



## Policies & Procedures

Harris County Civil County Civil Court at Law No. Two (2)

[Harris Civil Courts at Law](#) | [Civil Court at Law No. Two \(2\)](#)

### Contacting the Court

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

**Maria De La Rosa**  
713-274-1349

**Angeles Villafranca**  
713-274-1349

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:

**Grace Cantada**  
832-927-1722  
[grace\\_cantada@ccl.hctx.net](mailto:grace_cantada@ccl.hctx.net)

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

**Kevin Bruzewski**  
832-927-1723  
[kevin\\_bruzewski@ccl.hctx.net](mailto:kevin_bruzewski@ccl.hctx.net)

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

**Deputy Anthony Hemmitt**  
832-927-1724

### Motion Dockets

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#### Oral Hearing Dockets

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- The Court conducts oral hearings **Tuesdays** at **9:30 a.m.** (Confirm availability with the clerks)
- Parties must file a Notice of Hearing with a certificate of service, and serve all parties.
- Parties must provide five (5) days' notice.
- A motion must have a certificate of service, be accompanied by a proposed order (filed as a lead document), 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 10 minutes for late calls.
- Hearings expected to last longer than 45 minutes may require a special setting, please call and inform the clerk if this applies to your hearing.

## **Motions that Require an Oral Hearing**

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- **Minor Settlements** must be scheduled for an oral hearing.
- **Homeowners' Association Default Judgments** may be scheduled for an oral hearing or submission. A notice of hearing on an HOA motion for default must be served to Defendant by regular mail and certified mail with return receipt.
- **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.
- **Motion for Sanctions**
- **Contested Judgments**
- **Motion to Withdraw as Attorney of Record**
- **Any hearing in which one or more parties are self-represented (pro se).**

## **Submission Dockets**

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Any motion may be set on submission, with the exception of those listed above, *see Motions that require an Oral Hearing*

- The Court conducts submission hearings **Tuesdays and Fridays at 9:30 a.m.** (Confirm availability with the clerks)
- Parties must file a notice of submission with a certificate of service
- Parties must provide five (5) days' notice for submission hearings
- 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*

**Summary Judgment** motions must be set on the submission docket and require twenty-one (21) days' notice. The Court will consider requests for an Oral hearing on the date of the submission setting.

**Agreed Judgments in Garnishment** must be set on the submission docket with notice of garnishment to judgment debtor.

Requests for oral hearings on cases set on the submission docket must be made in writing and filed on or before the submission date. The clerk will notify all parties if the Court grants the request.

## **Off-Docket Motions**

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The following do not require a setting unless otherwise instructed by the Court.

**Agreed Motions** The motion must have the signatures of all parties or counsel and be filed as "agreed" or "joint", with a Certificate of Conference and a Certificate of Service attached.

**Occupational Licenses** do not require a hearing unless otherwise instructed by the Court. The petitioner must have their SR-22, proof of insurance, and a certified copy of their driving record before the Judge will review the petition. 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](#)

**Motions for Default Judgment** must be submitted 10 days prior to trial and require a hearing only to prove unliquidated damages. 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 (4 attempts for a constable, 6 for a private process server)
- Each attempt at service with date and time
- 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 any persons present at the attempted service and any statements that were made
- The information of cars in the driveway or other indicators the defendant resides or works at the address

Corporate Agents for service that cannot be found at the registered office of the entity with reasonable diligence, please follow procedures in BUS ORG §5.251

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

## **Additional Due Process and Procedural Requirements**

### **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.

## 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

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### Non-Jury Trials

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Non-Jury trials are conducted ***Mondays beginning at 9:00 a.m.*** unless preferentially set. There are no docket positions for Non-Jury dockets. Cases are heard based on the length of trial estimated by the parties. 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 will need to notify the Trial Coordinator upon check-in. The case will be reset to 1:00 p.m. the same afternoon, or for an agreed-upon date in the near future. Records are taken by request only, please contact the Court Reporter to complete the [Court Reporter's Request for Record](#).

Pursuant to TRCP 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

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- 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
- Address the bench and not the opposing counsel or party

### Jury Trials

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Jury dockets are set on a two-week docket beginning on the first and third Monday of the month.

**The pre-trial conference** will be held at **9:30 a.m.** on the ***Friday preceding the trial date***. In the event that Friday is a holiday or a dead week, the pretrial conference will be held the Friday preceding the holiday or dead week. Prior to the pre-trial conference, each party is ordered to exchange with all parties their witness list, pre-numbered exhibits, motion in limine, edited page and line excerpts of deposition testimony, proposed jury charge, questions, and instructions, and any relevant case law they may rely upon. Failure to mediate prior to pretrial and

Failure to appear at pretrial will result in a dismissal for want of prosecution. Failure to appear at the pretrial conference will result in dismissal.

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

- Witness List,
- 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. Exhibits should 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
- Motion in Limine, exclude Texas Rules in this motion, [Standing Order in Limine](#),
- Edited pages and line excerpts of deposition testimony, copies of designations, and a condensed or electronic copy of the transcript must be provided to the Court Reporter prior to trial,
- Proposed jury charge, questions, and instructions, [Jury Charge Template](#)
  - Each side must submit a copy of their proposed charge to the Trial Coordinator in Word format prior to trial, and;
- Any relevant case law that may be relied upon at trial.

***Mediation is a prerequisite to pretrial, failure to mediate will result in a dismissal.***

**Exclusion of Expert Witness Testimony** or *Daubert* Motions to exclude expert witness testimony should be filed well in advance of the trial. 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.

