215 TH DISTRICT COURT

The Honorable Nathan J. Milliron

Court Procedures

These Procedures are general in nature, and the Court may modify them at its discretion.

I. Purpose

A. These procedures are designed to uphold Rule 1 of the Texas Rules of Civil Procedure and promote the fair, equitable, and efficient administration of justice.

II. Courtroom Decorum

A. All litigants and counsel are expected to show respect for each other and the Court.

(1) Be punctual.

(2) Stand when the jury and judge enter and exit the courtroom.

(3) Stand when talking to the judge.

(4) Request permission to approach the bench or the witness.

(5) Do not interrupt opposing counsel or witnesses. You will have a full opportunity to address the Court.

(6) Address the judge, opposing counsel, or witnesses professionally and respectfully.

III. Attire

A. All counsel must appear in business attire for all hearings, including in the courtroom and for those hearings that may be held virtually. Men are expected to wear a suit (sports coat and dress slacks are permissible) and tie; women are to wear the appropriate equivalent. Failure to do so may result in appropriate sanctions, which could include the passing of a hearing if it is the party seeking relief.

IV. Contact with Court Personnel

A. Requests for assistance with hearing dates should be directed to the Clerk.

B. Information about the filing of documents, entry of orders, and the like is available from the Clerk.

C. Questions about trial settings, scheduling conferences/orders, status conferences, pre-trial conferences and/or docket calls should be directed to the Coordinator.

V. Emergencies

A. *True Emergencies*. Do not mislabel something as an "emergency" unless it is truly an emergency. If all parties agree to an emergency hearing, call the Clerk to request an emergency hearing. The Court will strive to schedule the emergency hearing as soon as practical either by telephone, virtually, or in-person. If fewer than all of the parties think the matter is an emergency, file a motion or written request for an emergency hearing (outlining why this is an emergency, issues that the Judge should know in order to make an informed decision, and any other pertinent information deemed necessary) and follow up with a call to the Clerk alerting her to the filing. The Clerk will then present the request to the judge to determine whether to schedule an emergency hearing.

VI. Continuances

A. While often granted, first, joint, agreed, or unopposed motions for continuance are not binding on the Court.

B. Requests for continuance should be filed well in advance of any trial or setting. Absent exigent circumstances, Parties should not wait until a deadline has passed or until that setting is imminent before moving for a continuance. [Note: The Court expects parties and witnesses were given timely notice of any trial or other setting requiring an appearance at the time of scheduling. A party or witness being unavailable, in and of itself, is not an exigent circumstance.]

C. Motions for Continuance must explain why the moving party cannot meet the current schedule and needs more time. The Motion should specify the length of time sought.

D. If a matter has been on file for more than twenty-four (24) months, the Court requires that written consent, signed by the named Party/client (in addition to counsel), be submitted along with (or as part of) any Motion for Continuance.

E. Continuances for matters on file for more than twenty-four (24) months must demonstrate a substantial need for a delay of the trial setting and must be set for oral hearing whether agreed or opposed.

VII. Attorney Appearances

A. The Court expects that an attorney at a hearing, conference, trial, or other setting be familiar with the case, have authority to bind the client, and be in charge for that appearance.

B. *In-Person Appearance*. In-person appearance is required.

C. *Virtual Appearance*.

(1) On rare occasions the Court will consider allowing non-evidentiary hearings to be held by telephone or virtually (by Zoom or the equivalent). Please note that there should be a compelling reason to grant this request.

(2) A Party requesting a virtual appearance should file a motion or written request at the time the hearing is set and follow up with a call to the Clerk alerting the Clerk of the filing. The Clerk will then present the request to the judge for consideration.

(3) Unless otherwise advised of an approved virtual appearance by the Court, all parties should assume that the in-person appearance remains as scheduled.

D. Counsel must immediately report to the Clerk the resolution of any matter that is set on the Court's docket.

VIII. Mandatory Electronic Filing

A. In accordance with the Local Rules of Harris County District Courts, all cases shall be electronically filed. While filing documents, please type the entire title of your pleading in the description field and clearly label all exhibits. Do not use all caps. Each exhibit should be filed separately, as an attachment to the lead document.

