



JUDGE THERESA W. CHANG

Harris County Civil Court at Law No. 2

www.ccl.hctx.net/civil/2/

www.cclerk.hctx.net

CONTACT COURT STAFF

Clerks:

Information about the filing of documents, entry of orders, request for hearing and case status

Janice Gonzales – Clerk

Maria De La Rosa - Clerk

Main Line: 713-274-1349

Trial Coordinator:

Information regarding trial settings

[Grace Cantada](#) (832) 927-1722

Court Reporter:

Requests for transcripts

Kevin Bruzewski (832) 927-1723

Bailiff:

Information regarding audio/visual and courtroom security

Anthony Hemmitt (832) 927-1724

MOTION DOCKETS

Oral Hearing Dockets:

Tuesdays at 9:00 a.m.

- Minimum of 7 business days' notice is required.
- Any party needing an oral hearing must file a written notice of oral hearing with certificate of service and serve all counsel and pro se parties with same.
- Any motion to be heard on the Oral Hearing Docket must be filed prior to or along with the Notice of Oral Hearing.
- Records are taken by request only.

Upon arrival to court:

- Check in with the clerk in the courtroom starting at 8:45 a.m.
 - Inform the clerk if you have an appearance in another court and in what court so we can locate you if necessary.
 - The court allows 10 minutes for late appearance.
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- Complete a Record Request Form and return to the court reporter prior to docket call if you would like to request a record be taken of your hearing.

I. Occupational Driver's License Hearings:

Tuesdays @ 11:00 a.m. (please confirm availability with the clerks)

The following items are required:

- See [Occupational Requirements](#)
- Submit form: Occupational License Case Information Sheet and [Notice of Oral Hearing ODL](#)

II. Temporary Restraining Orders (TRO)

Mondays @ 11am

Please comply with the following:

- Contact the clerk for the next available setting.
- Written notice must be filed with the court and served to the opposing party by phone, fax and/or in writing.
- If unable to contact opposing party, proof of attempts must be provided to the Court.

III. Minor Settlement

Hearings must be set on the regular motions docket upon the filing of a notice of hearing with the Clerk's office.

IV. Homeowner's Association (HOA) Cases

- All HOA cases must be set for an oral hearing.
- A notice of oral hearing on a default must be served by personal service (hand-delivery) to the Defendant.
- Motion must be filed prior to or along with the Notice of Oral Hearing.
- Proof of notice of oral hearing must be provided to the Court.

V. Motions to Withdraw as Attorney of Record

Attorneys moving to withdraw must comply with the following:

- Notice of hearing served on all parties
- A statement of the particular circumstances and disciplinary rules requiring withdrawal. Confidential matters may be addressed under seal in accordance with TRCP 76a.
- Certificate of last known address and telephone number of the client (must be in Order)
- Properly serve the client with the following:
 - Notice of oral hearing or submission
 - A letter from the attorney of record to the client specifying the following:
 - The attorney is withdrawing.
 - The client is deemed to have knowledge of and is required to abide by the TEXAS RULES OF CIVIL PROCEDURE if the client chooses to proceed as pro se.
 - All notices from the Court sent to the client's current address will be deemed to have been received unless the client notifies the Court of any change of address.
 - In addition to the items listed above, if the client is a corporation, the attorney must notify the client that a corporation cannot proceed pro se.
 - If the Motion to Withdraw is agreed between attorney and client, refer to Agreed Motions.

VI. Contested Judgments

Contested judgments must be set for oral hearing on the regular motions docket upon the filing of a notice of hearing with the Clerk's office.

[VII. Motion for Sanctions requires oral hearing](#)

[VIII. Motion to Compel requires oral hearing](#)

[IX. Motion to Reinstate requires oral hearing](#)

Submission Docket

Friday at 8:30 a.m. (10-day written notice to the clerk is required)

Any motion may be set on the Submission Docket with the exception of those requiring an oral hearing such as: Motion for Sanction, Motion to Compel (see Motions listed under Oral Hearing Docket)

[Motions for Summary Judgment](#)

Motions for Summary Judgment require 21 days' written notice. The Court will consider requests for oral hearing on the date of submission.

If Oral Hearing is requested by a party, request must be made in writing and must be filed on or before the date of submission. If the Court grants a request for Oral Hearing, parties will receive notice from the Clerk.

OFF-DOCKET MOTIONS

Agreed Motions

Agreed motions do not require a hearing or to be placed on the Submission Docket. Simply file the motion as "agreed" or "joint" along with the appropriate documents with County Clerk's office for consideration by the Court. The court may ask for a hearing if necessary.

