



## Harris County Civil Court at Law No. 3

[www.ccl.hctx.net/civil/3/](http://www.ccl.hctx.net/civil/3/)

[www.cclerk.hctx.net](http://www.cclerk.hctx.net)

### CONTACT COURT STAFF

#### Clerks:

*Information about the filing of documents, entry of orders, request for hearing and case status*

Kimberly Rojas (713) 274-1353

Elizabeth Lopez (713) 274-1353

#### Trial Coordinator:

*Information regarding trial settings*

Vanessa Richardson (832) 927-1732

#### Court Reporter:

*Requests for transcripts*

Laura Cutherell (832) 927-1733

#### Bailiff:

*Information regarding audio/visual and courtroom security*

Edmundo Ojeda (832) 927-1734

### ORAL HEARING AND MOTIONS DOCKET

**Motions** - All motions can be set for oral hearing on Monday, or Wednesdays, at 9:00 a.m. Attorneys or parties will only be allowed to appear by telephone upon receiving special permission from the Court in advance of the hearing. **All motions should include a proposed order.**

All notices of hearing **must** be filed with the clerk's office at least **five (5) business days** prior to your hearing date. **A motion must be filed in order to set a hearing on the oral hearing docket.** If there is a Pro Se party you **must** show proof the notice was sent to the Pro Se party by Certified Mail and RRR.

**SUMMARY JUDGMENTS** – Must be set on the Submission docket that is held every Thursday at 9:30 with a 21 day notice. A request for oral hearing can be submitted and will be ruled on when the case is set for submission. You will be contacted by the court if the request for oral hearing is granted. Alternatively, you may request an oral hearing for Summary Judgments. If there is a Pro Se party involved you must set your Motion for Oral on Tuesdays @ 9am. Please contact the clerks for the next available dates.

**SUBMISSION DOCKET** – Motions can be set for submission docket held every Thursday (except for holidays) at 9:30 a.m. with a **Ten (10) business day** written notice. **All motions should include a proposed**

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**order. You MUST also file proof of service of the Notice of Submission sent to the other party via RRR or U.S Certified Mail.**

*IF YOU E-FILE, PLEASE ALLOW AN EXTRA TWO (2) DAYS TO PROCESS YOUR FILINGS.*

*Motions to appoint an umpire or Application for Turnover must be set for hearing. They can no longer be placed on submission.*

**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 with the motion. All Certificates of Conference shall state whether counsel have conferred regarding the substance of the relief requested and whether the relief is opposed, agreed, or agreed in part with a statement on what relief was agreed to between the parties. The certificate of conference must state the number of attempts made to contact the opposing party, the method of those attempts (i.e., fax, e-mail, telephone call, postal mail), and the results obtained.

Insufficient attempts to conference or a failure to provide a substantive certificate may result in the denial of any motion to compel or the hearing being passed.

## **TRIAL SETTINGS**

**NON-JURY** – Attorneys and parties must appear ready for trial on the morning you are set. All non-jury trials will be heard on the day they are set beginning at 10:00 a.m. There are **NO** docket positions for these cases. If the trial will be longer than 2 hours, you may be given a special setting.

**JURY** – Jury trials are set for a two (2) week docket. The Court shall notify each party or attorney of his or her specific trial date on the day of your pre-trial conference. All parties **MUST** appear for the pre-trial conference which will take place on the Friday prior to your trial date at 10:00am. If you do not appear for your pretrial conference, your case is subject to dismissal for want of prosecution or default.

There will be no pretrial conference during the Courts dead week's, any pretrial matters during these weeks will be taken up on the day of trial.

All pre-trial documents must be exchanged by the parties before the date of your pre-trial conference. Parties are required to confer on their Motion in Limine and Exhibits, and are to submit to the court a **JOINT JURY CHARGE** in word format to the Trial Coordinator the Friday before the Preferential Trial Setting.

There are **NO** docket positions for these cases.

**\*PREFERENTIAL SETTINGS** – If your case is preferentially set for trial there will be **NO CONTINUANCES GRANTED**, and your case will proceed on that date. If you have a vacation letter, you must ensure there

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is not a conflict with the preferential setting. The Pre-trial conference is too late to give notice of a vacation letter conflict.

