

Welcome to the 311th District Court

Court Policies and Procedures – Effective January 1, 2019

General Docket information

Uncontested Docket - Monday-Friday -8:00 a.m. to 8:45 a.m. and at other times subject to court availability

Trial Docket - Mondays at 9:00 a.m.

Temporary Orders Hearings- Tuesday and Thursday at 9:00 am

CPS Docket - Wednesdays at 8:00 a.m.

Contempt - Thursdays at 9:00 a.m.

Entry and Submission Docket-Fridays at 9:00 am

1. The *docket call* each day is at 9 a.m.
2. The court will hear *uncontested matters* between 8:00 a.m. and 8:45 a.m. each day or at any other time if we are not in trial and you are willing to wait. If you would like to prove up an uncontested matter at any other time, you should contact the coordinator to make sure that a judge will be available. Your case will be heard as an uncontested matter only if you have filed all documents listed as *Required Orders and Forms for Entry of Final Decree/Order*.
3. *Trials* are set on Mondays.
4. Hearings for *temporary orders* are set on Tuesdays and Thursdays. Temporary orders may be limited to 1.5 hours per party, for a total of 3 hours. A request for temporary orders in a modification case or for additional temporary orders should be supported by an affidavit and approved by a judge.
5. Certain motions may be heard by written submission. Motions shall state Fridays at 9:00 am as the date for written submission. This date shall be at least 10 days from filing, except with leave of court. Responses shall be filed at least two working days before the date of submission, except with leave of court. Parties may file a request for oral hearing along with their submission notice; and must receive an oral hearing date from the clerk. The following motions may be heard by submission: Motion to Withdraw, Motion to Substitute Counsel, Motion for Substitute Service, Motion for Service by Publication, Motion for Amicus Attorney, and Motions to Transfer. Please be sure to include a proposed order, when filing your motion. Movant shall call the clerk as soon as the motion is filed, for placement on the submission docket.
6. *Enforcement actions* are set on Thursdays. For child support enforcement cases, please bring a payment history from the Texas Office of the Attorney General. If the moving party is requesting incarceration, the moving party should bring a proposed commitment order to the hearing. Commitment orders must be entered by 2 p.m. on the date of incarceration.

7. **CPS hearings** are set on Wednesdays, except for emergencies.
8. **Entries of orders** are set on Fridays. If you call to inform the court that your order has been filed, please make sure that all documents listed as *Required Orders and Forms for Entry of Final Decree/Order* have also been filed, otherwise your case may be dismissed on the date of the entry hearing.
9. **Discovery disputes** are set on Fridays at 1:30 p.m. Please see and strictly follow the discovery policies on the 311th Court's webpage.
10. **Trial Exhibits**- Please see and strictly follow the exhibit policies on the 311th Court's webpage.
11. **Mediation is required before the final trial** of a case; exceptions may be made in certain cases. Parties seeking such an exception should file a motion seeking such relief and set a hearing on the issue at least 10 days before trial. Failure to mediate prior to trial may result in dismissal of the case.
12. **Mediation is required before temporary orders involving conservatorship disputes or complex property issues**; exceptions may be made in certain cases. If a party is being denied possession of the party's child, the court may waive the mediation requirement. Failure to mediate may not be used as an excuse to avoid a temporary orders hearing.
13. A **sworn inventory** must be on file on or before prove up of a default divorce.
14. When based on a **mediated settlement agreement**, the terms of a final order must comport with the mediated settlement agreement.
15. A **pre-trial conference** is required for all **jury trials** and will generally be scheduled on the Friday seventeen days before trial. Prior to the pre-trial conference, the parties to a jury trial should file the *Pretrial Conference Checklist*.
16. A **pre-trial conference** is required in each **adoption** case. This provides an opportunity to confirm that necessary documents have been filed; the final trial of the case will be set at the pre-trial conference.
17. **Late calls/emails**: attorneys who will be late for docket call should call or email the clerk at least 10 minutes prior to docket call and state their expected time of arrival, reason for delay, and any other court(s) where they are appearing. *Cases may be dismissed or reset if the attorney for the moving party does not arrive in the courtroom within thirty minutes of the time of docket call.*
18. Parties making a non-*ex parte* **off-docket approach** may (1) sign up on the uncontested docket and will be heard at the end of the uncontested docket or (2) make an appointment to approach.
19. In cases regarding children, use each child's entire name. *Do not use initials to identify children.*
20. **Ex parte temporary restraining orders** should be joint and mutual, although exceptions may be made if supported by affidavit. In divorce actions, ex parte TROs should use the language included in section 6.501 of the Texas Family Code. In SAPCR cases, the court will strike certain proposed injunctions (such as alcohol or paramour injunctions) if they are not supported by an affidavit. A TRO on a counterpetition must contain a certificate of conference. Alternatively, a counterpetitioner should notice the other side of a hearing for temporary orders instead of having a represented party served with a TRO.

21. If a party is requesting that a parent's possession be supervised, the requesting party should be prepared to pay the costs associated with providing the proposed supervisor.
22. An *attorney ad litem* will be appointed to represent a party served by publication, although exceptions may be made in cases with no children and no property. Parties seeking such an exception should approach the presiding judge or associate judge. An ad litem will not be waived in cases involving children. In each such case, the ad litem's affidavit of due diligence must be on file prior to finalization of the case.
23. The court may appoint an *amicus attorney* in a case in which conservatorship or possession of or access to a child is in dispute. The *amicus attorney* shall charge the parties an amount not to exceed \$250.00 per hour. Total hours worked shall not exceed 40 hours, unless prior approval by the court.
24. An *attorney ad litem* in a DFPS matter should submit a *voucher* for out-of-court work by the next hearing date in the matter.
25. All requests for attorney's fees (interim and final) in private cases, must be supported by a detailed invoice. Failure to provide an invoice, will result in an automatic denial of attorney's fees.
26. Parties to a custody dispute must complete an 4-hour *parenting class* prior to trial.
27. All electronic devices should be in silent mode or turned off in the courtroom. No food or gum chewing is allowed in the courtroom. No photos or videos are allowed, except in adoption cases. While in trial, parties and attorneys may have water or beverages at the counsel table.
28. Children may not be in the courtroom without court approval. If the court approves a request for a judge to interview a child in chambers, bring the child to the courthouse at the interview time.
29. Exceptions to these rules may be made on a case-by-case basis. Suggested changes to these rules are welcome. If there is something you think we should do differently, please let us know.

These policies and procedures do not supplant the Harris County Local Rules.