NAVARRO COUNTY



MELISSA BUTLER COURT COORDINATOR (903) 654-3020

LESLIE KIRK OFFICIAL REPORTER (903) 654-3022

JUDGE, 13TH JUDICIAL DISTRICT COURT NAVARRO COUNTY COURTHOUSE P.O. BOX 333 CORSICANA, TEXAS 75151-0333

JAMES LAGOMARSINO

13th District Court Standing Order Regarding Defense Counsel Access To Defendant Jail Files

The Court finds that said jail files of criminal defendants housed in the Navarro County Jail contain necessary and vital information for court-appointed or hired Defense Counsel to review. The documents included in these findings include the jail book-in sheet, probable cause affidavits, and complaints. Not included in these findings are medical records and TCIC/NCIC (criminal history) records.

The Court orders that Navarro County Jail personnel allow inspection of the jail book-in sheet, probable cause affidavits, and complaints of the Defendant by his/her court-appointed or hired Defense Counsel. This inspection must be done in the presence of jail personnel at the book-in desk or another place designated by jail personnel.

Signed this the 21st day of September 2010.

James Lagomarsino

District Judge

36th, 156th and 343rd DISTRICT COURTS STANDING ORDER REGARDING CHILDREN, PROPERTY AND CONDUCT OF THE PARTIES

No party to this lawsuit has requested this order. Rather, this order is a standing order of the 36TH, 156TH, and 343rd District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in the 36th, 156th or 343rd Judicial District Court, with the exception of modifications in suit affecting the parent-child relationship and actions brought by the Office of the Attorney General or Family Protective Services. The 36th, 156th and 343rd District Courts have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the Court.

Therefore, it is **ORDERED**:

1. NO DISRUPTION OF CHILDREN.

Both parties are **ORDERED** to refrain from doing the following acts concerning any children who are subjects of this case:

- I.I Removing the children from the State of Texas, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
- 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled, without the written agreement of both parents or an order of this Court.
- 1.3 Hiding or secreting the children from the other parent or changing the children's current place of abode, without the written agreement of both parents or an order of this Court.
- 1.4 Disturbing the peace of the children.

2. CONDUCT OF THE PARTIES DURING THE CASE.

Both parties are **ORDERED** to refrain from doing the following acts:

- 2.1 Using vulgar, profane, obscene, or indecent language, or a coarse or offensive manner, to communicate with the other party, whether in person, by telephone, or in writing.
- 2.2 Threatening the other party in person, by telephone, or in writing to take unlawful action against any person.
- 2.3 Placing one or more telephone calls, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
- 2.4 Opening or diverting mail addressed to the other party.

3. PRESERVATION OF PROPERTY AND USE OF FUNDS

If this is a divorce case, both parties to the marriage are **ORDERED** to refrain from doing the following:

- 3.1 Destroying, removing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.
- 3.2 Misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any property of one or both of the parties.

- Damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value.
- 3.4 Tampering with the tangible property of one or both of the parties, including any document that represents or embodies anything of value, and causing pecuniary loss to the other party.
- 3.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real estate property, and whether separate or community, except as specifically authorized by this order.
- 3.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
- 3.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
- 3.8 Spending any sum of cash in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
- 3.9 Withdrawing or borrowing in any manner for any purpose from any retirement, profitsharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account, except as specifically authorized by this order.
- 3.10 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, such as tax refunds, insurance payments, and dividends, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
- 3.11 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 3.12 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 3.13 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending
- 3.14 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or other contractual services, such as security, pest control, landscaping, or yard maintenance at the other party's residence or in any manner attempting to withdraw any deposits for service in connection with such services.

4. PERSONAL AND BUSINESS RECORDS.

If this is a divorce case, both parties to the marriage are **ORDERED** to refrain from doing the following acts:

- 4.1 Concealing or destroying any family records, property records, financial records, business records or any records of income, debts, or other obligations.
- 4.2 Falsifying any writing or record relating to the property of either party.
- 4.3 "Records" include e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device.

5. **INSURANCE.**

If this is a divorce case, both parties to the marriage are **ORDERED** to refrain from doing the following acts:

- 5.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party, except as specifically authorized by this order.
- 5.2 Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children.
- 5.3 Canceling, altering, or in any manner affecting any casualty' automobile, or health insurance policies insuring the parties' property of persons including the parties' minor children.

