

**LOCAL RULES**  
**HAYS COUNTY COURTS AT LAW**

**HAYS COUNTY JUSTICE CENTER**  
**110 E. MARTIN LUTHER KING**  
**SAN MARCOS, TEXAS 78666**  
**512/393-7625**  
**512/393-7633 FAX**

**GENERAL**

1. Court security monitors the entrance of the Justice Center and all offices within. All visitors will proceed through the metal detector and provide handbags, briefcases, etc. for inspection unless otherwise directed. All items capable of being used as a weapon will be confiscated until departure from the building.
2. Courtroom attire and demeanor should be appropriate. Visitors will not be allowed to enter the courtrooms wearing a tank top, halter top, shorts, a T-shirt depicting an obscene, drug or alcohol-related picture, promotion or wording, or unbuttoned shirt. Hats, caps and/or bandannas should be removed. Loud talking or disrespectful behavior will not be tolerated. Children should remain with their parent rather than allowed to run around. Do not bring chewing gum, food or beverages into the courtroom.
3. No recording, photographic or videographic instruments are allowed in the courtroom.
4. Attorneys and other court participants should stand to address the Court.
5. Appointments in chamber for uncontested civil and probate cases or criminal pleas may be scheduled with the court administrator. These cases are often scheduled at either 9:15 a.m. or 1:15 p.m. every day except Thursdays.
6. Contested civil and probate cases should be scheduled with the court administrator through the filing of a Motion to Set.
7. Jury selection will be held in Courtroom #2 unless otherwise notified.
8. Announcements with respect to all cases set on Monday jury dockets, civil and criminal, shall be made by the attorneys representing each party, in person, on the Friday preceding the Monday jury setting between 9:30 a.m. and 12 noon in a pre-trial conference. Jury lists are available at that time. No appointments are necessary; conferences will be held on a first-come, first-served basis and will be recorded by a court reporter.

Although not required, it is suggested that clients accompany their attorneys should any settlement or stipulated issues arise.

All pre-trial motions not previously disposed of, including Motions in Limine, will be heard at pre-trial conference. Proposed charges and special issues will be discussed. Since all juries are selected on Monday, a tentative order of jury selection will be arranged.

9. Our court administrator pays no attention to vacation letters. Thus, a vacation letter will not automatically continue a case that has already been set, nor will it insure that a case will not be set. Motions for continuance must be filed.

### CRIMINAL

1. Letters of representation should be submitted as soon as an attorney is retained.

2. Criminal misdemeanor dockets are held every Thursday starting at 9:30 a.m. in Courtroom #2. These are typically announcement or plea dockets whereby pleas of guilty or not guilty are entered, and if necessary, requests for cases to be set on either jury trial or court trial dockets.

Motions to revoke and/or show-cause hearings on probation cases are held at 1:30 p.m. on Thursdays in Courtroom #2 for announcements or pleas. Hearings on contested motions to revoke may be rescheduled to later dates.

Incarcerated defendants on the docket will be transported from the jail to Courtroom #3 on Thursday afternoons. Attorneys who have clients in jail who are scheduled on the docket should verify with the court administrator whether they want the defendant brought over or if the case should be reset.

3. Defendants charged with DWI must be represented by an attorney without exception. Alcohol screenings or evaluations should be scheduled before a plea of guilty or no contest.

4. Trials before the Court or a jury will not be scheduled until a plea recommendation is obtained from the D.A.'s office which is rejected by the Defendant.

5. If a Defendant pleads not guilty and requests a pre-trial hearing, all pre-trial motions shall be filed within 14 days of the request. The hearing will be set at a future date. Non-evidentiary motions, such as discovery and notice motions, shall be discussed with the State before a hearing is held so that the Court can be informed of any agreements and/or stipulations. If a resolution cannot be reached on non-evidentiary matters, please notify the Court.

6. For cases set on the jury docket, counsel for either the State or the defense should inform the Court at pre-trial conference if a plea agreement has been reached, the terms of such agreement and a plea date. If the Court should reject the plea agreement, then the plea will be made "open" before the Court, or a jury will be selected on Monday morning.

7. The District Attorney's office prepares the paperwork for most pleas. Attorneys should obtain all necessary paperwork and have it ready at the time of the plea. Prior notice to the D.A.'s office that your client is accepting the plea bargain and is ready to appear either at Thursday docket or any other scheduled time would speed up the process. If a probation officer is required for the plea, inform the court administrator.

8. Resets can be requested on or before 3 p.m. Wednesdays before the Court; otherwise at 9:30 a.m. on Thursdays in the reset office with the proper reset form obtained from the D.A.'s office.

9. Probation officers must have their update sheets for Motions to Revoke in by 3 p.m. Wednesday each week.

10. Any and all fines and court costs shall be paid in cash, certified check or money orders--no personal checks, no exceptions.

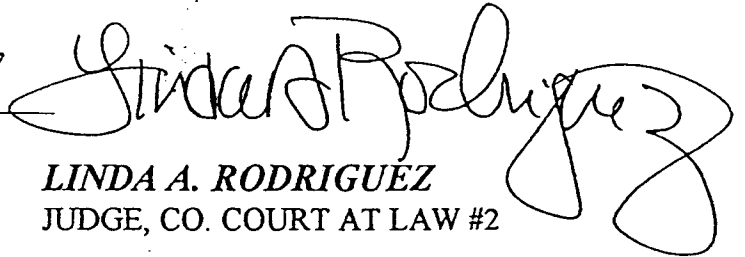
11. Thursday dockets are ready for review by attorneys and bail bond employees, in person, by the Friday preceding docket. Completed dockets are available for review by 3 p.m. Thursday.

12. See Rule No. 9 under General for important information re: vacation letters.

***THANK YOU FOR YOUR COOPERATION IN THESE MATTERS.***



**HOWARD S. WARNER, II**  
JUDGE, CO. COURT AT LAW #1



**LINDA A. RODRIGUEZ**  
JUDGE, CO. COURT AT LAW #2

*Effective November, 1996*