



JUDGE JIM F. KOVACH

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

ALL MOTIONS MUST BE ACCOMPANIED WITH A PROPOSED ORDER; ALL PROPOSED ORDERS MUST BE E-FILED AS A LEAD DOCUMENT ON ITS OWN.

Oral Hearing Dockets:

Tuesdays and Wednesdays at 9:15 a.m.

- Minimum of 5 business days' notice is required.
- Any party requesting an oral hearing should 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.
- 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:

Mondays @ 9:00 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 regular mail and certified mail with return receipt 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 Sanction requires oral hearing

Submission Docket

Friday at 8:30 a.m. (5 business days' 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.

Signature of all parties required.

Motions filed jointly must accompany a certificate of conference stating all parties conferred with the other side and are "unopposed". Signature of all parties required.

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; to be submitted 10 days prior to a setting.

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 printed within 30 days

If any of the foregoing is missing, the court may give you 30 days to allow time to submit proper documents. If proper documents are not received, your case could 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:

- Facts show person is there
- Sufficient attempts (4 if Private Process Server)
- Fresh (within 45 days)
- Varied times of day
- All efforts taken to verify that the Defendant actually lives or works at the subject address
- The identity of persons who were present at the subject address and what was said
- 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. Your case may be assigned within this 2-week period.

Pretrial Conference: Appearance required. A pretrial conference will be held at 9:30 AM on the Friday preceding your trial date. Prior to the pretrial conference, each party is ordered to exchange with all parties their Witness Lists, their pre-numbered Exhibits, their Motion in Limine, their edited page and line excerpts of deposition testimony, their proposed Jury Charge, and any relevant case law that they are relying upon.

NOTE: IF PRETRIAL DATE FALLS ON A HOLIDAY OR DEAD WEEK, IT WILL BE HELD ON THE FRIDAY BEFORE THE HOLIDAY OR DEAD WEEK.

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

- Witness List
- Exhibit List - 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.)
 - At time of trial, original exhibits will be retained by court reporter; please provide copies for judge, witness, and opposing counsel – the court will not make copies (if copies are needed, you may go to 3rd floor clerks’ office to obtain copies)
 - 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. See Court’s Standing Order in Limine: <http://www.ccl.hctx.net/civil/2/Standing%20Order%20In%20Limine.pdf>
 - 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](mailto:Grace_Cantada@ccl.hctx.net) prior to your trial date. You may also bring it on a CD or flash drive, in Word format only. See attached [Jury Charge Template](#).

FAILURE TO APPEAR AT PRETRIAL WILL RESULT IN THE CASE BEING DISMISSED FOR WANT OF PROSECUTION.

YOUR CASE MUST BE MEDIATED BEFORE YOU APPEAR AT PRETRIAL; FAILURE TO MEDIATE WILL RESULT IN DISMISSAL.

[Voir Dire](#)

Generally, the court will give each party 20-30 minutes to do voir dire. Parties will be given the jury list to review as soon as it becomes available. We generally get an 18 person jury pull; 6 people will serve on the jury.

[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.
Each side gets 3 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."

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. Continuances not filed timely will not be considered.

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 2 weeks 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. The court will only allow a one-time extension of entry date; the court will require a hearing on request for extension if not the first time.

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](#).
- 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:

<https://www.cclerk.hctx.net/>

Court Holidays and Dead Weeks:

