

ORDER OF THE SUPREME COURT OF TEXAS

Misc. Docket No. 99- 9165

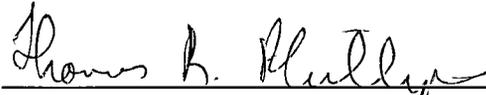
**Approval of Local Rules of the
District Courts of Jefferson County, Texas
for Family Law Proceedings**

IT IS ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court of Texas approves the attached Local Rules of the District Courts of Jefferson County, Texas for Family Law Proceedings.

This order is temporary pending further orders of this Court. In particular, approval of Local Rule 1.14(b) and the form requests for disclosure attached as Appendix 6 is temporary pending future adoption of amendments to Texas Rule of Civil Procedure 194 adopting requests for disclosure tailored to family law proceedings.

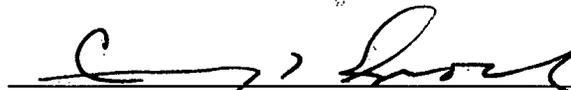
By the Court, en banc, in chambers, this 21st day of September, 1999.



Thomas R. Phillips, Chief Justice



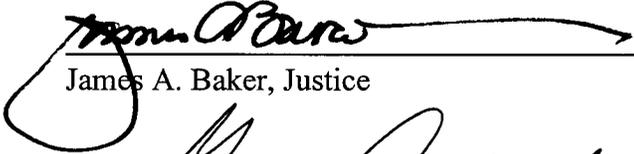
Nathan L. Hecht, Justice

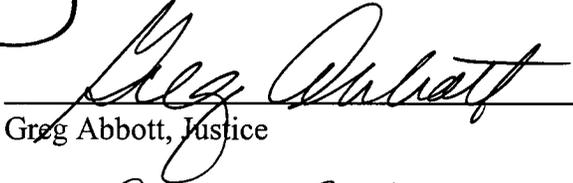


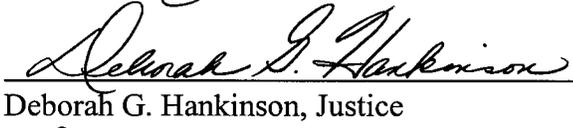
Craig T. Enoch, Justice

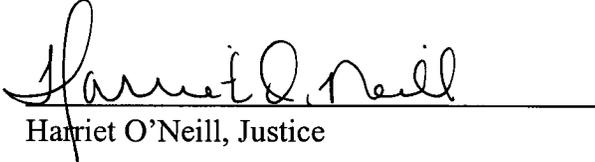


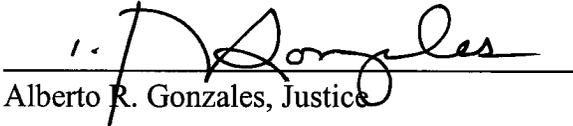
Priscilla R. Owen, Justice


James A. Baker, Justice


Greg Abbott, Justice


Deborah G. Hankinson, Justice


Harriet O'Neill, Justice


Alberto R. Gonzales, Justice



Second Administrative Judicial Region

Olen Underwood
Presiding Judge

Judy M. Geiger
Administrative Assistant

Kassi Cranfill
Administrative Technician

Vikki Holcomb
Regional Office Manager

July 30, 1999

Honorable Nathan L. Hecht
Justice, Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

Re: Local Rules of the District Courts of Jefferson County, Texas for Family Law Proceedings

Dear Judge Hecht,

Pursuant to, and in accordance with Rule 3a, Texas Rules of Civil Procedure, and Rule 8, Regional Rules of Administration, Second Administrative Judicial Region of Texas, I am enclosing for approval by the Justices of the Supreme Court, Local Rules of the District Courts of Jefferson County, Texas for Family Law Proceedings.

I hereby approve this addition of the Local Rules of the District Courts of Jefferson County, Texas for Family Law Proceedings. Please advise this office of the Court's actions.

Thank you for your usual courtesies.

Sincerely,

A handwritten signature in cursive script, appearing to read "Olen Underwood".

