

How the Texas Supreme Court changed eviction rules

Posted on **April 22, 2013** by Texas Association of REALTORS®

With the passage of House Bill 79 in 2011, the Texas Legislature directed the Texas Supreme Court to create rules for eviction proceedings to accommodate the consolidation of small claims courts with justice courts and to comply with other legislative changes. After months of holding hearings and gathering input, the Texas Supreme Court finalized a new set of rules for justice-court cases. While the rules are many and varied, here are three ways the new rules differ:

1. **Timelines:** The new rules alter some of the timelines currently required after an eviction suit is filed. For example, the old rules stated that the trial must occur sometime between six and 10 days from the date of service of the citation. The new rules state that trial must occur between 10 and 21 days from the date the petition (complaint) is filed.
2. **Mediation:** Parties in an eviction proceeding could be required to mediate unless the court believes it would delay trial.
3. **Formality:** The Texas Rules of Evidence and other Texas Rules of Civil Procedure no longer apply to eviction proceedings, making them less formal.

The Texas Association of REALTORS® attended all hearings and provided comments to the Texas Supreme Court. [You can read the full set of new justice court rules in this PDF.](#) These rules will become effective August 31, 2013.

Filed under: [Legal](#) Tagged: | [evictions](#), [property management](#), [supreme court](#)