



HOUSTON BAR ASSOCIATION  
FAMILY LAW SECTION

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FAMILY LAW SECTION**

**ANNUAL ASSOCIATE JUDGES'  
LUNCHEON**

**March 5, 2015**

## **245TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Roy L. Moore**  
**Associate Judge: James “Jim” Cooper**

<b>Mediation prior to Temporary Orders</b>	Required in all cases except when waived by the court.
<b>Mediation prior to Final Trial</b>	Required in all cases except when waived by the court.
<b>Parenting Classes</b>	Recommended and encouraged but not required.
<b>Name Changes</b>	Daily on the uncontested docket.
<b>Pre-Trials</b>	Required on Jury trials and as set by the Judge on complex cases.
<b>Issuance of Scheduling Orders</b>	By the coordinator not more than 6 months after filing of the original petition.
<b>DWOPs</b>	First notice after six months if no service or waiver filed with no activity.
<b>Use of Parenting Coordinators/Facilitators</b>	Very rarely.
<b>Cases Involving Children’s Preferences/ Interviewing Children in Chambers</b>	Strict compliance with the statute. Interview usually conducted after the conclusion of testimony.
<b>Preferential Settings</b>	Case set for either Judge every week. Mon – Fri for Judge Moore and Wed and Thurs for Judge Cooper unless prior arrangements are made for a court reporter or a reporter is waived.
<b>Motions for Continuance</b>	First trial setting may be by agreement. They get increasingly more difficult to obtain as the case ages.
<b>Amicus Appointments</b>	The court favors amicus attorneys in high conflict cases and makes an appointment when the facts and or conduct of the parties merit an appointment.

## **246TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Charley Prine**

**Associate Judge: Chelsie Ramos**

<b>Mediation prior to Temporary Orders</b>	Mediation prior to a temporary orders hearing is required per Local Rule 7.1 in an appropriate case involving disputed custody or visitation issues.
<b>Mediation prior to Final Trial</b>	Mediation prior to final trial is required per Harris County Local Rule 7.2.
<b>Parenting Classes</b>	Parenting Classes are required per Harris County Local Rule 12.1. Online parenting classes are allowed.
<b>Name Changes</b>	<p>The following documents are required for an Adult Name Change: Criminal Record (CHFF) through the Crime Records Division (DPS) in Austin or FBI (must be electronically filed); Certified/Original Birth Certificate; Copy of Driver's License; Copy of Social Security Card; Order Granting Change of Name.</p> <p>The following documents are required for a Name Change of a Child: Both parents must be present unless Waiver of Appearance/Citation is filed by non-appearing parent; Certified/Original Birth Certificate of Child; Copy of Petitioner's Driver's License; Copy of Social Security Card for Petitioner(s) and Child; Order Granting Change of Name.</p>
<b>Pre-Trials</b>	Pre-Trial Conference will be held 10 days prior to trial.
<b>Issuance of Scheduling Orders</b>	Scheduling Orders are issued 90 days after the case is filed with 90 days' notice of the trial setting.
<b>DWOPs</b>	Nonappearance by parties and their counsel at pretrial conference may result in DWOP. Petitioner's or Movant's Nonappearance at trial will result in DWOP.
<b>Use of Parenting Coordinators/Facilitators</b>	Parenting Coordinators may be appointed after notice and hearing to present facts and circumstances supporting the need.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	The court will conduct a child interview after notice and hearing, and if granted, the interview will be scheduled after school hours. No children are to be brought to the courthouse without prior approval of the court.
<b>Preferential Settings</b>	Only in appropriate circumstances.
<b>Motions for Continuance</b>	Motions for Continuance require a hearing and must state specifics about the reason the continuance is requested. Agreed Continuances are not automatic but subject to the same requirements. If continuance is granted, a scheduling order must be attached with

	new pretrial and trial date. Attorney Vacation letters that are timely filed with the Harris County District Clerk are honored without a hearing or motion for continuance.
<b>Amicus Appointments</b>	The Court will appoint an Amicus Attorney in appropriate circumstances. Any attorney interested in being appointed as an Amicus or Ad Litem should tender to the Court a resume and two business cards.