Olen Underwood
OU/kc

cc: Honorable Tom Mulvaney, 279th Judicial District

Enclosure

**LOCAL RULES
OF THE DISTRICT COURTS
OF
JEFFERSON COUNTY, TEXAS
FOR
FAMILY LAW PROCEEDINGS**

(Effective Upon Approval by the Supreme Court of Texas)

**TITLE 1.
RULES GOVERNING ALL FAMILY LAW
PRACTICE AND PROCEEDINGS**

RULE 1.1 Conduct and Courtroom Decorum

a. Policy

Judges and attorneys have a duty to uphold the highest standards of conduct and to earn and promote public respect for the judiciary, the legal profession and the American system of justice. Case disposition shall be accomplished effectively and efficiently consistent with applicable rules for the prompt administration of justice.

b. The Texas Lawyer's Creed

The Standards of Professional Conduct in Section IV of The Texas Lawyer's Creed, as promulgated by the Texas Supreme Court and the Texas Court of Criminal Appeals are adopted and incorporated herein by reference as guidelines for participating in family law litigation in the District Courts of Jefferson County, Texas.

c. Conduct Required of Counsel

1. Counsel shall timely appear before the Court at each setting and following each recess.

2. Counsel shall be appropriately attired for all court proceedings.

Male attorneys shall be dressed neatly in business suits or sportcoats, with dress shirt and tie.

Female attorneys shall be dressed in conservative dress or business attire.

3. Counsel shall rise and remain standing while addressing the Court.
4. Counsel shall address all statements, requests and objections to the Court and not to opposing counsel.
5. Counsel shall not argue objections in the presence of the jury without prior leave of Court.
6. Counsel shall not interrupt or talk over opposing counsel, except to state formal objections.
7. Counsel shall remain behind counsel table while examining witnesses. If requested by counsel, counsel may stand at a podium while examining witnesses.
8. Counsel shall neither make nor insinuate derogatory or insulting remarks about opposing counsel.
9. Counsel shall address the Court as "Your Honor" or "Judge" and except with leave of Court, shall refer to all counsel, parties and witnesses (except children) by their surnames, using such titles as Mr., Mrs., Miss, Dr., etc., as appropriate, and not by first names or nicknames, or any discriminatory or inappropriate classification.
10. Counsel shall request leave of Court before approaching the bench or to approach the witness when necessary to work with documentary or tangible evidence.
11. Counsel shall advise counsel's clients, witnesses and others subject to counsel's control of these rules of conduct and courtroom decorum.

12. At all times it shall be the duty of the attorneys to promptly advise the Court of any settlements and/or agreements that may affect the docket of the Court.

d. Conduct Required of All Persons

All persons in the courtroom during trials and other proceedings shall be attentive to the proceedings and shall refrain from any action that may disrupt the proceedings. Therefore, all persons shall comply with the following:

1. All persons shall be appropriately attired for court proceedings.

Except with the permission of the Court, all persons entering the courtroom shall be dressed in clothing reasonably befitting the dignity and solemnity of court proceedings. Tank tops, T-shirts, shorts, thongs, and clothing that is tattered or soiled are among those items of clothing not considered appropriate courtroom attire. No hats, caps or sunglasses shall be worn in the courtroom.

2. No tobacco use in any form is permitted.
3. No bottles, beverage containers, paper cups or edibles are allowed in the courtroom, except as permitted by the Court.
4. No gum chewing is permitted.
5. No talking or unnecessary noise that interferes with the court proceeding is permitted.
6. All persons shall rise when the Judge enters the courtroom, and at such other times as the bailiff shall instruct.
7. No person shall bring radios, tape recorders, computers, cameras, cellular telephones, pagers or other electronic devices into the courtroom unless the device is required for the court proceeding and prior approval has been given by the bailiff or the Court.

e. Enforcement

The bailiff of the Court shall enforce the rules of conduct and courtroom decorum.

