



Judge Nicole Taylor  
Policies & Procedures  
Dallas County Civil Court at Law No. Five (5)  
[Dallas County Civil Courts at Law](#) |  
[Dallas County Civil Court at Law No. 5](#)



## Contacting the Court

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For all matters relating to trial dates, trial settings, Dismissal Docket, Final Disposition Docket and special requests for **Trials ONLY**, please contact the Court Coordinator:

**Shan Johnson**  
(214) 653-6503  
[CCL5Coordinator@dallascounty.org](mailto:CCL5Coordinator@dallascounty.org)

For all matters relating to scheduling hearings on motions, filings, and status on orders, contact the Chief Clerk:

**Brianna Brown**  
**Email Only:** [Brianna.Brown@dallascounty.org](mailto:Brianna.Brown@dallascounty.org)

To determine whether the Court has ruled on a motion or to verify Trial and Hearing Dates, please check the case record on the County Clerk's website via the [County Case Search Portal](#).

For all matters relating to transcripts, contact the Court Reporter:

**Coral Wahlen**  
(214) 653-6443  
[www.houghreporting.com](http://www.houghreporting.com)

For Information regarding audio/visual and courtroom security and decorum, contact the Bailiff:

**Officer David Smiles**  
[David.Smiles@dallascounty.org](mailto:David.Smiles@dallascounty.org)

## Motion Dockets

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### Oral Hearing Dockets

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- The Court conducts oral hearings on **Fridays via Zoom** at **9:30 a.m.** and **1:30 p.m.** (Confirm availability with the clerks)
- Parties **must file a notice of hearing** with a certificate of service and serve all parties.
- All notices of oral hearing must include the Court's zoom pre-registration link:  
<https://form.jotform.com/231566752852160>.
- Five (5) business days' notice is required for oral hearings.
- A motion **must be accompanied by a proposed order**.
- Contact the Court Clerk to pass a hearing. *Hearings may only be passed by the party who set them.*

## **Motions that Require an Oral Hearing**

- **Minor Prove-ups** - If your case is set for Entry and the minor settlement has not been scheduled, please schedule prior to the Entry date, or contact the Trial Coordinator.
- **Applications for Temporary Restraining Orders (TRO)** may be set by contacting the Clerk for the next available setting. Written notice must be filed with the Court and served to the opposing party by phone, fax, and/or in writing. Proof of attempts to notify opposing counsel must be provided to the Court.
- **All Discovery Motions** – The Court **requires a Certificate of Conference** in accordance with the Local Rules. Specifically, parties must make several attempts on separate days to conference with opposing parties relating to discovery disputes and include a certificate of conference in their motion. **All certificates of conference must state whether counsel have conferred regarding the substance of the relief requested and if the relief is opposed, agreed or agreed in part, along with a statement of what relief was agreed to between the parties.** It must also state the number of attempts made to contact the opposing party, the method of attempts, and the results obtained. **Insufficient attempts or failure to provide a substantive certificate may result in denial of the relief requested or the hearing being passed by the Court.**
- **Motions to Exclude Expert Witness Testimony (Daubert Motions)**
- **Motions to Strike**
- **Motion to Reinstate**

## **Off-Docket Motions**

The following do not require a setting unless otherwise instructed by the Court:

**Agreed Motions** The motion must have the signatures of all parties or counsel and be filed as “agreed” or “joint”, with a Certificate of Conference and a Certificate of Service attached.

**Motion for Default Judgment** with unliquidated damages will be ruled on without the need of a setting. The return of service must be on file 10 days before the motion, and the following must be included in the motion:

- Affidavit proving up damages (include last statement or invoice)
- Affidavit of attorney’s fees including some estimate of time or description of actions taken on the case.
  - Percentage of the contract required on contingencies
- Certificate of last known address
- Non-Military Affidavit with a copy of the results from <https://scra.dmdc.osd.mil/scra/#/home> or, <https://mla.dmdc.osd.mil/mla/#/home>. The search must be completed within 30 days of filing the motion.
- Certificate of Service

If any of the foregoing is missing or incorrect, the Court may give 30 days to allow submission of the proper documents. If the proper documents are not received, the case will be subject to Dismissal for Want of Prosecution. It is the responsibility of the movant to follow up on their motions for default to check the status.

