

GENERAL RULES FOR IN PERSON TRIALS

The Justice Court is the court for the people, but it is still a court and certain rules and procedures have to be followed. These proceedings are governed by the Texas Rules of Civil Procedure, Part V Rules of Practice in Justice Court.

Any judge of a Justice Court in Fannin County may act as the judge of any other Justice Court in Fannin County through a bench exchange agreement. This may occur for a recusal of the original judge, temporary absence of the original judge, or other reason deemed necessary by the original judge.

During court proceedings all participants should show common decency and respect to the court and other participants by remaining quiet and not disrupt proceedings. You will have your time to tell the Judge what you want him to know.

****OPENING STATEMENT****

Each side will have an opportunity to make a brief opening statement telling the court what they wish to show/prove without getting into your case.

****INVOKING THE RULE****

The court must, on a party's request, or May, on its own initiative, order witnesses excluded so that they cannot hear the testimony of other witnesses

****PRESENTING EVIDENCE****

If you have evidence to present, you must bring a copy for the courts file, a copy for the other side as well as a copy for yourself. Evidence that is not relevant to the issue will not be admitted.

****PLEADING YOUR CASE****

Each side will have their time to tell the Judge/Jury what they want him/them to know. The plaintiff will go first and then the Defendant will have his turn. Do not speak when another is speaking. The Judge/Jury can only listen to one person at a time. If you have witnesses or evidence, you will need to introduce those things and then wait for a ruling from the Judge as to whether he ruled to admit the evidence or not. Each side may object to any evidence that is being presented, and the Judge will make a ruling on whether to admit or not admit evidence.

In order to develop the facts of the case, a judge may question a witness or party and may summon any person or party to appear as a witness when the judge considers it necessary to ensure a correct judgment and a speedy disposition.

****IN CONCLUSION****

After all evidence and testimony has been presented to the court, each side will have an option to make a closing statement. The Judge or a jury will make the decision, announce that decision in open court and sign a judgment. Each side has 21 days to appeal the judgment to a higher court in a civil or small claims case and 5 days to appeal in an eviction case.