IX. Motions Practice

A. *Certificate of Conference.*

(1) A certificate of conference is required for all motions (including discovery motions), pleas, and special exceptions, except for:

(a) Motions for Default Judgment;

(b) Motions for Substitute Service;

(c) Motions for Summary Judgment;

(d) Motions for Voluntary Dismissal and/or Non-Suit; and

(e) Post-Verdict Motions.

(2) The certificate of conference must include a detailed statement of the movant's efforts to resolve the issues in the motion with the opposing party prior to the filing of the motion. Counsel shall include the date, time, and place of such conference and the

names of all parties participating. Failure to confer in good faith with the other party or adequately explain the multiple attempts on at least two (2) separate occasions through at least two (2) separate methods to confer may result in a denial of the motion and/or removal from the docket without additional notice.

(3) A certificate of conference stating that movant sent a letter or e-mail to the opposing party and received no response is not a proper certificate of conference.

B. *Proposed Orders.*

(1) File proposed orders with all motions and responses (as a separate document).

(2) The proposed order should include the exact title of the motion being considered.

(3) The proposed order must delineate each ruling that the party is requesting with a corresponding grant/deny or overrule/sustain.

C. *Default Judgments.*

(1) Default judgments seeking unliquidated damages need to be set for oral hearing.

(2) Default judgments seeking liquidated damages should be set on the Submission Docket.

(3) The Court requires the movant to give the defaulting party (as well as any other parties who may have made an appearance in the case) notice of the motion and notice of the hearing or submission setting, by first class U.S. mail and by certified mail/return receipt requested. The movant must certify that this has been done in a certificate of service.

D. *Discovery Motions.*

(1) The Court believes that Counsel can resolve most discovery disputes, especially those dealing with (a) scheduling, (b) the number, length, and form of oral questions, (c) responsiveness to questions and requests, (d) the scope of discovery, (e) deposition scheduling, and (f) the mechanics of document production, including protective or confidentiality orders, without the intervention of the Court. Therefore, Parties must confer thoroughly and comply with Rule 191.2 of the Texas Rules of Civil Procedure and Rule 3.3.6 of the Local Rules of the Civil Trial Division of the Harris County District Courts before setting discovery disputes on the Court's docket.

(2) Attach a copy of the discovery response at issue.

(3) Proposed orders should be granulated – meaning, they must list each discovery issue separately with blanks to grant or deny the motion on each disputed request.

(4) The Court is not generally inclined to award attorneys' fees or sanctions on a first motion to compel.

E. *Reconsideration Motions.*

(1) All Motions for Reconsideration are heard by submission only.

(2) Please be advised that if there is not a change in the facts or a change in the law, the Court most likely will not grant a reconsideration request.

F. *Sanction Motions.*

(1) Do not request sanctions unless the opposing party has violated a previous order. The Court may entertain reimbursement of costs in appropriate matters.

G. *Severance Motions.*

(1) The motion must state the basis for the severance and the order of severance must contain the following:

(a) How you want the case to be styled;

(b) Proposed new case number (i.e., XXXX-XXXXX-A);

(c) Parties to be included in the severed case;

(d) Each document to be included in the severed case (including the filing date and image numbers);

(e) Whether the severed case has a final order or if the case is to remain active; and

(f) The party paying for court costs associated with the severance.

H. *Substitute Service Motions.*

(1) All motions for substitute service under Texas Rule of Civil Procedure 106 must be accompanied by an affidavit that includes the following information:

(a) Efforts taken to verify that defendant actually lives or works at the subject address;

(b) Each attempt at service, with date and time;

(c) Identity of persons who were present at the subject address and what was said;

(d) Identity of vehicles in the driveway or other indications that defendant resides at the subject address;

(e) Any other information that will give the Court assurance that the defendant will receive notice through the requested substitute service.

(2) Prior to the consideration of a Motion for Substitute Service, the Court requires a minimum of six (6) service attempts at a confirmed address for a defendant. These service attempts should be on different days, at different times of the day, over the course of several weeks.

(a) If advised that a defendant resides at the address but is travelling or will be out-of-town until a date certain, additional service efforts should commence after that date certain has passed.

(b) The last service attempt should be no more than thirty (30) days old upon the filing of a Motion for Substitute Service.

