



Policies and Procedures

Harris County Civil County Civil Court at Law No. Three (3)

[Harris Civil Courts at Law](#) | [Civil Court at Law No. Three \(3\)](#)

Contacting the Court

For all matters relating to hearings, motions, filings, requests for hearings, and case status, contact the Clerks:

Kimberly Rojas
713-274-1353

Elizabeth Lopez
713-274-1353

To determine whether the Court has ruled on a motion, please check the case record on the County Clerk's website via the [document search portal](#) or contact the Court staff.

For all matters relating to trials, contact the Trial Coordinator:

Vanessa Richardson
832-927-1732
vanessa_richardson@ccl.hctx.net

For all matters relating to transcripts, contact the Court Reporter:

Laura Cutherell
832-927-1733
laura_cutherell@ccl.hctx.net

For Information regarding audio/visual and courtroom security and decorum, contact the Bailiff:

Deputy Edmundo Ojeda
832-927-1733

Motion Dockets

Oral Hearing Docket

- The Court conducts oral hearings ***Mondays, Tuesdays, and Wednesdays*** at ***9:00 a.m.*** (You must confirm availability with the clerks)
- Parties must file a notice of hearing with a certificate of service and serve all parties.
- All notices of oral hearing must include the Court's zoom room information.
- Parties must provide five (5) business days' notice.
- A motion must have a certificate of service, be accompanied by a proposed order, and filed with or prior to the notice of hearing.
- Records are taken by request only. Fill out the [Court Reporter's Request for Record](#) prior to the hearing.
- Contact the Court Clerk to pass a hearing. *Hearings may only be passed by the party setting them.*
- The Court allows 15 minutes for late calls.
- If one or more parties are self-represented (pro se), notice is required to be sent by certified mail, return receipt requested with proof to be filed into the case or submitted at the hearing.
- Hearings expected to last longer than 30 minutes may require a special setting. Please call and inform the clerk if this applies to your motion.

Participants will use the following information for hearings conducted virtually:

Web address: <https://hccocm.zoom.us/my/hccivil03> | Meeting ID: **5499 90 5106** | Phone Access: **(346) 248-7799**

Motions that Require Oral Hearings

- **Occupational License** hearings are held ***Mondays*** at ***9:00 a.m.*** with notice to the Court. The petitioner must have their SR-22, proof of insurance, and a certified copy of their driving record. Please refer to the Texas Department of Public Safety for information on obtaining a certified copy of a driving record. [TXDPS How to Order a Driver Record](#)
- **Minor Settlements** If your case is set for Entry and the minor settlement has not been scheduled, please schedule prior to the Entry date, or contact the Trial Coordinator.
- **Homeowners' Association Default Judgments or Motion for Default Judgments** with unliquidated damages.
- **Applications for Temporary Restraining Orders (TRO)** may be set by contacting 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. Proof of attempts to notify opposing counsel must be provided to the Court.
- Any motion on an **appeal** from the **Justice of the Peace Court**
- **Motion to Recuse**
- **Motion for Summary Judgment where one or more parties is pro se (self-represented)** must be set Tuesday at 9:00 a.m. ***All parties MUST contact the Court Clerk for availability prior to filing a notice of hearing.***

Discovery Disputes

Parties must make several attempts on separate days to conference with opposing parties relating to discovery disputes and include a certificate of conference in their motion. All certificates of conference must state whether counsel have conferred regarding the substance of the relief requested and if the relief is opposed, agreed or agreed in part, along with a statement of what relief was agreed to between the parties. It must also state the number of attempts made to contact the opposing party, the method of attempts, and the results obtained. Insufficient attempts or failure to provide a substantive certificate may result in denial of the motion to compel or the hearing being passed by the Court.

As an alternative to the procedure above, the parties are encouraged to submit a joint dispute letter, no more than 3 pages outlining the disputed issues. The joint dispute letter should attach proposed orders.

Submission Docket

- The Court holds submission hearings ***Thursdays*** at ***9:30 a.m.*** (Confirm availability with the clerks).
- Parties must file a notice of submission with a certificate of service and serve all parties.
- Parties must provide ten (10) business days' notice.
- A motion must be accompanied by a proposed order filed as a lead document, and filed prior to or with a notice of submission.
- Contact the Court Clerk to pass a hearing. *Hearings may only be passed by the party setting them.*

Off-Docket Motions

The following may be filed without setting for a hearing or submission.