6. SPECIFIC AUTHORIZATIONS.

If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

- 6.1 To engage in acts reasonable and necessary to the conduct of that party's usual business and occupation.
- 6.2 To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
- 6.3 To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
- 6.4 To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

7. SERVICE AND APPLICATION OF THIS ORDER.

- 7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.
- 7.2 If the Petitioner is represented by an attorney, the attorney for Petitioner shall deliver a copy of this order to the Petitioner and advise the client of its meaning and effect.
- 7.3 This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of the Court. This entire order will terminate and will no longer be effective once the Court signs a final order.

8. **EFFECT OF OTHER COURT ORDERS.**

If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the Court signs a final decree.

9. PARTIES ENCOURAGED TO MEDIATE

The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.

THIS STANDING ORDER OF THE 36^{TH} , 156^{TH} AND 343^{RD} JUDICIAL DISTRICT COURTS REGARDING CHILDREN, PROPERTY AND CONDUCT OF THE PARTIES SHALL BECOME EFFECTIVE ON JULY 15, 2008.

Judge Starr B. Bauer

36th District Court

Judge Patrick L. Flanigan

156th District Court

Judge Janna K. Whatley

343[™] District Court

NO.		
)	IN THE DISTRICT COURT
)	
)	JUDICIAL DISTRICT
)	BEXAR COUNTY, TEXAS

NT/

STANDING ORDER REGARDING CHILD(REN), PROPERTY AND CONDUCT OF PARTIES IN DIVORCE AND SUITS AFFECTING THE PARENT-CHILD RELATIONSHIP

I. INTRODUCTION

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Bexar County Civil District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Bexar County. The Civil District Courts of Bexar County have adopted this order because the parties and their child(ren) should be protected and their property preserved while the lawsuit is pending before the Court.

II. NO DISRUPTION OF CHILD(REN)

Both parties are ORDERED to refrain from doing the following acts concerning any child(ren) who are subjects of this case:

- 2.1 Removing the child(ren) from the State of Texas, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
- 2.2 Disrupting or withdrawing the child(ren) from the school or day-care facility where the child(ren) are presently enrolled, without the written agreement of both parents or an order of this Court.
- 2.3 Hiding or secreting the child(ren) from the other parent or changing the child(ren)'s current residence, without the written agreement of both parents or an order of this Court.
- 2.4 Disturbing the peace of the child(ren).
- 2.5 Making disparaging remarks about each other or the other person's family members, to include but not be limited to the child(ren)'s grandparents, aunts, uncles, or stepparents.
- 2.6 Discussing with the child(ren), or with any other person in the presence of the child(ren), any litigation related to the child(ren) or the other party.
- 2.7 Consuming any illegal Controlled Substance (as that term is defined in the Texas Controlled Substance Act), 12 hours prior to and during possession of the child(ren).

2.8 If this is an original divorce action, allowing anyone with whom the party is romantically involved, to remain over night in the home while in possession of the child(ren). Overnight is defined from 10:00 p.m. that evening until 7:00 a.m. the next morning.

III. CONDUCT OF THE PARTIES DURING THE CASE

Both parties, their agents, servants, and/or employees, are ORDERED to refrain from doing the following acts:

- 3.1 Intentionally communicating in person or in any other manner, including by telephone, or another electronic voice transmission, video chat, in writing, or electronic messaging_with the other party by use of vulgar, profane, obscene, or indecent language, or a coarse or offensive manner, to communicate with the other party.
- 3.2 Threatening the other party in person or in any other manner, including by telephone, or in another electronic voice transmission, video chat, in writing or electronic messaging, to take unlawful action against any person, intending by this action to annoy or alarm the other party.
- 3.3 Placing a telephone call, anonymously, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication with the intent to annoy or alarm the other party.
- 3.4 Intentionally, knowingly, or recklessly causing bodily injury to the other party or to a child of either party.
- 3.5 Threatening the other party or a child of either party with imminent bodily injury.
- 3.6 Opening or diverting mail or email or any other electronic communication addressed to the other party.