(3) The Court requires use of its Order Authorizing Substitute Service of Process (available on the Court's website).

(4) The Court requires that a Motion for Substitute Service requesting service by publication must be set for oral hearing. The Court is not likely to grant service by publication on a first request for alternative service.

I. *Summary Judgment Motions.*

(1) All Motions for Summary Judgment are heard by submission only.

(2) The Court's Scheduling and Docket Control Order sets a deadline for hearings on all dispositive motions. Parties moving for summary judgment should file their motions sufficiently far in advance to allow them to be set on the Court's docket that meets this deadline, as well as the notice and briefing deadlines set by the Texas Rules of Civil Procedure. Agreements to extend this deadline are not binding on the Court. Instead, parties desiring to have a motion for summary judgment considered after this deadline must file a motion for the Court to extend it.

(3) No-evidence motions should not be submitted to the Court for consideration unless an adequate time for discovery has elapsed. Generally, on or after the discovery deadline in the Court's Scheduling and Docket Control Order.

J. *Withdrawal Motions.*

(1) A motion to withdraw must include a statement of the particular circumstances and disciplinary rules requiring withdrawal. A general statement such as "irreconcilable

conflicts" is not enough. Matters that are confidential may be addressed under seal in accordance with the procedures set forth in Rule 76a of the Texas Rules of Civil Procedure.

(2) Motions to withdraw, without client approval, must be set for oral hearing and the withdrawing counsel's client(s) should be given notice of the setting and an opportunity to appear.

(3) Motions to withdraw as attorney of record where it would leave the party unrepresented require strict compliance with Rule 10 of the Texas Rules of Civil Procedure. Motions in which a party will become a self-represented litigant after the attorney withdraws must include in the Proposed Order:

(a) the party's telephone number;

(b) the party's mailing address;

(c) the party's e-mail address;

(d) a statement regarding consultation with the party regarding the motion; and

(e) current deadlines and trial settings.

(4) If the client has agreed to the withdrawal, the withdrawing counsel must obtain written approval/confirmation from the client acknowledging that the client: (a) is aware that the attorney is withdrawing, (b) is deemed to have knowledge of and is required to abide by the Texas Rules of Civil Procedure if the client proceeds as a self-represented litigant, (c) all notices from the Court to the client's current address will be deemed to have been received unless the client notifies the Court of any change of address, and (d) no continuances or extensions will be granted to the self-represented litigant in order to obtain other counsel.

(5) Motions to withdraw, without client approval, must be set for oral hearing and the withdrawing counsel's client(s) should be given notice of the setting.

(6) Absent good cause, the Court generally does not grant motions to withdraw that are filed within thirty (30) days of a dispositive event, such as a trial setting or a hearing on a motion for summary judgment.

(7) If the withdrawing attorney represents a corporation, the withdrawing attorney must notify the corporation, in writing, that:

(a) corporations cannot proceed pro se in Texas courts; and

(b) if the corporation has not obtained counsel within thirty (30) days of the order of withdrawal, either its claims may be dismissed if it is the plaintiff or its pleadings may be struck and a default judgment may be entered if it is the defendant.

X. Responses

A. Under Rule 3.3.2 of the Local Rules of the Civil Trial Division of the Harris County District Courts, the Court may construe a failure to respond to a motion as no opposition.

B. Any responsive pleading must be filed by three (3) business days before the hearing or submission setting. Late filed responsive pleadings may not be considered by the Court.

C. Any responsive pleading filed the morning of a hearing or submission setting are unfair to the Court and opposing counsel's preparation and will not be considered by the Court prior to the setting. Such late filed pleadings may be stricken from the record.

D. Include a proposed order denying the motion at issue.

XI. Motions Not Requiring a Setting on the Oral Hearing or Submission Dockets

A. The Court expects counsel and parties to work with one another to resolve disputes whenever possible. Accordingly, the following Motions and/or instruments will be considered by the Court, upon filing, without the need for an oral hearing or submission setting:

(1) Agreed Judgments;

(2) Agreed Motions;

(3) Agreed Scheduling and Docket Control Orders;

(4) Unopposed Motions to Substitute Counsel; and

(5) Unopposed Motions to Withdraw as Counsel (assuming that the withdrawing counsel's client(s) have signed off on or otherwise approved in writing of their counsel's withdrawal).

