



HON. ASHLEY E. WYSOCKI, PRESIDING
162ND JUDICIAL DISTRICT COURT

POLICIES AND PROCEDURES

Hearing Location:

At this time, all hearings will be held in person, except for Trial Docket Call (Mondays at 1:30 p.m.), or a request is made to the Court Coordinator and permission granted by the Court for remote appearance. Counsel should first request an agreement from opposing counsel/parties for the remote appearance and communicate whether there is an agreement at the time permission from the Court is requested.

If you have tested positive for COVID-19 within the last 10 days or currently have symptoms of COVID-19 or another contagious illness, DO NOT come into the courtroom without a mask. The Court would prefer a remote hearing be requested if someone has a contagious illness, or the hearing be rescheduled.

For Docket Call and any other hearing for which the Court has granted permission for a virtual hearing, to join a virtual hearing, use the following link:

<https://txcourts.zoom.us/j/4955163503>

Meeting ID: 495 516 3503

Referral to Associate Judge:

AT THIS TIME, THE COURT HAS REVOKED ITS REFERRAL OF CASES TO THE ASSOCIATE JUDGES OF DALLAS COUNTY.

Setting Hearings:

1. All hearings are set with the Court Clerk, (214) 653-7156.
2. Counsel should have pleadings on file and then call the Court Clerk to request a hearing. A letter indicating a dispute or need for a ruling is insufficient to set a hearing.
3. Notify the clerk of the time needed for the hearing. You will be expected to adhere to the time requested.

4. A hearing is not formally set on the Court's docket until a Notice of Hearing is e-filed in the docket.

General Hearing Policies:

1. Telephonic hearings are permitted only if no evidence or testimony will be presented, or with leave of Court for good cause. Telephone hearings must be pre-approved by the Judge and arranged through the Court Coordinator for status/scheduling conferences and through the Lead Court Clerk for all other hearings.
2. The Court generally sets hearings in fifteen-minute increments. Hearings are held on Wednesday, Thursday, and Friday. Hearings may be set on other dates and times with the permission of the Court.
3. If the Court Clerk cannot set a matter for hearing within four weeks, counsel should contact the Court Coordinator by email to schedule a hearing.
4. If a scheduling deadline necessitates that a motion be heard by a certain date, you should be proactive in requesting a setting early.

Proposed Orders:

Proposed Orders are required for all hearings and shall be e-filed prior to the commencement of the hearing. If, at the conclusion of the hearing, the Court orders the parties to present an agreed order that reflects the Court's ruling, the order shall be e-filed and signed by all counsel, noting that the order is "Agreed as the form."

Trial Docket Call and Announcements for Trial:

All trial settings will be on a two-week trial docket ("Trial Docket") beginning on a Tuesday (the "Trial Setting"). Cases are to be ready for trial on 24-hour notice during the two weeks following the Trial Setting.

The Court will consider requests for Special Set trials, which would typically be set for a Monday.

Counsel or pro se litigants are required to announce ready for trial no later than the Friday preceding the Trial Setting at 10:30 a.m.

IF PLAINTIFF OR ITS COUNSEL FAILS TO TIMELY ANNOUNCE, AND/OR FAILS TO APPEAR FOR DOCKET CALL, THE COURT MAY DISMISS THE CASE FOR WANT OF PROSECUTION. IF DEFENDANT OR ITS COUNSEL FAILS TO TIMELY ANNOUNCE AND/OR APPEAR FOR DOCKET CALL, THE COURT MAY DEEM DEFENDANT READY AND MAY PROCEED WITH THE TAKING OF TESTIMONY.

Counsel/pro se litigants must appear for virtual Docket Call on the Monday of the Trial Setting by zoom as follows:

<https://txcourts.zoom.us/j/4955163503>

Meeting ID: 495 516 3503

Or by joining the “Virtual Courtroom” link on the Court’s website at https://www.dallascounty.org/government/courts/civil_district/162nd/.

The Court’s Docket Call policy applies to both jury and non-jury trials.

Scheduling Orders:

All cases are set on a scheduling conference docket once an Answer has been filed. Parties are urged to submit an agreed Scheduling Order. Trials are set for Tuesdays at 9:00 a.m. (Trial Setting). The counsel/pro se litigants may select any Tuesday for a Trial Setting (within the following guidelines) and any mediator. If the parties are unable to reach an agreement on a Scheduling Order, the Court will hold a Scheduling Conference and the Court will select the trial date and mediator from its wheel.

Level 1: 6-10 months out from the date of initial filing of the case.

Level 2: 12-15 months out from the date of initial filing of the case.

Level 3: 15-20 months out from the date of initial filing of the case.

You will receive a notice requesting an agreed Scheduling Order to be removed from the Court's scheduling conference docket. **YOU WILL HAVE A DEADLINE OF 3:00 P.M. ON THE THURSDAY BEFORE YOUR SCHEDULING CONFERENCE SETTING TO SUBMIT YOUR AGREED SCHEDULING ORDER AND BE RELIEVED OF ATTENDING THE HEARING.** If you miss that deadline, you WILL have to appear at the hearing to present your agreed Scheduling Order or proposed Scheduling Order if no agreement was reached.

Mediation:

All cases are ordered to attend mediation unless waived by the Court. The mediator shall be named in the case Scheduling Order. If the parties cannot agree on a mediator, a mediator will be selected from the Court's wheel. Failure to mediate is not a ground for a continuance. The Court may refer cases to the Dallas County Dispute Resolution Center.

Motions:

On contested motions, counsel may provide a courtesy copy of the motion, response and reply, if any, to the Court no later than three days prior to the hearing. The Court requests courtesy copies of any motion with evidence attached that is longer than ten pages in length.

