

RULES OF 414TH DISTRICT COURT
Judge Vicki L. Menard
501 Washington Ave., Room 307
Waco, Texas 76701
(254) 757-5053
(254) 759-5620 fax

These rules are in addition to the Local Rules of McLennan County. Please note Pre-Trial hearings are set 11 days in advance in the 414th.

1. The court will call the docket at 9:00 a.m. and 1:30 p.m. each day, with the exception of Monday mornings when juries are being impaneled. Attorneys and their clients are expected to be present on time for docket call.
2. Hearings can be scheduled at specific times if necessary. The attorney will need to discuss the specifics with the court administrator to allow for a special setting.
3. The court will allow telephone hearings under **limited** circumstances. The attorneys will need to confirm with the administrator before scheduling any such hearing. It will be the requesting attorney's responsibility to initiate any conference call necessary.
4. Hearings must be scheduled through the court administrator's office. If cancellations are necessary, the administrator needs to be advised at the earliest possible date.
5. At the time hearings are scheduled, a **realistic** estimate of time should be given to the administrator.
6. In all discovery disputes, the attorneys must attempt to resolve through discussion before seeking a hearing with the court and a certificate of conference must be attached to any discovery motion.
7. Any order for the court's consideration **MUST** be presented to the court administrator prior to submission to the Judge.
8. When requesting a trial setting, the attorney requesting the date should confer with opposing counsel before scheduling the trial.
9. Once a trial date is set, the pre-trial will be held on Friday, 11 days in advance, unless the court's schedule does not allow for same. Jury Trials begin on Tuesday's at 9:00 a.m.

10. At the pre-trial hearing, the court will expect the parties to exchange proposed Charges, Motion in Limines, Witness Lists and Exhibit Lists. Any exhibits that can be agreed on should be agreed on at the hearing. The attorneys will need to bring their requested Charges on CD in Microsoft Word format. Parties need to exchange documents pursuant to TRCP 166(h), (i), (j), (k), (l), (m) and page, line from video depositions to be used at trial. The attorneys need to be prepared to argue the MIL at the pre-trial hearing. **FAILURE TO APPEAR WILL RESULT IN YOUR CASE BEING DISMISSED FOR WANT OF PROSECUTION.**
11. Daubert motions need to be filed and heard at the Pre-Trial hearing, or before.
12. Trial settings can be passed by agreement of the parties **ONCE** without the need for a Motion for Continuance. The court will need a copy of the agreement filed.
13. The court will be instituting a dismissal docket for inactive cases and a trial setting will be necessary to maintain the case on the court's docket once a dismissal notice is sent.
14. If you are not a party to the proceeding, you will need to sit in the gallery, not behind counsel table.
15. In divorce cases involving children, parents must attend the Seminar for Divorcing parents and file their certificate before a final hearing will be set.
16. Attorney and client must be present for all Expunction hearings.