B. The following Motions and/or instruments will be considered by the Court, upon filing, without the need for an oral hearing or submission setting:

(1) Applications for Writ of Sequestration;

(2) Motions to Compel Untimely Initial Disclosures;

(3) Motions for Emergency Hearing;

(4) Motions to Recuse; and

(5) Motions for Substitute Service of Process requesting service by posting, mailing, or other electronic means (i.e., texting or social media). Motions for Substitute Service of Process requesting service by publication must be set for oral hearing.

XII. Oral Hearing Docket

A. The Court generally schedules oral hearings on Tuesdays, Wednesdays, Thursdays, and Fridays:

(1) The Court typically schedules its "law day" docket on Tuesdays, Wednesdays, Thursdays, and Fridays at 8:30 AM.

(2) The Court typically schedules temporary injunction hearings on Fridays at 1:00 PM.

B. Please notify the Clerk and all counsel immediately when any hearing is passed.

C. Requests for Oral Hearing:

(1) Except as stated elsewhere in these Procedures, any party may request an oral hearing concerning a motion filed with the Court. No formal, written request for oral hearing is required, unless the party seeks an emergency hearing.

(2) Unless otherwise instructed, the Court utilizes the Harris County District Clerk's e-Hearing system to schedule settings. e-Hearing features and instructional guidance can be found on the Harris County District Clerk's e-Hearing website.

(3) The parameters of the e-Hearing system do limit the number and type of settings on any one "law day" docket. If there are multiple motions to be heard and the e-Hearing system is full and additional settings are not electronically available for the same hearing date, do not set hearings in the same case on immediately consecutive dates (i.e., on Tuesday, Wednesday, and Thursday's "law day" docket during the same week). Instead, contact the Clerk and request that the motions be set at the same time, on a specific "law day" docket or at one-time convenient for the Court. It is far easier for the Court to review the case, as a whole, at one time, rather than piece-meal. More than likely, the Court will easily grant the request to consider related pleadings together.

(4) The party requesting the hearing must file a Notice of Hearing and serve it on all counsel and pro se parties. Do not submit a fiat for completion by the Clerk. The Clerk will not formally set an oral hearing on the Court's docket until a written Notice of Oral Hearing is properly filed and served.

XIII. Submission Docket

A. *Mondays at 8:00 AM*. Parties who do not need an oral hearing may set their motions on the Submission Docket to be decided on the papers. The Submission Docket is Mondays at 8:00 AM. A minimum of ten (10) days notice is required, more if required by the Texas Rules of Civil Procedure (e.g., summary judgments).

B. *Notice of Submission Required*. Parties who set a matter on the Submission Docket must file a Notice of Submission and serve it on all counsel and pro se parties. Parties may file a Notice of Submission without consulting the Clerk (or e-Hearing system) for a submission date, as long as notice, as required above, is given to all counsel and pro se parties.

C. *Motions Requiring Submission*. The following Motions must be set on the Submission Docket:

(1) Motions to Consolidate;

(2) Motions for Default Judgment on Liquidated Damages;

(3) Motions for New Trial;

(4) Motions for Reconsideration; and

(5) Motions for Summary Judgment.

D. *Requests for Oral Hearing*.

(1) If a motion has been set on the Submission Docket, the responding party may request a hearing. A request for an oral hearing is not a substitute for a response, nor for a motion to continue the hearing.

(2) An oral hearing is not guaranteed and a timely response is still required.

(3) If the Parties are agreeable to an oral hearing on the matter set on the Court's Submission Docket, the Parties shall submit their Agreed Request for an Oral Hearing to the Court and, if approved, the Clerk will contact the filling Party to set the oral hearing.

(4) If counsel cannot agree, the Party requesting an oral hearing must submit a written request for an oral hearing. If the Court grants their request, the Clerk will notify the Parties to set an oral hearing.

(5) A matter will not be taken off of the Submission Docket until a Notice of Hearing is properly filed and served.

E. The Court reserves the right to schedule an oral hearing on any matter scheduled on its Submission Docket, if the Court believes that additional argument would be helpful or necessary.

