

How to move (transfer) your case to another court: (Both Sides DO Agree)

This checklist tells you how to ask a judge to move (transfer) your civil case to a court in a different county if both sides do agree.

Note: This checklist only applies to civil (not family law) cases that are in a district court or county court at law. Do not use these forms for any cases in a justice court.

□ **Step 1: Fill out these forms.**

Agreed Motion to Transfer Venue- Click Here for the FORM

(<https://texaslawhelp.org/form/agreed-motion-transfer-venue>) [1]

- This form tells the judge that you need your case moved to a court in a different county and the other side has agreed.
- Fill it out completely in blue or black ink and sign it.
- **Note:** This *Agreed Motion to Transfer Venue* (<https://texaslawhelp.org/form/agreed-motion-transfer-venue>) [1]form (<https://texaslawhelp.org/form/agreed-motion-transfer-venue>) [1] applies to an agreed Motion where no hearing is required. Ask the clerk of the court if a hearing is required on your agreed Motion. You may need to include a Notice of Hearing if required for an agreed Motion in your court.

Section 3 tells the judge why you are asking to transfer venue. Neatly write why you need to transfer venue.

This is important. You must show that:

1. Venue is not proper in the current court and venue is:

- mandatory in another court, or
- proper in another court under the general venue rules, or
- proper in another court under the permissive venue rules, or

Important: Write in your Motion form the specific reason that the Plaintiff (or Petitioner) filed in the wrong county, and exactly why the county you are asking the court to transfer the case to is a proper county with mandatory, general or permissive venue.

2. Venue is more convenient in another court for the parties, the witnesses, and in the interest of justice, or

3. A change of venue is supported by your affidavit and the affidavit of at least 3 other credible (believable) people that live in that county, showing local prejudice, that:

- you cannot get a fair and impartial trial in the current county, or
- any other sufficient (necessary) reason as determined by the court, or

4. The parties agree to change venue.

Order on Motion to Transfer Venue (called Order for short) - Click here for the FORM (<https://texaslawhelp.org/form/agreed-order-motion-transfer-venue>) [2]

- Fill out this form completely in blue or black ink (except for the judge's signature).
- You will ask the judge to sign this form to grant the motion and transfer your case

Step 2: Ask the other side to sign both forms.

If the other side has a lawyer, ask the lawyer to sign.

Note: If the other side (or the other side's lawyer) will not sign both forms, the venue transfer is not agreed

Step 3: Turn in your motion form.

Turn in your completed Agreed Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-motion-transfer-venue>) [1] form at the clerk's office and get a file-stamped copy. Ask the clerk when and how you can present your Order on Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-order-motion-transfer-venue>) [2] to a judge. Tell the clerk the venue transfer is agreed.

Step 4: Send a file-stamped copy of your motion to the other side.

Send a file-stamped copy of the Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-motion-transfer-venue>) [1] to the other [Click here to chat.](#)

side. If the other side has a lawyer, send it to the lawyer instead of directly to the other side. Send it:

- by fax, or
- by email, or
- by commercial delivery service (such as FedEx or UPS), or
- by personal delivery, or
- by certified mail, return receipt requested and regular mail. (This way may take too long.)

Keep proof that you sent the Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-motion-transfer-venue>) [1] to the other side

Step 5: Ask the judge to sign your order form.

Follow the clerk's instructions on how to present your Order on Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-order-motion-transfer-venue>) [2] to a judge.

If the judge signs your Order on Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-order-motion-transfer-venue>) [2], take the signed order back to the clerk's office. Turn it in and ask for a file-stamped copy. Tell the clerk that you need to have the case file transferred to the new court.

Step 6: Send a file-stamped copy of the order to the other side.

Send a file-stamped copy of the signed Order on Motion to Transfer Venue (<https://texaslawhelp.org/form/agreed-order-motion-transfer-venue>) [2] to the other side by email, fax or commercial delivery. Keep proof that you sent it.

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Links

[Click here to chat.](#)

[1] <https://texaslawhelp.org/form/agreed-motion-transfer-venue>

[2] <https://texaslawhelp.org/form/agreed-order-motion-transfer-venue>

[Click here to chat.](#)