## **247TH JUDICIAL DISTRICT COURT**

**Presiding Judge: John Schmude**  
**Associate Judge: Paula Vlahakos**

<b>Mediation prior to Temporary Orders</b>	Absent good cause shown, all parties and their attorneys are required to attend mediation prior to temporary orders hearings in which: 1) conservatorship and/or possession and access is at issue; or 2) the total time estimate for the hearing exceeds three hours.
<b>Mediation prior to Final Trial</b>	Mediation is required prior to final trial in all cases. Mediation is required even if the parties mediated temporary orders.
<b>Parenting Classes</b>	Per Harris County Local Rule 12. Adoption cases and modification cases no longer require a parenting class.
<b>Name Changes</b>	Per Texas Family Code.
<b>Pre-Trials</b>	Pre-trial conferences are required for jury trials and for trials with a time estimate of more than four hours.
<b>Issuance of Scheduling Orders</b>	Scheduling Orders will be issued six months after a case is filed.
<b>DWOPs</b>	Cases will not be dismissed because an entry is missed or needs to be reset.
<b>Use of Parenting Coordinators/Facilitators</b>	May be appointed by agreement of the parties or on the Court's own motion. If the parties agree on the coordinator/facilitator, the Court will generally honor those agreements.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	Handled on a case by case basis.
<b>Preferential Settings</b>	The Court will preferentially set matters that have been reset multiple times or that the Court, due to time constraints, has been unable to accommodate.
<b>Motions for Continuance</b>	If a case has been pending less than one year, the parties may re-set with a Rule 11 Agreement directly with the Court Coordinator. If a case has been pending more than one year, please file a Motion of Continuance and set for hearing even if it is an unopposed or agreed motion.
<b>Amicus Appointments</b>	Appointments are always made when required by law. The parties may choose their amicus/ad litem by agreement. In the absence of an agreement, the Court shall choose. When an amicus/ad litem appointment is discretionary, the parties are free to agree whether an amicus/ad litem is appointed. If no agreement is reached, the parties may request that the court make

	<p>the appointment. If the court decides that an amicus/ad litem should be appointed, the parties will be given the opportunity to agree on the amicus/ad litem. In the absence of an agreement, the Court shall choose. The Court may also decide that an amicus is necessary on its own motion.</p>
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## **257TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Judy Warne  
Associate Judge: Deborah Patterson**

<b>Mediation prior to Temporary Orders</b>	Required if custody is an issue.
<b>Mediation prior to Final Trial</b>	Per local rules.
<b>Parenting Classes</b>	Per local rules.
<b>Name Changes</b>	May be done on ancillary docket. Need birth certificate for prove up.
<b>Pre-Trials</b>	As set by the coordinator.
<b>Issuance of Scheduling Orders</b>	Issued by coordinator.
<b>DWOPs</b>	Court sends out DWOP notices and that docket is set for 9:00 a.m.
<b>Use of Parenting Coordinators/Facilitators</b>	On case by case basis court will appoint.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	<p>Preference: Must file Motion and notice other side. Do not bring the children to court unless specifically ordered to do so (Example Habeas Corpus). If interview is concerning preference for purposes of TO hearing, Court will notice both counsel/parties after interview if a designation was made and that is all.</p> <p>If it is requested that Court confer with child for testimony purposes, that requested interview may be granted only after testimony is given. If child is brought to Court without express permission of the Court/Coordinator, the Court may insist that child be returned to school or home immediately.</p>
<b>Preferential Settings</b>	Court is flexible and if time announcements require, TO's and Final Trial may be preferentially set. Contact coordinator.
<b>Motions for Continuance</b>	Should be set 10 days before final trial. Do not show up on trial day and inform court you have an agreed continuance. It may not be granted. You cannot agree on continuances.
<b>Amicus Appointments</b>	Court appoints as required by the code. Additionally, the court will appoint depending on specific circumstances. Parties/counsel may not choose amicus. Don't ask for amicus and then inform the court there is no money to pay amicus.
<b>Other</b>	Remember to stand when addressing court or court may not rule on your objections. Docket call is not final argument, just make announcement of here and honest time estimate. Be courteous to opposing counsel as sniping at each other especially in front of the bench is no longer entertaining.

## **308TH JUDICIAL DISTRICT COURT**

**Presiding Judge: James Lombardino**

**Associate Judge: Alyssa Lemkuil**

<b>Mediation prior to Temporary Orders</b>	Required but court will enter interim orders when necessary.
<b>Mediation prior to Final Trial</b>	Required.
<b>Parenting Classes</b>	Required by local rules but may be waived.
<b>Name Changes</b>	Criminal check must be on file.
<b>Pre-Trials</b>	Only required for jury trials – see court website for details.
<b>Issuance of Scheduling Orders</b>	Yes.
<b>DWOPs</b>	Cases will be dismissed for want of prosecution if the moving party does not appear for trial.
<b>Use of Parenting Coordinators/Facilitators</b>	Court will approve if parties agree.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	Should be scheduled with coordinator or AJ; do not bring children to court without an appointment.
<b>Preferential Settings</b>	Will be made on a case-by-case basis; e.g. if someone is coming from out of state or is military.
<b>Motions for Continuance</b>	Agreed continuance should be faxed to coordinator; opposed motions should be set for hearing before trial date.
<b>Amicus Appointments</b>	An amicus is always appointed in adoption cases and generally in cases where custody or possession are contested.



