

- 8.4 Waiver. The court lacking priority shall yield.
- 8.5 Lead Counsel. This rule operates only where lead counsel, as defined by T.R.C.P. Rule 8, is affected, unless the court expands coverage to other counsel.
- 8.6 Engaged Counsel. Counsel is deemed engaged and unavailable for trial if he or she is participating in the actual trial or hearing of another case or in court-ordered alternate dispute resolution or court-ordered deposition.
- 8.7 Reporting of Conflicting Engagements. It is the duty of an attorney to report promptly to the court immediately upon learning of a conflicting engagement that might preclude that attorney's availability. Failure to do so may result in sanctions.

RULE 9. VACATIONS OF ATTORNEYS

- 9.1 General Rule. Subject to the provisions of paragraph 9.2 of this rule, an attorney may designate not more than four weeks of vacation during a calendar year, during which time 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. Rule 8, is affected, unless the court expands coverage to other counsel. The vacation designation shall be honored only if it is filed in writing with the District Clerk, and is accompanied by the attorney's designation of at least one attorney who has consented to act for the vacationing attorney. The designated attorney shall be called upon to act only if the client consents to the designated attorney's representation, and then only if the court requests the designated attorney's participation due to an emergency.
- 9.2 Time for Designation. Written designation for vacation weeks during June, July, or August must be filed with the District Clerk by May 15 of that year. Written designation for vacation weeks in months other than June, July, or August must be filed with the District Clerk at least 60 days in advance. Designated vacation weeks protect the attorney from trials or pretrial proceedings during those weeks, unless a setting order was signed and the case was assigned to trial before the vacation designation was filed.

RULE 10. UNIFORMITY

- 10.1 Letters and Orders. In managing their dockets under T.R.C.P. Rules 165a and 166, Family Trial Division judges shall endeavor to use form letters and orders approved by the district judges of Fort Bend County.

- 10.2 Policies and Procedures. The district judges of Fort Bend County shall establish common policies and procedures on pertinent court business. Such policies and procedures shall be made available through the district clerk. Each court may additionally establish policies and procedures particular to that court.

RULE 11. PARENT EDUCATION COURSE


- 11.1 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.

RULE 12. APPLICABILITY

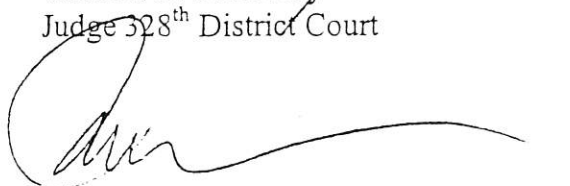
- 12.1 Effective Date. These rules shall become effective on September 1, 2000 or upon their approval by the Texas Supreme Court pursuant to T.R.C.P. 3a, whichever comes later.
- 12.2 Cross-Reference. Any reference in these rules to a statute or a court rule shall also apply to any successor statute or court rule, whether recodification, revision or amendment.
- 12.3 Applicability. These rules are applicable to both jury and non-jury cases.

The foregoing are hereby Ordered and Adopted as the Rules of the 328th and 387th Judicial District Courts of Fort Bend County, Texas, and the District Clerk is hereby directed to record a copy of this order in the minutes of each of said Courts.

Signed this 26 day of July, 2000.



Thomas O. Stansbury
Judge 328th District Court



Robert J. Kern
Judge 387th District Court