

STANDING ORDER ON MOTIONS AND HEARINGS
IN THE 410TH JUDICIAL DISTRICT COURT (eff. 1/1/23)

IT IS HEREBY ORDERED that the following shall apply with respect to all Motions and Hearings in the 410TH District Court:

Whether a motion is heard orally or by submission, the parties and attorneys shall comply with the *Local Rules of Practice Before the Family Courts in Montgomery County, Texas*.

SUBMISSION HEARINGS

1. All motions and hearings **that do not require live testimony** shall be set by SUBMISSION, with at least 10 days' notice to opposing counsel/parties in compliance with Rule 2.3 of the *Local Rules of Practice Before the Family Courts in Montgomery County, Texas*. If the Texas Rules of Civil Procedure require more than 10 days' notice on any given matter (e.g. Motion for Summary Judgment - 21 days), then the time period set by the Rules shall apply.
2. Submission dates shall be obtained from the Court Coordinator and included in a NOTICE OF SUBMISSION which shall be served on all counsel/parties as required under Number 1 above, along with a proposed order granting the relief sought. THE FAILURE OF MOVANT TO FILE A TIMELY "NOTICE OF HEARING BY SUBMISSION" AND/OR TO FILE A PROPOSED ORDER FULLY SETTING FORTH THE RELIEF REQUESTED IN THE MOTION, AND/OR TO FILE A CERTIFICATE OF CONFERENCE, SHALL RESULT IN NO ACTION BEING TAKEN ON THE PARTY'S MOTION.
3. Counsel may request an oral hearing in writing when filing any motion or other matter that has been set by Submission. Opposing counsel/parties shall file a response (and may request an oral hearing in same), along with a proposed order denying the relief sought, both of which must be filed at least two working days before the submission date. **FAILURE TO FILE A RESPONSE MAY BE CONSIDERED A REPRESENTATION OF NO OPPOSITION TO THE MOTION.** The Court Coordinator will advise the counsel/party requesting an oral hearing if an oral hearing is granted. If an oral hearing is granted, the Court Coordinator will advise the counsel/party that requested the oral hearing of the date and time for the hearing, and the said counsel/party shall give proper notice to all counsel/parties.
4. No motion set for submission shall be granted unless the moving party has filed a CERTIFICATE OF CONFERENCE, in compliance with Rule 2.3 of the *Local Rules of Practice Before the Family Courts in Montgomery County, Texas*. The provision in this paragraph does not apply to Motions for Summary Judgment, Motions for Default Judgment, Motions for Voluntary Dismissal or Nonsuit, Motions for New Trial, Instanter Motions and Motions Involving Service of Citation.

ORAL HEARINGS

5. Any motion **that requires live testimony** shall be set for oral hearing on the date and time given Counsel by the Court Coordinator or Court Administrator, and the Movant shall give proper notice to all counsel/parties.


6. In cases involving children, and in compliance with Texas Family Code §154.181 and §154.1815 and Rule 5.1 of the *Local Rules of Practice Before the Family Courts in Montgomery County, Texas*, each party is **ORDERED** to fully complete the form on the court's website entitled "Required Health and Dental Insurance Information Pursuant to TFC §154.181 and §154.1815," and shall file same amongst the records of this cause at the time of filing that party's original petition or original answer or counter-petition, as applicable, or at the very latest, within twenty-four (24) hours prior to any hearing that may involve the support of a child or children. The failure to timely provide this information to the court may result in sanctions against the offending party(ies) and/or the attorney(s) for same, and at final trial, may cause the case to be dismissed for want of prosecution.

7. Prior to any temporary orders hearing, the court **ORDERS** that all parties shall attend mediation and SHALL COMPLY WITH THE "STANDING ORDER REGARDING MEDIATION IN FAMILY CASES IN THE 410TH DISTRICT COURT."

8. **Time limits for Temporary Orders hearings:** Time limits will be imposed by the court depending on the complexity of your case, but generally, each party shall be allotted **one hour per side, including cross-examination** (for a total of two hours for the entire temporary orders hearing). If an intervening party is aligned with a party, the aligned and intervening party shall be allotted an additional thirty minutes total, including cross-examination, for a total of 1.5 hours, and the other side shall also be allotted 1.5 hours, including cross-examination. An amicus attorney and an assistant attorney general shall each be allotted thirty minutes total, including cross-examination.

9. For temporary order hearings, all parties and attorneys shall comply with Rule 5.1 of the *Local Rules of Practice Before the Family Courts in Montgomery County, Texas*.

Signed: December 13, 2022



JENNIFER ROBIN, JUDGE PRESIDING
410TH JUDICIAL DISTRICT COURT