IV. PRESERVATION OF PROPERTY AND USE OF FUNDS DURING DIVORCE CASE

If this is a divorce case, both parties to the marriage, their agents, servants, and/or employees, are ORDERED to refrain from doing the following:

- 4.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of the parties or either party.
- 4.2 Misrepresenting or refusing to disclose to the other party or the Court, on proper request, the existence, amount, or location of any tangible or intellectual property of the parties or either party, including electronically stored or recorded information.
- 4.3 Damaging or destroying the tangible or intellectual property of the parties or either party, including electronically stored or recorded information.

- 4.4 Tampering with the tangible or intellectual property of the parties or either party, including electronically stored or recorded information, and causing pecuniary loss or substantial inconvenience to the other party.
- 4.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of the parties or either party, regardless of whether the property is personal property, real property, or intellectual property and whether separate or community, except as specifically authorized by this order.
- 4.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
- 4.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
- 4.8 Spending any money in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
- 4.9 Withdrawing or borrowing in any manner for any purpose from any retirement, profitsharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account of either party, except as specifically authorized by this order.
- 4.10 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
- 4.11 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 4.12 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 4.13 Discontinuing or reducing the withholding for federal income taxes from either party's wages or salary while this suit is pending.
- 4.14 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or other contractual services, including security, pest control, landscaping, or yard maintenance at the residence of either party, or in any manner attempting to withdraw any deposits for service in connection with those services.
- 4.15 Destroying, disposing of, or altering any e-mail, text message, video message, or chat message or other electronic data or electronically store information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.
- 4.16 Modifying, changing, or altering the native format or metadata of any electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage,

regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.

- 4.17 Deleting any data or content from any social network profile used or created by either party or a child of the parties.
- 4.18 Using any password or personal identification number to gain access to the other party's email account, bank account, social media account, or any other electronic account.
- 4.19 Excluding the other party from the use and enjoyment of a specifically identified residence of the other party.

V. PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE

If this is a divorce case, both parties to the marriage, their agents, servants, and/or employees, are ORDERED to refrain from doing the following acts:

- 5.1 Concealing or destroying any family records, property records, financial records, business records or any records of income, debts, or other obligations including electronic records.
- 5.2 Falsifying any writing or record, including an electronic record, relating to the property of either party.

"Records" include e-mail or other digital or electronic data, whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.

VI. INSURANCE IN DIVORCE CASE

If this is a divorce case, both parties to the marriage, their agents, servants, and/or employees, are ORDERED to refrain from doing the following acts:

- 6.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party or a child of the parties, except as specifically authorized by this order.
- 6.2 Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or a child of the parties.
- 6.3 Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time the suit was filed of, any life, casualty, automobile, or health insurance policy insuring the parties' property or persons, including a child of the parties.

VII. SPECIFIC AUTHORIZATION IN DIVORCE CASE

If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

- 7.1 To engage in acts reasonable and necessary to the conduct of that party's usual business and occupation.
- 7.2 To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
- 7.3 To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
- 7.4 To make withdrawal from accounts in financial institutions only for the purposes authorized by this order.

VIII. SERVICE AND APPLICATION OF THIS ORDER

- 8.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.
- 8.2 This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition and is renewed for subsequent periods of every fourteen days thereafter until a temporary injunction is ordered. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of the court. This entire order will terminate and will no longer be effective once the court signs a final order.

IX. EFFECT OF OTHER ORDERS

If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court signs a final decree.

X. PARTIES ARE ENCOURAGED TO MEDIATE

The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.

XI. BOND WAIVED

It is ORDERED that the requirement of a bond is waived.

XII. FAMILY STABILIZATION

Parents of minor child(ren) are required to attend a family stabilization program (Helping Children Cope with Divorce) within 60 days of the filing of the Petition for Divorce or the Suit Affecting the Parent Child Relationship. Waivers may be granted only by order of the court. Proof of completion of the program must be provided to the court upon meeting this requirement.