It is not necessary to contact the clerks regarding off-docket motions.

Motions for Default Judgment

Motions for Default Judgment *do not* require a hearing

The following must be included in your motion:

- Affidavit proving up damages (include the last statement or invoice).
- Affidavit of attorney's fees including some estimate of time or description of the actions taken on the case. On contingencies, also state the percentage of the contract.
- Certificate of last-known address
- Non-military affidavit with a copy of the search results from www.militarylocator.com, printed within 30 days

If any of the foregoing is missing or if service is not perfected, your case will be put on the status conference docket 30 days out to allow time to submit the proper documents. If proper documents are not received on or before the status conference date, your case will be dismissed.

It is the responsibility of the movant to follow up on motions for default to check the status.

Rule 106 Motions for Substituted Service

Rule 106 motions must be filed with the Clerk's office and do not require a hearing.

All Rule 106 motions for substituted service must be accompanied by an affidavit that includes the following:

- All efforts taken to verify that the Defendant actually lives or works at the subject address
 - Each attempt at service, including the date and time
 - The identity of persons who were present at the subject address and what was said
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- The identity of cars in the driveway or other indications that the defendant resides or works at the subject address.

Motions to Appear Pro Hac Vice

All pro hac vice motions must comply with TEX. GOV'T CODE § 82.0361.

TRIAL DOCKETS

NON JURY TRIALS

Mondays at 9:00 a.m.

- Cases are tried the day they are set. There are no docket positions. Cases are heard according to the length of trial estimated by the parties.
- If you need more than 30 minutes to present your case, please notify the trial coordinator upon check-in. Your case will be reset for either 1:00 p.m. the same afternoon or for an agreed upon date in the near future.
- Always prepare a proposed judgment for the Court.
- Records are taken by request only. A Record Request Form must be completed and returned to the court reporter prior to docket call.

JURY TRIALS

First and third Monday of each month; two-week trial docket.

[Docket Calls](#)

Docket calls are made by phone conference between the hours of 1:00 p.m. and 4:00 p.m. on the WEDNESDAY immediately preceding the trial date. A date will be assigned, and your docket position will be determined for the two-week period.

- Keep your contact numbers up-to-date with the Clerk's office.
- Be on stand-by for your phone call and/or designate a person in your office to look at your calendar for scheduling purposes. If you are not available, the court will pick the assigned date of trial for your case.
- Please do not call the court. If you do not receive a call by 4:00 p.m., your case was not reached, and it will be reset to the next available jury trial docket.
- If the Wednesday is a court holiday or a "dead week," docket call will be held on the Tuesday before the two-week trial docket or on the Wednesday before a dead week.

[Pretrial Matters](#)

If your case is assigned, you are required to appear for a pretrial conference on Friday at 9am preceding your ASSIGNED TRIAL DATE. If you have issues that may require more than 15 minutes, you must contact the trial coordinator for a special setting.

The Court appreciates all efforts to expedite trial. The following must be exchanged and discussed among parties prior to pretrial hearing:

- Exhibits - Agreed upon exhibits will be pre-admitted. A copy of your exhibit list is required for the judge, the court reporter and opposing counsel.
 - All exhibits must be pre-marked with inadmissible information redacted (e.g., Social Security Nos., account numbers, insurance information, etc.).
 - Any exhibit with multiple pages must be stapled or bound in some way. If you have more than 20 exhibits, please put them in a binder with tabs separating each exhibit. Should you have any questions regarding exhibits, you may [contact the Court Reporter \(Kevin_Bruzewski@ccl.hctx.net\)](mailto:Kevin_Bruzewski@ccl.hctx.net).

- Motions in limine - please do not include the Texas Rules in your motions in limine.
- Deposition excerpts or edited videotapes -- designations of page and line numbers. Copies of designations and either a condensed or electronic copy of the transcript must be provided to the court reporter prior to trial.
- Jury Charges – the parties are responsible for editing their jury charge during trial. You may e-mail your proposed jury charge to Grace_Cantada@ccl.hctx.net prior to your assigned trial date. You may also bring it on a CD or flash drive, in Word format only. See attached [Jury Charge Template](#).

[Voir Dire](#)

Generally, the court will give each party 20-40 minutes to do voir dire. Parties will be given the jury list to review as soon as it becomes available.

[Record](#)

Voir dire and *motions in limine* are generally not on the record. If you need either of these on the record, you must notify the court reporter in advance.

