

Supreme Court of Texas

Misc. Docket No. 25-9081

Preliminary Approval of Amendments to Texas Rule of Civil Procedure 330(e) and Texas Rules of Judicial Administration 2, 4, 7, 8, and 10

ORDERED that:

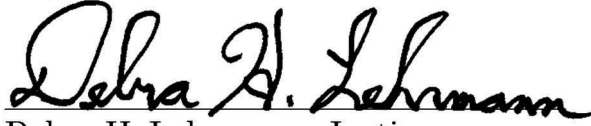
1. The Court invites public comments on proposed amendments to Texas Rule of Civil Procedure 330(e) and Texas Rules of Judicial Administration 2, 4, 7, 8, and 10. The proposed amendments to Texas Rule of Civil Procedure 330(e) are shown in both redline and clean forms. The proposed amendments to the Texas Rules of Judicial Administration are shown in redline form only.
2. Comments regarding the amendments should be submitted in writing to rulescomments@txcourts.gov by March 1, 2026.
3. The Court will issue an order finalizing the rules after the close of the comment period. The Court may change the rules in response to public comments. The Court expects the amendments to take effect on July 1, 2026.
4. Counties that believe they cannot comply with these rules by July 1, 2026, may petition the Supreme Court for an extension, which may be granted for good cause shown. The petition must explain why an extension is needed and propose an alternative effective date.
5. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and

- d. submit a copy of this Order for publication in the *Texas Register*.

Date: October 24, 2025.



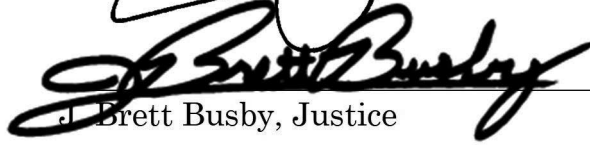
James D. Blacklock, Chief Justice



Debra H. Lehrmann, Justice



John P. Devine, Justice



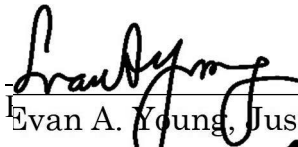
J. Brett Busby, Justice



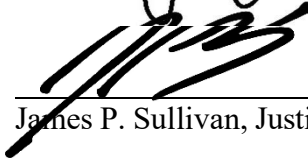
Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



James P. Sullivan, Justice

TEXAS RULES OF CIVIL PROCEDURE

RULE 330. RULES OF PRACTICE AND PROCEDURE IN CERTAIN DISTRICT COURTS (Redline)

The following rules of practice and procedure shall govern and be followed in all civil actions in district courts in counties where the only district court of said county vested with civil jurisdiction, or all the district courts thereof having civil jurisdiction, have successive terms in said county throughout the year, without more than two days intervening between any of such terms, whether or not any one or more of such district courts include one or more other counties within its jurisdiction.

- (e) ~~Where in such county there are two or more district courts having civil jurisdiction, the judges of such courts may, in their discretion, exchange benches or districts from time to time, and may transfer cases and other proceedings from one court to another, and any of them may in his own courtroom try and determine any case or proceeding pending in another court without having the case transferred, or may sit in any other of said courts and there hear and determine any case there pending, and every judgment and order shall be entered in the minutes of the court in which the case is pending and at the time the judgment or order is rendered, and two (2) or more judges may try different cases in the same court at the same time, and each may occupy his own courtroom or the room of any other court. The judge of any such court may issue restraining orders and injunctions returnable to any other judge or court, and any judge may transfer any case or proceeding pending in his court to any other of said courts, and the judge of any court to which a case or proceeding is transferred shall receive and try the same, and in turn shall have power in his discretion to transfer any such case to any other of said courts and any other judge may in his courtroom try any case pending in any other of such courts.~~ Upon the filing of a case, the case must be randomly assigned to a judge authorized to preside over the case. Where there are two or more district courts in a county having civil jurisdiction, bench exchanges are available at the assigned judge's discretion. In exchanging benches, a sitting judge need not sit in the assigned judge's courtroom. The sitting judge may hear a matter in a case at the same time as the assigned judge is hearing a matter in another case. A judge who sits at the discretion of the assigned judge must enter any case activity, including any judgment or orders, on the docket sheet kept by the assigned judge.