## **309TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Sheri Y. Dean**

**Associate Judge: Beverly B. Malazzo**

<b>Mediation prior to Temporary Orders</b>	Parties must appear personally in Court unless they have settled. Court will determine need for mediation referral for temporary orders at first setting/hearing.
<b>Mediation prior to Final Trial</b>	Mediation is required per local rules. Attorneys and parties should attend mediation sessions. If they do not attend, Court will consider failure to attend at trial and may assess attorney's fees to non-compliant party.
<b>Parenting Classes</b>	Parenting classes are required per local rules. On-line classes are accepted unless specified by court.
<b>Name Changes</b>	Name changes require Texas Driver's License or another form of identification, completed criminal background check and report, and birth certificate if for a child. See statute for specific requirements.
<b>Pre-Trials</b>	All requirements per scheduling orders and/or reset orders are to be completed, including the exchange of exhibits. Announcement should include agreement as to exhibits (see attached sample Exhibits list), motions for continuance, motions in limine, etc. <b>PLEASE NOTE: IF A PRETRIAL CONFERENCE CHECKLIST (see attached sample) IS COMPLETED, SIGNED BY ATTORNEYS OF RECORD OR PRO SE PARTIES, WITH ALL PREREQUISITES MET AND TURNED IN, ATTENDANCE AT THE PRETRIAL CONFERENCE SETTING IS NOT REQUIRED.</b> Otherwise, if no PreTrial Conference Checklist is turned in and/or a continuance is being sought, attorneys and Pro Se parties must appear and approach on PreTrial issues and when requesting a motion for continuance even if it is an agreed motion. Vacation letters, timely filed and in the JIMS System, will be honored.
<b>Issuance of Scheduling Orders</b>	Scheduling Orders are issued 75-90 days after Initial Pleadings are filed with no less than 60 days notice for trial.
<b>DWOPs</b>	Petitioner's or Movant's non-appearance at trial will result in a DWOP if parties have been properly noticed for trial. Cases set for trial will be dismissed if there is no appearance and no service.
<b>Use of Parenting Coordinators/Facilitators</b>	There is no preconceived policy for Parenting Coordinators. After notice and hearing the Court will

	apply the relevant statute to determine the need for a Parenting Coordinator.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	After notice and hearing, the Court will interview children in chambers. Conferences should be scheduled after school hours. No children are to be brought to the courthouse without prior approval of the Court.
<b>Preferential Settings</b>	Preferential settings are rarely granted, but the Court will entertain requests supported by the facts and circumstances.
<b>Reset Procedures for Trial Settings or Hearings</b>	Ancillary hearing resets: The party requesting the reset may reset through the clerk. If multiple parties have set a hearing for the same date and time, all parties must agree to the reset date. Trial settings: Motions for Continuance require a hearing and must state specifics about the reason the continuance is requested. Agreed continuances are not automatic. If a continuance is granted, a reset order must be attached with new pretrial and trial date. Attorney vacation letters that are in the JIMS System are honored without a hearing or motion for continuance.
<b>Motions for Continuance</b>	Motions for Continuance are to be filed on or before the PreTrial Conference. A rare continuance may be considered on day of trial. Appearance is required on trial day. See above also.
<b>Improved PreTrial Conference Checklist</b>	There is no requirement to appear for a PreTrial Conference setting if the PreTrial Conference Checklist is completed, all prerequisites are met, and the checklist is signed by both attorneys. The hope is this will encourage cooperation and preparation for trial <b>BEFORE</b> you get to trial.
<b>Amicus Appointments</b>	With few exceptions, a Temporary Hearing is required prior to the appointment of an Amicus Attorney. If Court finds need for an Amicus, the case will be recessed.
<b>Other</b>	<p><b>Prove-ups:</b></p> <p><b>Divorce cases:</b> Party must be present with counsel if represented. Final decree must be presented. The heading should reflect if the decree is an agreement or a default. If child support is ordered, the Employer's Withholding Order and Medical Support Order must be presented or previously e-filed with the district clerk. If the Waiver of Service states that the party reserves the right to sign all orders or requires notice of the hearing, then follow the terms of the waiver. BVS and FOCAS forms must be completed and turned in before the hearing.</p> <p><b>SAPCR:</b> Party must be present with counsel if represented. Final Orders must be presented adjudicating parentage. Heading should reflect if the Order is an agreement or default. If child support is</p>

ordered, the Employer's Withholding and Medical Support Orders must be presented or previously e-filed. If the Waiver of Service states that the party reserves the right to sign all orders or requires notice of the hearing, then follow the terms of the waiver. Mother, alleged father and presumed father, if there is one, must sign acknowledgement of paternity or DNA test results must be entered or presented. BVS and FOCAS forms must be completed and turned in before the hearing.

