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**RULE 1.04 COURT SECURITY:**

ALL PERSONS ENTERING THE COURTROOM OR SUITE OF OFFICES ASSIGNED TO A COURT ARE SUBJECT TO SEARCH BY THE BAILIFF OR ANYONE ELSE RESPONSIBLE FOR SECURITY. ALL COUNSEL AND PARTIES SHALL BE ALERT TO SECURITY RISKS AND SHALL NOTIFY THE COURT OR BAILIFF OF ANY SECURITY CONCERNS.

**RULE 1.05 EMERGENCY AND SPECIAL SESSIONS; TEMPORARY ORDERS:**

- (A) EXCEPT IN EMERGENCIES, WHEN THE CLERK'S OFFICE IS NOT OPEN FOR BUSINESS, NO APPLICATION FOR IMMEDIATE OR TEMPORARY RELIEF SHALL BE PRESENTED TO A JUDGE UNTIL IT HAS BEEN FILED AND ASSIGNED TO A COURT AS IS PROVIDED IN THESE RULES.
- (B) IF THE JUDGE OF THE COURT TO WHICH SUCH CASE IS ASSIGNED IS ABSENT OR IS OCCUPIED WITH OTHER MATTERS, SUCH APPLICATION MAY BE HEARD BY ANY OTHER DISTRICT OR COUNTY COURT AT LAW JUDGE WHO MAY SIT FOR THE JUDGE OF THE COURT IN WHICH THE CASE IS PENDING AND WHO SHALL MAKE ALL ORDERS, WRITS AND PROCESS RETURNABLE TO THE COURT TO WHICH THE CASE IS ASSIGNED.
- (C) HEARINGS ON APPLICATIONS FOR TEMPORARY INJUNCTIONS, TEMPORARY RECEIVERSHIPS, AND THE LIKE, SHALL BE SET IN THE COURT TO WHICH THE CASE HAS BEEN ORIGINALLY ASSIGNED BY CONSULTING WITH THAT COURT.
- (D) ALL APPLICATIONS FOR EX PRATE RELIEF SHALL STATE WHETHER OR NOT, WITHIN, THE KNOWLEDGE OF APPLICANT AND APPLICANT'S ATTORNEY, THE OPPOSING PARTY IS REPRESENTED BY COUNSEL AND, IF SO, THE NAME OF SUCH COUNSEL, AND WHETHER OR NOT SUCH COUNSEL/PARTY HAS BEEN APPRISED OF THE APPLICATION FOR EX PRATE RELIEF.
- (E) TEXAS FAMILY CODE CASES THAT ARE EXCEPTIONS TO SECTION 3.58 MUST BE PRESENTED TO THE COURT BY AN ATTORNEY.
- (F) EXCEPT FOR CASES FILED UNDER THE TEXAS FAMILY CODE, THE PARTY REQUESTING SUCH TEMPORARY RELIEF SHALL BE PRESENT IN COURT AT THE TIME SUCH RELIEF IS REQUESTED, UNLESS THE COURT WAIVES THIS REQUIREMENT FOR GOOD CAUSE SHOWN.
- (G) WHENEVER IMMEDIATE ACTION OF A JUDGE IS REQUIRED IN AN EMERGENCY WHEN THE CLERK'S OFFICE IS NOT OPEN FOR BUSINESS, THE CASE SHALL, NEVERTHELESS, AT THE EARLIEST PRACTICABLE TIME BE DOCKETED AND ASSIGNED TO A COURT AS

PROVIDED BY THESE RULES, AND ALL WRITS AND PROCESS SHALL BE RETURNABLE TO THE ASSIGNED COURT.

**PART TWO**  
**LOCAL ADMINISTRATION AND LOCAL ADMINISTRATIVE JUDGE**

**RULE 2.01 LOCAL COURTS ADMINISTRATION:**

THE EL PASO COUNTY COUNCIL OF JUDGES IS COMPOSED OF THE DISTRICT JUDGES, THE STATUTORY COUNTY COURTS AT LAW OF EL PASO COUNTY, AND THE JUDGE OF THE EL PASO

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PROBATE COURT, AND HAS THE DUTIES AND POWERS SET OUT IN THE TEXAS GOVERNMENT CODE. THE EL PASO COUNTY JUDGE, ACTIVE RETIRED AND FORMER JUDGES, THE ASSOCIATE JUDGES, THE JAIL MAGISTRATE, AND THE JUSTICES OF THE PEACE MAY ATTEND AND HAVE A VOICE IN ALL MEETINGS, BUT ARE NOT PERMITTED TO VOTE AND MAY BE EXCLUDED IN ANY EXECUTIVE SESSION OR IN ANY SESSION REGARDING PERSONNEL. EACH DISTRICT JUDGE AND STATUTORY COUNTY COURT AT LAW JUDGE SHALL HAVE ONE VOTE.

