



GUADALUPE COUNTY COURT AT LAW NO.2

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COURT PROCEDURES

Welcome to Guadalupe County Court at Law #2. I am honored to serve as the Judge for this Court and work with you to effectively and efficiently process cases through our judicial system. This Court conducts proceedings in person, remotely as requested, and by submission in criminal misdemeanor cases. Juvenile Detention Hearings are conducted in a hybrid format. Please see the Court's website regarding Guidelines for Courtroom Conduct.

1) General Rules:

- a) Everyone is expected to be professional and respectful to the Judge, court staff, opposing counsel, witnesses, and defendants/clients.
- b) Please arrive on time for all dockets unless excused by the Judge or court staff prior to docket call. Notify the court in advance if delayed and provide an estimated time of arrival.
- c) All electronic devices must be turned off or silenced prior to entering the courtroom. It is understood that while cell phones are an integral part of work productivity, they are also distracting and often used for entertainment. While court is in session, cell phone use is limited to non-distracting business use. All calls should be made outside of the courtroom.
- d) Notify the Court Coordinator if you need an interpreter for your case as soon as possible so arrangements can be made in a timely manner.
- e) Motions or pleadings must be e-filed with the county clerk.
- f) Letters of Representation will only be accepted on filed cases.
- g) Filed vacation letters, with copies to opposing counsel, will be taken into consideration and cases will not be set during the designated period.
- h) All requests for transcripts must be in writing to the court reporter, designating the case style, date of hearing, portion of hearing requested, and copies of exhibits, if any.

2) Civil Settings:

- a) With the exception of condemnations and forcible detainers, all civil matters must be mediated prior to a trial request being made. All trial requests must be in writing.
- b) To set a hearing on a motion, contact the Court Coordinator.
- c) Agreed judgments must be signed by all attorneys and parties.

- d) Uncontested matters require submission of a judgment or decree at the time of hearing.
- e) Parties will agree to a docket control order.

3) Criminal Settings:

a) Pre-Trial Non-Jury Settings:

- i) Docket will be called at 9 am. and will be in session until cases are resolved with breaks as needed.
- ii) Attorneys are encouraged to negotiate cases prior to the court date.
- iii) There are limited pre-trial non-jury settings permitted for discovery and conferring purposes. It is reasonably expected that discovery will be complete and plea offers will be made within 3 settings. If additional pretrial settings are necessary, the parties must approach the Court to request additional settings.
- iv) Unresolved cases will be moved to a contested Motions/Announcement setting unless additional pre-trial settings have been approved.
- v) If a jury waiver is signed by all parties, additional resets may be approved.
- vi) Regarding pleas of guilty/no contest, all forms must be signed by all parties. For a plea in absentia, a waiver of right to appearance form must be signed. It is imperative that attorneys review these forms thoroughly with their clients prior to the entry of the plea.
- vii) If the defendant is to receive probation, please notify the court probation officer prior to submitting paperwork to the clerk so that the order can be prepared.
- viii) Attorneys should carefully review all conditions with the defendant prior to sentencing and provide the signed form to the prosecutor.

b) Contested Motions Settings:

- i) If no motions are filed 7 days prior to setting, one additional Motions setting is permitted.
- ii) If no timely motions are filed, motions are waived and the case will proceed to the Jury Trial Setting.

c) Announcement Settings:

- i) Cases set for Announcement will also be set for Jury Trial that same month. Announcement cases are scheduled approximately 2 weeks prior to Jury Setting.
- ii) Plea bargains will be accepted in writing through the end of business day on the Friday of the week of Announcement Setting.

d) Bench Trials:

- i) Cases may not be set for a Bench Trial unless discovery is complete, the parties have negotiated, and a jury trial waiver has been signed by all parties.
- ii) In criminal cases, a PSI I will be conducted prior to sentencing.

e) Jury Trial Settings:

- i) Motions related to trial should have been filed 7 days prior to the Motions Setting.
- ii) In-custody cases will be given top priority. If there are no in-custody cases, older cases based on the offense date will have priority.

- iii) Each side will be generally allowed one continuance. Any additional requests must be made at the bench and communicated directly to the court.
- iv) On the day of trial, all parties must be present at 8:30 am. Voir dire will begin at 9:00 am. It is possible that a second voir dire may begin in the afternoon. Each side will be given up to 45 minutes to question the panel. Trials will begin the day following voir dire at 9 am.
- v) Have all exhibits pre-marked by attorneys before trial and provide a list to the court reporter.
- vi) Thoroughly inform witnesses of rulings including the Rule, motions in limine and other pre-trial motions.

These procedures are subject to change and any updates will be posted. All parties are expected to conduct themselves in a professional and respectful manner. While this is an adversarial process, it is essential to acknowledge that people can disagree without being disagreeable.

Kirsten Legore
Judge, County Court at Law #2