All other proceedings of a jury trial will be on the record unless otherwise agreed upon by counsel and the Court.

[Challenges for Cause](#)

Challenges for cause are handled at the bench on an individual basis, outside the presence of the other panel members.

[Preemptory Strikes](#)

10 minutes is allowed to exercise strikes.

[Bench Conferences](#)

Bench conferences are generally conducted with the jury present in the courtroom using white noise and will not be recorded by the court reporter unless specifically requested by counsel.

[Witnesses](#)

Witnesses should be instructed by counsel regarding courtroom decorum.

[Post-Verdict Motions](#)

Post-verdict motions and/or judgments that are not agreed to must be set for a hearing on the regular motions docket. A notice of hearing must be filed with the clerks.

[Contested Judgments](#) - refer to "MOTION DOCKETS/Oral Hearing Docket."

[Preferential Settings](#)

- May be requested through the trial coordinator upon agreement of both parties.
- Cases requiring more than one day will need a preferential setting.
- Jury Docket call does not apply to cases that are preferentially set.
- You must appear for a pretrial conference on Friday at 9:00 am preceding your trial date or any date designated by the Court.

[Trial Continuances](#)

Trial continuances should be filed as soon as the grounds for such a motion are reasonably apparent and filed **no later than noon on the Wednesday** before the trial date.

The motion must be very specific about the grounds for the continuance and should state the client's knowledge of and consent to the requested motion.

First-time requests for uncontested continuance where service is obtained will be automatically granted. Your motion must include the following:

- Certificate of service
- Certificate of conference

Joint, agreed or unopposed motions for continuance are not binding on the Court.

Continuances ***other than the first will require a hearing*** or set on the submission docket for the court's consideration.

SETTLEMENTS

Upon settlement of any case, Plaintiff's counsel or Plaintiff pro se must immediately notify the trial coordinator in writing and must serve all parties with same.

Cases that have settled will be placed on the Entry Docket 30 days out to allow time for parties to submit final documents. The court will allow only one extension of the entry date.

After a case has been announced as settled, it will be placed on inactive status; therefore, if you need the case to be put back on the trial docket, you must submit a request in writing.

ENTRY DOCKET

Friday at 10:00 a.m. (NO APPEARANCE REQUIRED).

This is not a hearing but a deadline for you to submit/file final paperwork.

Final judgments, Plaintiff's non-suit or dismissal filed on or before the entry date will be signed by the Court. If no paperwork received on entry date, the Court will dismiss (DWOP) the case automatically.

ENTRY OF JURY VERDICT: The prevailing party must file proposed judgment prior to entry date. If a party objects to the entry of the judgment on the jury verdict, a notice of oral hearing must be filed and scheduled prior to entry date (SEE MOTIONS DOCKET/Oral Hearing Docket)

DISMISSAL FOR WANT OF PROSECUTION (DWOP DOCKET)

Failure to perfect service within 180 days of the filing of a lawsuit subjects the case to dismissal for want of prosecution, in accordance with TRCP 165(a).

ATTORNEY VACATION REQUEST

To assert vacation, you must comply with the following:

- Vacation letters must be timely filed with the [District Clerk's office](#).
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- Motions for continuance due to vacation must be filed with the [County Clerk's office](#) and served on all parties.
- Include in your motion a copy of your file-marked vacation letter and your case number, and serve all parties with same. If you have multiple cases, a separate motion for each case is required.

Please refer to Trial Continuances.

The Court will honor vacation requests that are timely filed.

COURTROOM AUDIO/VIDEO EQUIPMENT

All courtrooms have state of the art audio/VIDEO equipment, including an ELMO (document camera), computer inputs, projectors, TV screens, AND VCR & DVD players. *Attorneys are encouraged to use the ELMO to present exhibits to the jury.* If you are unfamiliar with its use, arrange with the bailiff to come to the courtroom early and learn. Please refer to the attached Web link for detailed instructions on use of the audiovisual equipment:

<http://www.justex.net/Courts/Civil/CivilTechnology.aspx>

USEFUL LINKS

For proper filing procedures, please visit the County Clerk's Web site:

<http://www.cclerk.hctx.net/Home.aspx>

Court Holidays and Dead Weeks:

<http://www.justex.net/FAQ.aspx>

Downloadable Forms

http://www.cclerk.hctx.net/Civil/Downloadable_Forms.aspx

Ordering copies

<http://www.cclerk.hctx.net/Civil/Ordering.aspx>