**SAPCR – Modification of Child Support:** May be submitted for consideration by submission if all parties and attorneys sign the final order. They must include new Employer's Withholding Order. BVS and FOCAS forms must be completed and turned in before the hearing.

**SAPCR – Modification of Powers, Duties, Possession or Access:** Party must be present with counsel if represented. Heading should reflect if the order is an agreement or default. If child support is ordered, must present employer's Withholding Orders and Medical Support Order. If the Waiver of Service states that the party reserves the right to sign all orders or requires notice of the hearing, then follow the terms of the waiver. BVS and FOCAS forms must be completed and turned in before the hearing.

**Settlement Agreements:** Party must be present with counsel to prove-up agreements. Entry generally two weeks after prove up. If it is a mediated settlement (MSA), the prove-up is required to meet the statutory and case law requirements. No **findings language** shall be included in the final orders per In Re Stephanie Lee. (See attached sample of decree which excludes findings language.)

**Calling in late or "checking in late" to appear in other courts:** Counsel must notify the clerk at least 30 minutes prior to docket call. Provide to the clerk the attorney's name, cause number, where they are, time estimate before arrival, contact telephone number if more than 30 minutes late. Frequent late calls subject to verification. Frequent late calls due to traffic are unacceptable. Leave earlier. Same relative dying six times will not work!

**Entry of Orders:** Entry of orders is generally two weeks after rendition of the order. Orders may be submitted prior to entry date if signed by all parties and attorneys. File BVS and FOCAS forms with the final orders.

**Cases involving military personnel:** Agreed divorces and original and agreed SAPCR cases may be proved up through the Respondent or deposition by written questions if the Petitioner is assigned overseas and both parties have signed the final order. The same applies to civilians working overseas.

**Discovery issues and disputes:** Discovery disputes and other discovery issues are heard during the ancillary dockets on Tuesday, Wednesday and Friday beginning at 9 a.m.

**Miscellaneous specific settings:**

**Monday is the trial docket call.** All trial settings are for two weeks.

**Once a month there is a Jury trial week.** Jury trial dockets are called on Monday.

**Final trials in which the parties agree to waive de novo appeal,** may be heard by the Associate Judge.

**Other Miscellaneous information:**

**Court appointments** - Persons who wish to be appointed by the Court must submit a resume, business card, and a copy of certification for the position for which they wish to be appointed or the resume must provide acceptable experience.

**Supervised Visitation** – When supervised visitation may be in the best interest of the child, it is preferable that the parties suggest acceptable supervisor. If none can be found, then visitations through SAFE or Guardians of Hope will be ordered.

**Requests for drug testing** - If a party requests drug testing, they must demonstrate why the request is appropriate and be prepared to also be tested.

**Psychological testing** – Psychological testing will be ordered only in extreme cases after notice, hearing and appointment of an amicus.

**E-filing:** Bring a courtesy copy. Copies filed prior to the night before or the day of a hearing will not be in the court system for judge's review. The Court will accept hand-delivered orders to be signed until electronic signature mechanism is in place. **Attorneys must be diligent in tracking their cases and to make sure orders with deadlines are presented to**

the Courts in a timely manner. Suggestion: Calendar these deadlines. Call the Court when filing orders by submission. If you call in and say an order was e-filed on entry date and it is not visible, expect a reset of the entry date.

**Attorney Vacation Letters:** Letters that are in the JIMS system are honored without a hearing or motion for continuance.

**APPROPRIATE LANGUAGE FOR DECREES and MOTIONS TO MODIFY BASED ON AN MSA AFTER IN RE  
STEPHANIE LEE**

**(LANGUAGE WHICH EXCLUDES FINDINGS LANGUAGE)**

**Agreement of the Parties:** The parties have entered into a written agreement as contained in this decree by virtue of having reviewed, approved, and consented to the entry of this Agreed Final Decree of Divorce in both form and substance. To the extent permitted by law, the parties stipulate the agreement is enforceable as a contract.

The agreements in this Agreed Final Decree of Divorce were reached in mediation with \_\_\_\_\_ on \_\_\_\_\_. This Agreed Final Decree of Divorce is stipulated to represent a merger of a mediated settlement agreement between the parties. To the extent there exists any differences between the mediated settlement agreement and this Agreed Final Decree of Divorce, this Agreed Final Decree of Divorce shall control in all instances.

**Child of the Marriage:** The parties stipulate that Petitioner and Respondent are the parents of the following child.

**Prerequisites to Possession and Access:** The parties agree that the following Orders are in the best interest of the children and shall be complied with as a condition precedent of the periods of possession set forth herein below.....

