



Hon. Thomas L. Pfeiffer
Presiding Judge of Brazoria County Court at Law No. 2

**PROBATE AND CIVIL INSTRUCTIONS FOR REMOTE AND IN-PERSON
HEARINGS**

Updated: July 4, 2024

Our courtroom technology can seamlessly accommodate simultaneous remote and in-person appearances without participants needing special equipment. These instructions are provided to give guidance on the rules and procedures governing remote and in-person proceedings in County Court at Law No. 2 (hereinafter, CCL2).

On February 1, 2023, the Supreme Court of Texas adopted new rules governing remote proceedings. Please familiarize yourself particularly with the new Tex. R. Civ. P. 21(b) and 21 d.

APPEARANCES

The general rule is **physical presence in the courtroom**. Tex. R. Civ. P. 21 d (b) (1) provides, "unless the notice of court proceeding states otherwise, a person who participates in a court proceeding does so by physical presence in the courtroom."

However, pursuant to the exceptions provided under that same rule, this court offers the following guidelines and exceptions to the general rule:

- **Uncontested Probate Proceedings**: Participants may appear either remotely, in-person, or by a hybrid of both for the uncontested probate of wills, heirships, and administrations.
- **Contested Non-Evidentiary Civil Motions for Summary Judgment**: Motions for Summary Judgment in which only legal argument will be made (no evidence taken) may be conducted remotely. When setting your matter, please ask the coordinator about appearing remotely and, if approved, please be sure your Notice of Hearing contains all information required by Rule 21(b). Participants may appear either remotely, in-person or by a hybrid of both.

All contested matters in which testimony or documents will be offered into evidence **shall be in person only**.

METHOD OF APPEARING REMOTELY

Eligible participants may appear remotely using Zoom with reliable internet access. Participants must be in a room that allows for privacy and avoidance of external noises or other interruptions.

Participants may not appear in a moving vehicle or in public areas where disturbances may likely occur.

It is *suggested* that attorneys have their clients and witnesses in their office if an appropriate space is not available to them.

21(b) NOTICE

Please review Tex. R. Civ. P. 21(b) for notice requirements.

SOFTWARE FOR REMOTE APPEARANCES

- CCL2 uses Zoom video conferencing. It is not necessary to install Zoom software on a computer to join, but it would be more efficient to do so.
- Software is available at [Zoom.us](https://zoom.us). Click on the “Resources” tab and select “Download Zoom Client.”
- You do not have to register with Zoom, but it is encouraged and it is free.

SETTING YOUR HEARING

- All matters must be set by emailing the court coordinator at CCL2@brazoriacountytx.gov

If you choose to appear remotely and the rules permit it, the Coordinator who assisted you will send you a Zoom link prior to your hearing.

- **Pleadings, MERP responses and all proposed orders must be on file prior to setting your hearing** so they can be reviewed in advance of the hearing and so that orders can be signed electronically.
- At the conclusion of your hearing, please contact the County Clerk’s Office to sign, and/or file the documents appropriate for your case (e.g. Proof of Death, Oath) and to request Letters and copies.
- In addition to sending the notice required by TRCP 21(b), it is your responsibility to ensure that your client, witnesses, and all parties have all the information necessary to participate.

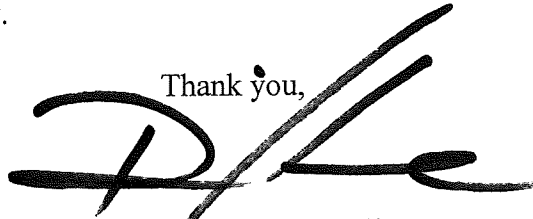
- The Court will not consider attorney alone prove ups of wills.

ABOUT YOUR REMOTE APPEARANCE

- Please click the link to join Zoom at least 5 to 10 minutes before your hearing to test your microphone, speakers, and camera.
- Attorneys should consider conducting a test-run with their clients and witnesses at least a day before their hearing. Too often, courts spend valuable time helping someone with little or no familiarity with Zoom. Delays caused by inability to use Zoom may cause the hearing to be passed.
- Do not sign on to more than one Zoom account in a single room, as this will cause an echo.
- Documents can be shared with participants using the “chat” tab and with the “screen share” options in Zoom.
- Please note that every probate docket is capped at 6 cases.
- Courtroom Decorum – We will observe appropriate courtroom decorum, demeanor, and dress codes for attorneys, parties, and witnesses regardless of whether appearing in person or remotely.

It is my hope and goal to use remote court appearances in a way that makes our courts more accessible than ever before while reducing cost and safeguarding the fairness and accuracy of judicial proceedings in Brazoria County.

Thank you,

A handwritten signature in black ink, appearing to read 'T. Pfeiffer', written over a horizontal line.

Thomas L. Pfeiffer
PRESIDING JUDGE
County Court at Law No. 2
Brazoria County, Texas