

and all benefits arising from a party's employment (such as pensions, profit sharing plans, savings or thrift plans, whether vested or non-vested) shall be identified. Each party shall incorporate as an exhibit to the inventory the last information furnished to the employee about to the employee's rights and monetary interest in the retirement and savings plans. Each party shall also furnish sufficient information so the court may render a qualified domestic relations order, if applicable. The inventory shall list and total, in columnar format, the property values and liabilities. Each inventory shall show the net worth of the community estate.

4.4. REFERRAL TO ASSOCIATE JUDGE

- 4.4.1. Referral. All pending cases and cases filed after the date of the adoption of these rules are hereby referred to the associate judge of each court pursuant to T. F. C. section 201.006, subject to limitations imposed by chapter 201.
- 4.4.2. Order of Referral. This Rule shall constitute the Order of Referral required by TFC section 201.006(a)(2), to any pending or future cases under Title 1, 2, 4, or 5.

4.5. ALTERNATE DISPUTE RESOLUTION

- 4.5.1. Temporary Hearings. In cases involving disputed custody or visitation issues, the court shall make referrals for mediation to the Dispute Resolution Center or private mediators, or as agreed upon by the parties and attorneys. Additional issues may be mediated by agreement of the parties and attorneys. Attorneys of record may attend all mediations. Except for good cause shown, no temporary hearings involving disputed custody or visitation issues will be conducted until the issues have been mediated.
- 4.5.2. Final Trial. Except for good cause shown, all cases shall be submitted for alternate dispute resolution procedures before trial, as provided in paragraph 7.1. Settlement Weeks. Referral of appropriate cases to alternate dispute resolution procedures shall also be made at one or more settlement weeks each year, as provided by law.
- 4.5.3. PARENT EDUCATION COURSE
 - 4.5.3.1. Except for good cause shown, all parents or other individuals requesting appointment as a conservator are required to attend a parent education course, whether the suit is an original suit or a modification.

5. CRIMINAL CASES

5.1. **TRANSFER:** In criminal actions, cases shall be transferred according to the Direct Filing Order.

5.2. APPEARANCE OF DEFENDANT AND COUNSEL/COURT ATTENDANCE.

- 5.2.1. Defendant and defendant's attorney must be present during docket call. The attorney prior to the setting must obtain permission for the defendant not to be present. Attorney must notify the Judge or Court Coordinator at least 30 minutes prior to the time the case is set if the attorney anticipates not being present or late at docket call.
- 5.2.2. Attorneys wishing to have defendants transferred from the jail to the courthouse for an appearance must notify the bailiff at least two days before such appearance.

5.3. WITHDRAWAL OR SUBSTITUTION OF COUNSEL

- 5.3.1. If, prior to the disposition of a case, an appointed or retained attorney wishes to withdraw pursuant to DR 2-110, Code of Professional Responsibility, Vernon's Ann. Civ. Stat., Title 14 App., Art. 12, Sec. 8, or for any other reason, the attorney must file a written motion to that effect with the Court. Such motion must be filed at least 15 days prior to a trial setting. If an attorney is

retained to replace existing counsel, the attorney must file a motion to substitute counsel, naming both himself and the attorney to be relieved.

5.3.2. A retained attorney of record at the time of trial will be considered the attorney of record in the event of an appeal unless the attorney files a written motion to withdraw when notice of appeal is given.

5.4. **OCCUPATIONAL DRIVER'S LICENSES:** The Court in whom a defendant has been convicted will maintain continuing jurisdiction for the purpose of Occupational/Restricted Drivers License. Petitioners seeking Occupational/ Restricted Drivers License must file a pleading indicating that they have not previously filed for application for the same in any County or District Court of Fort Bend County

6. **SELECTION AND CONTROL OF JURIES** The Fort Bend County Jury Plan shall govern the selection, management, assignment and time of jury service.

7. **JUDGE'S VACATION, ABSENCES and DISQUALIFICATION** Any judge who will be absent and wishes to have an assigned judge sit for him/her shall make such request in writing through the Administrative District Judge of Fort Bend County.

8. RULES:

9. **LOCAL COURT ADMINISTRATION:** The Board of District Judges of Fort Bend County shall meet regularly upon the call of the local Administrative District Judge.

10. CONFLICTING ENGAGEMENTS OF ATTORNEYS

10.1. ATTORNEY ALREADY IN TRIAL IN ANOTHER COURT.

10.1.1. When informed that an attorney is presently in trial, the Court will determine where and when assigned. This information will be verified upon request of opposing counsel. The case will be placed on "hold" or reset, depending upon when the attorney will be released.

10.1.2. If the attorney is not actually in trial as represented by the attorney or agent, the case will be tried without further notice.

10.2. ATTORNEY ASSIGNED TO TWO COURTS FOR THE SAME DATE:

10.2.1. It is the duty of the attorney to call the affected Judge's attention to all dual settings as soon as they are known

10.2.2. Insofar as practicable, Judges should attempt to agree on which case has priority; otherwise, the following priorities shall be observed by the Judges of the respective Courts:

10.2.2.1. Criminal Cases.

10.2.2.2. Cases given preference of Statute.

10.2.2.3. Preferentially set cases.

10.2.2.4. Case set at earliest date.

10.2.2.5. Case with earliest filing date.

10.2.2.6. Courts in metropolitan County areas should yield to Courts in rural County areas in all other instances of conflicting settings. In the event of unresolved conflict between the two judges, the Local Administrative Judge or the Regional Presiding Judge will decide the issue.

11. VACATIONS OF COUNSEL.

11.1. **DESIGNATION OF VACATION.** An attorney may designate not more than four weeks of vacation during a calendar year as vacation, during which that attorney will not be assigned to trial or required to engage in any pretrial proceedings. This rule operates only where lead counsel, as defined by T.R.C.P. 8, is affected, unless the trial court expands coverage to other counsel.