

EL PASO COUNTY COUNCIL OF JUSTICES OF THE PEACE
LOCAL RULES

Rule 1. Objective of Rules

The El Paso County Council of Justices of the Peace adopt these rules, by majority vote, to comply with Government Code section 27.061, Code of Criminal Procedure section 4.12, and Civil Practice and Remedies Code section 15.0821 as amended by H.B. No. 79 (2011).

Rule 2. Construction

These rules shall be construed in conformance with, and subordinate to, the Texas Constitution, The Texas Civil Practice & Remedies Code, The Texas Code of Criminal Procedure, The Texas Government Code, The Texas Rules of Civil Procedure, and other statutory law.

Rules of Administration

Rule 3. Appropriate Dress.

Participants are expected to dress appropriately for court. Each Justice of the Peace shall distribute a suggested dress code with a Participant's notice of court setting. Where a Participant is dressed inappropriately, a Justice of the Peace may, at the Judge's discretion, take appropriate action including, but not limited to:

- (a) Verbal admonishment; or,
- (b) Postponement of court to another date.

In the exercise of discretion, a Justice of the Peace should ensure that the Participant has proper access to the justice system regardless of the participant's financial status.

As officers of the court, attorneys should dress in professional attire. Where an attorney fails to dress in professional attire, a Justice of the Peace may, at the Judge's discretion, take appropriate action including, but not limited to:

- (a) Verbal admonishment; or,
- (b) Postponement of court to another date.

Rule 4. Transfer of Cases; Docket Exchange; Bench Exchange.

- (a) After filing in a particular justice court, every case, both jury and non-jury, shall remain pending in such court until final disposition or transfer.
- (b) Any case may be transferred to another court by order of the judge of the court in which the case is pending with the consent of the judge of the court to which it is transferred.
- (c) Whenever any pending case is related to another case pending in another justice court, the judge of the court in which the earliest filed case is pending may, upon motion (including the judge's own motion) and notice, transfer the case to the court in which the earlier case is filed to facilitate the orderly and efficient disposition of the litigation.

Rule 5. Request for Continuances

Except for good-cause shown, any request for an extension of time, or continuance, shall be filed no fewer than 3 business days before any setting, hearing, trial, or other in-court procedure.

Criminal Cases

Rule 6. Transfer of Misdemeanor Cases

Misdemeanor Cases shall be filed in accordance with article 4.12 (a) of the Texas Code of Criminal Procedure. Cases may be transferred in accordance with Rule 4.