BRAZORIA COUNTY LOCAL CIVIL RULES
239TH DISTRICT COURT

All civil trial and ancillary setting requests for the 239th District Court shall be directed to:

Debbie Selleck
Court Coordinator
239th District Court
237 East Locust
Second Floor, Room 209
Angleton, Texas, 77515
979 864-1256
debbies@brazoriacountytx.gov

Rules for Setting Civil Matters in the 239th District Court

1. **TRIAL SETTINGS:** Civil jury weeks will be the second (2nd) Monday of every month. Non-Jury Trial weeks will be the fifth (5) Monday of those months having five Mondays.

2. **SETTINGS:** A civil case may be set by request of an attorney of record or by the court. Trial Setting Request Forms can be found on the court's website. This form is to be filled out and e-filed with the District Clerk.

   (A) Requests for trial settings shall be in writing, addressed to the Court Coordinator and shall contain the following:

      1. Number and Style of Case
      2. Month Requested for Trial
      3. Specify whether the case is Jury or Non-Jury
      4. Certification that pleadings are in order, discovery is complete, requesting attorney has no conflicting settings and that settlement has been attempted
      5. Name, Address, Telephone Number and E-Mail Address of each Attorney of Record and Certification that each has been served with a copy of the Trial Setting Request

(B) Cases will be set upon receipt of timely request without further confirmation and will be placed on the docket in cause number order.

(C) Setting Requests must be received not later than forty-five (45) days prior to the first day of the month requested for a trial setting.

(D) CIVIL DOCKET CALL: There is no docket call for civil cases.

(E) DCO's and SCHEDULING ORDERS: The Court does not issue DCO's. The parties are allowed to prepare their own DCO and submit it to the Court for entry.

(F) ZOOM AND TELEPHONIC HEARINGS: The Court does NOT allow Zoom or telephonic hearings. All hearings are in-person only.

3. TRIAL SETTING CONTINUANCES: NO AGREED MOTIONS FOR CONTINUANCE. Trial Settings can ONLY be passed by the Judge. You must file a Motion for Continuance and get it set with the Court Coordinator for hearing.

4. PREFERENTIAL TRIAL SETTINGS: Cases may be set for trial Preferentially on an Order of Preferential Setting Granted by the Judge and setting forth specific grounds of good cause for such request. An oral hearing is required on the Motion for Preferential Trial Setting.

5. DISMISSAL DOCKET: All cases pending more than eighteen (18) months may be placed on a "Try or Dismiss" docket at a date and time to be determined by the court. Counsel is required to appear at the dismissal docket if they are requesting that a case be retained on the docket if they have not returned the Dismissal Docket Notice requesting that the case be retained. If the case is retained it will be assigned a trial at that time. No trial continuances will be given on retained cases except under extreme circumstances approved by the Judge.

CIVIL ANCILLARY DOCKET

1. **SETTINGS:** Requests for hearing civil ancillary matters shall be made by telephone or in writing to the Court Coordinator. The requesting attorney must give proper written notice to all opposing Counsel and any Pro Se parties of such setting.

   Ancillary dates for the 239th District Court are always the fourth (4th) Monday and Tuesday of every month except when one of those dates falls on a holiday. Hearing times are 9:00, 10:00, 11:00 and 1:00. The Court does NOT have a Submission Docket. All motions will be given an oral hearing date and time upon request to the Court Coordinator.

   A. NON-SUITS: All Notices of Non-Suit must be accompanied by an Order Granting Non-Suit

   B. MOTIONS FOR SUMMARY JUDGMENT: When a Motion for Summary Judgment is filed, the Clerk will automatically send it to the Court's Queue where the Court Coordinator will assign it a hearing date and time and the Clerk will send notice to the parties.

   Motions will be set for oral hearing within 36 – 60 days from the date of filing. Motions may be set 36 – 90 days out if:

   The Court's Docket so requires;
   On Showing of Good Cause; or
   If the Movant Agrees.

   To Pass a Motion for Summary Judgment hearing you must 1st Notify the Court that you are passing said Motion and then you must file a Notice of Withdrawal with the District Clerk

   C. DEFAULT JUDGMENTS – All Default Judgments must be set for an oral hearing.

   D. SUBMISSION DOCKET - The Court DOES NOT HAVE A SUBMISSION DOCKET.

   Any questions concerning any of these Local Rules for the 239th District Court should be addressed to the Court Coordinator at 979 864-1256 or by e-mail to debbies@brazoriacountytx.gov