RULE 330. RULES OF PRACTICE AND PROCEDURE IN CERTAIN DISTRICT COURTS (Clean)

The following rules of practice and procedure shall govern and be followed in all civil actions in district courts in counties where the only district court of said county vested with civil jurisdiction, or all the district courts thereof having civil jurisdiction, have successive terms in said county throughout the year, without more than two days intervening between any of such terms, whether or not any one or more of such district courts include one or more other counties within its jurisdiction.

- (e) Upon the filing of a case, the case must be randomly assigned to a judge authorized to preside over the case. Where there are two or more district courts in a county having civil jurisdiction, bench exchanges are available at the assigned judge's discretion. In exchanging benches, a sitting judge need not sit in the assigned judge's courtroom. The sitting judge may hear a matter in a case at the same time as the assigned judge is hearing a matter in another case. A judge who sits at the discretion of the assigned judge must enter any case activity, including any judgment or orders, on the docket sheet kept by the assigned judge.

TEXAS RULES OF JUDICIAL ADMINISTRATION

Rule 2. Definitions

In these rules:

b. "Regional Presiding Judge" or "Presiding Judge" means the presiding judge of an administrative region.

Rule 4. Council of Judges

c. The Council of Judges shall adopt rules for the administration of the affairs of the courts within the administrative region, including, but not limited to, rules for:

- (1) management of the business, administrative and nonjudicial affairs of the courts;
 - (2) docket management systems to provide the most efficient and effective use of available court resources and that ensure individual judicial responsibility for each assigned case;
 - (3) the reporting of docket ~~status and case-level~~ information ~~to reflect not only the numbers of cases on the dockets but also the types of cases relevant to the time needed to dispose of them~~ as required by the Texas Judicial Council or the Office of Court Administration;
 - (4) meaningful procedures for achieving the time standards for the disposition of cases provided by Rule 6;
 - (5) such other matters necessary to the administrative operations of the courts;
- and
- (6) judicial budget matters.

Rule 7. Administrative Responsibilities.

Rule 7.2. District, Statutory County, and Business Courts.

A district, statutory county, or business court judge must:

- (a) diligently discharge the administrative responsibilities of the office;
- (b) maintain responsibility for a case assigned to the judge, absent the official transfer of a case to another judge or the assignment of the case by the Regional Presiding Judge to another judge;
- (~~b~~e) rule on a case within three months after the case is taken under advisement;
- (~~e~~d) if an election contest or a suit for the removal of a local official is filed in the judge's court, request the Regional ~~p~~Presiding ~~j~~Judge to assign another judge who is not a resident of the county to dispose of the suit;

(~~d~~e) on motion by either party in a disciplinary action against an attorney, request the Regional ~~P~~Presiding ~~J~~Judge to assign another judge who is not a resident of the administrative region where the action is pending to dispose of the case;

(~~e~~f) request the Regional ~~P~~Presiding ~~J~~Judge to assign another judge of the administrative region to hear a motion relating to the recusal or disqualification of the judge from a case pending in his court; and

(~~f~~g) to the extent consistent with due process, consider using methods to expedite the disposition of cases on the docket of the court, including:

(1) adherence to firm trial dates with strict continuance policies;

(2) the use of teleconferencing, videoconferencing, or other available means in lieu of personal appearance for motion hearings, pretrial conferences, scheduling, and other appropriate court proceedings;

(3) pretrial conferences to encourage settlements and to narrow trial issues;

(4) taxation of costs and imposition of other sanctions authorized by the Rules of Civil Procedure against attorneys or parties filing frivolous motions or pleadings or abusing discovery procedures; and

(5) local rules, consistently applied, to regulate docketing procedures and timely pleadings, discovery, and motions.