**\*Should the case settle prior to trial, please call or email Vanessa Richardson - Trial Coordinator, at 832-927-1732 at your earliest convenience.**

## TRIAL CONTINUANCES

Parties must be served within 120 days of filing. A continuance will not be granted if you are unable to show due diligence as to the attempts of service. If service has not been perfected in 120 days then your case is subject to dismissal for want of prosecution.

The Court will honor a timely-filed vacation letter, provided the case has not already been preferentially set for trial. To assert a vacation letter, please file a motion for continuance with a copy of your vacation letter attached to your motion and a proposed order.

All continuances **must be filed five (5) business days** prior to your trial date. The court will allow any agreed or unopposed (please include a certificate of conference) Continuances to be heard without a hearing. Any other continuance will require a showing of good cause and an oral hearing. Any continuances not submitted prior to being filed 5 business days before the trial date will not be considered by the Judge.

**Please DO NOT set any Motion for Continuances on the Motions docket with the clerks!**

## DEFAULT JUDGMENTS

All motions for default judgment **must be on file at least five (5) business days before** your trial date and can be submitted to the Court without the need for an oral hearing. An oral hearing is only required to prove-up un-liquidated damages. **\*Effective September 1, 2021, motions for default judgment must include a certificate of service.**

Homeowners' Associations seeking a judicial foreclosure must set their motion for an oral hearing, plus show proof of notice to the defendant of that default hearing.

## VACATION LETTERS

To assert vacation, you must comply with the following:

- Vacation letters must be timely filed with the District Clerk's office.
- Motions for continuance due to vacation must be filed with the County Clerk's office and served on all parties.

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- Include in your motion a copy of your file-marked vacation letter and your case number, and serve all parties with same. If you have multiple cases, a separate motion for each case is required, and must be e-filed into the case.

Please refer to Trial Continuances.

The Court will honor vacation requests that are timely filed.

## **RULE 106 MOTIONS**

Rule 106 motions can be submitted to the Court without the need for an oral hearing, once 6 attempts has been made on different days of the week, and at different times.

## **PLAINTIFFS' NONSUITS AND AGREED JUDGEMENTS**

Plaintiffs' non-suits and agreed judgments can be submitted to the Court for signature without the need for an oral hearing. If your case is currently set for trial or entry, please submit any non-suits or agreed judgments one (1) week in advance.

## **PETITIONS FOR OCCUPATIONAL LICENSES**

Petitions for occupational licenses are heard ONLY on Mondays at 9:00 a.m. with proper notice to the Court and to the County Attorney. Before sending in your notice of hearing, please contact the court clerk to check for availability. Bring your proof of insurance and your SR-22 with you on the day of your hearing.

## **INSTRUCTIONS FOR MEDIATORS**

The Court's notification to the parties of your appointment as mediator will be the only notification you receive. Once appointed, please contact the parties to schedule mediation. Once you have concluded the mediation, please inform the Court of the outcome of the mediation (Impasse or settled). If the parties refuse to mediate, please advise the Court of such.

## **COURTROOM AUDIO/VIDEO EQUIPMENT**

All courtrooms have state of the art audio/VIDEO equipment, including an ELMO (document camera), computer inputs, projectors, TV screens, AND VCR & DVD players. Attorneys are encouraged to use the ELMO to present exhibits to the jury. If you are unfamiliar with its use, arrange with the bailiff to come to the courtroom early and learn. Please refer to the attached Web link for detailed instructions on use of the audiovisual equipment:

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<http://www.justex.net/Courts/Civil/CivilTechnology.aspx>

## USEFUL LINKS

For proper filing procedures, please visit the County Clerk's Web site:

<http://www.cclerk.hctx.net/Home.aspx>

Court Holidays and Dead Weeks:

<http://www.justex.net/FAQ.aspx>

Downloadable Forms

[http://www.cclerk.hctx.net/Civil/Downloadable\\_Forms.aspx](http://www.cclerk.hctx.net/Civil/Downloadable_Forms.aspx)

Ordering copies

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