IN THE SUPREME COURT OF TEXAS
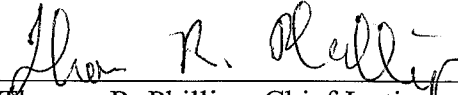
Misc. Docket No. _____9100_____

APPROVAL OF AMENDMENTS TO LOCAL RULES
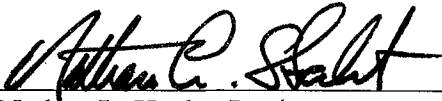## FOR THE CIVIL TRIAL DIVISION, HARRIS COUNTY DISTRICT COURTS

ORDERED that:

Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the attached amendments to local rules that have been submitted to this Court by the Harris County Board of District Judges.
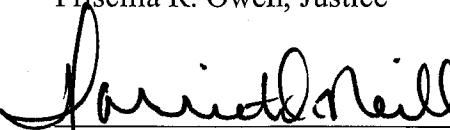
This Order shall be effective when recorded in the Minutes of the Civil Trial Division, Harris County District Courts.
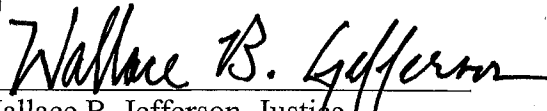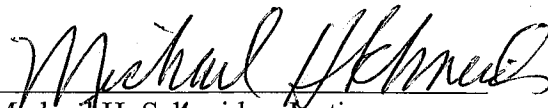
SIGNED AND ENTERED this ___10th___ day of ___May___, 2004.

_____
Thomas R. Phillips, Chief Justice
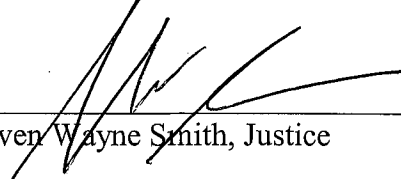
_____
Nathan L. Hecht, Justice

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Priscilla R. Owen, Justice
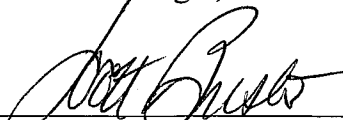
_____
Harriet O'Neill, Justice

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Wallace B. Jefferson, Justice

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Michael H. Schneider, Justice

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Steven Wayne Smith, Justice

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J. Dale Wainwright, Justice

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Scott Brister, Justice

Misc. Docket No. __9100__

On December 12, 2000, the Board of District Judges approved the following amendment to the Local Rules of the Civil Trial Division of the Harris County District Courts:

> 3.2.4   *Severance.* If a severance **of a claim or a defendant in a case is ordered,** the new case will be assigned to the court where the original case pends, bearing the same file date and the same number as the original case with a letter designation. **If a severance of multiple plaintiffs or intervenors in a case is ordered, the new case(s) may be randomly reassigned by the Administrative Judge of the Civil Trial Division. If not randomly reassigned, the case(s) will stay in the same court.** When a severed case has previously been consolidated from another court, the case shall upon severance be assigned to the court from which it was consolidated.

At the May 6, 2003, meeting of the Board of District Judges, the Board approved to amend the Rules of the Civil Trial Division, Harris County District Courts.

As presently worded, the form Docket Control Order, section 7 (a), reads as follows:

> 7.   DISPOSITIVE MOTIONS AND PLEAS.   Must be set for hearing or submission as follows:
> (a)   Dispositive motions or pleas subject to an interlocutory appeal must be set by this date.

The approved change to the form Docket Control Order, section 7 (a), be revised as follows:

> 7.   DISPOSITIVE MOTIONS AND PLEAS.   Must be set for hearing or submission as follows:
> (a)   If subject to an interlocutory appeal, dispositive motions or pleas must be set by this date.

The purpose for this change is to resolve an ambiguity created by the original wording.