

**ADDENDUM TO LOCAL RULES OF COURT**  
**38<sup>TH</sup> JUDICIAL DISTRICT**  
**AND THE MEDINA COUNTY COURT AT LAW**

**FILED**  
HOUR 4:52 pm

JAN 22 2009

M. EVA SOTO  
Dist. Clerk, Medina County, Texas  
By Candy Gouls Deputy

**GENERAL RULES: CASES FILED IN THE 38<sup>TH</sup> JUDICIAL DISTRICT**

The following rules apply to all civil cases filed in the 38<sup>th</sup> Judicial District Court:

1. When setting or resetting a case for trial, pre-trial, etc., please contact the Court Coordinator **at the Uvalde County office** for available dates. Then, contact all other counsel and obtain a date that everyone is available.
  - a. Submit an **Order Setting** to the Court, with a Request for Setting when obtaining a **trial date**, or a **letter** when obtaining a **pre-trial date**, stating the date the parties have agreed to.
  - b. At the bottom of all Orders Setting, please list all the parties; and, if the parties are represented by counsel, please list the attorney's name, address and fax number. If they are pro se litigants, please give their address. Do not put, "...a copy has been sent to all opposing counsel".
  - c. If you cannot obtain a date that is agreeable to all counsel, send you Order Setting with a letter stating the dates that were given to opposing counsel and their reasons for not agreeing.

**ALWAYS ADVISE THE COURT IN YOUR REQUEST OR COVER LETTER THAT YOU HAVE CONTACTED THE OPPOSING COUNSEL AND THAT THEY ARE AVAILABLE FOR HEARING ON THE DATE YOU HAVE REQUESTED.**

2. When setting or resetting a case for trial, pre-trial, etc., please advise the Court the estimated time you will need for the hearing.
3. The Court will set your case for hearing as quickly as possible. In an effort to do so, the Court may set your case in another county within the District, other than the county the case is filed in. It is the obligation of the attorneys to transport the Court's file to the county where the hearing will

be held and then to see that it is returned to the appropriate Clerk's Office with which it is filed.

4. If, for any reason, you have to cancel a hearing, please contact the Court Coordinator as soon as possible.
5. Hearings conducted by telephone conference call are acceptable and encouraged by the Court. To request a hearing through Court Call, please contact the Court Coordinator. All parties must agree as to the hearing date and time and as to the responsibility for payment.
6. Any attorney practicing in the 38<sup>th</sup> Judicial District Court, if practicable, shall have access to a fax machine and answering machine that will be operative 24 hours a day, seven days a week. Said numbers shall be provided to the Courts, the Clerks of Court, and all opposing counsel. All communications between the Courts and attorneys sent via fax to the numbers provided shall be deemed received. This does not include filing documents with the District Clerk, unless the District Clerk has implemented an Electronic Filing Plan.
7. The Joint Case Questionnaire attached hereto as Appendix 4 must be completed and filed by Plaintiff/Petitioner in every case after conferring with all counsel and pro se parties. The completed questionnaire must be submitted to the Court Coordinator at Courthouse Box 17, Uvalde, Texas, 78801, within 60 days from the initiation of suit, or within 30 days of receipt from the Court. In setting dates, the Court will not consider the concerns of any party who fails to assist in completing this questionnaire. If you have any questions, contact the Court Coordinator, Lela Ballesteros, at (830) 278-3913. This form does not constitute a discovery request, response, or supplementation and is not admissible at trial.


**RULES GOVERNING FAMILY LAW PROCEEDINGS IN THE 38<sup>TH</sup> JUDICIAL DISTRICT COURT AND THE MEDINA COUNTY COURT AT LAW**

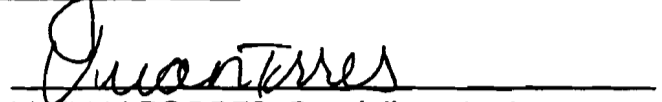
1. The "Standing Order Regarding Property and Conduct of Parties in Divorce and Suits Affecting the Parent-Child Relationship" attached hereto as Appendix 3, is to be attached by counsel to the original citation in all suits of divorce and suits affecting the parent-child relationship. The Order attached as Appendix 3 will remain in effect throughout the pendency of a suit unless specifically modified or set aside by the Court.

2. In all cases in which temporary support of a spouse and/or the child is in issue, each party shall be required to furnish:
  - a. A statement of monthly income and expenses in a form substantially similar to that attached to these rules as Appendix 1.
  - b. Copies of that party's federal income tax returns for the two calendar years prior to the temporary hearing.
  - c. All payroll statements pay stubs, W2 forms, and 1099 forms which evidence that party's earnings for the calendar year prior to the temporary hearing and from January 1 of the current year through the date of the temporary hearing.
  - d. All checking account statements, including all cancelled checks, deposit slips and check registers, all savings account statements, including all deposit and withdrawal slips, to or from which that party has made any deposits or withdrawals during the two years prior to the temporary hearing.
  - e. Copies of any financial statements filed by that party with any financial institution in the two years prior to the hearing.
3. In all cases in which the character, value or division of property or debts is in issue, each party shall file, not less than thirty (30) days prior to trial, a sworn inventory and appraisal of all the separate and community property owned or claimed by the parties and all debts and liabilities owed by the parties. It is recommended that each party file this inventory in a form substantially similar to that attached hereto as Appendix 2.
4. After each party's sworn inventory and appraisal has been filed, the parties shall file a composite inventory and appraisal in a form substantially similar to that attached as Appendix 2. The Petitioner shall initiate the composite inventory and forward it to the Respondent for completion not less than fourteen (14) days prior to trial. The Respondent shall complete and file the composite inventory with the Court and serve a copy of the same on the Petitioner not less than seven (7) days prior to trial.

5. If a party or the parties fail to prepare and/or file the initial inventory of the composite inventory as requested, the Court may conduct a pretrial hearing and make such orders with regard to the failure as are just, including but not limited to, sanctions pursuant to Rule 215(2)(b) of the Texas Rules of Civil Procedure, as amended.

THESE RULES ARE EFFECTIVE IMMEDIATELY. SIGNED AND ORDERED FILED in the Minutes of the Court in each County of the District and of the Medina County Court at Law this the 21<sup>st</sup> day of January, 2009.

  
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CAMILE G. DUBOSE, Presiding Judge  
38<sup>th</sup> Judicial District

  
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VIVIAN TORRES, Presiding Judge  
County Court at Law  
Medina County, Texas