XIV. Temporary Injunctions

A. Temporary Injunction hearings are generally set on Fridays at 1:00 p.m.

B. Parties seeking temporary injunctions must establish that the responding party received notice of the temporary injunction hearing.

C. The movant is required to notify the Coordinator (via e-mail), at least three (3) days prior to the hearing, whether the hearing is expected to move forward and the anticipated length of the hearing. In its discretion, the Court may reschedule the hearing to better accommodate the anticipated length of the hearing and the Court's schedule.

D. Prior to the hearing, both sides should electronically file proposed Orders stating the relief they seek.

E. The Parties should immediately notify the Court and responding party, in writing, if a hearing is being passed. Failure to notify the responding party may result in the award of costs and/or sanctions if the responding party appears without knowledge that the hearing has been passed.

XV. Mediation

A. The Court's Scheduling and Docket Control Order may set a mediation deadline.

B. The Court strongly encourages the parties to mediate early in the litigation process to make efficient use of available client resources and minimize attorneys' fees for exaggerated and prolonged discovery or other pre-trial practices.

C. The parties should not assume that failure to mediate will operate as a means to extend any Trial Setting. A desire (or failure) to mediate will not be a successful ground to obtain a continuance.

D. The Court will order appropriate cases (i.e., cases that appear stalled and/or have multiple continuances) to mediation and the Court may appoint a mediator.

E. If any one party requests the Court to compel mediation, the Court is inclined to believe that at least one party believes that the alternative dispute resolution process may be helpful and will entertain entry of a more arduous order requiring mediation.

F. Any party that fails to participate in the mediation process, in accordance with the Court's mediation order, may be sanctioned.

XVI. Scheduling and Docket Control Orders

A. The Court intends to automatically generate a Scheduling and Docket Control Order in each case where an answer has been filed.

B. The Court is cognizant that there are some cases involving complex, time-sensitive, or other scheduling issues and, in those instances, welcomes parties to submit an Agreed Scheduling and Docket Control Order (necessarily vacating any earlier scheduling order that may have been entered).

(1) The Court prefers that cases be set for trial no later than twelve (12) months after filing and in no event more than eighteen (18) months after filing.

(2) The Parties should be reasonable and realistic as they develop case-specific pre-trial deadlines.

(3) While the Court deems all deadlines important, if the Parties go through the process of working with one another to prepare and submit an Agreed Scheduling and Docket Control Order, absent exigent circumstances, the Court is inclined to hold the parties to their agreement.

XVII. Trials

A. All cases are automatically set for trial after the defendant files an answer.

B. Cases are eligible to be assigned to trial anytime during the two-week trial docket. If a case is not reached within the two-week docket, the Court will automatically issue an order resetting the trial date. Absent further order of the Court, all other pre-trial deadlines will remain in place.

C. The Court is not presently holding a Docket Call for every case set on its two-week trial docket. There is no need to appear unless you are assigned to trial or a Pre-Trial Conference has been scheduled.

D. Counsel for the cases on each trial docket will be contacted by the Coordinator who may request information regarding the status of the case (ready or need continuance), the number of days it will take to try the case, and to provide any information that may affect the trial setting (i.e., vacation letters, conflicting assignments to trial, "life" issues, etc.).

E. The Coordinator will notify those parties and/or attorneys if and when a pre-trial conference is scheduled.

(1) Unless otherwise advised, pre-trial conferences in bench trials will be held on the date the case is assigned to trial.

(2) Parties should notify the Court <u>immediately</u> if it is anticipated that a pre-trial conference will take longer than approximately thirty (30) minutes.

(3) Requests to schedule the pre-trial conference further in advance of the trial docket will be considered and likely granted if more than thirty (30) minutes is required.

F. *Trial Preparation Order*.

(1) Absent additional or further orders of the Court, the following materials are due to be filed with the Court and served on opposing counsel at least fourteen (14) days prior to the start of the two-week trial docket and consist of the following:

(a) Party/Attorney Lists;

(b) Exhibit Lists;

(c) Witness Lists;

(d) Motions in Limine (for jury trials);

(e) Proposed Jury Charge and/or Proposed Findings of Fact and Conclusions of Law;

(f) Deposition Excerpts/Designations (if you want rulings from the Court on objectionable content, include complete copies of applicable transcripts); and

(g) Trial Scheduling.