Agreed motions in which an agreed proposed order is e-filed will be submitted to the Court for consideration without a hearing. The motion is not granted until the Court has signed the proposed order and counsel/pro se parties should assume that any hearing is still on the docket unless an order has been signed by Judge Wysocki. The Court, at its discretion, may require a hearing for an Agreed or Unopposed Motion.

Per the Local Rules, agreed motions for continuance that are filed more than one year after the filing date of the original petition require the parties' signatures, and will not be granted without such signatures.

Certificates of Conference:

Motions without certificates of conference in compliance and substantial conformance with Local Rule 2.07 will not be set for hearing by the clerk, except to the extent excluded by Local Rules, such as for motions for summary judgment.

Motions for Summary Judgment:

Motions for Summary Judgment will be heard by submission only. All motions for summary judgment must be heard no later than thirty (30) days before trial, unless otherwise ordered by the Court. Counsel is encouraged to call the clerk as soon as possible to receive a setting to ensure there is an available setting on the Court's docket.

Protective Orders:

Protective Orders are intended to preserve the rights of litigants in proceedings to claim confidentiality of certain documents to be produced in litigation between the parties. The Court has a proposed form that may be utilized for this purpose. No proposed Protective Order shall impose a duty on the clerk's office or the Court to handle protected documents or dispose of the same in a certain manner.

Protective Orders filed under Texas Uniform Trade Secrets Act ("TUTSA") shall specifically state in the caption: "Protective Order Under TUTSA CPRC 134A.006" and be consistent with the statutory provisions therein.

The closure of trial proceedings and sealing of the record of a trial involve specific statutory considerations which may be taken up as a separate matter upon the motion of any party in compliance with Rule 76a TRCP.

NO DOCUMENT SHALL BE FILED WITH THE COURT UNDER SEAL UNLESS CONSISTENT WITH RULE 76a.

Dismissal/Status Conference Docket:

The Court holds Dismissal/Status Conference dockets on Fridays at 10:00 a.m., in person. Counsel should attend the hearing unless an order has been signed by the Court resetting or otherwise removing the hearing or notified in writing (via letter or email) from the Court's Coordinator. The following may result in the Court's dismissal of the case for want of prosecution:

1. The parties fail to submit a proposed judgment or dismissal order within thirty (30) days after the Court announced a judgment or verdict, or the Court received a written notice that the parties settled.
2. A return of citation or other filing demonstrating service on a Defendant has not been filed on or before the Dismissal Hearing.
3. Plaintiff perfected service on a Defendant, Defendant has not filed an answer on or before the Dismissal Hearing, and Plaintiff fails to file a motion for default judgement.
4. Failure to prosecute the case with due diligence.

FAILURE TO APPEAR AT THIS HEARING MAY RESULT IN THE DISMISSAL OF THIS MATTER FOR WANT OF PROSECUTION PURSUANT TO TEXAS RULES OF CIVIL PROCEDURE 165A AND THE COURT'S INHERENT POWER.

General Trial Procedure:

1. Special Settings will be determined on a case-by-case basis by Judge Wysocki but are the exception and not the rule.
2. Parties shall confer in order to facilitate meaningful discussion and maximize agreement on all pretrial matters. In the event the parties have failed to reach agreement or provide for sufficient notice of the need for a lengthier hearing of pretrial matters, the pretrial matters will be heard on the day of Docket Call or as otherwise ordered by the Court, and the Court will determine when the trial of the matter will proceed so as not to unduly delay the trial court proceedings.
3. Pretrial will occur as directed by the Court at Docket Call. If parties anticipate pretrial issues will require more than one (1) hour to present to the Court, a pretrial conference should be scheduled no later than the week before trial.
4. The proposed jury charge should be submitted to the Court's Coordinator in Word format as a working copy in addition to the charge filed among the papers of the Court.
5. Trial briefs on contested issues of law should be submitted three (3) days before the trial setting, or later with leave of court.
6. Voir dire is limited to 20 minutes per side unless otherwise permitted by the Court.
7. A "full-day" trial is two and a half hours per side. A "half-day" trial is approximately an hour and fifteen minutes per side. A 3-day jury trial is four hours per side.

Settlement of Cases:

All hearings will continue on the Court's docket unless an agreed order disposing of the case has been signed, a notice of nonsuit has been filed, or a Notice of Settlement has been e-filed.

Oral announcements of settlement and emails to the Court's Coordinator are appreciated, but future hearings will not be removed unless/until a Notice of Settlement is e-filed.

The Court requires orders on Notices of Nonsuit.

If your case has settled, please file a Notice of Settlement as soon as possible to clear the Court's docket for other cases that need hearings/trial and to eliminate the case being set on a dismissal docket.

Withdrawal of Attorney:

The Court requires strict compliance with Rule 10 of the Texas Rules of Civil Procedure and Local Rule 4.02. If the party that will be left without counsel (if the motion is granted) is a corporate entity, contemporaneous with advising the party of its right to object, counsel must also advise the corporate party that only an attorney licensed in this State can represent its interests in Court, that is, that it cannot represent itself pro se.

If a motion is not agreed to by the client, a 10-day letter should be attached to the motion and the Certificate of Service should reflect compliance with Rule 10 of the Texas Rules of Civil Procedure.

Communications with the Court:

You may communicate with the Court Coordinator via e-mail or phone. No pleadings may be filed with the Court Coordinator. Attorneys and litigants should assume all communications with the Court staff could be viewed by Judge Wysocki. The Court uses its discretion to file pertinent communications in the Court's record.



HON. ASHLEY WYSOCKI
PRESIDING JUDGE