**Parenting Plan:** The Parties agree that the provisions in this decree relating to the rights and duties of the parties with relation to the children, possession of and access to the children, child support, and optimizing the development of a close and continuing relationship between each party and the children constitute the parties' agreed parenting plan.

**Conservatorship:** 1) The parties agreed that the following order is in the best interest of the children. Or, 2) Petitioner and Respondent stipulate that the following orders are in the best interest of the child.

**Child Support:** The parties have agreed that \_\_\_\_\_ is obligated to pay and shall pay to \_\_\_\_\_ child support of \_\_\_\_\_.....

**Withholdings from Earnings:** The parties agree that any employer of \_\_\_\_\_ shall be ordered to withhold from earnings for child support from the disposable earning of ....

**In circumstances where there are additional orders regarding Child Support or Possession and Access:** The parties further agree and IT IS THEREFORE FURTHER ORDERED.....

**Findings on Health Insurance Availability:** The Parties agree that the following orders regarding health-care coverage are in the best interest of the children.

**Division of Marital Estate:** The parties agree that there is no community property other than personal effects that have been accumulated by the parties. The parties agree that the personal effects of the parties are awarded to the party having possession.

NO.

**IN THE MATTER OF  
THE MARRIAGE OF**

**AND**

**AND IN THE INTEREST OF \_\_\_\_\_, A CHILD**

**§ IN THE**

20

**507**

**202**

**202**

629

**202**

202

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           DISTRICT COURT

\_\_\_\_\_  
COUNTY, TEXAS

## EXHIBITS

[illegible]

NO. \_\_\_\_\_

\_\_\_\_\_  
§  
§  
§  
\_\_\_\_\_  
IN THE DISTRICT COURT  
309<sup>TH</sup> JUDICIAL DISTRICT  
HARRIS COUNTY, TEXAS

**PRETRIAL CONFERENCE CHECKLIST**

1. MSA or Rule 11 Agreement, resolving all issues, filed with the Court \_\_\_\_ Yes \_\_\_\_ No  
(If the answer to #1, is "yes", sign, and file with the Clerk instead of answering docket call.)  
(If the answer to #1, is "no", but both parties answered "yes" to Questions 2 - 9, sign and file with the clerk instead of answering docket call.)
2. Mediation Completed? \_\_\_\_ Yes \_\_\_\_ No
3. Inventories and Appraisements (Exchanged per Local Rules) \_\_\_\_ Yes \_\_\_\_ No
4. Financial Information Statements (Exchanged per Local Rules) \_\_\_\_ Yes \_\_\_\_ No
5. Exhibits, Exhibit List, and Witness List (Exchanged per Local Rules) \_\_\_\_ Yes \_\_\_\_ No
6. Pleadings, including all amendments and supplements filed. \_\_\_\_ Yes \_\_\_\_ No
7. All pretrial Motions, Motions for Continuance, and any Motions in Limine have been filed, heard, and ruled on. \_\_\_\_ Yes \_\_\_\_ No
8. Proposed property division, and/or child support, conservatorship, possession and access, per local rules, exchanged and attached. \_\_\_\_ Yes \_\_\_\_ No
9. Amount of Time you estimate is needed to present your case \_\_\_\_\_

**State Type of Case:** \_\_\_\_ Divorce/Annulment with Children \_\_\_\_ Paternity with Child Support  
\_\_\_\_ Child Support Obligation/Modification \_\_\_\_ Conservatorship \_\_\_\_ Divorce/Annulment without Children  
\_\_\_\_ Paternity without Child Support \_\_\_\_ Termination of Rights \_\_\_\_ Other: (specify) \_\_\_\_\_

**State Disputed Issues:** \_\_\_\_\_  
(Attach additional pages if needed.)

**Stipulations:** Attach any stipulations the parties have made regarding the issues in the case.

The undersigned certifies that they are ready for trial and have complied with all ORDERS of the Court.

\_\_\_\_\_  
Attorney for Petitioner/ Petitioner Pro Se

\_\_\_\_\_  
Attorney for Respondent/ Respondent Pro Se

**PLEASE NOTE:** Parties or Pro Se Litigants, or by and through their attorney(s) of record, shall review their exchanged exhibits for the purpose of determining if any agreements can be made as to pre-admitting agreed exhibits.