**Motion for Summary Judgment** All Motions for Summary Judgment are governed by TRCP 166a. Motions for Summary Judgment **shall be heard by Submission unless the Movant requests a hearing with oral argument.** Summary Judgments heard by submission must be set on the Submission Docket. The Movant must notify the Non-Movant by cover letter or pleading with the date and time the motion will be heard by submission. The Court requires the Notice to be served electronically unless the Non-Movant is not registered to receive notices electronically. No Summary Judgment shall enter on cases by submission unless proof of notice upon the Non-Movant has been filed with the Court.

**Motion for Substituted Service** must be accompanied by an affidavit that includes the following:

- Documentation or factual affidavit that verifies the Defendant actually resides or is employed at the subject address (e.g. Appraisal District Records, Vehicle Registration, factual affidavit)
- Each attempt at service with date and time
- The identity of any persons present at the attempted service and any statements that were made, and/or;
- The information of cars in the driveway or other indicators the defendant resides or works at the address.

Follow procedures in Tex. Bus. Org. Code §5.251 for Corporate Agents that cannot be found at the registered office of the entity with reasonable diligence.

**Motion to Appear Pro Hac Vice** must comply with Tex. Gov't. Code §82.0361

### Additional Off-Docket Motions

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Motion to Appoint Guardian Ad Litem	Plaintiff's Non-Suit	Motion to Retain
Motion to Substitute Counsel of Record	Motion to Appoint Attorney Ad Litem	
Motion to Show Cause	Agreed Judgment	
Application to Close Receivership	Motion to Release Funds in Court Registry	
Application for Sequestration - <i>with affidavit and military web search</i>		

## Trial Dockets

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### Non-Jury Trials

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Non-Jury trials are conducted on **Thursdays at 9:30 a.m. and 1:30 p.m.** unless preferentially set. Parties should be prepared to proceed with trial on the date set and should furnish proposed orders to the Court. Trials estimated to last longer than 60 minutes will need to contact the Court Coordinator as the case may be set preferentially later in the day or given a special setting upon agreement or necessity. Plaintiff must inform the Court Coordinator via email, or filing, if the case settles prior to trial.

**Eviction** cases are generally scheduled on **Mondays between 9:30a.m. and 11:30 a.m.** Cases that are not assigned to be heard in the Backlog Court are in-person. Plaintiff should send trial setting notices to Defendant via certified mail, regular mail, and any electronic delivery address on file with the Court, with proof provided at trial.

### Jury Trials

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All jury trials are set in accordance with Scheduling Orders submitted to the court unless it is a non-eviction appeal from the Justice Court. Justice Court appeals are scheduled within 30 days of receipt of the transcript from the Justice Court. Plaintiff must inform the Court Coordinator via email, or filing, if the case settles prior to trial.

### Pre-Trial Hearing

**Pre-Trial Hearings are mandatory prior to trial.** Prior to trial, the court will send notice that the parties will be required to attend a Pre-Trial Conference on **Monday** the week immediately preceding the trial date unless, otherwise specified. The Court's Pre-Trial Docket is scheduled **every Monday at 1:30 p.m.** Before the pre-trial conference, each party must exchange their witness list, pre-numbered exhibits, motion in limine, edited excerpts of deposition testimony, proposed jury charge, questions, and instructions, and copies of anticipated demonstrative exhibits with all parties, and confer regarding the following:

- Agreed pre-admitted exhibits,
- Witness lists,
- Agreed factual stipulations
- Agreed motion in limine, and;
- Joint proposed charge.

