

TRAVIS COUNTY DISTRICT COURTS QUICK REFERENCE GUIDE

Judge John K. Dietz
Local Administrative Judge

Warren Vavra
Court Administrator

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TRAVIS COUNTY DISTRICT COURT QUICK REFERENCE GUIDE

INTRODUCTION

The following Guide is a quick overview of how to set cases in the Travis County Docket System. It is adapted and updated from an earlier Guide compiled by the District Court Administrator's Office and is not intended to replace the Local Rules. If there are any questions about this Guide, or if there is a need for more information, please consult the Local Rules.

I. THE DOCKET SYSTEM

The Civil District Courts of Travis County operate on a Central Docket System. This means that all civil cases are set on and assigned for hearing from one master calendar maintained by the Court Administrator's Office without regard to the court in which a case was filed. The Central Docket System will hereinafter be referred to as the Central Docket.

II. OBTAINING A SETTING ON THE CENTRAL DOCKET

A setting may be obtained on the Central Docket by contacting the Court Administrator's Office either in person, by telephone, or by letter. If a setting is requested by letter and no specific date is requested, a date will be selected by the Court Administrator. It will be the responsibility of the attorney or the pro se individual to call within a few days of a request made by mail to check as to the assigned hearing date. No notice will be given by the Court Administrator.

III. NOTICE OF SETTING

The attorney or individual obtaining a setting is responsible for giving notice to all attorneys or parties in the matter within the time limit provided by Local Rule 2.4 and the Texas Rules of Civil Procedure. Local Rule 2.9 requires an estimate of time to be included in the notice.

IV. DISAGREEMENTS CONCERNING TIME ESTIMATES

Disagreements concerning time estimates affecting which docket a case will be assigned to (less than half-day vs. longer than half-day) shall be resolved by a Judge at 9:30 a.m. the Thursday preceding the day of the setting. Contact the Court Administrator's Office for information concerning the courtroom in which these matters will be heard.

V. SCHEDULE OF JURY AND NON-JURY WEEKS

The weeks of the year are divided into jury and non-jury weeks. A schedule of jury and non-jury weeks may be obtained in the Court Administrator's Office. These schedules are normally released in May for the following year.

VI. CUTOFF POINT FOR OBTAINING A SETTING

A cutoff point for obtaining a setting is established in order that everyone affected by such a setting has a fair opportunity to react with any last minute pretrial matters or an opportunity to timely present a Motion for Continuance. Consult TRCP 4 and 5 for time requirements and TRCP 21 and 21a for notice requirements. All settings must be obtained by 5:00 p.m. the Friday before the docket call period begins for that setting. The only exceptions are as follows:

1. any matter that is governed by a statute requiring it to be heard within a certain time frame;
2. any matter that is added to a docket by agreement.

VII. JURY SETTINGS

Jury cases are set on Monday at 9:00 a.m. on weeks designated "jury weeks." Cases are called by the Presiding Local Administrative Judge and assigned to courts for trial at that time. Cases not initially assigned are given a standby number and are subject to call anytime before Wednesday noon the week of the setting. If a case is not reached, it is the responsibility of the attorneys to obtain a new setting. A case will not be held over to the next week. No preference is given on resetting cases previously set and not reached.

VIII. PREFERENTIAL SETTINGS ON THE JURY DOCKET

By Local Rule 2.7, no preferential settings are made on the jury docket; therefore, a preferential setting should not be requested.

IX. NON-JURY SETTINGS

Non-jury settings requiring more than three hours are set at 9:00 a.m. Monday on weeks designated "non-jury weeks." All other non-jury cases are set at 9:00 a.m. or 2:00 p.m. daily Monday through Thursday on weeks designated "non-jury weeks," Thursdays of weeks designated "jury weeks" (30 min. total time limit) and every Friday at 9:00 a.m. (15 min. total time limit).

Cases set on the longer than three hour docket(or longer than half-day docket) will be called at 9:00 a.m. Monday morning and assigned to the various judges for a bench trial. Cases not assigned will be given a standby number and are subject to call with three hours notice anytime before noon on Thursday the week of the setting. Any case not reached will have to be reset by the attorneys with no preference automatically given.

