

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.

- 11.2. **SUMMER VACATIONS.** Written designation for vacation weeks during June, July, or August must be filed with the district clerk by May 15. Summer vacation weeks so designated will protect the attorney from trials during those summer weeks, even if an order setting the case for trial was signed before the vacation designation was filed.
- 11.3. **NON-SUMMER VACATIONS.** Written designation for vacation in months other than June, July, or August must be filed with the district clerk by February 1. Non-summer vacation weeks may not run consecutively for more than two weeks at a time. Non-summer vacation weeks so designated will not protect an attorney from a trial by an order signed before the date the designation is filed.

12. COURT ROOM CONDUCT

- 12.1. Each attorney, party, witness and visitor is expected to conduct himself/herself in a manner appropriate to the decorum of the court.
- 12.2. All counsel shall conduct themselves according to the standards of professionalism as described in **THE LAWYERS CREED – A MANDATE FOR PROFESSIONALISM** as adopted by the Supreme Court of Texas and the Court of Criminal Appeals.
- 12.3. All litigants and spectators shall wear appropriate attire and conduct themselves in a dignified and courteous manner. Each Court may post Standards of Conduct and Dress.
- 12.4. Attorneys shall advise their clients and witnesses of the formalities of the court and seek their full cooperation.
- 12.5. The attorneys, the Judge, and all other officers' of the court shall be prompt at all sessions and in the dispatch of all court business.
- 12.6. The taking of photographs, film, video or broadcasting of judicial proceedings in or from the courtroom, or so close thereof as to disturb the order and decorum thereof, either while court is in session or at recess, is prohibited, unless written permission is granted by the court.
- 12.7. All attorneys are admonished to respect the letter and the spirit of all canons of ethics, including particularly those dealing with discussion of cases with representatives of the press or electronic media and ex parte communications. The court shall enforce the same by appropriate action.

13. DUTIES OF ATTORNEYS

- 13.1. **APPOINTEE FEE REPORT** Each person appointed by a judge in a civil or family case to a position for which any type of fee may be paid shall file the designated uniform report before any judgment, dismissal or nonsuit is signed. This report is required for every appointment made, whether or not a fee is charged.
- 13.2. **ATTORNEYS ADDRESSES:** Attorneys are required to notify the District Clerk of any change in address, telephone, fax number or e-mail address. Any notice or communication directed to the attorney at the address, telephone, fax number or e-mail address indicated in the records of the District Clerk will be deemed received.
- 13.3. **SUBMISSION OF INSTRUMENTS:** All judgments and orders must be submitted to the court for signing within 14 days of the rendition date, unless otherwise directed by the court. The party who is directed to prepare the judgment or order shall furnish all opposing parties with a copy of the proposed judgment or order at least five (5) days prior to entry date. All judgments or orders in uncontested matters (except for settlements made pursuant to (T.R.C.P. Rule 11) and in default matters (where citation has been served and there has been no answer filed or other general appearance) must be presented at the time of hearing. All forms required by governmental entities shall be submitted, along