**\*Any completed pretrial checklist e-filed with the Court must be filed three working (3) days prior to the pretrial setting.**

**\*\* NO APPEARANCE IS REQUIRED IF numerals 2 – 9, above, are checked "yes" and signed by all Pro Se litigants and attorneys of record or a written agreement, resolving all issues, is filed with the Court per numeral 1.**

**\*\*\* The pretrial conference checklist DOES NOT supercede the Scheduling Order and Notice of Intent to Dismiss or Orders Setting or Resetting Trial.**

**\*\*\*\* TRIAL SETTINGS SHALL REMAIN ON THE DATE SET PER THE SCHEDULING ORDER(S) AND/OR ORDERS SETTING TRIAL**

**\*\*\*\*\* Prove up of agreements shall be completed on or before trial dates.**



## **310TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Lisa Millard**  
**Associate Judge: Conrad Moren**

<b>Mediation prior to Temporary Orders</b>	Not required.
<b>Mediation prior to Final Trial</b>	Failure to mediate prior to trial will result in the matter being considered for dismissal. If the opposing party is not cooperating regarding the mediation, it is the responsibility of the moving party to file a Motion to Compel Mediation prior to trial. Violation of the Motion to Compel Mediation will be considered for sanctions.
<b>Parenting Classes</b>	<p>The court requires a parent education course as set out in the Texas Family Code and the <i>Rules of the Judicial District Courts of Harris County, Texas, Family Trial Division</i>.</p> <p><b>12.1</b> Except for good cause shown, in all divorces joined with suits affecting the parent-child relationship, the court shall require parents to attend an educational program for divorcing parents. In its discretion, the court may also refer parents involved in modification or enforcement litigation, or a child involved in any type of custody litigation, to an education course or for counseling. In protective order cases authorized by Chapter 85, Tex. Fam. Code. The court may refer a party to a batterers' treatment program.</p>
<b>Name Changes</b>	Criminal background check required. Birth certificate of child on minor name change required.
<b>Pre-Trials</b>	When a pre-trial conference is set, the Court has a published and posted standing pre-trial order. Parties are required to comply with the order and be prepared to discuss all aspects of the case at the pre-trial conference.
<b>Issuance of Scheduling Orders</b>	Attorneys are allowed to set their own trial date by agreement. A scheduling order will be issued upon the matter being set for trial. If counsels cannot agree on a trial date, attorneys should file a Motion for Trial Request. Cases that have not been set for trial by attorneys will be set on the Motion to Retain/DWOP docket.
<b>DWOPs</b>	A case is subject to being dismissed for want of prosecution on the date of the scheduled dismissal docket or status conference if, prior to that date, (a) the Respondent has not been properly served with citation OR (b) the Respondent has not filed an

	answer or otherwise made a formal appearance OR (c) a properly executed waiver is not on file OR (d) Petitioner has not filed a proper Motion to Retain and relief granted at or before the status conference or dismissal docket. A case also is subject to being dismissed for want of prosecution if a written order is not submitted timely after rendition or order and for such other reasons as may be specified by the court, as provided by T.R. C.P., Rule 165a.
<b>Use of Parenting Coordinators/Facilitators</b>	Other than the requirements set out in the Texas Family Code, the court has no particular policies as to the use of Parenting Coordinators.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	<p>Per Texas Family Code 153.009(a), the court will interview, in chambers, children 12 years of age or older to determine the child's wishes as to conservatorship and/or primary residence. It is not the court's preference to interview the children prior to hearing between the parties. Attorneys should be reminded of <i>Family Trial Division, Local Rule 3.5</i>:</p> <p><b>3.5 Interview of Child / Child's Testimony.</b> In all cases in which the court deems testimony of a child to be necessary or required by statute, the attorney wishing to have the child interviewed shall arrange a specific time through the court coordinator for the court to interview the child. No party is to bring a child to the courthouse to testify without prior arrangement pursuant to this rule, unless the child's attendance is required by court order including a writ of habeas corpus or attachment. The attorney or pro se party who is responsible for the child's attendance at court shall immediately notify the court coordinator of the child's presence in the courthouse. The child shall not be brought into the courtroom without the express consent of the judge or associate judge.</p>
<b>Preferential Settings</b>	Any request for preferential settings must be made through the court coordinator prior to trial. Request for preferential settings before the Associate Judge will be considered only upon waiver of appeal to the District Judge. The Associate Judge's preferential settings are generally set on Thursdays and Fridays.
<b>Motions for Continuance</b>	Continuances are governed by T.R.C.P. 251 through 254 (Local Rule 3.7.6). All motions for continuance MUST contain the signature(s) of the party(ies). All Motions for Continuance must be filed well before the trial date. Upon being granted a continuance it is the responsibility of the parties to obtain a new trial date from the Trial Coordinator.
<b>Amicus Appointments</b>	Appointments are made according to TFC Chap. 107. Ad litem are appointed when required by law. When appointment is discretionary, an ad litem is appointed when it appears as though the positions of other parties may not afford the fact finder independent or

