).

3. General Policies for Hearings

3.1. Late Calls

If you are running late for a hearing, email 246late@justex.net and all counsel or self-represented litigants and provide the clerk with the case number, expected time of arrival, and reason for the delay. Without a reasonable excuse for the tardiness, the Court will deduct the duration of the delay from the tardy party's time in the hearing.

3.2. Mediation

3.2.1. Before a Hearing on Temporary Orders

Required where custody or possession and access is at issue, or where the time estimate exceeds 1 hour.

3.2.2. Before a Final Trial

Required in all cases, unless waived by the court.

3.3. Time Limits

3.3.1. Temporary Orders

Where there are no contested parent-child issues, the hearing is limited to 1.5 hours. When there are contested parent-child issues, the hearing is limited to 3 hours. Time will be evenly allocated between the parties with an allotment for 1-2 short breaks.

3.3.2. Final Trial

The parties will be limited to the amount of time reserved for trial when scheduling, with the time evenly allocated between the parties or as otherwise equitably allocated by the court.

3.3.3. Assessment of Time

Time will be assessed against the party that is making an argument or conducting an examination. Time will be paused and assessed against the other side during speaking objections or voir dire examination of a witness.

3.4. Exhibits

To be potentially admissible into evidence in a Zoom hearing, all exhibits, except rebuttal exhibits, must be pre-marked and emailed sent to the court reporter and all other parties before the hearing.

3.4.1. Deadline.

The deadline for submitting and exchanging exhibits and an exhibit list is no later than 2:00 p.m. the day before the proceeding. If the day of the proceeding is a Monday or court holiday, the deadline will be 2:00 p.m. on the weekday that is not a court holiday and that immediately precedes the day of the proceeding.

3.4.2. Cloud Transfer.

To transmit your documents to the Court, please email a link to a Dropbox folder (or other common file-sharing platform) to the Official Court Reporter, Delores Johnson at delores_johnson@justex.net. The subject line of the email shall state the following: (1) full cause number, (2) party identification (Petitioner, Respondent, Intervenor, etc.), and (3) the date of the court proceeding.

For example, "Cause No. 2020-12345; Petitioner's Exhibits; May 8, 2020." NOTE: Do not e-file your exhibits.

3.4.3. Format of Exhibits.

The only acceptable formats for exhibits are PDFs and MP4s. Each exhibit shall be a separate file, and the title of each file shall state the name of the exhibit and a brief description. For example, "Petitioner Ex. 1 – 2018 Tax Return."

3.4.4. Marking Exhibits.

You must pre-mark your documents, using numbers only. Please do not mark your documents with letters. For example, "Petitioner Ex. 1," but not "Petitioner Ex. A."

3.4.5. Exhibit List Required.

You must e-file an exhibit list no later than 2:00 p.m. the day before the proceeding.

3.4.6. Exhibits with Rebuttal or Unanticipated Evidence.

During a Remote Proceeding, with the permission of the Court, a party may offer an exhibit with rebuttal evidence or an exhibit with evidence that the party could not have reasonable anticipated or submitted prior to the proceeding by emailing the Court and all parties (through their counsel if represented). The Court may take a brief recess for this purpose.

3.4.7. Documents Required by Local Rules for Family Law Proceedings.

Not later than 2:00 p.m. the day before the court proceeding as defined above in section 7.1, each party shall submit to the court (via cloud transfer) and to all parties all documents required by this Court's local rules for family law proceedings (e.g., financial information statement, pay statements, and tax returns).

The titles of these files shall name the party and the documents (for example, Petitioner's Financial Information Statement).

3.4.8. Submission of Late Responses and Replies.

Each party shall email to the court coordinator and each other party any responses or replies the party e-filed with the district clerk less than forty-eight hours before the Remote Proceeding. Emailing such a document with the court coordinator is not a substitute for e-filing the document with the district clerk. No party shall include the judge or court coordinator as a service contact when e-filing a document.

3.4.9. Submission of Case Law, Statutes, and Similar Documents.

If a party wants the Court to consider any case law, statute, regulation, or similar document, the party shall email the document to the court coordinator and the other parties no later than 2:00 P.M. on the day before the Remote Proceeding.

3.4.10. Failure to Comply with Procedures.

Failure to comply with the procedures in this section of the order without good cause may result, in the exclusion of the exhibits, the Court not considering the documents, or other sanctions as provided by the Court's local rules or inherent powers.

4. Hearings by Submission

4.1. No Oral Hearing

The Court will consider and rule upon all matters set for consideration by submission without an oral hearing.

