COLLIN COUNTY COURT AT LAW 5

Notice Regarding Summary Judgments

In many civil cases, Motions for Summary Judgment can be a way to efficiently narrow issues for trial or conclude the trial altogether. The Court therefore encourages the filing of motions for summary judgment when appropriate.

Motions for Summary Judgment will be submitted for consideration at a time certain. No oral arguments will be scheduled unless set by the Court with notice to the parties and then will be limited to issues specified in the notice.

The time and date of submission will always be at 8:00 a.m. on the first Friday which is more than twenty-one days after the date the Motion was filed. (The court strives to rule on summary judgment motions promptly. Therefore, if you have not received a ruling or other notification regarding a filed motion from the court within a week to ten days after the submission date, an email to the coordinator inquiring as to status may be in order.)

Movant is required to give notice of the time and date of the "submission hearing" to all counsel of record and any unrepresented parties by stating the time and date of the "submission hearing" on the face of the Motion, or in a "Notice of Submission Date" paragraph at the end of the Motion, or by a separate "Notice of Submission Date" letter. Movant is responsible for serving all counsel of record and non-represented parties with the motion, proposed order and "submission hearing" date notice by verifiable means pursuant to and in accordance with the Texas Rules of Civil Procedure.

Absent leave of court, or unless otherwise specified in a current docket control order, Motions for Summary Judgment must be filed sufficiently in advance of trial so as to allow for a "submission hearing" date no later than 45 days before the scheduled trial date.

It is recommended that motions, responses and exhibits be bookmarked, searchable and have each exhibit separately numbered. Multi-page exhibits with no existing page numbers should be paginated. For example, the first page of a five-page exhibit would be numbered as "Plaintiff Exhibit 1.1" or "PEX 1.1," the second through fifth pages would be numbered "Plaintiff Exhibit 1.2" through "Plaintiff Exhibit 1.5" or "PEX 1-2" through "PEX 1-5," respectively.

If deposition testimony is included in the summary judgment proof, please provide page and line references.

The parties are encouraged to provide the Court with highlighted copies of key controlling caselaw, statutes and rules prior to the submission date. Of course, copies of any such material provided to the Court should also be provided to all counsel of record and any unrepresented party. [May 2023]