

## **JUDGE CYNTHIA MARIE CHAPA**

288<sup>th</sup> District Court  
101 W. Nueva, Ste. 405  
San Antonio, TX 78205  
Tel: (210) 335-2663

Stephanie Holman, Clerk  
Tel: (210) 335-2663  
Email: clerk288@bexar.org

Judy Stewart, Court Reporter

Charles Lopez, Deputy



## **COURT PROCEDURES IN CIVIL CASES**

1. Contact with Court Personnel
2. Courtesy Copy of Documents
3. Appearances
4. Non-Jury Trial
5. Jury Trial
6. Exhibits
7. Equipment
8. Courtroom Procedures
9. Local Rules

## **1. CONTACT WITH COURT PERSONNEL**

A. The Court requires parties to file documents through the District Court's Electronic Case Filing System. See Local Rules

B. Case-related telephone and email inquiries are strictly limited to procedural matters and should be made only to Stephanie Holman, Clerk. E-mail clerk at [Stephanie.Holman@bexar.org](mailto:Stephanie.Holman@bexar.org) for all inquiries and always include all opposing parties (Counsel/Pro Se Litigants).

## **2. COURTESY COPIES OF DOCUMENTS**

The parties to provide courtesy copies of all documents pertaining to matters heard by the Court.

## **3. APPEARANCES**

An attorney who appears at a hearing or conference must:

- 1) Be familiar with the case,
- 2) Have authority to bind the client, and
- 3) Be prepared to log on to Zoom even if in person for hybrid hearings.

## **4. NON-JURY TRIAL PROCEDURES**

A. Required Documents.

1) For All Trials and Evidentiary Hearings

a. Exhibit List

b. Witness List

c. Designation of deposition excerpts for witnesses called by deposition. A copy of each deposition excerpt highlighted is preferred for the Court.

d. Objections, if any, to an opponent's exhibits, witnesses, or deposition excerpts heard at pretrial.

e. Voir Dire: Counsel will be generally allowed 30 minutes (depending on the complexity of the case) to conduct an examination of the venire.

1) Each side is provided the opportunity to do general questions to the entire panel.

2) All follow up questions are done one juror at a time, both sides asking their questions of Juror 1 before moving on to the next juror. This is done in panels of eight at a time.

3) Challenges for Cause are done at the end.

4) Court always seats an alternate.

b. Jury Instructions: The parties must file a single, joint proposed jury charge, including all necessary instructions, definitions, and questions. The proposed charges must also be uploaded electronically in the Google Drive or submitted in Word to [Stephanie.Holman@bexar.org](mailto:Stephanie.Holman@bexar.org).

i) Each requested instruction must be numbered and presented with authority.

ii) The parties shall include in the proposed jury charge all necessary instructions or definitions. The instructions shall, at a minimum, include: (1) the prima facie elements of each cause of action and defense asserted, (2) legal definitions required by the jury, (3) items of damages, and (4) methods of calculation of damages.

iii) Even if the parties cannot, after a good faith attempt, agree on all proposed instructions, definitions and questions, the parties should nonetheless submit a single, unified charge. Each disputed instruction, definition, or question should be set out in bold type, underlined, or in italics and identified as disputed. Each disputed item should be labeled to show which party is requesting the disputed language. Accompanying each instruction shall be all authority or related materials upon which each party relies and presented at the Charge Conference.

## **5. JURY TRIAL**

A. Jury Assignments are received on Thursday and the Clerk will email a letter to all parties with the Courts expectations.

B. Unless an attorney has actually commenced trial in court, another trial setting will not cause the Court to pass a trial setting in a case.

C. Attorneys and all parties are expected to be in Court by 9:30 on the date of trial.

## **6. EXHIBITS**

A. All exhibits must be pre-marked and exchanged among counsel (please see Judy for instructions on how exhibits should be marked).

B. Objections to Exhibits. Unless otherwise directed by the Court, will be heard and ruled upon prior to the jury trial.

D. Copies of Exhibits. The parties must provide the Court with complete sets of exhibits for use at trial in a properly tabbed and indexed notebook.

E. Trial Procedure as to Exhibits.

1) Counsel may not pass exhibits to the jury during trial without obtaining permission in advance from the Court.

2) Exhibits must be identified in front of the jury before they will be received in evidence. Only exhibits admitted during trial will go to the jury during its deliberations.

## **7. EQUIPMENT**

A. Sound and Video Equipment. The Court has Zoom Cart, ELMO, sound and video equipment in the courtroom. Counsel are invited to use that equipment during trial. Counsel seeking to test the equipment prior to trial shall contact the Clerk by e-mail, letter, or phone to make arrangements. Parties also may provide their own equipment, but special arrangements must be made with the Clerk prior to the day of trial.

B. Other. Easels with writing pads are available for use in the courtroom, upon request to the Case Manager prior to trial.

## **8. COURTROOM PROCEDURES**

A. Hours. The Court's hours during trial will vary depending on the type of case and the needs of the parties, counsel, witnesses, and the Court. Court normally will convene at 9:30 a.m. and adjourn by 5:00 p.m., with a 12:00 to 1:30 p.m. lunch recess.

B. Decorum.

1) Counsel and parties will comply with local rules regarding courtroom behavior. These procedures are strictly enforced. Decorum will be maintained at all times.

2) Counsel shall stand when addressing the Court unless otherwise stated by the Court.

3) Counsel will ensure that they, all parties, and all witnesses refrain from drinking (other than water), eating, smoking, or reading newspapers, books, etc. in the courtroom. No cellular telephones, pagers, or iPads are allowed in the courtroom. NO recording devices allowed.

4) Counsel to ensure that clients and witnesses have proper attire in person and on Zoom.

C. Witnesses.

1) Counsel are responsible for summoning witnesses into the courtroom and instructing them on courtroom decorum and attire.

2) Counsel should bear in mind the Court's hours and arrange for witnesses accordingly. The Court will not recess to permit counsel to call a missing witness unless he or she has been subpoenaed and has failed to appear.

3) Counsel shall make every effort to elicit from the witnesses only information relevant to the issues in the case and to avoid cumulative testimony.

D. Jury Matters.

1) While the jury is deliberating, counsel are to remain near the courtroom to be immediately available for jury notes or a verdict unless given permission to leave by the Court.

2) After the jury is excused, counsel may not contact jurors unless permitted to do so by the Court.