

199th Judicial District, Judge Angela Tucker
219th Judicial District, Judge Jennifer Edgeworth
296th Judicial District, Judge John Roach, Jr.
366th Judicial District, Judge Tom Nowak
380th Judicial District, Judge Benjamin N. Smith
401st Judicial District, Judge George B. Flint
416th Judicial District, Judge Andrea Thompson



417th Judicial District, Judge Cynthia Wheless
429th Judicial District, Judge Jill Renfro Willis
468th Judicial District, Judge Lindsey Wynne
469th Judicial District, Judge Piper McCraw
470th Judicial District, Judge Emily A. Miskel
471st Judicial District, Judge Andrea K. Bouressa

COLLIN COUNTY LOCAL RULES

The district judges of Collin County hereby adopt these rules pursuant to Rule 10 of the Texas Rules of Judicial Administration.

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1. Conduct and Decorum

1.1. Standards for All Attorneys and Self-Represented Litigants

Every attorney must thoroughly read and follow the Texas Disciplinary Rules of Professional Conduct and the Texas Lawyer’s Creed. Self-represented litigants must also behave with professional decorum to the court, other attorneys, and other people involved with the litigation. All of these rules apply equally to self-represented litigants and attorneys.

1.2. Photographs and Recordings

No one may take photographs or make recordings in the courthouse, unless specifically authorized by written court order pursuant to Tex. R. Civ. P. 18c. Adoptions are exempt from this rule. Parties may take photographs at adoption proceedings.

2. Information and the District Clerk

2.1. Contact Information

Attorneys and self-represented litigants are required to provide to the court and district clerk a current mailing address and an email address. Each person must notify the district clerk of any change in address, email, or phone number. If you do not open emails or mail sent to the address you provided, the court will still proceed as if you had received the communication.

2.2. Vacation letters

A party or attorney may send a vacation letter to the other parties or file it in the case, reserving a reasonable number of days during which no hearings, depositions, or trials are requested to be set. If a matter is set without that person’s approval, and it conflicts with the previously-sent vacation letter, the affected person should bring the issue to the court’s attention.

2.3. Related Filings

Forum shopping is prohibited. Once a case is filed in a court, other cases involving related claims or parties will also be filed in that court, even if non-suited or refiled. Parties must notify the district clerk if related litigation has been previously filed in a court.

2.4. Document Filing and Electronic Filing

Attorneys must use the electronic filing system. Self-represented litigants may use electronic filing or file documents directly with the district clerk. Electronic filings must comply with Tex. R. Civ. P. 21 and any other applicable electronic filing rules or standards. The district clerk may publish information regarding acceptable formatting and technical requirements for electronic documents.

2.5. Sensitive Data and Initials

All attorneys and self-represented litigants must follow Tex. R. Civ. P. 21c and must redact sensitive data before filing documents. If the inclusion of sensitive data is required by law, then the document may be marked with a notice that the document contains sensitive data; otherwise, the document must not contain that notice. If a party has filed a document containing unredacted sensitive data, that party must resubmit a redacted substitute document.

A pleading must not contain initials in place of the first and last names unless redaction of the name is required or permitted by Tex. R. Civ. P. 21c, other law, or court order.

2.6. Contact with the District Clerk's Office

Employees of the district clerk cannot provide legal advice and may only provide access to court records pursuant to relevant statutes and rules. Employees cannot receive or relay personal messages or calls or read pleadings to anyone. Employees may only provide the following information in response to requests:

- (a) Whether an answer has been filed;
- (b) Existence and setting of a case;
- (c) Existence of a setting of a matter and/or motion in a pending case;
- (d) Return of service and a date; and
- (e) Correct style of a case when correct cause number is supplied.

2.7. Court Registry

As ministerial officers, employees of the district clerk cannot exercise personal discretion relating to a court's registry. Orders must be clear, complete, and without uncertainty. Please consider addressing the following issues when drafting an order to disburse:

- (a) The order states that the district clerk is ORDERED to issue the check.
- (b) The order states exactly who is to receive the check, for example, "the District Clerk is ordered to issue a check payable to Jane Marie Doe."
- (c) The order includes the amount to be paid, for example: "the District Clerk is ordered to issue a check payable to Jane Marie Doe for an amount equal to all funds plus accrued interest," or

“the District Clerk is ordered to issue a check payable to Jane Marie Doe for an amount equal to the principle amount of \$100, plus accrued interest.”

- (d) The order specifically waives the 30-day waiting period. Without this language, the district clerk may wait 30 days before making the disbursement. Language such as “immediately,” “instanter,” and “without delay” are not sufficient to waive the 30-day waiting period. The 30-day waiting period will be automatically waived for criminal cash bond disbursements and for the Office of the Attorney General.

If an order’s language does not clearly direct the district clerk, there will be no disbursement until any defects are cured. Interest earned and fees charged on registry funds are governed by the Texas Local Government Code.

3. Setting Hearings and Trials

3.1. Conference Requirement for Setting Hearings

Parties must set hearing and trial dates by agreement. If a party cannot get an opposing party to respond or agree, that party should provide documentation of scheduling efforts to the court, which may schedule the setting without agreement.

3.2. Continuances

A trial or hearing cannot be postponed or rescheduled without the consent of the court. Any motion for continuance must be verified and will be heard at a time set by the court.

