



# *Court of Appeals*

## *Sixth Appellate District*

### *State of Texas*

CHIEF JUSTICE  
JOSH R. MORRISS, III

JUSTICES  
JACK CARTER  
BAILEY C. MOSELEY

CLERK  
DEBRA K. AUTREY

BI-STATE JUSTICE BUILDING  
100 NORTH STATE LINE AVENUE #20  
TEXARKANA, TEXAS 75501  
903/798-3046

*In 2004, the Appellate Section of the State Bar of Texas and the Courts of Appeals worked together to identify key information needed by appellate attorneys and pro se litigants to practice effectively before the court. To assist the court in this effort, the Appellate Section collected and formatted the relevant information and published it in the Appellate Advocate in February 2005. This information was updated in March 2007 and the court intends to keep the information current for the use of persons with matters before the court.*

#### **Internal Operating Procedures - Sixth District Court of Appeals** **(Texarkana) (August 2007)**

## **The Basics**

1. Court's Address: Court of Appeals, 6th District, 100 N. State Line Avenue, #20, Texarkana, TX 75501
2. Telephone number: 903.798.3046
3. Website address: [www.6thcoa.courts.state.tx.us](http://www.6thcoa.courts.state.tx.us)
4. Names of Justices: Josh R. Morriss, III (C.J.), Jack Carter, and Bailey C. Moseley
5. Chief Staff Attorney: Stacy Stanley
6. Chief Clerk: Debbie Autrey
7. Local Rules: The court does not have local rules.

## **The Ins and Outs**

PROCEDURE	WHAT AND HOW TO FILE	HOW HANDLED	COURT'S PARTICULAR PRACTICES	SPECIAL NOTES
<b>Motions</b>	Original plus 3 copies.	Clerk's office routinely grants first motions for extension of time. Second motions are presented to the court and granted if good cause is shown. Third motions are granted only under exceptional circumstances. Other motions are usually decided by the full court.	Process is the same for agreed and contested motions.	Motions are generally considered by the court at a conference on Mondays.
<b>Briefs</b>	Original plus 3 copies of both briefs and appendices. Deadlines follow the TRAP.			Do not use red, black, dark blue or plastic cover. TRAP 9.4(f).
<b>Case Assignment</b>				

<b>PROCEDURE</b>	<b>WHAT AND HOW TO FILE</b>	<b>HOW HANDLED</b>	<b>COURT'S PARTICULAR PRACTICES</b>	<b>SPECIAL NOTES</b>
<b>Oral Argument</b>	Request argument on brief cover.	Court typically allows 20 minutes per side, plus an additional 10 minutes for appellant's rebuttal. In unusual situations (e.g., multiple parties, non-aligned parties, and complicated issues), when advance request is made, court will allot extra time.	The court does not automatically grant requests for argument. Argument is granted if it will assist the court in reaching a decision.	If the Court grants argument, both sides will be directed to appear and present argument, even if only one party requested it.
<b>Voting</b>			The court meets both before argument and immediately after. Staff attorneys participate in conferences and prepare memos as needed. Often, a preliminary vote is taken immediately following argument. If there is no argument, voting occurs after a proposed opinion is circulated, but that occurs only after the court has discussed any apparent problems or disagreements.	
<b>Opinions</b>		Authors are assigned based on a numerical rotation. There are no internal deadlines for writing opinions.	Court does not release opinions on particular days.	
<b>Motions for Rehearing</b>	Original plus 3 copies.	Motions for rehearing are circulated to the entire court, but the author considers the motion first and makes a recommendation. The court has granted rehearing w/o request under TRAP 50.		
<b>Original Proceedings</b>	Original plus 3 copies.		Original proceedings are distributed to each member of the court and a staff attorney. If a response is desired, it is requested immediately. After discussion, the court decides whether argument is required. If not, a draft opinion is prepared and circulated. Original proceedings are reviewed as soon as possible. Generally, one vote is required to grant emergency relief.	Original proceedings are set for oral argument if it will assist the court to decide the issues and will not be redundant.

## Technology

1. Court has Lexis and Westlaw.
2. With respect to United States Supreme Court cites, cite the U.S. reporter.
3. The court has not previously received briefs or records on CD-ROMs.
4. The court does not prefer that parties provide copies of out of state cases, but copies of cases that are not available on Lexis or Westlaw are helpful.
5. The court does not accept fax filing.
6. The court does not accept electronic filings.
7. The court does not distribute orders electronically.
8. The court records oral argument. Parties can obtain tapes for a nominal fee if request is made promptly. Recording is for the court's convenience only, and tapes are routinely recorded over by subsequent arguments.

## **Appellate Mediation**

1. The court has a program for appellate mediation.

## **Fees**

1. Appeal: \$125
2. Original Proceeding: \$75
3. Motions: \$10
4. Response to Motion: None

## **Miscellaneous**

1. Phone numbers of clerk and deputies are posted outside the court. If necessary, someone will come to the court to accept a filing after hours.
2. The court uses visiting judges when necessary to complete a panel. The court primarily uses William J. Cornelius and Ben Z. Grant.
3. Approximately 70% of the Court's decisions are memorandum opinions.