### **Courtroom Expectations**

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**Voir Dire** - Each party will have 20-30 minutes for Voir Dire. The jury list will be distributed, one per side, for review. Six jurors will be selected from a pool of 18.

**Record** - All proceedings will be on the record in a jury trial, with the exception of Voir Dire and Motions in Limine. Notify the Court Reporter in advance for the exceptions to be included on the record.

**Preemptory Strikes** - Three strikes will be allowed per party and 10 minutes will be allowed for completion.

**Challenge for Cause** - If there is a challenge for cause, it is handled at the bench on an individual basis.

**Witnesses** - Courtroom decorum should be explained to witnesses by counsel.

**Post-Verdict Motions** - Post-verdict motions and opposed judgments must be set for a hearing on the oral hearing docket. All normal oral hearing procedures must be followed.

## Continuance

Motions for Continuance should be filed as soon as the grounds for such a motion are reasonably apparent and filed at least two (2) weeks prior to the trial date.

First-time requests of a 30-day continuance that are uncontested, service is obtained or due diligence as to the attempts of service is stated, will be automatically granted. The motion must contain a certificate of service and a certificate of conference.

Continuances after the first will require a showing of good cause, a certificate of conference, and an oral hearing.

Opposed Motions for Continuance must be scheduled for an oral hearing.

## Vacation Letters

To assert vacation, attorneys must file their vacation letter with the District Clerk or County Clerk.

Motions for Continuance due to vacation must be filed 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.

Submit a request in writing to move a case back to a trial docket.

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.

## Entry Docket

Entry dockets are not a hearing, but a deadline to submit final orders to the Court. It is conducted without appearance **Fridays at 10:00 a.m.** The Court allows a one-time extension of Entry dates, any further requests will require an oral hearing.

Final Judgments, Plaintiff's Non-Suit/Dismissal filed on or before the Entry date will be signed by the Court. If no judgment, order, or request for extension is filed, the case will be dismissed for want of prosecution.

Judgments on jury verdicts with objections must be set on the oral hearing docket prior to the Entry date.

## Service of Process

All cases are subject to Dismissal for Want of Prosecution if service is not perfected within 180 days of filing.

## **Courtroom Decorum**

Dress in a manner appropriate to the dignity and decorum of the courtroom setting. As minimum standards the following should apply:

- No clothing that promotes violence or is lewd, offensive, or vulgar
- No hats or caps (exception for religious hats or materials)
- No pants that are excessively baggy or sag below the top of the hip line
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- No shorts, short dresses, or short skirts
- No sunglasses
- No underclothing should be visible at any time
- No revealing tops (e.g., tube-tops, crop-tops, or a shirt that allows the navel or bra to show)

If you are not properly dressed, your case may be reset and you will be asked to leave.

The Bailiff shall enforce the rules of conduct and courtroom decorum.

- Answer appropriately with “yes” or “no”.
- Address the Judge as “Your Honor”
- Do not lean on the bench.
- Stand when addressing the court.
- Direct all remarks and objections to the bench, not opposing counsel.
- Be courteous and respectful, do not interrupt or speak over others.

You must be respectful and quiet at all times in the courtroom. Always be polite when speaking. All persons shall refrain from any gesture and from conduct that manifests disrespect for the court, counsel, litigants, witnesses, court staff, law enforcement, or other persons.

- Turn off all cell phones and electronics prior to entering the courtroom
- All persons shall stand when the Judge enters the courtroom and any time the bailiff may instruct
- No food, beverages, or paper cups allowed in the courtroom, except as permitted by the court.  
You must dispose of any items brought into the courtroom
- No chewing gum
- No tobacco use in any form
- No loud talking, if you must confer with your attorney or opposing party, step outside into the attorney-ready rooms

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**

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| <b>Efiling Procedures and FAQs</b>         | <a href="https://www.cclerk.hctx.net/Civil.aspx#eFile">https://www.cclerk.hctx.net/Civil.aspx#eFile</a>   |
| <b>Forms</b>                               | <a href="https://www.cclerk.hctx.net/Civil.aspx#CForms">https://www.cclerk.hctx.net/Civil.aspx#CForms</a>   |
| <b>Document Search and Ordering Copies</b> | <a href="https://www.cclerk.hctx.net/applications/websearch/CourtSearch.aspx?CaseType=Civil">https://www.cclerk.hctx.net/applications/websearch/CourtSearch.aspx?CaseType=Civil</a>               |
| <b>Court Calendar Search</b>               | <a href="https://www.cclerk.hctx.net/Applications/WebSearch/CourtSettingsTyler.aspx?CaseType=Civil">https://www.cclerk.hctx.net/Applications/WebSearch/CourtSettingsTyler.aspx?CaseType=Civil</a> |
| <b>Self-Help Legal Resources</b>           | <a href="https://www.harriscountylawlibrary.org/self-help-information-resources">https://www.harriscountylawlibrary.org/self-help-information-resources</a>                                       |
|  | <a href="https://www.sll.texas.gov/legal-help/">https://www.sll.texas.gov/legal-help/</a>   |
|  | <a href="https://www.texascourthelp.gov/">https://www.texascourthelp.gov/</a>   |
| <b>Harris County Holidays</b>              | <a href="https://www.harriscountytx.gov/Residents/Information/Harris-County-Holidays">https://www.harriscountytx.gov/Residents/Information/Harris-County-Holidays</a>                             |