Cases set on the three hour or less docket (less than half-day docket) which are not reached, will not carry over to the next docket, but will have to be reset by the attorneys.

X. PREFERENTIAL SETTINGS ON THE NON-JURY DOCKET

Local Rule 2.7 provides for two preferential settings on each non-jury docket. These settings, when approved by a District Judge, will be set on a first come, first serve basis.

XI. SETTINGS OTHER THAN CENTRAL DOCKET SETTINGS

The Court Administrator has no authority to set cases for hearing except as set out in paragraph IX above. Any request for a hearing at times other than those set out in paragraph IX must be made directly to a Judge or that person the Judge has designated to set such hearings.

XII. HEARINGS BY TELEPHONE

Hearings by telephone can be arranged at a Judge's discretion. Miscellaneous hearings shall be made directly with the Duty Judge. Telephone hearings appear on the central docket at 2:00 p.m. on Thursdays. Settings must be confirmed with the Court Administrator's office and announced at Docket Call. The Court Administrator will notify the parties of the time (after completion of the uncontested docket) that a conference call should be placed.

XIII. DOCKET CALL

Any case set on the Central Docket is subject to the docket call announcement procedure as set out in Chapter 3 of the Local Rules. Any case, including preferential settings, will be dropped to the bottom of the docket at the time it is set if no announcement is received by the Court Administrator's Office during the docket call period.

XIV. UNANNOUNCED CASES

Any case for which no announcement is received during the docket call period is considered to have announced ready. However, such an unannounced case will be dropped to

the bottom of the docket on which it is set and will be taken up only after all announced cases have been reached.

XV. MOTIONS FOR CONTINUANCE

Motions for continuance will be heard by the Duty Judge at 9:30 a.m. on the Thursday before a given setting. The moving party is expected to give the opposing side at least three days notice of their intent to present the motion. No motion will be heard after the designated Thursday unless it can be shown that the circumstance has arisen after the normal hearing time.

Hearings for continuance may be set earlier than the Thursday preceding the hearing date by contacting the Court Administrator's Office and set as any other non-jury hearing.

XVI. FAMILY LAW PRE-TRIAL FORMS

Completed family law pre-trial forms as required by Section 3 of the Standing Orders and Local Procedures for Family Law must be filed in the District Clerk's Office. If completed pre-trial forms are received from one party and not the other, a pre-trial conference may be called by the court on short notice and appropriate action, including sanctions (attorney's fees, striking pleadings, etc.) may be taken. The Court Administrator is not authorized to make any exceptions to the rules as set out in Section 3.

In lieu of pre-trial forms, a decree signed by both parties will be accepted.

XVII. UNCONTESTED DOCKET

Each day between 8:30 a.m. – 9:20 a.m. and between 1:30 p.m. – 2:20 p.m. there will be a Duty Judge available to hear uncontested matters and sign uncontested orders. A court reporter will be available for the morning session. The Duty Court handling the uncontested docket for a given week will be posted on the bulletin board outside the District Clerk's Office, Room 302, Travis County Courthouse.

There is no need to obtain a setting on the uncontested docket. However, anyone desiring to present a matter at the uncontested docket will be required to obtain the docket sheet or docket detail from the District Clerk's Office and present it to the clerk in the courtroom.

XVIII. SETTLEMENT WEEK

Settlement weeks, as required by statute, are normally held in March and September of each year. These dates are reflected in the Jury/Non-Jury schedule.

XIX. LOCAL RULES OF CIVIL PROCEDURE AND RULES OF DECORUM

Each attorney may obtain a copy of the Local Rules of Civil Procedure and Rules of Decorum are available on the Travis County website at www.traviscountycourts.org or, if you do not have internet access, free of charge in the Court Administrator's Office, Room 435, Travis County Courthouse.

XX. ADDITIONAL QUESTIONS CONCERNING DOCKET OPERATION

Additional questions concerning the docket operation may be directed to Warren Vavra, Court Administrator, Travis County Courthouse, Room 435, P.O. Box 1748, Austin, TX 78767, (512) 854-4486. You may access the docket for the current week and the daily assignments during that week by going to the Travis County website at www.traviscountycourts.org.