Rule 8. Assignment of Judges.

a. Upon the filing of a case, the case must be randomly assigned to a judge authorized to preside over the case. The originally assigned judge is responsible for the case, absent an official transfer of the case to another judge or the assignment of the case by the Regional Presiding Judge to another judge. Bench exchanges are available at the originally assigned judge's discretion, but the originally assigned judge must maintain full responsibility for the case.

~~a~~b. Judges may be assigned in the manner provided by Chapter 74 of the Texas Government Code to hold court when:

(1) the regular judge of the court is absent or is disabled, recuses himself, or is recused under the provisions of Rule 18a, T.R.C.P., or is disqualified for any cause;

(2) the regular judge of the court is present and is trying cases as authorized by the constitution and laws of this State; or

(3) the office of the judge is vacant because of death, resignation, or other cause.

be. A Presiding Judge from time to time shall assign the judges of the administrative region, including qualified retired appellate judges, to hold special or regular terms of court in any county of the administrative region to try cases and dispose of accumulated business.

ed. The Presiding Judge of one administrative region may request the Presiding Judge of another administrative region to furnish judges to aid in the disposition of litigation pending in a court in the administrative region of the Presiding Judge who makes the request.

de. In addition to the assignment of judges by the Presiding Judges as authorized by Chapter 74 of the Texas Government Code, the Chief Justice may assign judges of one or more administrative regions for service in other administrative regions when he considers the assignment necessary to the prompt and efficient administration of justice. A judge assigned by the Chief Justice shall perform the same duties and functions that the judge would perform if he were assigned by the Presiding Judge.

Rule 10. Local Rules, Forms, and Standing Orders.

(a) *General Rule.* Local rules, forms, and standing orders must not be inconsistent with other laws or rules and must be published on the Office of Court Administration's website.

(b) *Multi-Court Counties.* In multi-court counties having two or more court divisions, each division must adopt a single set of local rules, forms, and standing orders that govern all courts in the division.

(c) *Local Rule Contents.* Local rules must include:

(1) provisions for the random and fair distribution of the caseloads among the judges in the county upon the initial filing of each case;

(2) designation of court divisions or branches responsible for certain matters and of the responsibility for emergency and special matters;

(3) provisions for ensuring that an individual judge maintains full responsibility for a case, absent an official transfer of the case to another judge or the assignment of the case by the Presiding Judge to another judge;

(34) plans for judicial vacation, sick leave, attendance at educational programs, and similar matters; and

(45) any other content required by sections 27.061 or 74.093(b) of the Texas Government Code.

(d) *Format*. Local rules, forms, and standing orders must be submitted in a format specified by the Office of Court Administration.

(e) *Presiding Judge Authority*. The ~~p~~Presiding ~~j~~Judge of an administrative judicial region may direct a court in the region to amend or withdraw a local rule, form, or standing order if the ~~p~~Presiding ~~j~~Judge determines that the rule, form, or standing order fails to comply with Rule 3a of the Texas Rules of Civil Procedure or that it is unfair or unduly burdensome.

(f) *Supreme Court Authority*. The Supreme Court may direct a court to amend or withdraw a local rule, form, or standing order if the Supreme Court determines that the rule, form, or standing order fails to comply with Rule 3a of the Texas Rules of Civil Procedure or Rule 1.2 of the Texas Rules of Appellate Procedure or that it is unfair or unduly burdensome.

(g) *Forms*. A court must not require a party to use a local form. A court must not reject a properly completed form approved by the Supreme Court or an organization that reports to the Supreme Court.

Comment to 2023 change: Rule 10 is amended to implement the changes to Texas Rule of Civil Procedure 3a and Texas Rule of Appellate Procedure 1.2. But it also applies to local justice court rules authorized by section 27.061 of the Texas Government Code. Paragraphs (e) and (f) expressly authorize the regional presiding judges and the Supreme Court to direct changes to or the repeal of local rules, forms, and standing orders. Paragraph (g) is added to prohibit a court from requiring the use of a local form. Paragraph (g) makes clear that access to the justice system cannot be denied because of a party's failure to use a local form. Paragraph (g) also specifies that a court cannot reject forms approved by the Supreme Court or organizations that report to the Supreme Court.