

**Proposed Revisions to Recodification Draft Rule 2
as approved at November meeting of SCAC
with change proposed in June 2001
to add justice courts authorized by statute to adopt local rules:**

Rule 2. Local Rules.

2.1. Exclusivity. No local rule, order, or practice can be applied in determining any matter unless it complies with the requirements of this rule.

2.2. Procedure for adoption. Each administrative judicial region, district court, county court, county court at law, ~~and~~ probate court, and any justice court authorized by statute to adopt local rules may make and amend local rules governing practice before these courts, provided:

(a) a proposed local rule or amendment is not effective until it is approved by the Supreme Court of Texas; and

(b) a proposed local rule or amendment is not effective until at least thirty days after its publication in a manner reasonably calculated to bring it to the attention of the attorneys practicing before the court or courts for which it is made.

2.3. Availability. The local rules must be available upon request.

2.4. Applicability.

(a) No local rule may:

(1) be inconsistent with these rules or with a rule of the administrative judicial region in which the court is located; or

(2) alter any time period provided by these rules.

(b) A local rule that would otherwise be invalid under 2.4(a) is valid if the Supreme Court order approving adoption of the rule explicitly states that it is valid notwithstanding the inconsistency.