

In response to growing concerns over the overcrowded dockets of the 279<sup>th</sup> and 317<sup>th</sup> District Courts, the following changes/improvements will be implemented beginning immediately.

1. Issue: Jury trials

Problems: Increased costs of jury panels (\$40 per day per juror)  
Courts unable to schedule other cases when jury trials are set.

Discussion: By statute the pay for a juror has now been raised to \$40.00 per day. If the court has a jury trial scheduled, and orders a jury panel the week prior to the scheduled trial date, we will be spending \$40 per day each for 36 potential jurors beginning on Monday the week of the trial setting. Further, when a jury trial is scheduled, say for a period of three (3) days, the court must hold the docket clear for this period and is unable to schedule other cases.

Action: Require a pre-trial hearing pursuant to Rule 166 two (2) weeks prior to the trial setting to resolve all pre-trial issues and to determine the possibility of settling the matter prior to the time the jury is ordered. Further, in this time frame and if the case is settled, the court still has time to fill the docket with other cases. A jury will not be ordered without said hearing.

2. Issue: Juvenile schedules

Problems: Attorneys who fail to show up for scheduled juvenile dockets.  
Causes backlog of juvenile cases and disrupts probation department scheduling.  
Attorneys asking for a trial setting in an effort to allow the juvenile to “age-out” of the system.  
Attorneys and the State agreeing to pass cases without court approval or notice.

Discussion: Both courts maintain regularly scheduled juvenile dockets. Attorneys know that their cases will be heard on one of two days of the week. Many attorneys are missing their hearings on a much too regular basis. Further, attorneys who ask for a trial setting to get to an “age-out” circumvents the intent of the system which is to help the juveniles. Finally, upon occasion the Attorney for the juvenile and the state will agree to pass a case. This will cause a void in the courts docket which may have been filled with a different case if the court would have been aware. Further, this does not take into account any input from the probation department as to why the case should or should not be passed.

Action: If an attorney is not present, the court will appoint an attorney who is present to visit with the juvenile in an attempt to resolve the matter.

Juveniles who deny and are 16 or over will be given a preferential trial setting without the possibility of passing or continuing the case regardless of the attorney's schedule.

Juvenile cases may not be passed without permission of the court after consultation with the probation department.

3. Issue: Hearings and trial settings

Problems: A multitude of methods used by attorneys and/or their staffs to set hearings and/or trials convolutes and slows the process.

Discussion: There is too much time involved in setting cases for hearings and/or trials in the family courts. Phone tag and other time consuming measures are a hindrance to the efficiency of the process.

Action: Please use email as much as possible on any uncontested matters. Choose your own date and consider the matter set unless you hear other wise from the courts. Indicate cause number, date chosen and the type of case in your email. If you do not have email, leave this information on the recorder. Again, the case is set unless you hear otherwise from the court. You will not receive any confirmation; you will be on the docket. You may now also set uncontested matters on Monday or Wednesday afternoons at 2:00 pm.

For temporary hearings, a walk through is always the best. We understand that this is not always feasible, so, place a post-it note on your documents or indicate in your cover letter two dates that are acceptable to you. The court will schedule your hearing and let you know by email, or phone message the date of your hearing. Please do not choose dates within the first 7-10 days of filing. This will eliminate the need for attorneys and/or their staff to call to see what date was selected. Remember, any temporary hearing that will require more than 1 hour must have prior permission of the court. Further, any re-hearing on temporary orders requires a one page statement from the attorney and permission of the court before the hearing will be scheduled.

For final settings, send the appropriate letter requesting the case be set on the contested docket. You will be contacted by the clerk to schedule the trial. Do not call the court to request a final contested setting; or to check on the status of your written request. Both

courts are working diligently to set final hearings in the order in which they are received.

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JUDGE RICK WILLIAMS  
279<sup>TH</sup> DISTRICT COURT

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JUDGE LARRY THORNE  
317<sup>TH</sup> DISTRICT COURT