

FILED
DISTRICT CLERK
HILL COUNTY

2017 AUG -2 PM 4: 23

LOCAL RULES – HILL COUNTY, TEXAS

PROCEDURES

1. In a case where there is pending litigation, or a case where suit has not been filed but the filing party knows that the opposing party is represented by counsel and a temporary restraining order is requested, Movant's counsel must attach a certificate of conference to the pleadings. That certificate must aver that the opposing counsel has been notified in writing of the time and date that the requesting party will be appearing at the judge's chambers to request the temporary restraining order. Further, any request for a restraining order, other than one prohibiting the alienation of property in a divorce, must have an affidavit attached setting forth the required elements.
2. Prior to any hearing in family law cases where no written agreement has been reached, the counsel and their clients are required to sign a "check-in" sheet at least one hour prior to the time set for the hearing. The "check in" sheets are located on a clipboard in the law library. Counsel and their clients are required to meet in the law library. All parties are required to view the TYLA video, "Kids in the Crossfire". Copies of the video and the remote control for the television are located in the District Judge's office. After viewing the video, the parties are ordered to negotiate in an effort to resolve or lessen the issues of contention. Counsel must certify to the Court that they have made a good faith effort to resolve the matter. The prior order of the courts requiring parties to attend the "Children in the Middle" or like seminar continues in full force and effect.

CASE MANAGEMENT/ASSIGNMENT PLAN

The following is a case management/assignment plan that should promote a more efficient disposition of litigation in Hill County, Texas, effective August 1, 2017, and shall remain in effect until further notice/order, to-wit:

District Court:

1. The District Court has jurisdiction as provided by Art. V, Section 8, Texas Constitution, 24.168, 26.209, and/or 25.1104 of the Government Code and/or otherwise as provided by law.
2. One-half of juvenile cases and contested probate/guardianship cases, filed with the District Clerk, shall be handled by the District Court.
3. Except for cases initiated by the Department of Human and Protective Services Division, one-half of civil cases filed with the District Clerk shall be handled by the District Court except that the following civil cases will remain in the District Court and not be so transferred, although the Judges of the District Court and the

County Court at Law may “exchange benches” by agreement, in said matters, and nothing herein precludes same, to-wit:

- a. All suits for removal of government officials.
 - b. All election contests.
 - c. All misdemeanors involving official misconduct.
 - d. Suits for title to lands, other than as related to family law or probate matters heard in the County Court at Law, as may be allowed by law.
 - e. Suits for escheat unto the State and taxes due political subdivisions and entities of the State.
 - f. Civil suits in which the matter in controversy exceeds \$200,000.00, excluding interest, statutory or punitive damages and penalties, attorney’s fees and costs, as alleged on the face of the petition.
 - g. Appeals of final rulings and decisions of the Texas Workers’ Compensation Commission, regardless of the amount in controversy.
 - h. Proceedings and causes concerning roads, bridges, and public highways and the general administration of county business that is within the jurisdiction of the Honorable Commissioner’s Court of the County.
4. Suits pending in a Court as of August 31, 2005, will remain with that Court, unless a separate transfer order is signed.
 5. All felony matters, except those specifically transferred to County Court at Law.
 6. All capital murder cases.
 7. Uncontested family law cases on behalf of the County Court at Law by way of this agreement to exchange benches for this purpose.
 8. Serve on the juvenile board, and perform all general magistrate duties.

County Court at Law:

1. All jurisdiction as provided by Sec. 25.0003, Texas Government Code and HB No. 1622, 25.1111, and/or 25.1112, Government Code, as may be applicable, and otherwise as provided by law, including concurrent jurisdiction with the District Court in family law cases and proceedings, and concurrent in felony matters, as assigned by the District Court.
2. One-half of juvenile cases and contested probate/guardianship cases, filed with the District Clerk, shall be assigned to County Court at Law as to equalize the case load between the Courts.

3. One-half of civil cases filed with the District Clerk shall be assigned to County Court at Law, except as specifically reserved in the District Court as set out above as to equalize the case loads between the Courts.
4. All civil and criminal appeals from a justice court of Hill County will be heard in the County Court at Law, regardless of even or odd numbered case numbers assigned by the District Clerk, unless otherwise agreed to by and between the Judges.
5. All misdemeanor cases, although the District Court may hear these matters as may be expeditious and in prudent exercise of concurrent jurisdiction.
6. Felony cases specifically assigned by the District Court to County Court at Law.
7. Other matters as assigned by the District Court, and/or as agreed per HB 1622, or by law.
8. Exchange benches with the District Judge and sit in the District Court by assignment.
9. Concurrent jurisdiction with the County Court over all cases and proceedings, civil and criminal, original and appellate, prescribed by law for the (constitutional) County Court, but not over matters related to administration of county government and involving the Commissioner's Court.
10. Family law cases and proceedings, which includes adoptions, birth records, removal of disability of minority or coverture, changes of names of persons, child welfare, custody, support and reciprocal support, dependency, neglect, or delinquency, paternity, termination of parental rights, divorce and marriage annulment, including the adjustment of property rights, custody and support of minor children involved therein, temporary support pending final hearing, and every other matter involving divorce or annulment proceedings, independent actions involving child support, custody of minors, and wife or child desertion and independent actions involving controversies between parents and child, and between spouses. (25.0002, Govt. Code)
11. Uncontested family law matters on any date on behalf of the District Judge, by this agreement to exchange benches in all such matters.
12. Serve on the juvenile board, and perform all general magistrate duties.

County Judge:

1. All jurisdiction provided under Constitution of 1876, State of Texas, and Art. 26.209, Government Code, as amended.

2. Primary court, among Hill County courts, for uncontested probate matters, although the District Court may act per Art. 24.168, Gov