(2) The parties must confer regarding the documents exchanged prior to the Pre-Trial Conference. The parties must file a joint written statement at least twenty-four (24) hours prior to the assigned Pre-Trial Conference identifying the pre-trial issues that the parties have agreed upon and have not been able to agree.

(3) Prior to the start of trial, the Parties should e-mail an electronic courtesy copy of a proposed jury charge, final judgment, or findings of fact and conclusions of law, whichever is applicable, in MS Word format, to the Coordinator.

(4) Absent agreement of the Parties, materials not timely submitted in accordance with these Procedures, or additional or further orders of the Court, may be excluded from use at trial.

G. *Trial Assignments*.

(1) The Coordinator will notify parties and attorneys as their cases are assigned to trial.

(2) The Court strives to provide a minimum of twenty-four (24) hours notice prior to a trial assignment. Parties should notify the Court of any out-of-town parties or witnesses, or the need for travel time, as part of the "Trial Scheduling" component in the Court's Trial Preparation Order.

(3) There are NO docket positions. If your case is on the Court's two-week trial docket, you are eligible to be called during that two-week trial period.

(4) The Court reserves the right to assign any case to trial on its two-week trial docket without regard to the age of the case, the case number, or its "position" on the Harris County District Clerk's website.

(5) If you aren't the "Number 1" case on the Court's trial docket, you should assume you are the "Number 2" case and eligible to be called.

(6) Absent exigent circumstances, the Court is not likely to grant a request for a trial continuance once a case has been assigned to trial.

(7) Be proactive with the Court and respective of its time and certainly communicate when the Court requests information about trial readiness or the like.

(8) All cases are on call and eligible to be assigned to trial for the entirety of the two-week trial docket that that they've been assigned.

H. *Preferential Trial Settings*.

(1) The Court will entertain reasonable requests for a Preferential Trial Setting; however, the request for a Preferential Trial Setting alone does not guarantee a trial assignment.

(2) If all parties are agreeable to a Preferential Trial Setting, please notify the Coordinator to request available trial dates.

(a) The Court expects that the parties will work with one another to enter into an Agreed Scheduling and Docket Control Order consistent with the Preferential Trial Setting [If the parties are agreeable to a Preferential Trial Setting but cannot agree on pre-trial deadlines, the Court will enter standard pre-trial deadlines in accordance with its normal practices.] If an earlier scheduling order has been entered, it will be vacated.

(b) The Court prefers that cases be set for trial no later than twelve (12) months after filing and no more than eighteen (18) months after initial filing.

(3) If granted, the parties agree that all vacation notices will be waived and the Preferential Trial setting will be considered a firm trial setting and all parties and counsel are formally assigned to trial on that date the scheduling order is signed.

(4) Given the possibility of disruption to the Court's ordinary two-week trial docket, if a Preferential Trial Setting is reset, absent an emergency or other exigent circumstance (i.e., serious illness of Lead Counsel, a Party, or an immediate family member), no continuance will be granted. Plan accordingly.

(5) If a Preferential Trial Setting is continued, absent good cause or further written Order from the Court, the case will subsequently be reset on the Court's ordinary two-week trial docket and will not be preferentially reset.

XVIII. Trial Logistics

A. *Voir Dire / Jury Panel*.

(1) The Court typically requests a venire panel of forty-eighty (48) members.

(2) If the Parties believe that a larger panel is needed, the Parties must contact the Court immediately and schedule a status conference to discuss. In some instances, the Court is required to make a request to the District Clerk's Office at least thirty (30) days prior to a scheduled trial setting if a larger panel or other special considerations need to be addressed (i.e., reserving the ceremonial courtroom). As a result, any status conference should be scheduled no less than forty-five (45) days before a trial setting. Failure to request a larger panel within this time frame will not warrant a trial continuance.

(3) While the Court makes this decision on a case-by-case basis, the Court generally prefers that each Party take no more than thirty (30) to forty-five (45) minutes for voir dire.

B. *Opening*.

(1) While the Court makes this decision on a case-by-case basis, the Court generally prefers that each party take no more than ten (10) to fifteen (15) minutes for opening statements. Plan accordingly.