### **RULE 2.02 ELECTION OF THE LOCAL ADMINISTRATIVE JUDGE:**

THE LOCAL ADMINISTRATIVE JUDGE SHALL BE ELECTED BY MAJORITY VOTE OF A QUORUM OF THE COUNCIL OF JUDGES AT THE REGULAR MEETING FOR THE MONTH OF MARCH OF EACH ODD-NUMBER YEAR. THE TERM OF OFFICE OF THE LOCAL ADMINISTRATIVE JUDGE SHALL BE **TWO** YEARS BEGINNING IN APRIL OF EACH ODD-NUMBER YEAR. THE LOCAL ADMINISTRATIVE JUDGE SHALL SERVE UNTIL A SUCCESSOR IS ELECTED. IN THE EVENT OF THE DEATH, RESIGNATION OR REMOVAL FROM JUDICIAL OFFICE, OR INABILITY OR REFUSAL TO SERVE OF THE LOCAL ADMINISTRATIVE JUDGE, THE COUNCIL OF JUDGES SHALL ELECT, AT A MEETING CALLED BY ANY MEMBER, AN ADMINISTRATIVE JUDGE TO SERVE THE REMAINDER OF THE THEN CURRENT TERM OF OFFICE. THE LOCAL ADMINISTRATIVE JUDGE MAY NOT BE ELECTED ON THE BASIS OF ROTATION OR SENIORITY, BUT MAY BE RE-ELECTED TO ANY NUMBER OF SUCCESSIVE TERMS.

### **RULE 2.03 POWERS AND DUTIES OF LOCAL ADMINISTRATIVE JUDGE:**

- (A) THE LOCAL ADMINISTRATIVE JUDGE SHALL BE EX OFFICIO THE PRESIDING JUDGE FOR THE STATUTORY, CEREMONIAL, AND OTHER FUNCTIONS REQUIRING A PRESIDING JUDGE AND SHALL ALSO BE EX OFFICIO THE PRESIDING JUDGE AND CHAIR OF THE BOARD OF AUDITORS, AND OF THE ADULT PROBATION BOARD.
- (B) THE LOCAL ADMINISTRATIVE JUDGE SHALL HAVE A VOTE ON ALL MATTERS.
- (C) NO FAMILY LAW CASES SHALL BE FILED ON THE DOCKET OF THE LOCAL ADMINISTRATIVE JUDGE FROM AND AFTER TAKING OFFICE AND DURING THE TERM OF OFFICE OF THE LOCAL ADMINISTRATIVE JUDGE.
- (D) THE SECRETARY OF THE COUNCIL OF JUDGES SHALL BE THE ADMINISTRATOR OF THE OFFICE OF THE COUNCIL OF JUDGES ADMINISTRATION OR SUCH OTHER PERSON, AS THE LOCAL ADMINISTRATIVE JUDGE SHALL SELECT. THE SECRETARY SHALL PREPARE THE MINUTES AND OTHER DOCUMENTS OF THE COUNCIL OF JUDGES, WHICH SHALL BE OPEN TO ALL MEMBERS OF THE COUNCIL OF JUDGES AT ALL REASONABLE TIMES.
- (E) THE JUVENILE JUDGE SHALL BE THE PRESIDING JUDGE AND CHAIR OF THE JUVENILE BOARD, WHICH SHALL BE GOVERNED BY ITS OWN RULES.
- (F) THE ADMINISTRATIVE AGENCY OF THE COUNCIL OF JUDGES SHALL BE THE COUNCIL OF JUDGES ADMINISTRATION UNDER ITS ADMINISTRATOR. THE COUNCIL OF JUDGES ADMINISTRATION SHALL PERFORM SUCH DUTIES AS SHALL BE ASSIGNED TO IT FROM TIME TO TIME BY THE COUNCIL OF JUDGES.