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

Downloadable Forms

<https://www.cclerk.hctx.net/Civil.aspx#CForms>

Ordering copies

<https://www.cclerk.hctx.net/applications/websearch/Home.aspx>

Harris County Library

<http://www.harriscountylawlibrary.org/self-help/>

State of Texas Law Library

<https://www.sll.texas.gov/self-help/>

Texas Court Help

<http://www.texascourthelp.gov/>

INFORMATION FOR PRO SE LITIGANTS

1. As a *pro se* litigant, you are acting as your own attorney. You will be expected to know and follow the law and court rules just as any attorney, including the Texas Rules of Evidence, Texas Rules of Civil Procedure, Harris County Local Rules, and the Lawyer's Creed. If you fail to follow the rules, you may permanently lose important rights.
2. The judge, court staff (including the court coordinator, court clerk, court reporter, bailiff), and opposing counsel cannot give you legal advice.
3. Do not attempt to communicate privately with the judge. The term "communication" includes contact by means of phone calls, letters, voice mail messages, faxes, e-mail messages, and direct conversations. You may communicate with the judge if *all* parties and their attorneys (if they are represented) are present. Any such unilateral contact is called "*ex parte*" communication and the district judge will not consider it for any information or argument offered in such a manner for any purpose. The court will return an *ex parte* communication to you unread and notify the other side of the communication. Prohibited communications do not include formal pleadings, motions, and request for relief filed with the clerk.
4. It is your responsibility to provide the Court with a current and reliable mailing address, email address, and telephone number. Once you file your pleadings in the case, the clerk will notify you by mail of hearings and / or motions. If you move, you must provide your new address and telephone number to the clerk and the court. If you move and you do not get your mail, you may permanently lose important rights.
5. Your requests to the court should be made in a written motion.
6. You must send a copy of every pleading you file with the court to the opposing attorney, or party (if they do not have an attorney).
7. If you have received notice that a hearing has been scheduled, you must be prepared to present your evidence and witnesses.
8. **How to Get Ready for Court** – You can go to court yourself and watch other cases before yours is scheduled. If you do this, you will see how the court works, where everyone sits and what they do and say. Plan to do this a few days or weeks before you have to go to court.
9. **The Hearing** - At the hearing, a district judge will hear your case. Each party will have a chance to tell his or her side of the story. It is important to bring your paperwork and your evidence such as photos, witnesses, bills, receipts, contracts, or anything else that will prove your case.
10. **How to Dress** - Dress as though you were going to an important job interview. Be neat and clean. Do not wear shorts, flip-flops, tank tops, halter tops, sandals, hats, or other casual clothing. The court will order you removed from the courtroom if you are dressed inappropriately; this may result in a default of your case.

11. **Timeliness** - Always get to court on time. A good rule of thumb is to arrive at least thirty minutes early in order to allow for time to locate parking, clear the security check and locate the proper courtroom.

12. **Courtroom Demeanor** - You and your witnesses should be quiet in court.

- Do not smoke or chew gum.
- Turn your off cell phone, pagers or other audible nuisances when you are in the courtroom.
- Do not go in and out of the courtroom while waiting for your case to be called.
- Do not bring children to court unless they have been subpoenaed.
- During your case speak clearly and loudly enough to be heard, and stay calm.
- Stand when speaking to the judge.
- Call the judge "*Your Honor.*"
- Do not interrupt the judge, the attorneys or any other party in the courtroom.
- At all times you should retain a composed and attentive posture whether you are in the audience, appearing as a witness, appearing as a party.
- It is never proper to speak, even in a whisper, with friends or other audience members while court is in session.

13. Violations of any of the above guidelines may result in sanctions being granted against you.

The following associations may be able to assist you in obtaining an attorney:

- **Houston Bar Association Lawyer Referral Program** (713) 759-1133
1001 Fannin, Suite #1300
Houston, Texas 77002
- **The State Bar of Texas**
Lawyer Referral Information Service
(800) 252-9690 or 1-877-9TEXBAR
- **Lone Star Legal Aid**
(713) 652-0077 or (800) 733-8394

HOUSTON VOLUNTEER LAWYERS PROGRAM

RESOURCE AND REFERRAL GUIDE

FAMILY LAW

Houston Volunteer Lawyers Program (HVLP)

Representation in family and general civil legal matters
713-228-0732

Lone Star Legal Aid

Family & other civil legal matters
713-652-0077

Houston Lawyer Referral Service

For-fee (\$) referrals to specialists
713-237-9429

Aid to Victims of Domestic Abuse (AVDA)

Counseling & legal representation
713-224-9911

Houston Area Women's Center (HAWC)

Divorces, protective orders, modifications, enforcement; limited services for non-domestic violence
713-528-2121

NAACP Legal Redress Program

Family law, probate, landlord/tenant, consumer; services for persons with HIV/AIDS
713-526-3389

University of Houston Legal Aid Clinic

Civil & family law
713-743-2094

South Texas College of Law

Simple divorces
713-652-0009

Texas Southern University School of Law Clinic

Family, civil, housing, consumer, immigration
713-313-1139

Southeast Texas Legal Clinic

General civil matters for HIV+ clients
713-523-7852

Attorney General's Office

Child support, paternity establishment
713-974-4876

Domestic Relations Office

Enforcement of child support, visitation, and paternity establishment
713-755-6757

Dispute Resolution Center

Mediation services for disputes between neighbors, family members, landlord/tenant, employer/employee, consumer matters
713-755-8274



DISABILITY-RELATED ISSUES

Advocacy, Inc.

713-974-7691

The Arc of Texas

Programs and services for persons with mental retardation

800-252-9729

Mental Health/Mental Retardation Authority of Harris Co.