SO ORDERED THIS 10 OF SEPTEM	<u>BER</u> , 2015.
michael E. Mery	Cass
JUDGE MICHAEL MERY 37 TH DISTRICT COURT	JUDGE CATHLEEN STRYKER 224 TH DISTRICT COURT
Stephonia. Walsh	1 District Cycki
JUDGE STEPHANI WALSH	JUDGE PETER SAKAI
45 TH DISTRICT COURT	225 TH DISTRICT COURT
Acrela	Ruhist Fru Q
JUDGE ANTONIA ARTEAGA	JUDGE RICHARD PRICE
57 TH DISTRICT COURT	285 TH DISTRICT COURT
Millelle	CH (LE
JUDGE DAVID CANALES	JUDGE SOL CASSEB
73 RD DISTRICT COURT	288 TH DISTRICT COURT
JUDGE JOHN GABRIEL	JUDGE KÄREN POZZA
131 ST DISTRICT COURT	407 TH DISTRICT COURT
Revie A yanta	- For Wall
JUDGE RENEE YANTA	JUDGÉ LARRY NOLL
150TH DISTRICT COURT,	408 TH DISTR I CT COURT
uwa atuak	Stonia Iredana
JUDGE LAURA SALINAS	JUDGE GLORIA SALDANA
166 TH /DISTRICAT COURT	438 TH DISTRICT COURT

STANDING ORDER REGARDING E-FILING FROM THE DISTRICT COURTS OF CAMERON COUNTY, TEXAS

In efforts to begin compliance with the Texas Supreme Court Mandate regarding e-filing, the District Courts of Cameron County are issuing the following order:

- 1. Beginning July 1, 2014, the District Courts of Cameron County will require all attorneys to e-file all documents relating to Family Law Cases and Civil Law Cases with the District Clerk of Cameron County.

 NO PAPER FILINGS WILL BE ACCEPTED.
- 2. All Parties shall provide a courtesy hard copy (Court Copy) to the Court of all motions, responses, and pertinent supporting documents no later than 5 working days after the document is e-filed and accepted. The Court Copy shall be addressed and mailed directly to the District Court.
- 3. All orders submitted to the District Courts for consideration and/or signature shall contain valid email addresses of all parties requiring notification at the bottom of each instrument. All counsel, whether retained or appointed, shall be responsible for ensuring their electronic post office boxes are adequate to handle all documents that will be sent electronically by making certain that:
 - a. Their email service provider does not limit the size of attachments
 - b. The Cameron County District Clerks' transmissions are not blocked.

FAILURE OF COUNSEL TO MAINTIAN THEIR PERSONAL CONTACT INFORMATION OR FAILURE OF COUNSEL TO ENSURE THEIR ELECTRONIC POST OFFICE BOXES ARE ADEQUATE TO HANDLE ALL DOCUMENTS EMAILED TO THEM BY THE CAMERON COUNTY DISTRICT CLERK SHALL NOT SERVE AS GOOD CAUES ON A COMPLAINT FOR LACK OF NOTICE.

Filing of documents for all Criminal Law Cases will continue as is currently in place.

SIGNED THIS THE

421.26

. 2014.

Honorable Janet Leal

103rd District Court Judge

Honorable Benjamin Eurești

107th District Court Judge

Honorable Arturo Cisneros Nelson

138th District Court Judge

Honorable Migdalia Lopez

197th District Court Judge

Standing Order Regarding E-Filing from the District Courts of Cameron County

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Honorable Oscar X. Garcia 357thDistrict Court Judge

Honorable David Sanchez 444th District Court Judge Honorable Elia Cornejo Lopez 404th District Court Judge

Honorable Rolando Olvera 445th District Court Judge

COLLIN COUNTY DISTRICT COURTS GENERAL ORDERS

COLLIN COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY, AND CONDUCT OF THE PARTIES

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Collin County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Collin County. The District Courts of Collin County have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the court. Therefore it is ORDERED:

- 1. <u>NO DISRUPTION OF CHILDREN.</u> Both parties are ORDERED to refrain from doing the following acts concerning any child who is the subject of this case:
 - 1.1 Removing a child from the State of Texas for the purpose of changing the child's residence, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
 - 1.2 Disrupting or withdrawing a child from the school or day-care facility where the child is presently enrolled, without the written agreement of both parents or an order of this Court.
 - 1.3 Hiding or secreting a child from the other parent or changing a child's current place of abode, without the written agreement of both parents or an order of this Court.
 - 1.4 Disturbing the peace of a child.
 - 1.5 Making disparaging remarks about each other or the other party's family members, to include but not be limited to the child's grandparents, aunts, uncles, or stepparents.
 - 1.6 Discussing with a child, or with any other person in the presence of a child, any litigation related to a child or the other party.
 - 1.7 <u>If this is an original divorce action</u>, allowing anyone with whom the party is romantically involved to remain overnight in the home while in possession of a child. Overnight is defined as from 10:00 p.m. until 7:00 a.m.
- 2. <u>CONDUCT OF THE PARTIES DURING THE CASE.</u> Both parties are ORDERED to refrain from doing the following acts:
 - 2.1 Communicating in person or in any other manner, including by telephone, electronic voice transmission, video chat, writing, or electronic messaging, with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner.
 - 2.2 Threatening the other party in person or in any other manner, including by telephone, electronic voice transmission, video chat, writing, or electronic messaging, to take unlawful action against any person.
 - 2.3 Placing one or more telephone calls, anonymously, at an unreasonable hour, in an offensive or repetitious manner, or without a legitimate purpose of communication.
 - 2.4 Opening or diverting mail, e-mail, or any other electronic communication addressed to the other party.
 - Using any password or personal identification number to gain access to the other party's e-mail account, bank account, social media account, or any other electronic account.
 - 2.6 Illegally intercepting or recording the other party's electronic communications.

- 3. <u>PRESERVATION OF PROPERTY AND USE OF FUNDS DURING DIVORCE CASE.</u> These orders apply to electronic records and electronically stored information, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:
 - 3.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.
 - 3.2 Misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any tangible or intellectual property of one or both of the parties.
 - Damaging or destroying the tangible or intellectual property of one or both of the parties, including any document that represents or embodies anything of value.
 - 3.4 Tampering with the tangible or intellectual property of one or both parties, including any document that represents or embodies anything of value, and causing pecuniary loss or substantial inconvenience to the other party.
 - 3.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any property of either party, whether personal property, real estate property, or intellectual property, and whether separate property or community property, except as specifically authorized by this order.
 - 3.6 Incurring any debt, other than legal expenses in connection with this suit, except as specifically authorized by this order.
 - 3.7 Withdrawing money from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
 - 3.8 Spending any money in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
 - 3.9 Withdrawing or borrowing in any manner for any purpose from any retirement, profitsharing, pension, death, or other employee benefit plan, employee savings plan, individual retirement account, or Keogh account, of either party, except as specifically authorized by this order.
 - 3.10 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
 - 3.11 Taking any action to terminate or limit credit or charge cards in the name of the other party.
 - 3.12 Entering, operating, or exercising control over a motor vehicle in the possession of the other party.
 - 3.13 Discontinuing or altering the withholding for federal income taxes from either party's wages or salary.
 - 3.14 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or any other contractual service, such as security, pest control, landscaping, or yard maintenance at the other party's residence, or in any manner attempting to withdraw any deposit paid in connection with such services.
- 4. <u>PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE.</u> These orders apply to electronic records and electronically stored information, regardless of whether the information is stored

on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- 4.1 Concealing or destroying any family records, property records, business records, or any records of income, debts, or other obligations.
- 4.2 Falsifying any writing or record relating to the property of either party.
- 4.3 Destroying, disposing of, or altering any financial record of either party, including a canceled check, a deposit slip, any other record from a financial institution, a record of credit purchases or cash advances, a tax return, or a financial statement.
- 4.4 Destroying, disposing of, or altering any e-mail, text message, video message, chat message, or other electronic information relevant to the suit.
- 4.5 Modifying, changing, or altering the native format or metadata of any electronic information relevant to the suit.
- 4.6 Deleting any data or content from any social network profile used or created by either party or a child of the parties.
- 5. <u>INSURANCE IN DIVORCE CASE.</u> If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:
 - 5.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of a life insurance policy on the life of either party or a child of the parties, except as specifically authorized by this order.
 - 5.2 Changing or in any manner altering the beneficiary designation on any life insurance policy on the life of either party or a child of the parties.
 - 5.3 Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time the suit was filed, of any life, casualty, automobile, or health insurance policy insuring the parties' property or persons, including a child of the parties.
- 6. <u>SPECIFIC AUTHORIZATIONS IN DIVORCE CASE.</u> If this is a divorce case, both parties to the marriage are specifically authorized to do the following:
 - To engage in acts reasonable and necessary to conduct that party's usual business and occupation.
 - 6.2 To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
 - 6.3 To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation, and medical care.