	<p>thorough advocacy for the person(s) to be represented by an ad litem. In granting ad litem fees, the factors and guidance contained in Rule 104a(b) of the Texas Disciplinary Rules of Professional Conduct and which are relevant to the specific case are considered in conjunction with the litigants' ability to pay fee.</p>
Other	<p>Amicus attorneys must be appointed prior to trial in all contested matters concerning custody of children. Regarding ancillary matters, including Notice of Hearing for Temporary Orders/Temporary Restraining Orders: if another attorney/pro se party has made an appearance in the case, the moving party must attach a Certificate of Conference to their motion.</p> <p><b>5.1</b> <u>Certificate of Conference.</u></p> <p><b>5.1.1</b> Unopposed motions shall be labeled "Unopposed" in the caption.</p> <p><b>5.1.2</b> Opposed motions shall contain a certificate that:</p> <ol style="list-style-type: none"> <li>1) states that the movant and respondent have conferred with each other and in good faith have attempted to resolve the matter; and</li> <li>2) identifies the basis of disagreement between counsel; or</li> <li>3) states that the parties have not been able to confer, and states in detail all efforts made to confer, including dates and methods of attempted communication.</li> </ol> <p><b>5.1.3</b> The clerk of each court is directed not to submit opposed motions to the judge which do not comply with this rule.</p> <p><b>5.1.4</b> The provisions of subparts 5.1.2 and 5.1.3 do not apply to motions for summary judgment, default judgments, agreed judgments, motions for voluntary dismissal or non-suit, and motions involving service of citation.</p> <p>Prior to hearing on Temporary Orders, all information, including the party's Financial Information Sheet, must be exchanged. "Calling in late" is <u>not</u> acceptable for matters set on the trial docket. The court does <u>not</u> accept late calls for trial settings. Any conflicting matters must be addressed prior to the trial setting. "Calling in late" is acceptable regarding hearings on the ancillary docket. Be sure to call in before docket. Let the clerk know</p>

what courts you will be in. Be informed that the clerks do call the other courts from time-to-time inquiring when you will be available. Note the applicable local rule as set out below:

**3.3 Docket Call Procedures.**

**3.3.1** Attorneys and pro se litigants who do not expect to be on time or present in the courtroom during docket call must notify the court and the opposing side of this fact.

**3.3.2** Attorneys and pro se parties who will be late for docket call must give the court and opposing side notice of their estimated time of arrival at court and the reason for the delay. If the attorney is late because he or she must appear in another court at the same time, the clerk must be notified not only that the attorney will be late (as above), but also the specific court(s) in which the attorney will be appearing.

**3.3.3** If the moving party (if pro se) or the party's attorney does not appear in the courtroom within thirty (30) minutes of docket call, that party's motion may be passed by the court at the request of the responding party .

## **311TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Alicia K. Franklin**

**Associate Judge: Meca L. Walker**

<b>Mediation prior to Temporary Orders</b>	Required in all cases if conservatorship is contested and/or if estimated time of hearing is 2 hours or more. Mediation may be waived by the court in extreme circumstances (i.e. Family Violence).
<b>Mediation prior to Final Trial</b>	Required in all cases unless waived by the court prior to Final Trial.
<b>Parenting Classes</b>	Per Local Rules of the Harris County Family Trial Division.
<b>Name Changes</b>	Must have criminal background check on file with the court along with a valid identification card.
<b>Pre-Trials</b>	Pre-Trial Conferences are normally held on Friday, ten (10) days prior to trial. Parties shall complete and file the Pre-Trial Checklist available on the Court's website prior to the pre-trial conference.
<b>Issuance of Scheduling Orders</b>	The Court will issue Scheduling Orders ninety (90) days after the petition has been filed.
<b>DWOPs</b>	A case will DWOP if it is final trial setting and there is no answer at docket call or if it is entry of a Final Order and there is no answer at docket call. (Please call clerk well in advance if you have e-filed your final order prior to Entry.)
<b>Use of Parenting Coordinators/Facilitators</b>	Case by case basis.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	If the ONLY ground for modification is based on choice, TFC must be complied with prior to a hearing, unless the parties stipulate that the child would make a choice and therefore the only remaining issue is best interest. In other matters, children will be interviewed in chambers per the TFC. There must be prior court approval before bringing the child to court.
<b>Preferential Settings</b>	All preferential trial settings before the Associate Judge require all parties to execute a Waiver of De Novo Hearing prior to receiving the preferential setting. If the parties reach a settlement prior to a preferential setting, please immediately contact Victor (NOT the clerks) so we can take your case off the calendar and make room for another case.
<b>Motions for Continuance</b>	An MFC on a FIRST trial setting is automatically granted if all parties are in agreement, simply contact Victor for a new trial date. All other MFC must be presented to the judge.
<b>Amicus Appointments</b>	Determined on a case by case basis.