Information, assessment, and referral

713-970-4444



GENERAL LEGAL

HVLP

713-228-0732

Lone Star Legal Aid

713-652-0077

Dispute Resolution Center

713-755-8274

Houston Lawyer Referral Service

713-237-9429

NAACP Legal Redress Program

713-526-3389

LegalLine

Free phone advice on 1st & 3rd Wednesday each month, 5-9 pm

713-759-1133

Consejos Legales

Spanish-version of LegalLine, 1st Thursday each month, 5-9 pm

713-755-1133

Legal Hotline for Older Texans

For 60+ Texans, answer legal questions free, referrals

800-622-2520



DOMESTIC VIOLENCE/SHELTERS

Texas Abuse Hotline

24-hour hotline for abuse & neglect of children and elderly

800-252-5400

Family Violence Legal Hotline

Counseling & information about legal rights & options

800-374-4673

Bay Area Women's Center

Women's shelter

281-422-2292

HAWC

713-528-2121

AVDA

713-224-9911

Family Violence Unit of District Attorney's Office

Parental kidnapping, family violence, protective orders, criminal non-support
713-755-5888

Houston Police Department's Family Violence Unit

713-308-1100

Harris County Sheriff's Family Violence Unit

713-967-5743

Children's Protective Services (CPS)

Investigation of child abuse
713-394-4000

Adult Protective Services

Investigation of elder abuse
713-767-2700



GUARDIANSHIP/PROBATE

HVLP

713-228-0732

South Texas College of Law

713-652-0009

University of Houston Legal Aid Clinic

713-743-2094

Lone Star Legal Aid

713-652-0077

Houston Lawyer Referral

713-237-9429

NAACP Legal Redress Program

713-526-3389



IMMIGRATION

Catholic Charities

713-874-6570

YMCA International Services

713-339-9015



IRS ISSUES

HVLP Low-Income Taxpayer Clinic

Tax controversies, innocent spouse
713-228-0735

Volunteer Income Tax Assistance

Free tax return preparation
800-829-1040

**CONSUMER ISSUES**

HVLP

713-228-0732

Lone Star Legal Aid

713-652-0077

NAACP Legal Redress Program

713-526-3389

Houston Lawyer Referral Service

713-237-9429

Dispute Resolution Center

713-755-8274

Better Business Bureau

713-868-9500

Attorney General's Consumer Protection Hotline

Consumer complaints against individual or business
800-621-0508

Consumer Fraud Harris County DA

713-755-5836

**EMPLOYMENT/WAGE ISSUES**

Equal Employment Opportunity Commission

Wage disputes involving discrimination issues
713-209-3320

Texas Workforce Commission

Employment-related problems
800-832-2829

State Board of Labor

Salary complaints & disputes
800-832-9243

**SOCIAL SECURITY MATTERS**

South Texas College of Law

713-652-0009

Southeast Texas Legal Clinic

Only for persons with HIV/AIDS
713-523-7852

NAACP

713-526-3389

**CRIMINAL MATTERS**

Harris Co. Criminal Lawyers

713-227-2404

Harris Co. Criminal Lawyers

Spanish

713-224-4864

District Attorney's Office

Files criminal charges

713-755-7114

Texas Southern University

Traffic violations and misdemeanors

713-313-1139



CIVIL RIGHTS VIOLATIONS

American Civil Liberties Union

713-942-8146



GLBT ISSUES

Lambda Legal

214-219-8585



LAW ENFORCEMENT

Houston Police Dispatch

713-222-3131

HPD Family Violence Unit

713-308-1100

Harris Co. Sheriff's Office

713-221-6000

Harris Co. Constable's Office

281-376-3472



OTHER RESOURCES

Rape Crisis Hotline

713-528-RAPE

Crisis Intervention of Houston

Crisis intervention & suicide prevention, 24/7

713-HOTLINE

United Way Helpline

Provides referrals to agencies and social services; emergency aid, continuing education, medical resources, shelters

2-1-1 | 713-957-HELP | 800-833-5948

Harris Co. Social Services

Assistance with payment of rent, utility, phone bills

713-696-7900

Texas Dept. of Human Services

Help with food, shelter

713-767-2000

Interfaith Ministries
Rent & utility assistance
713-522-3955

Star of Hope Mission
Emergency shelter
713-748-0700

AARP (American Association of Retired Persons)
800-424-2277

Volunteer Income Tax Assistance
Free tax return preparation
800-829-1040