7. <u>SERVICE AND APPLICATION OF THIS ORDER.</u>

- 7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.
- 7.2 This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall

continue in full force and effect as a temporary injunction until further order of this court. This entire order will terminate and will no longer be effective when the court signs a final order or the case is dismissed.

- 8. <u>EFFECT OF OTHER COURT ORDERS.</u> If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court signs a final order.
- 9. <u>PARTIES ENCOURAGED TO MEDIATE</u>. The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.

THIS COLLIN COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY, AND CONDUCT OF THE PARTIES SHALL BECOME EFFECTIVE ON JANUARY 1, 2017.

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JUDGE JOHN ROACH, JR. 296th Judicial District Court

JUDGE BENJAMIN SMITH
380th Judicial District Court

JUDGE ANDREA THOMPSON
416th Judicial District Court

JUDGE JUL WILLIS
429th Judicial District Court

JUDGE EMILY MISKEL 470th Judicial District Court FOOGE SCOTT. BECKER 219th Judicial District Court

JUDGERAY WHELESS 366th Judicial District Court

JUDGE MARK RUSCH 401st Judicial District Court

JUDGE CYNTHIA WHELESS 417th Judicial District Court

JUDGE PIPER McCRAW
469th Judicial District Court

DALLAS COUNTY FAMILY DISTRICT COURT GENERAL ORDERS

(Revised November 4, 2015)

DALLAS COUNTY STANDING ORDER REGARDING CHILDREN, PETS, PROPERTY AND CONDUCT OF THE PARTIES

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Dallas County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Dallas County. The District Courts of Dallas County giving preference to family law matters have adopted this order because the parties, their children and the family pets should be protected and their property preserved while the lawsuit is pending before the court. Therefore, it is **ORDERED**:

- 1. **NO DISRUPTION OF CHILDREN.** All parties are ORDERED to refrain from doing the following acts concerning any children who are subjects of this case:
- 1.1 Removing the children from the State of Texas for the purpose of changing residence, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
- 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled, without the written agreement of both parents or an order of this Court.
- 1.3 Hiding or secreting the children from the other parent or changing the children's current place of abode, without the written agreement of both parents or an order of this Court.
- 1.4 Disturbing the peace of the children.
- 1.5 Making disparaging remarks regarding the other party in the presence or within the hearing of the children.
- 2. PROTECTION OF FAMILY PETS OR COMPANION ANIMALS. All parties are ORDERED to refrain from harming, threatening, interfering with the care, custody, or control of a pet or companion animal, possessed by a person protected by this order or by a member of the family or household of a person protected by this order.
- 3. **CONDUCT OF THE PARTIES DURING THE CASE.** All parties are ORDERED to refrain from doing the following acts:
- 3.1 Using vulgar, profane, obscene, or indecent language, or a coarse or offensive manner to communicate with the other party, whether in person or in any other manner, including by telephone or another electronic voice transmission, video chat, social media, or in writing, or electronic messaging, with intent to annoy or alarm the other party.
- 3.2 Threatening the other party in person or in any other manner, including, by telephone or another electronic voice transmission, video chat, social media, or in writing, or electronic messaging, to take unlawful action against any person, intending by this action to annoy or alarm the other party.
- 3.3 Placing one or more telephone calls or text messages, at an unreasonable hour, in an

- offensive or repetitious manner, without a legitimate purpose of communication, or anonymously with the intent to alarm or annoy the other party.
- 3.4 Intentionally, knowing or recklessly causing bodily injury to the other party or to a child of either party.
- 3.5 Threatening the other party or a child of either party with imminent bodily injury.

4. PRESERVATION OF PROPERTY AND USE OF FUNDS DURING DIVORCE CASE.

If this is a divorce case, both parties to the marriage are ORDERED to refrain from intentionally and knowingly doing the following acts:

- 4.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.
- 4.2 Falsifying a writing or record including an electronic record, relating to the property of either party.
- 4.3 Misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount, or location of any tangible or intellectual property of one or both of the parties, including electronically stored or recorded information.
- 4.4 Damaging or destroying the tangible or intellectual property of one or both of the parties, including any document that represents or embodies anything of value, and causing pecuniary loss to the other party, including electronically stored or recorded information.
- 4.5 Tampering with the tangible or intellectual property of one or both of the parties, including any document, electronically stored or recorded information, that represents or embodies anything of value, and causing pecuniary loss to the other party.
- 4.6 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real property or intellectual property, and whether separate or community, except as specifically authorized by this order.
- 4.7 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
- 4.8 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
- 4.9 Spending any sum of cash in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
- 4.10 Withdrawing or borrowing in any manner for any purpose from any retirement, profitsharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account, except as specifically authorized by this order.
- 4.11 Signing or endorsing the other party's name on any negotiable instrument, check, or draft, such as tax refunds, insurance payments, and dividends, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
- 4.12 Destroying, disposing of, or altering, any financial records of the parties, including canceled checks, deposit slips, and other records from a financial institution, a record of credit purchases or cash advances, a tax return, and a financial statement.
- 4.13 Destroying, disposing of, or altering any email, text message, video message, or chat message or social media message or other electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive in a removable storage device, in cloud storage, or in another electronic storage medium.

- 4.14 Modifying, changing, or altering the native format or metadata of any electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive in a removable storage device, in cloud storage, or in another electronic storage medium.
- 4.15 Deleting any data or content from any social network profile used or created by either party or a child of the parties.
- 4.16 Using any password or personal identification number to gain access to the other party's email account, bank account, social media account, or any other electronic account.
- 4.17 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 4.18 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 4.19 Discontinuing or reducing the withholding for federal income taxes on wages or salary.
- 4.20 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or other contractual services, such as security, pest control, landscaping, or yard maintenance at the other party's residence or in any manner attempting to withdraw any deposits for service in connection with such services.
- 4.21 Excluding the other party from the use and enjoyment of the other party's specifically identified residence.
- 4.22 Opening or redirecting mail, email or any other electronic communication addressed to the other party.
- 5. PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE. "Records" means any tangible document or recording and includes e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts: Concealing or destroying any family records, property records, financial records, business records or any records of income, debts, or other obligations; falsifying any writing or record relating to the property of either party.

INSURANCE IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts: Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party, except as specifically authorized by this order. Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children. Canceling, altering, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties' property or persons including the parties' minor children.

SPECIFIC AUTHORIZATIONS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are specifically authorized to do the following: To engage in acts reasonable and necessary to the conduct of that party's usual business and occupation; To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit; To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care; To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

SERVICE AND APPLICATION OF THIS ORDER. The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. At the time the petition is filed, if the

Petitioner has failed to attach a copy of this order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented. This order is effective upon the filing of the original petition and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the original petition. If no party contests this order by presenting evidence at a hearing on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further order of the court. This entire order will terminate and will no longer be effective once the court signs a final order.

EFFECT OF OTHER COURT ORDERS. If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court signs a final decree.

PARTIES ENCOURAGED TO MEDIATE. The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation or informal settlement conferences (if appropriate), to resolve the conflicts that may arise in this lawsuit.

BOND WAIVED. It is **ORDERED** that the requirement of a bond is waived.

THIS DALLAS COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY AND CONDUCT OF PARTIES SHALL BECOME EFFECTIVE ON SEPTEMBER 1, 2015.

Hon. Susan Rankin

Judge, 254th District Court

Kim Cooks

Judge, 255th District Court

Judge, 301st District Court

Hon, Tena Callahan

Judge, 302nd District Court

Hon. David Lopez

District Court Judge

Hon, Dennise Garcia Judge, 303rd District Court

Hon. Andrea Plumlee

Judge, 330th District Court

Standing Orders

228th Criminal District Court Harris County, Texas

The following Standing Orders are in effect as of September 5, 2007. Attorneys practicing in the 228th shall comply with these Orders.

Standing Order No.1 Court Settings:

The Defendant is required to appear at all court settings. Each case will be set for arraignment, non-issue, and motions (28.01). After the motion setting if a case is not resolved it will be set for either a trial or plea.

<u>Arraignment Setting:</u> Cases will be set for arraignment 30 days from initial appearance. In the case of a person in custody for a State jail felony drug case that has not been indicted in 30 days, the case will be set for an examining trial.

Non-issue Setting: Cases will receive a 30-day non-issue setting after indictment. The purpose of the non-issue setting is to review the file, investigate the case and negotiate with the State. Parties should sign the Court's agreed discovery order at the non-issue setting.

