

RULE 3a. LOCAL RULES AND STANDING ORDERS

- (a) *General Rule.* Each administrative judicial region, district court, county court, county court at law, and probate court may adopt and amend local rules and standing orders governing practice before such courts in civil cases.
- (b) *Relationship with Other Authorities.* Local rules and standing orders must not duplicate or be inconsistent with any provisions of the federal or Texas constitution, Texas statutes, or statewide rules in Texas. This requirement extends to any time period provided by a constitutional provision, statute, or statewide rule.
- (c) *Local Rules.*
 - (1) **Multi-Court Counties.** In multi-court counties having two or more court divisions, each division must adopt a single set of local rules that governs all courts in the division.
 - (2) **Required and Permitted Topics; Requesting Approval of Additional Topics.**
 - (A) Each set of local rules must address the topics required by section 74.093(b) of the Texas Government Code.
 - (B) Each set of local rules may address the topics listed in the list of approved local rules topics adopted by the Supreme Court of Texas.¹

¹ Potential topics for consideration include:

- court schedule;
- prioritization of and other strategies for managing specified classes of cases;
- transfer of cases;
- dismissal for want of prosecution;
- conference requirements and procedures;
- obtaining and removing settings;
- conflicting settings;
- attorney vacations;
- announcements;
- hearings by submission;
- remote hearings and other proceedings;
- required forms or documents;
- procedure for making a record of court proceedings by electronic recording;

- (C) Each set of local rules must not address any additional topics without Supreme Court of Texas approval. To obtain approval, the region, court, or courts adopting or amending local rules must submit a written request to the Supreme Court of Texas. The written request must state:
- (i) the name of the region, court, or courts;
 - (ii) the specific topic the region, court, or courts wishes to address in the local rules; and
 - (iii) the specific reasons for the request.
- (3) Submission Process. The region, court, or courts adopting or amending local rules must electronically submit:
- (A) the local rules to the presiding judge of the administrative judicial region in which the region, court, or courts adopting or amending the local rules is located (“regional presiding judge”) for approval; and
 - (B) the local rules and proof of the regional presiding judge’s approval to the Supreme Court of Texas.
- (4) Format. The region, court, or courts adopting or amending local rules must submit a complete set of local rules. Each set of local rules must:
- (A) be consistent with any applicable template or other format requirements issued by the Supreme Court of Texas; and
 - (B) identify, for each rule, any provision in the Texas Rules of Civil Procedure that addresses the same subject matter as the rule.

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- attorney conduct and decorum;
 - attorney withdrawal;
 - establishment and maintenance of lists of attorneys ad litem, guardians ad litem, and guardians; and
 - disaster procedures.

- (5) **Effective Date.** Local rules are effective 45 days after proper submission to the Supreme Court of Texas, unless otherwise directed by the Supreme Court of Texas.
 - (6) **Publication Requirement.** Promptly after the effective date, the Texas Office of Court Administration must publish the local rules on a website specified by the Supreme Court of Texas. Local rules cannot be enforced unless they are published on the website.
 - (7) **Review Process.** Any person—individually or through a State Bar of Texas representative—may submit a written request to the Supreme Court of Texas for review of a local rule. The request must specify the local rule at issue and detail each concern relating to the local rule. If the local rule is in effect when the request is submitted, it remains effective unless it is modified or abrogated by the Supreme Court of Texas.
- (d) *Standing Orders.* Standing orders must not address any topic that is mandated or permitted under subparagraph (c)(2). Standing orders must be submitted electronically to the Texas Office of Court Administration. Standing orders cannot be enforced unless they are published on a website specified by the Supreme Court of Texas.
 - (e) *Failure to Comply.* Local rules and standing orders that do not fully comply with this rule must not be applied to determine the merits of any matter.

Notes and Comments

Comment to 1990 change: To make Texas Rules of Civil Procedure timetables mandatory and to preclude use of unpublished local rules or other “standing” orders to local practices to determine issues of substantive merit.

Comment to 2022 change: Rule 3a is amended to revise the local-rules process and to address standing orders. Rule 3a incorporates provisions of former Rule of Judicial Administration 10. In accordance with the Supreme Court’s order, Misc. Docket No. 21-XXXX, all local rules currently in effect may remain in effect until [August 1, 2022], at which point they are abrogated and unenforceable.