C. *Closing*.

(1) While the Court makes this decision on a case-by-case basis, the Court generally prefers that each party take no more than fifteen (15) to twenty (20) minutes for closing arguments. Plan accordingly.

D. *Miscellaneous*.

(1) Seek admission of evidence to be included in the record.

(2) Come prepared – in a motor vehicle accident case, the following is likely to occur, if an appropriate predicate is presented:

(a) Accident and damage photos are coming in.

(b) The investigating officer's narrative is coming in.

E. *Courtroom Technology*.

(1) It doesn't always work. The Court makes no promises and will not delay a trial for technical difficulties.

XIX. Exhibits

A. Exhibits should be marked with numbers, not letters.

B. Eliminate duplicate exhibits.

C. Original exhibits should be submitted to the court reporter once they have been offered into evidence, whether admitted into evidence by the Court or not.

D. For trials or complex, document-intensive hearings, each party must provide the Court a courtesy copy of the party's exhibits in a properly tabbed and indexed notebook, along with a courtesy copy of the Party's Exhibit List.

E. *Jury Trials*.

(1) For the jury, the parties should supply original exhibits in paper form, in a properly tabbed and indexed three-ring notebook. Please use double-sided copy, if possible.

(2) For the Reporter, the parties should supply a USB containing copies of the original exhibits, made text-searchable and bookmarked.

F. *Bench Trials*. The parties should supply a USB containing copies of the original exhibits, made text-searchable and bookmarked, to the Reporter.

XX. Record Requests

A. For inquiries regarding record requests, including expedited and daily copy transcription, please e-mail the Reporter.

XXI. Settlements, Non-Suits, and Orders of Dismissal

A. *Settlements*.

(1) Upon agreeing to settle any case, counsel must immediately notify the Coordinator.

(2) Parties must submit closing papers within thirty (30) days of the settlement announcement or the Court may dismiss the case for want of prosecution.

B. *Minor Settlements*.

(1) At least three (3) days before a Minor Settlement Hearing, the Parties should submit (a) the proposed judgment, and (b) a courtesy letter identifying the terms of the settlement to be considered.

(2) The Court requests that minor plaintiffs attend the hearing on their settlement, unless counsel and the Guardian Ad Litem agree that attendance would not be in the minors' best interest.

(3) The Guardian Ad Litem must bring to the hearing records sufficient to support their requested fees, such as fee invoices, descriptions of the tasks undertaken, the time spent on the tasks, the hourly rate being sought, and expenses incurred.

(4) Any monies ordered to be deposited into the Court's Registry for the use and benefit of a minor child must be deposited within no more than thirty (30) days of entry of the Order and/or Judgment requiring such deposit. Failure to make the deposit timely may subject the depositing party to sanctions, including but not limited to, the payment of any interest that would have been due to the minor child absent the delay.

(5) Absent further order of the Court, in no event, shall the Parties agree to ignore any Order and/or Judgment of the Court with regard to a minor child because the minor turned eighteen (18) after the Order and/or Judgment of the Court was signed. The Parties may be subject to sanctions and/or contempt for failing to abide by an Order of the Court.

C. *Structured Settlements*. A redacted version of the settlement parameters should be filed and an unredacted courtesy copy delivered to the Court for the Judge's review.

D. *Judgments and Non-Suit or Dismissal Orders*. Judgments and Non-Suit or Dismissal Orders should include language specifying:

(1) Whether the order disposes of all claims, counter-claims, cross-claims, etc., asserted in the case; and

(2) How costs should be taxed.

XXII. Attorney Fees

A. Attorney fees must include an itemization of the fees being requested:

(1) task;

(2) time;

(3) who performed the task; and

(4) hourly rate of the individual performing the task.

B. The Court prefers that attorney fee and expense statements (or the equivalent) be attached, redacted if necessary, to support any award of reasonable and necessary attorneys' fees.

XXIII. Inclement Weather

A. In the event of inclement weather, the Court will generally follow the decision of the Houston Independent School District (HISD) as to whether or not to close. Unless otherwise advised, if HISD is closed, any matter scheduled on the Court's docket will be postponed and rescheduled to a future docket in short order once normal operations resume.