

## **BILL ANALYSIS**

Senate Research Center  
78R11859 SLO-D

H.B. 3386  
By: Hartnett (Averitt)  
Jurisprudence  
5/9/2003  
Engrossed

### **BACKGROUND AND PURPOSE**

There are several situations in which a district judge may need to conduct proceedings in a case outside the county in which the case is pending. This most often occurs in either mass-tort cases involving multiple plaintiffs in multiple counties, or in visiting judge situations where the visiting judge hears a case in one county but resides in another. In these latter instances, the parties often consent to hearing by telephone or to allowing the judge to sign required documents in his or her county of residence rather than incur additional travel costs.

The current rules in such situations are unclear. H.B. 3386 permits the Texas Supreme Court to adopt rules regarding the conducting of proceedings under Rule 11, Rules of Judicial Administration, by a district court outside the county in which the case is pending.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Supreme Court of Texas in Section 1 (Section 74.024(c), Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 74.024(c), Government Code, to authorize the supreme court to consider the adoption of rules relating to the conducting of proceedings under Rule 11, Rules of Judicial Administration, by a district court outside the county in which the case is pending.

SECTION 2. Makes application of Section 74.024(c), Government Code, as amended by this Act, prospective to September 1, 2003.

SECTION 3. Effective date: September 1, 2003.