3.3. Conflicting settings

A conflicting setting exists when an attorney is already set for trial or hearing in another court or an attorney is assigned to more than one court at the same time. An attorney must immediately notify all courts in which the attorney is set for hearing or trial if the attorney has a conflicting setting.

3.4. Ex Parte Relief

- 3.4.1. No application for relief shall be presented to a judge until it has been filed and assigned to a court. Anyone seeking ex parte relief must notify the judge whether any other litigation is pending relating to the parties or the subject matter.

- 3.4.2. Except as provided below, anyone applying for a temporary restraining order or other ex parte relief must, at least two hours before presenting the application to a court, notify all other parties, or their counsel if known, provide a copy of the application, and provide a copy of the proposed order.

3.4.3. Advance notification is not required if

- (a) the application is for a protective order under Title 4 of the Texas Family Code or Article 7A of the Texas Code of Criminal Procedure;
- (b) the application sets forth a reasonable basis for believing that irreparable harm is likely imminent and there is insufficient time to notify opposing counsel or parties; or
- (c) the application sets forth a reasonable basis for believing that notifying the opposing counsel or party would impair the court's ability to grant relief due to the danger that the subject matter of the application could be compromised, removed, or destroyed.

3.4.4. If the judge to which a case is assigned is unavailable, the application may be presented to another sitting district judge or, upon permission from the sitting district judge, to a visiting judge. Any district judge may sit for the court to which the case has been assigned.

3.5. Temporary Orders in Family Law Cases

Each party present at any hearing on temporary orders shall be limited to twenty minutes total to present its evidence, cross-examine, rebut, and argue its case, unless the court affirmatively orders otherwise.

4. Litigation and Discovery

4.1. Subpoenas Directed at Non-Party Government Employees

Before issuing a subpoena directed at a non-party government employee, the requesting party must comply with the requirements of this section.

4.1.1. Conference Requirement. During regular business hours, at least 3 business days before the subpoena is issued, the requesting party must contact the legal representative or chief executive officer of the government entity and make a reasonable good faith inquiry to ascertain the name and capacity of the person with knowledge of the matter and records sought.

4.1.2. Certificate Requirement. The subpoena must include a certificate that provides the following information:

- (a) the party timely attempted to contact the legal representative or chief executive officer on (list dates, times, methods of contact, and persons contacted) and provided a detailed

- message alerting the person of the reasons for the subpoena, but received no response; or
- (b) the party conferred with an authorized representative and was unable to agree on a representative to appear or provide documents because the person or documents sought were critical for the following reasons: (list reasons).

If a party fails to comply with these requirements, the court may grant the motion of a person/entity opposing the subpoena on that ground and may award expenses and attorney fees to the person/entity opposing the subpoena.

4.2. Discovery Motions

All motions for discovery sanctions, requests for rulings on discovery objections, and motions to compel discovery shall set out within the body of the motion the interrogatory or request which is in dispute, and the objection and answer or response which is in dispute, so that all matters necessary for the Court's consideration are set out in one concise document.

4.3. Form Protective Order for Discovery

Parties may agree to use the standard form protective order published on the district clerk's website. Upon the motion of one party for entry of the standard form protective order, the court may enter that order unless a party files an objection within 10 days of receiving notice of the motion.

4.4. Attorney Withdrawals

Motions to withdraw must comply with all requirements of Tex. R. Civ. P. 10. Counsel may not withdraw within 30 days of trial without leave of court. The withdrawal motion and order must contain the client's last known email address. A motion to withdraw may be granted without hearing if:

- (a) The client has signed the motion or order, consenting to the withdrawal;
- (b) Another lawyer has made an appearance on behalf of the client; or
- (c) The motion is accompanied by a letter that notifies the client of the client's right to object to the withdrawal within 10 days of the date the letter was mailed, the withdrawing attorney certifies that the motion and letter were sent to the client's last known address by both certified and regular first class mail, and no objection is filed.

4.5. Dismissals for Want of Prosecution (DWOP)

A case may be dismissed for want of prosecution for any of the following reasons:

- (a) Failure of plaintiff to set the case for trial, enter a scheduling order, or take other appropriate action after notice that the case will be dismissed for want of prosecution;
- (b) Failure of plaintiff or plaintiff's counsel to appear for trial or a pretrial conference;
- (c) Failure of plaintiff to announce "ready" when the case is called for trial; or
- (d) For any other reason permitted by law.

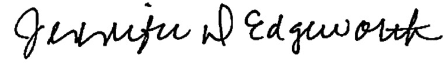
4.6. Final Judgments Due Within 30 Days

Within 30 days after reported settlement, rendition, or verdict, parties shall submit to the court a written final judgment, indicating whether it is approved by all parties as to form or substance. If a final judgment is not submitted to the court within 30 days, the court may presume that the parties wish the case dismissed with prejudice with costs taxed at the court's discretion. A party may file a motion to request more time.

Effective Date: January 1, 2023.



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199th Judicial District Court



Judge Jennifer Edgeworth
219th Judicial District Court



Judge John Roach, Jr.
296th Judicial District Court



Judge Tom Nowak
366th Judicial District Court



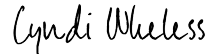
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