Agreed Motions must have the signatures of all parties or counsel and be filed as "agreed" or "joint".

Motions for Default Judgment do not require a hearing unless involving a Homeowners' Association seeking judicial foreclosure, on an eviction appeal, or to prove unliquidated damages. Otherwise, the motion must be on file five (5) business days prior to trial, and the following must be included in the motion:

- Affidavit proving up damages (include last statement or invoice)
- Affidavit of attorney's fees including some estimate of time or description of actions taken on the case.
 - Percentage of the contract required on contingencies.
- Certificate of last known address
- Non-Military Affidavit with a copy of the results from <https://scra.dmdc.osd.mil/scra/#/home>
 - Results from the search must be within 30 days of the date the motion is filed
- **Certificate of Service**

If any of the foregoing is missing or incorrect, the Court may give 30 days to allow submission of the proper documents. If the proper documents are not received, the case will be subject to Dismissal for Want of Prosecution. It is the responsibility of the movant to follow up on their motions for default to check the status.

Motions for Substituted Service must be accompanied by an affidavit that includes the following:

- Documentation or factual affidavit that verifies the Defendant actually resides or is employed at the subject address (e.g. Appraisal District Records, Vehicle Registration, factual affidavit).
- Sufficient attempts six (6) for an individual and four (4) on a company/business.
- Each attempt at service with date and time.
 - The last attempt at service must be within 45 days of the filing of the motion.
 - Attempts must be at varied times of the day.
- The identity of persons present at the attempted service and statements that were made, if applicable.

Follow procedures in Tex. Bus. Org. Code §5.251 for Corporate Agents that cannot be found at the registered office of the entity with reasonable diligence.

Motion to Appear Pro Hac Vice must comply with Tex. Gov't Code §82.0361

Other Off-Docket Motions

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| Application for Sequestration | Motion to Appoint Guardian Ad Litem |
| Motion to Substitute Counsel of Record | Motion to Appoint Attorney Ad Litem |
| Plaintiff's Notice of Non-Suit | Motion to Show Cause |
| Agreed Judgment | Tax Warrants |
| Installment Agreement | Application to Close Receivership |
| Motion for Continuance | |

Additional Due Process and Procedural Requirements

Pre-Judgment Remedies

Pleadings requesting pre-judgment remedies (e.g., garnishment, attachment, sequestration) must be accompanied by verified facts and non-military affidavits in compliance with the Servicemembers Civil Relief Act (SCRA)

Proposed orders should set out the amount of the bond calculated to protect the interests of the parties (both creditor and debtor), which should typically be the market value of any levied property. The bond amount for the debtor should merely be the amount owed *if less* than the market value.

Trial Dockets

Non-Jury Trial

Non-Jury trials will be heard the day they are set beginning at **10:00 a.m.** unless preferentially set in advance. There are no docket positions for the non-jury trials. Parties should be prepared to proceed with trial on the date set and should furnish proposed orders to the Court. Trials estimated to last longer than 30 minutes, may be given a special setting. Records are taken by request only, please contact the Court Reporter to complete the [Court Reporter's Request for Record](#).

Pursuant to Tex. R. Civ. Proc. §509.8(e) and 510.10(c) **Justice Court Appeals of Repair and Remedy and Eviction cases** take precedence or are entitled to precedence in de novo appeals in the County Civil Courts at law and can be set for trial at any time after the eighth day following the filing of the transcript in the county court. Plaintiff should send trial setting notices to Defendant via certified mail, regular mail, and any electronic delivery address on file with the Court, with proof provided at trial.

Courtroom Expectations

- Check-in with Court Staff at least 10 minutes prior to docket start time.
- Notify Court staff if you need to step out and where so that you may be located if necessary.
- Follow proper decorum.

Jury Trial

Jury Trials are set on a two-week docket. A trial date will be assigned at the pretrial conference. There are no docket positions for these cases.

The pre-trial conference will be held at **10:00 a.m.** on the **Friday preceding the trial date**. Pre-trial will not be held during the Court's dead week, and pretrial matters during these weeks will be taken up on the day of trial, unless specially set and properly noticed by a party. Appearance is required and failure to appear may result in the case being dismissed for want of prosecution or a post-answer default judgment.