**Other**

1. Late Calls WILL NOT be accepted after 8:45 a.m. If you have not spoken to a clerk by 8:45 a.m. and no announcement is made at Docket Call, your case will be passed or dismissed.
2. The Court will not begin a hearing or trial unless you have pre-marked all exhibits, and provided a courtesy copy of your Exhibit List to the Presiding Judge and the Court Reporter. (Notices regarding this policy are provided at counsel table in the main courtroom and in the AJ courtroom.)
3. On Contempt cases, please be sure to have your proposed order with you, otherwise the contemnor will be ordered to appear for commitment the next day.
4. All ancillary documents must be provided before the Final Decree will be signed, this includes Income W/holding Order and Medical Support Order. If all documents are not provided at this time of prove up, the court will provide an entry date.

## **312TH JUDICIAL DISTRICT COURT**

**Presiding Judge: David Farr**  
**Associate Judge: Eileen Gaffney**

<b>Mediation prior to Temporary Orders</b>	Only if custody is in issue.
<b>Mediation prior to Final Trial</b>	Generally, yes.
<b>Parenting Classes</b>	Per local rules; failure to attend will not hold up an agreement.
<b>Name Changes</b>	Per TFC; currently heard by district judge.
<b>Pre-Trials</b>	(1) On jury trials; (2) on terminations and adoptions; and (3) as requested.
<b>Issuance of Scheduling Orders</b>	Automatic; approximately four months after case is filed.
<b>DWOPs</b>	Set approximately 4 months after case is filed for a date another 2-3 months away for: (1) no answer, no waiver and no citation on file; OR waiver or citation on file, but no action taken. Will also dismiss for: (1) failure to appear at a court-ordered order pretrial; (2) failure to appear at trial; and (3) failure to submit final orders
<b>Use of Parenting Coordinators/Facilitators</b>	Rarely.
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	On modifications per before temporary orders if allegation is choice, child interviewed first otherwise, children interviewed after final trial / hearing on temporary orders as required by TFC, or as deemed appropriate by court. Attorneys are not present. Record made as required by TFC.
<b>Preferential Settings</b>	Upon request; If for final, or a temporary orders hearing in which custody is at issue, upon completion of mediation
<b>Motions for Continuance</b>	Per TRCP.
<b>Amicus Appointments</b>	Per TFC (terminations and adoptions); As deemed warranted.

## **280TH JUDICIAL DISTRICT COURT**

**Presiding Judge: Lynn Bradshaw-Hull**

General Information (from Court's Website):

Internet Address: [www.justex.net](http://www.justex.net) Follow the links to Family Court and then to 280<sup>th</sup> Court.

**File Application for Protective Order at 280<sup>th</sup> District Court, 201 Caroline, 15<sup>th</sup> Floor.**

**Style of the case will be: APPLICANT'S NAME vs. RESPONDENT'S NAME, DO NOT use "In the Matter of the Marriage of"**

<b>Mediation prior to Temporary Orders</b>	N/A
<b>Mediation prior to Final Trial</b>	N/A
<b>Parenting Classes</b>	N/A
<b>Name Changes</b>	N/A
<b>Pre-Trials</b>	N/A
<b>Issuance of Scheduling Orders</b>	N/A
<b>DWOPs</b>	N/A
<b>Use of Parenting Coordinators/Facilitators</b>	N/A
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	N/A
<b>Preferential Settings</b>	N/A
<b>Motions for Continuance</b>	Resets may be granted if less than 48 hours notice.
<b>Amicus Appointments</b>	N/A



## **CPS PROJECT COURT**

**Associate Judge: Katrina Griffith**

<b>Mediation prior to Temporary Orders</b>	N/A
<b>Mediation prior to Final Trial</b>	N/A
<b>Parenting Classes</b>	N/A
<b>Name Changes</b>	N/A
<b>Pre-Trials</b>	N/A
<b>Issuance of Scheduling Orders</b>	N/A
<b>DWOPs</b>	N/A
<b>Use of Parenting Coordinators/Facilitators</b>	N/A
<b>Cases Involving Children's Preferences/ Interviewing Children in Chambers</b>	During PMC hearing or Wednesday afternoons.
<b>Preferential Settings</b>	Friday
<b>Motions for Continuance</b>	N/A
<b>CPS Appointments</b>	Per District Court policy
<b>Other</b>	<p>Children are allowed to attend ALL hearings. Hearings can be scheduled in the afternoon to accommodate school.</p> <p>Children are REQUIRED to attend the PAL docket. If your client is in a RTC contact the coordinator to schedule a video conference. The coordinator can provide a list of RTCs with video conference capability.</p> <p>CPC 30 day docket can be located at <a href="http://cpdockets.txcourts.gov/courts.aspx">http://cpdockets.txcourts.gov/courts.aspx</a>.</p> <p>Voucher requirements are pursuant to the District Court which the case originated. See the October 14, 2014 Administrative Order Re Ad Litem Out of Court Hours for further reference.</p>