

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 95- 9141

**APPROVAL OF AMENDMENTS TO LOCAL RULES
FOR THE DISTRICT COURTS,
BEXAR COUNTY, TEXAS**


ORDERED:

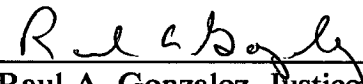
Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the following local rules amendments, which have been submitted to this Court:


Rule 3.19 ((Complex Cases) of Bexar County District Court Rules of Practice,
Procedure and Administration

The approval of these rules is temporary, pending further orders of the Court.

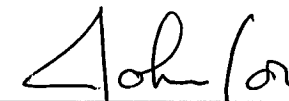
SIGNED AND ENTERED this 5th day of July, 1995



Thomas R. Phillips, Chief Justice

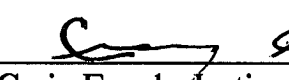

Raul A. Gonzalez, Justice


Jack Hightower, Justice

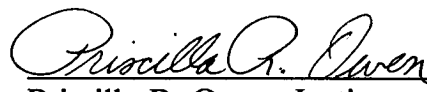

Nathan L. Hecht, Justice


John Cornyn, Justice


Bob Gammage, Justice


Craig Enoch, Justice


Rose Spector, Justice


Priscilla R. Owen, Justice

NEW RULE

3.19 Complex Cases. Upon motion and three days notice, any party, for good cause shown, may move the Monitoring Judge to designate a case as complex, which will thereafter be assigned to one Judge. Whether a case is sufficiently extraordinary and complex to justify such designation is a decision to be made at the discretion of the Monitoring Judge. When the Monitoring Judge has designated a case as complex, the Monitoring Judge shall then assign the case in random order to one Judge for all further pre-trial matters and for trial and insofar as is practicable a proportionate share of such cases shall be assigned to each civil District Court.

- 3.15 Notice of Jury Setting. The party requesting the trial setting shall mail a conformed copy of the Motion and order setting the case for trial to all Parties by Certified Mail, Returned Receipt Requested.
- 3.16 All Settings are Trial Settings. All settings are trial settings which will be called on the docket of the designated Monitoring Court. A written Motion for Continuance, complying with Tex. Rules Civ. Proc. 251-254, is required to pass any trial setting. All resets will be for a date certain.
- Any unexcused failure to appear at a Trial Setting will be grounds for appropriate sanctions under Tex. R. Civ. R.215 by the Monitoring Court.
- 3.17 Preferential Settings. On Motion, and three days notice to all other parties, any party may, for good cause, move the Monitoring court to advance a case on the jury trial docket. Upon request, the Monitoring Court, shall preferentially set Worker's Compensation, Family Law and other cases entitled to a statutory preference.
- 3.18 Special Settings. All requests for a Special setting, whether agreed on or contested, must be presented to the Monitoring Judge upon Motion and Notice of hearing. If the request is granted a scheduling order will also be required.
- 3.19 Complex Cases. Upon motion and three days notice, any party, for good cause shown, move the Monitoring Judge to designate a case as complex, which will thereafter be assigned to one Judge. Whether a case is sufficiently extraordinary and complex to justify such designation is a decision to be made at the discretion of the Monitoring Judge. When the Monitoring Judge has designated a case as complex, the Local Administrative District Judge shall then assigning the case in sequential order, according to the number of the court, to one Judge for all further pre-trial matters and for trial.
- 3.20 Motions for Continuance. All Motions for Continuance of cases on the jury docket shall be set in the Monitoring Court, through the Civil Jury Assignment Clerk, between 8:30 and 9:30 a.m., Monday through Friday, either by agreement, or upon three days notice to the opposing party when the Motion is contested. All Settings for continuances shall be made through the Civil Jury Assignment Clerk.



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711
TEL: (512) 468-1312
FAX: (512) 468-1805

CLERK
JOHN T. ADAMS

JUSTICES
RAUL A. GONZALEZ
JACK HIGHTOWER
NATHAN L. HECHT
JOHN CORNYN
BOB GAMAGE
CRAIG ENOCH
ROSE SPECTOR
PRISCILLA R. OWEN

EXECUTIVE ASSISTANT
WILLIAM E. WILLIS

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

July 6, 1995

Mr. Peter M. Koelling
Civil District Courts Admin.
Bexar County Courthouse
100 Dolorosa, Suite 305
San Antonio, Texas 78205

Dear Mr. Koelling,

Please find enclosed for distribution as you wish, a copy of the order of the Supreme Court approving an amendment to a local rule of Bexar County.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Olin B. Strauss
4th Admin Judicial Rgn

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Raymond Judice
Office of Court Admin

State Law Library



CIVIL DISTRICT COURTS ADMINISTRATION

BEXAR COUNTY COURTHOUSE
100 DOLOROSA, SUITE 305
SAN ANTONIO, TEXAS 78205

(210) 220-2300
FAX (210) 220-2843

PETER M. KOELLING
ADMINISTRATOR

June 6, 1995

Mr. John T. Adams
Clerk of the Supreme Court
Supreme Court Bldg.
P.O. Box 12248
Austin, TX. 78711

Dear Mr. Adams,

Pursuant to the Texas Rules of Civil Procedure 3a, the District Courts of Bexar County are submitting an amendment to local rule 3.19 for approval by the Supreme Court. A copy of the amended rule and the old rule are attached hereto. Upon the Court's approval, the new rule will be publicized and go into effect after 30 days.

The basic change to the rule is to allow a more random selection of judges for complex cases. It also allows the monitoring judge, rather than the administrative judge, to make the assignment.

If you have any questions with regard to this matter, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. M. Koelling", written over the typed name.

Peter M. Koelling