Prior to the pre-trial conference, parties must file and email a joint jury charge to the Trial Coordinator in Word format, exchange all pre-trial documents and exhibits, and discuss the following:

- Motion in Limine, and
- Exhibit List and pre-marked Exhibits,
 - Agreed exhibits will be pre-admitted. Please bring a copy of the exhibits for the Judge, Court Reporter, and opposing counsel. If feasible, the Court requests that exhibits be tabbed in a three-ring binder.
 - Exhibits must be pre-marked with inadmissible information redacted (e.g., SSN, account number, and insurance information)
 - Original exhibits will be retained by the Court Reporter at the time of trial. Please bring copies for the Judge, witnesses, and opposing counsel. The Court will not make copies.
 - Exhibits with multiple pages must be bound or stapled.
 - If you have any questions regarding exhibits, please contact the Court Reporter

Preferential settings will not be subject to continuance requests. It is the attorney's responsibility to check for future vacations when discussing preferred dates. It is too late to note a conflict with a vacation letter during the pretrial conference.

Exclusion of Expert Witness Testimony or *Daubert* Motions to exclude expert witness testimony should be filed well in advance of the trial (unless there is good cause). In a case requiring expert testimony as a matter of law, plaintiff should be given a *reasonable* opportunity to retain a qualified expert for trial.

Continuance

A Motion for Continuance should be filed as soon as the grounds for such a motion are reasonably apparent and filed at least five (5) business days prior to the trial date.

The Court will allow any agreed or unopposed continuance, with a certificate of service, to be considered without a hearing. Any other continuance will require a showing of good cause, a certificate of conference, a certificate of service, and an oral hearing. Any motion for continuance not submitted 5 days prior to trial will not be considered. Any motion lacking the certificate of conference will not be considered.

Vacation Letters

To assert vacation, attorneys must file their vacation letter with the District Clerk or County Clerk and file a Motion for Continuance with the vacation letter attached and served on all parties. Attorneys with multiple cases must file a separate motion for each case.

The Court will honor Motions for Continuance with vacation letters that are timely filed.

Settlements

Upon settlement of any case, Plaintiff's counsel or self-represented (*pro se*) plaintiffs should immediately notify the Trial Coordinator in writing (i.e., email – with a copy to all parties).

Cases that have announced settled and not submitted a final order, will be placed on the Entry Docket (no appearance necessary) within approximately 30 days to allow ample time for parties to submit final documents.

Settlements involving minors must be heard by oral hearing. Please refer to the Motion Dockets section of these procedures for instructions regarding oral hearings. If a Guardian Ad Litem has not been appointed to represent the minor in the case, please file a Motion and Proposed Order or contact the Court.

Courtroom Decorum

The same etiquette and decorum expected in a physical courtroom is expected in a virtual courtroom.

- Remove hats or caps, except religious hats or materials.
- Attorneys shall observe the letter and spirit of all canons of ethics and advise their clients of decorum.
- Pro-se parties are held to the same standard as attorneys.
- Cell phones must be silent and out of sight.
- No eating
- No tobacco or vaping product use
- No driving
- Dress appropriately for Court
- Be courteous and respectful to all participants.

Compliance with Gov. Code 82.037(a)(4) will be expected from all counsel and self-represented (pro se) parties: “Conduct oneself with integrity and civility in dealing and communicating with the Court and all parties.”

Useful Links

Efiling Procedures and FAQs	https://www.cclerk.hctx.net/Civil.aspx#eFile
Forms	https://www.cclerk.hctx.net/Civil.aspx#CForms
Document Search and Ordering Copies	https://www.cclerk.hctx.net/applications/websearch/CourtSearch.aspx?CaseType=Civil
Court Calendar Search	https://www.cclerk.hctx.net/Applications/WebSearch/CourtSettingsTyler.aspx?CaseType=Civil
Self-Help Legal Resources	https://www.harriscountylibrary.org/self-help-information-resources
	https://www.sll.texas.gov/legal-help/
	https://www.texascourthelp.gov/
Harris County Holidays	https://www.harriscountytexas.gov/Residents/Information/Harris-County-Holidays
Local Rules	https://www.ccl.hctx.net/civil/Rules.pdf