

IN THE SUPREME COURT OF TEXAS


Misc. Docket No. 05- **9052**


**APPROVAL OF LOCAL RULES REGARDING THE APPLICATION
FOR TITLE IV-D CHILD SUPPORT SERVICES
IN THE 321ST DISTRICT COURT FOR SMITH COUNTY**


ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3, the following Local Rules Regarding the Application for Title IV-D Child Support Services in the 321st District Court for Smith County are approved.

In Chambers, this 7th day of March, 2005.


Wallace B. Jefferson, Chief Justice


Nathan L. Hecht, Justice


Priscilla R. Owen, Justice

Harriet O'Neill, Justice

J. Dale Wainwright

J. Dale Wainwright, Justice

Scott Brister

Scott Brister, Justice

David M. Medina

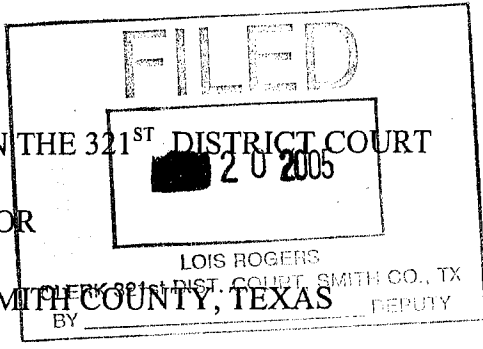
David M. Medina, Justice

Paul W. Green

Paul W. Green, Justice

IN RE: APPLICATION FOR AND §
REFUSAL OF TITLE IV-D §
CHILD SUPPORT SERVICES §

IN THE 321ST DISTRICT COURT
FOR
SMITH COUNTY, TEXAS




ORDER ON APPLICATION FOR AND REFUSAL OF TITLE IV-D
CHILD SUPPORT SERVICES

On this date the undersigned Judge of the 321st District Court for Smith County, having determined that it is in the best interest of the children of Smith County that each final decree of the 321st District Court in a Suit Affecting the Parent-Child Relationship which orders the payment of child support, shall be deemed to be an application for Title IV-D child support services and that it is necessary to adopt appropriate local rules for the procedure.

It is therefore ORDERED that the proposed Local Rule of the 321st District Court for Smith County, attached hereto and made a part of this order for all purposes, is hereby adopted.

Signed the 20 day of January, 2005.


CAROLE W. CLARK, JUDGE
321ST DISTRICT COURT

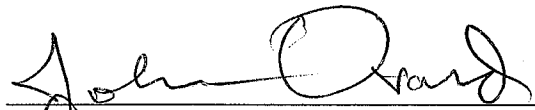
**LOCAL RULE OF THE 321ST DISTRICT COURT
FOR SMITH COUNTY**

Application for and Refusal of Title IV-D Child Support Services

- a. Each final decree entered by the 321st District Court for Smith County, Texas, in a Suit Affecting Parent-Child Relationship, which orders the payment of child support, shall be deemed to be an application for Title IV-D services provided through the Office of the Texas Attorney General, pursuant to Section 231 of the Texas Family Code. This rule shall apply to all final decrees in Suits Affecting the Parent-Child Relationship entered by the 321st District Court, whether entered before or after the effective date of this rule.
- b. Unless required to accept such services pursuant to other laws, an Obligee of child support entitled to receive Title IV-D child support services pursuant to this rule may decline such services by filing a written Refusal of Child Support Services with the District Clerk of Smith County, Texas.
- c. Refusal of IV-D Child Support Services pursuant to this rule does not preclude that person from making a subsequent written application of Title IV-D child support services.

CERTIFICATE OF APPROVAL

As Presiding Judge of the First Administrative Judicial Region, I hereby approve the enclosed proposed Local Rule of the 321st District Court for Smith County and forward it to the Texas Supreme Court for its consideration.



JOHN OVARD, PRESIDING JUDGE
FIRST ADMINISTRATIVE JUDICIAL REGION

2/7/07

(DATE)



CAROLE CLARK
JUDGE 321ST JUDICIAL DISTRICT COURT
SMITH COUNTY COURTHOUSE
TYLER, TEXAS 75702
903 / 535-0590

Court Coordinator
Pam Hulburt

Assistant Court Coordinator
Vicki Dunn

January 20, 2005

Judge John Ovard, Presiding Judge
First Administrative District
133 N. Industrial Blvd. LB 50
Dallas, Texas 75207

Re: Local Rule for the 321st District Court

Dear Judge Ovard:

Attached is a copy of a local rule I have adopted for my court. If it meets with your approval, I have also enclosed a Certificate of Approval.

The purpose of this rule is to designate as a IV-D matter, all cases in my court in which child support is assessed. The Attorney General's office can then monitor the payments pursuant to the system General Abbott has instituted for automatic monitoring.

This rule was modeled from a rule adopted by the Courts in Wichita Falls. It has been successfully implemented.

If you have questions for need additional information, please let me know. I would appreciate your forwarding it on to the appropriate person at the Supreme Court for their review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carole W. Clark".

Carole W. Clark