**Pretrial documents must be e-filed by Friday prior to the Pre-Trial Hearing.**

**Exclusion of Expert Witness Testimony or Daubert Motions to exclude expert witness testimony** must be filed well in advance of the trial and set for hearing on the Court’s motion docket with the Chief Clerk. **These motions will not be heard at Pre-Trial and may require the trial date to be continued if not heard prior to Pre-Trial.**

### **Courtroom Expectations**

- The Court will pull a panel of 24 jurors and 6 jurors will be selected, unless the matter requires a 12-panel jury, in accordance with Texas Rules of Civil Procedure.
- Prior to Voir Dire, the clerks will distribute one jury packet to each side and a seating chart. The Court will work with the parties to determine the reasonable time allotted per side for voir dire.
- All proceedings will be on the record in a jury trial, with the exception of Voir Dire (unless requested by the Parties). Notify the Court Reporter in advance for the exceptions to be included on the record.
- Courtroom decorum should be explained to witnesses by counsel before entering the Courtroom.
- Post-verdict motions and opposed judgments must be set for a hearing on the oral hearing docket. All normal oral hearing procedures must be followed.

### **Continuance**

Motions for Continuance should be filed as soon as the grounds for such a motion are reasonably apparent and filed at least two (2) weeks prior to the trial date.

First-time requests for a 30-day continuance that are uncontested, and service is obtained, or due diligence regarding the attempts to serve are stated, will be automatically granted. A certificate of service and a certificate of conference must accompany the motion.

Continuances after the first, and opposed continuances, will require a showing of good cause, a certificate of conference, and an oral hearing.

### **Vacation Letters**

To assert vacation, attorneys must file their vacation letter with the County Clerk and file a Motion for Continuance with the vacation letter attached and served to all parties. Attorneys with multiple cases must file a separate motion for each case.

The Court will honor Motions for Continuance with vacation letters that are timely filed.

### **Settlements**

Upon settlement of any case, Plaintiff should immediately notify the Court Coordinator in writing (i.e., email – with a

copy to all parties).

Cases that announce settlement will be placed on the Final Disposition Docket, conducted Tuesdays at 9:30 a.m. (no appearance necessary) within approximately 60 days to allow parties to submit final documents. If more time is needed, notify the Court Coordinator and file a Motion to Retain.

Settlements involving minors must be set for an oral hearing. Please refer to the Motion Dockets section of these procedures for instructions regarding oral hearings. If a Guardian Ad Litem has not been appointed to represent the minor in the case, please file a Motion and Proposed Order.

### **Service of Process**

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All cases are subject to Dismissal for Want of Prosecution if service is not perfected, and no answer is filed within **90 days** of filing.

### **Dismissal & Final Disposition Docket**

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All cases on the Court Docket will include a date certain. The case will either have a **Trial Date**, **Dismissal Date**, or a **Final Disposition Date**. All cases are subject to Dismissal for Want of Prosecution if service is not perfected, and no answer is filed within **90 days** of filing or, in the alternative, an **Agreed Scheduling Order** is not filed within **30 days after an Answer has been filed**. The Court may extend the Dismissal Date by the filing of a Motion to Retain before the Dismissal Date. **No appearance is necessary for the Dismissal Docket.**

Cases that announce settlement will be placed on the **Final Disposition Docket**, conducted on **Tuesdays at 9:30 a.m. (no appearance necessary) 60 days after announcement** to allow parties to submit final documents. If more time is needed, notify the Court Coordinator, and file a Motion to Retain.

### **Courtroom Etiquette & Decorum**

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**The same etiquette and decorum expected in a physical courtroom is expected in a virtual courtroom.**

- Remove hats or caps, except religious hats or materials
- Attorneys shall observe the letter and spirit of all canons of ethics and advise their clients of decorum
- Pro-se parties are held to the same standard as attorneys
- Cell phones must be silent and out of sight
- No eating
- No tobacco or vaping product use
- No driving
- Dress appropriately for Court
- Be courteous and respectful to all participants.

Compliance with Gov. Code 82.037(a)(4) will be expected from all counsel and self-represented (pro se) parties: “Conduct oneself with integrity and civility in dealing and communicating with the Court and all parties.”