Motions/ 28.01 hearing: Cases will be given a 30-day motion setting. This setting will satisfy Article 28.01 Code of Criminal Procedure, which requires parties to present all pre-trial motions to the Court 10 days prior to the 28.01 date.

- a. Motions must be filed 10 days prior to motion date.
- b. Parties must confer on motions prior to filing.
- c. In the Court's "Agreed Discovery Motion" the parties must agree on a compliance date, otherwise it is deemed waived.

Standing Order No.2 Motions to Revoke/Motions to Adjudicate:

Motions to Revoke Probation and Motions to Adjudicate Guilt will proceed to a hearing 10 days after the initial appearance.

Parties are encouraged to negotiate with the State prior to a hearing. The State and the Defense may approach the bench to discuss relevant factors concerning a probationer in an effort to resolve the case without a formal hearing.

Standing Order No.3 Order of Trial and Continuances:

The State and the Defense will make a formal announcement of "Ready" or "Not Ready" on trial day. Motions for continuance will be considered after announcements. The Court will use its discretion in ruling on motions for continuance.

The Court, in its discretion, will call cases to trial on the docket. All cases not called will be carried on the trial docket. Lawyers (State and Defense) will be on 24-hour call.

On Call Procedures: Cases not called for trial on the day set will be on 24-hour call. The Attorneys will give the court coordinator several contact numbers to ensure the court is able to reach them the day before the trial will commence. After receiving notice of the trial date, the attorney and defendant must appear in court at 9:00 a.m. on that day. The parties are responsible for notifying their witnesses of the trial date.

Witness availability: When a case is set for trial, the witnesses must be available that day in the event the schedule permits testimony to start on the day the case is called to trial. If the case is not called to trial, the witnesses will be on standby until the case is called to trial. It is the duty of the attorneys to inform witnesses what day and time they must appear in court for trial. (see: on call procedures above.)

Standing Order No.4 Defendant's Attire at Trial (Jail Cases):

The defendant's lawyer is responsible for ensuring that the defendant has clothes for trial. They must inform the defendant's family of the Harris County jail procedures for providing clothes to defendants in custody. Lawyers should make this a part of their standard practice in representing defendants in custody in the 228th. Therefore, attorneys must become familiar with the Harris County jail procedures in this regard.

It is the opinion of this Court that trials are set far enough in advance for Attorneys to coordinate this matter before trial day. Motions for continuance will not be granted for an attorney's failure to ensure that his client "dressed out" for trial. It may result in an unreasonable delay of court proceedings.

Standing Order No.5 Sexual Harassment:

The Court will not tolerate sexual harassment. Attorneys and staff will conduct themselves in a professional manner and treat each other with respect.

Court Staff and Harris County employees should refer to the Harris County Policy Manual and Procedures for reporting sexual harassment. All others should report these matters to the Court.

Standing Order No.6 Motions to Suppress:

Generally, all motions to suppress will be carried with trial. Motions to suppress will be heard prior to trial when they are dispositive, meaning the State agrees to dismiss the case if the motion is sustained and the Defense agrees to plead guilty with a right to appeal if the motion is denied.

Generally, the Court will not decide issues of fact or credibility by affidavit. The parties may stipulate to facts when the issue is a matter of law.

Standing Order No.7 Docket Call and Announcements for Trial:

Effective January 1, 2005, the 228th Criminal District Court will require all Defendants on bond to appear in court at 8:30 a.m. for docket call. At least one attorney from the District Attorney's Office must be present for docket call.

Attorneys that have cases on the trial docket must appear in court by **9:00 a.m.** to make a formal announcement of either Ready or Not Ready when the **trial docket** is called. Parties that are not ready and want a continuance must present a formal motion for continuance at that time.

HAND WRITTEN MOTIONS WILL NOT BE ACCEPTED.

Standing Order No. 8 Trial Settings withdraw and Substitution

Once a case is set for trial a lawyer will not be permitted to withdraw. Any decision to withdraw must be done BEFORE the case is set for trial. Lawyers that substitute in on a case that is set for trial WILL NOT be granted a continuance on the basis that they need additional time to prepare. If you sign on for a **trial**, be prepared to try the case on the date set.

Signed this the 5 th day of September, 2007.
Marc Carter, Judge Presiding