

IN THE COUNTY COURT AT LAW AND COUNTY COURT OF GRIMES  
COUNTY, TEXAS

**STANDING ORDER – CASE FILINGS WITH THE COUNTY CLERK**

The Grimes County Court at Law and the Constitutional County Court of Grimes County, hereinafter County Court, share concurrent jurisdiction for numerous legal filings (Section 25.003 Gov't Code, 25.092 Gov't Code and Section 26.042 Gov't Code). The following order will clarify proper filing procedures for case filing with the County Clerk when there is concurrent jurisdiction.

It is **THEREFORE ORDERED**, that the County Clerk file cases in accordance with the following instructions:

**General Civil:** Cases with an amount in controversy of between \$200.00 - \$10,000.00 shall be filed in the County Court. Cases with an amount in controversy of between \$10,000.00 - \$200,000.00 shall be filed in the County Court at Law.

**Juvenile:** The County Court at Law has been designated as the Juvenile Court in Grimes County. The County Court has been designated as the Alternate Juvenile Court pursuant to 51.04 Tex. Fam. Code.

**Appeals from Justice/Municipal Courts:** All appeals from Justice or Municipal Courts of Grimes County, whether criminal or civil, shall be filed in the County Court.

**Occupational Driver's License Petitions:** All Occupational Driver's License Petitions shall be filed in the County Court. The County Court may transfer jurisdiction to the County Court at Law for good cause. This section does not affect the ability of a party to file applications for Occupational Driver's License in the Justice Courts of the county when appropriate.

**Criminal Cases:** All misdemeanor criminal cases shall be filed in the County Court at Law. If the Judge of the County Court at Law has a conflict or for other good cause shown, the court may transfer the case to the County Court. If the Judge of the County Court has a conflict, the Court shall request a visiting judge.

**Judgement Nisi:** All bail bond forfeiture originating from a criminal prosecution in the County Court at Law (Judgement Nisi) shall be assigned to the County Court of Grimes County.

**Probate:** The County Court at Law is the primary court for the filing of probate matters, however, uncontested independent administrations and Application for Muniment of Title may be filed, at the party's discretion, in the County Court. The County Court shall not hear contested probate matters nor dependent

administrations. The County Court shall have jurisdiction to conduct hearing to investigate open probates that have not been formally closed or have not complied with state law concerning the filing of inventories or closing of the probate if those actions were filed before October 1, 2017. A party may request the matter being handled by the County Court be transferred to the County Court at Law in which case, the Judge of the County Court shall transfer the case.

**Guardianships:** All Guardianships shall be filed in the County Court at Law. However, the County Court shall have jurisdiction to investigate and order show cause hearings on open guardianship that have failed to comply with state law on annual reporting if they were filed before October 1, 2017. A party may request the matter being handled by the County Court be transferred to the County Court at Law in which case, the Judge of the County Court shall transfer the case.


**Mental Health Hearings:** all mental health hearings conducted pursuant to Section 574.001 Tex. Health and Safety Code shall be filed in the County Court. A party may, pursuant to Section 574.008(b), may request the matter be transferred to the County Court at Law in which case, the Judge of the County Court shall transfer the case.


Nothing in this Standing Order will impede or supplant a party's right, by statute or otherwise, to have their case heard by a licensed attorney.

Any case required by statute to be filed in a Statutory County Court, County Court at Law or in a court presided over by a licensed attorney shall be filed in the County Court at Law.


Any case not addressed above shall be filed in the County Court at Law

Signed this the 11<sup>th</sup> day of <sup>December</sup> ~~November~~, 2018

  
Judge Rick McLain  
County Court at Law  
Grimes County, Texas

  
Judge Joe Fauth, III  
County Court  
Grimes County, Texas

FILED FOR RECORD  
AT 2:20 P.  
O'CLOCK . M

DEC 13 2018  
DAVID BASKET  
COUNTY CLERK, GRIMES COUNTY, TX  
By:  Deputy