4.2. Hearings that Must Be Set by Submission

The following contested motions must be set for hearing by submission (see exceptions below):

- a. Adoption evaluation;
- b. Appointment of attorney ad litem or amicus attorney;
- c. Attorney's fees (interim fees or deposit of costs);*
- d. Consolidate;
- e. Continuance;*
- f. Custody Evaluation;
- g. Drug testing;*
- h. Enter/sign order;
- i. Genetic testing;
- j. Judgment nunc pro tunc;
- k. Objection to remote proceeding;
- l. Reinstate;
- m. Retain;
- n. Substituted service;
- o. Summary judgment;
- p. Withdrawal of counsel.*

*These motions may be set concurrently with a hearing for temporary orders, pretrial, or final trial, if insufficient time exists to set by submission before the oral hearing/trial.

4.3. Notice

Movants must serve the notice of submission setting at least 10 days before the date of the hearing, or more if required by statute or rule. The notice must state that: (1) the motion will be heard by submission; (2) no party may appear for the hearing in person; and (3) any response to the motion must be on file at least 3 days before the submission date, or longer if required by statute or rule.

4.4. Responses

Responses must be filed and served at least 3 days before the submission date, or earlier if required by statute or rule.

5. Entries

5.1. Temporary/Interim Orders

The Court will assign an entry date for temporary/interim orders at the conclusion of the hearing.

5.2. Final Orders

The Court will assign an entry date for final orders at the conclusion of the hearing. Failure to enter the order by the entry date may result in dismissal of the case.

5.3. Contested Entries

The Court will set contested entries for hearing by submission (see above). Movant must attach a proposed order as an attachment to the motion (but do not mark with exhibit label) and the proponent must sign indicating approval as to form. Nonmovant must attach markup identifying proposed edits and a clean copy signed approved as to form.

5.4. Uncontested Entries

If the order has all signatures, file the proposed order by your entry date for the judge's signature.

6. Temporary Orders and Final Trial

6.1. Local Rules

The parties shall comply with the applicable provisions of the Rules of the Judicial District Courts of Harris County, Texas Family Trial Division, specifically Rule 4.

6.2. Temporary Injunctions

The parties are encouraged to agree to standard mutual injunctions and it is the policy of the court to grant these to maintain the status quo of the parties.

6.3. Trial to Occur Within One Year

Trial should occur within one year of the initiation of the suit.

6.4. Scheduling Trial

The Court automatically generates trial dates.

7. Trial by Default

7.1. No Answer

Where the respondent has not filed an answer or appeared in the case, a certificate of last known address, nonmilitary affidavit/declaration, and SCRA search, sworn inventory and proposed division of the estate must be on file before trial.

7.2. Uncontested Checklist

Before scheduling a final trial by default, Petitioner must file a completed “Uncontested Checklist” (available on the court’s website), along with required documents indicated in the checklist.

8. Pretrial

8.1. Scheduling

The Court automatically schedules pretrial conferences. The Court will assign final trial dates for adoptions at the pretrial conference.

8.2. Pretrial Checklist

Prior to pretrial conferences, attorneys and pro se litigants shall file a *Pretrial Conference Checklist* or *Pretrial Adoption Checklist*.

8.3. Failure to Attend

Failure to attend pretrial, if not excused by the pretrial checklist, may result in the suit being dismissed for want of prosecution.

9. Remote Hearings

9.1 Policies and Procedures

The Court’s follows the [246th DISTRICT COURT POLICIES FOR REMOTE PROCEEDINGS](#).

10. Court Appointments

10.1. Wheel

The Court utilizes the wheel for appointments when the parties do not agree on the appointment. The Court may deviate from the wheel for good cause.

10.2. Applications for Inclusion

Those who wish to be considered for the wheel must send the application located on the court’s website to [Melissa Love@justex.net](mailto:Melissa_Love@justex.net) and [Astrid Rivas@justex.net](mailto:Astrid_Rivas@justex.net)

10.3. Vouchers

Counsels must submit vouchers for payment no later than three (3) business days after a hearing.

10.4. Amicus Attorneys

The Court may appoint an Amicus Attorney in a case in which conservatorship or possession of, or access to, a child is in dispute. The amicus attorney shall charge the parties an amount not to exceed \$250.00 per hour. Total hours worked shall not exceed 40 hours, unless the amicus attorney receives prior approval from the Court.

11. Attorney's Fees in Private Cases

Attorneys in private cases must support all requests for attorney's fees (interim and final) with a detailed invoice.

12. Electronic Devices

All electronic devices must be in silent mode or turned off in the courtroom. Taking pictures or video recording in the courtroom is NOT allowed, except in adoption cases.

13. Drinking and Eating in Courtroom

Drinking, eating or gum chewing is not allowed in the courtroom. While in trial, parties and attorneys may have water or beverages at the counsel table.

14. Children in Courtroom

Children may not be in the courtroom without court approval. If the court approves a request for a judge to interview a child in chambers, bring the child to the courthouse at the interview time.

15. Birth or Adoption of Child

The birth or adoption of a child by lead counsel or a party shall create a rebuttable presumption that a 90-day-continuance should be granted upon request.

These policies and procedures do not supplant the Harris County Local Rules.