

***RULES OF 414<sup>TH</sup> DISTRICT COURT***

***Judge Vicki L. Menard***

***501 Washington Ave., Room 307***

***Waco, Texas 76701***

***Phone: (254) 757-5053, Fax: (254) 759-5620***

***E-mail: 414<sup>th</sup>@co.mclennan.tx.us***

These rules are in addition to the Local Rules of McLennan County. Please note Pre-Trial hearings are set 10 days in advance in the 414<sup>th</sup>.

1. The court will call the docket at 9:00 a.m. and 1:30 p.m. each day, with the exception of Monday mornings when juries are being impaneled. Attorneys and their clients are expected to be present on time for docket call.
2. Hearings can be scheduled at specific times if necessary. The attorney will need to discuss the specifics with the court administrator to allow for a special setting.
3. The court will allow telephone hearings under **limited** circumstances. The attorneys will need to confirm with the administrator before scheduling any such hearing. It will be the requesting attorney's responsibility to initiate any conference call necessary. Zoom hearings will be available pursuant to existing protocols & procedures. The Zoom I.D. for the 414<sup>th</sup> is **7334271433**. The electronic device used to access the Zoom hearings must reflect your (given) name or you will not be allowed in the hearing.
4. Settings/Hearings must be scheduled through the Court Administrator's office, **via phone**. ***If cancellations are necessary, the administrator needs to be advised at the earliest possible date, either via phone or e-mail.***
5. At the time hearings are scheduled, a **realistic** estimate of total time should be given to the administrator.
6. In all discovery disputes, the attorneys must attempt to resolve through discussion before seeking a hearing with the court and ***a certificate of conference must be attached to any discovery motion. If no certificate of conference is attached, no hearing will be set. The certificate of conference must be complete prior to setting the hearing, or it will not be considered.***
7. Any order for the court's consideration **MUST** be presented to the court administrator prior to submission to the Judge. E-mail proposed orders to: 414<sup>th</sup>@co.mclennan.tx.us

8. Exhibits can be e-mailed to the Court Reporter and Court Administrator prior to the hearings; however, they must be clearly marked with exhibit labels and be exchanged at least 48 hours before any hearing. Any deadline contained in these rules does not change discovery rules under TRCP.

9. When requesting a trial setting, the attorney requesting the date should *confer with opposing counsel before scheduling the trial*.

10. Once a trial date is set, the pre-trial will be held on Friday, 10 days in advance, unless the court's schedule does not allow for same. Jury Trials begin on Monday's at 10:00 a.m.

11. Prior to the pre-trial hearing, the parties must exchange proposed Charges, Motion in Limines, Witness Lists and Exhibit Lists and be prepared to argue objections at the pre-trial hearing. Any exhibits that can be agreed on should be agreed on prior to the hearing. The attorneys will need to e-mail their requested Charges in Microsoft Word format to the Court Administrator. Counsel needs to be prepared to discuss admission of exhibits and Motions in Limine at the pre-trial hearing. Any Daubert challenge will also need to be addressed, if not previously agreed. **FAILURE TO APPEAR WILL RESULT IN YOUR CASE BEING DISMISSED FOR WANT OF PROSECUTION.**

12. Trial settings can be passed by agreement of the parties **ONCE** without a Motion for Continuance. The court will need verification of the agreement to pass.

13. The court will be instituting a dismissal docket for inactive cases and a trial setting will be necessary to maintain the case on the court's docket once a dismissal notice is sent.

14. If you are not a party to the proceeding, you will need to sit in the gallery, not behind counsel table.

15. In divorce cases involving children and in Original Suits Affecting the Parent Child Relationship, parties must attend either the Seminar for Divorcing parents or Co-Parenting Course/ Shared Parenting Course and file their certificate before a final hearing will be set.

16. Attorney and client must be present for all Expunction hearings.