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- (G) THE LOCAL ADMINISTRATIVE JUDGE OR A MAJORITY OF THE JUDGES WILL CALL MEETINGS OF THE JUDGES AT LEAST ONCE EACH MONTH (GENERALLY THE LAST THURSDAY OF EACH MONTH), AND AS NEEDED.  
THE LOCAL ADMINISTRATIVE JUDGE SHALL PRESIDE OVER SUCH MEETINGS AND IN HIS/HER ABSENCE THE DISTRICT JUDGE SENIOR IN LONGEVITY PRESENT AT THE MEETING SHALL SERVE AS TEMPORARY CHAIR.
- (H) THE DISTRICT JUDGE SENIOR IN LONGEVITY WILL EXERCISE THE POWERS OF THE LOCAL ADMINISTRATIVE JUDGE IN THE TEMPORARY ABSENCE OR INCAPACITY OF THE ADMINISTRATIVE JUDGE.

**RULE 2.04 INFORMATION TO LOCAL ADMINISTRATIVE JUDGE:**

THE LOCAL ADMINISTRATIVE JUDGE SHALL CAUSE THE PROPER CLERK TO SEND THE REGIONAL PRESIDING JUDGE A COPY OF THE REPORT SENT EACH MONTH TO THE OFFICE OF COURT ADMINISTRATION, AND SUCH OTHER INFORMATION REGARDING DOCKET MANAGEMENT SYSTEMS OF THE COUNTY AS MAY BE REQUESTED BY THE REGIONAL PRESIDING JUDGE.

THE DISTRICT AND COUNTY CLERKS SHALL BE RESPONSIBLE, INDIVIDUALLY TO EACH AND ALL THE JUDGES AND LOCAL ADMINISTRATIVE JUDGE FOR THE ACCURATE COLLECTION AND REPORTING OF SUCH INFORMATION AS MAY BE PRESCRIBED IN WRITING BY THE REGIONAL PRESIDING JUDGE, THE SUPREME COURT, OR THE OFFICE OF COURT ADMINISTRATION.

EACH JUDGE WILL HAVE DIRECT ACCESS TO ANY SUCH INFORMATION AND/OR DATA COLLECTED AT ALL REASONABLE TIMES, MONDAY THROUGH FRIDAY DURING WORKING HOURS, AND THE CLERK SHALL PRODUCE ALL SUCH AND DELIVER SAME TO ANY JUDGE UPON REQUEST.

**PART THREE**  
**CIVIL CASES**

**RULE 3.01 FILING AND ASSIGNMENT OF CASES:**

- (A) ALL CASES ARE TO BE FILED, DOCKETED, AND ASSIGNED PURSUANT TO RULE 10b OF THE RULES OF JUDICIAL ADMINISTRATION OF THE SUPREME COURT OF TEXAS AND SECTIONS 25.0732, 74.093, 74.121, AND 75.011, TEXAS GOVERNMENT CODE.
- (B) THEREAFTER, THE COURTS MAY AT ANY TIME EXCHANGE CASES AND BENCHES TO ACCOMMODATE THEIR DOCKETS OR TO SPECIALIZE THE COURTS' TRIALS.
- (C) EXCEPT AS PROVIDED HEREAFTER IN THESE RULES, ALL CASES SHALL BE FILED WITH THE DISTRICT CLERK IN RANDOM ORDER, OR IN THE MANNER PRESCRIBED BY THE COUNCIL OF JUDGES, AND SHALL BE ASSIGNED, INSOFAR AS PRACTICABLE, IN A FAIR AND EQUITABLE MANNER AMONG THE COURTS.
- (D) EVERY GARNISHMENT SUIT OR BILL OF REVIEW SHALL BE ASSIGNED TO THE COURT IN WHICH THE PRINCIPAL SUIT IS OR WAS PENDING, AND IF THE PRINCIPAL SUIT IS TRANSFERRED TO ANOTHER COURT, THE GARNISHMENT SHALL BE TRANSFERRED LIKEWISE.
- (E) IF A NONSUIT OF A PARTY IS TAKEN, ANY REFILLING OF THE SUIT BY THE SAME PARTY SHALL BE ASSIGNED TO THE ORIGINAL COURT. PRIOR TO THE REFILLING, THE FILING