RULE 1.2 REQUESTS FOR CONTINUANCE OR POSTPONEMENT

a. Consent or Notice Required

No request for a continuance, to pass, postpone or reset any trial, pretrial, or other hearing shall be granted unless counsel for all parties consent, or unless all parties not joining in such request have been notified and have had an opportunity to object.

b. Contents of Motion

Unless counsel for all parties consents in writing to the request for a continuance and the same is approved by the Court, a motion must be filed pursuant to Rule 251, *et seq.* of The Texas Rules of Civil Procedure, as amended, or Article 29.01, Texas Code of Criminal Procedure, as applicable, and the motion must be accompanied by an order setting the motion for a hearing. Any motion that does not meet these requirements will be denied without prejudice to the right to refile.

RULE 1.3 CONFLICT IN TRIAL SETTINGS

a. Duty of Counsel to Notify Court

Whenever an attorney has two or more cases on trial dockets for trial at the same time, it shall be the duty of the attorney to bring the matter to the attention of the Courts concerned immediately upon learning of the conflicting settings.

b. Priority of Cases in Event of Conflict

Insofar as practicable, the affected Courts shall attempt to agree upon which case shall have priority.

RULE 1.4 WITHDRAWAL OF COUNSEL

a. Withdrawal

Withdrawal of counsel shall be governed by Rule 10 of the Texas Rules of Civil Procedure, as amended, and the following rules.

b. Notice to Client

If another attorney is not to be substituted as attorney for the party, or if the party does not consent to the motion to withdraw, the withdrawing attorney shall notify the client in writing and set the motion to withdraw for a hearing with notice of the date and time of the hearing provided to the client.

c. Orders

All orders granting withdrawal of counsel shall require withdrawing counsel to notify his or her client of all pending settings and deadlines known to withdrawing counsel.

d. No Delay of Trial

Unless allowed in the discretion of the Court, no motion to withdraw shall be granted when it is presented within thirty (30) days of the trial date or at such a time as to require a delay of trial.

RULE 1.5 ALTERNATIVE DISPUTE RESOLUTION

a. Policy

In family law matters, it shall be the policy of the District Courts of Jefferson County, Texas to encourage the peaceable resolution of disputes and early settlement of pending litigation, including family law litigation, by referral to alternative dispute resolution (ADR) pursuant to the Texas Alternative Dispute Resolution Procedures Act, Texas Civil Practice and Remedies Code, Chapter 154.

b. ADR Mandatory

No jury or nonjury trial which is expected to exceed three (3) hours of court time shall be conducted in any case (except juvenile delinquency cases) until all contested issues have been referred to an ADR procedure and ADR has been unsuccessful, or the Court has determined that ADR is inappropriate for the case.

c. Manner of Referral

It is anticipated that the parties shall cooperate in referring such issues to an ADR procedure under terms and conditions as are mutually agreeable, without the need for Court intervention. If the parties are unable to cooperate or agree to a referral of such issues to an ADR procedure, then upon written notification to the Court by one of the parties that efforts to coordinate a referral have been unsuccessful, the Court, without a hearing, shall enter an order of referral to an ADR procedure, and under such terms and conditions selected by the Court.

d. Objection to Referral

If the Court enters an order of referral to an ADR procedure, any party may object to such referral pursuant to Texas Civil Practice and Remedies Code, Chapter 154. Upon the filing of an objection, the Court shall schedule a hearing. If the Court finds that there is a reasonable basis for the objection, the Court shall order that the case not be referred to an ADR procedure and order the case set for trial on the merits.

RULE 1.6 PRIORITY OF JURY CASES

The Courts shall give priority of court time to jury cases, recognizing the personal sacrifices jurors make to further the administration of justice. All jury trials will be conducted with punctuality and dispatch. All cases in conflict with the time allocated to a jury trial shall be re-set or heard in another court upon agreement of the affected courts.

RULE 1.7 FILING OF SUITS

a. Notice of Status Hearing

At the time a suit is filed seeking relief from the 279th or 317th District Courts, the District Clerk, with the approval of the Court, shall set the case for a "Status Hearing" by impressing on the first page of the initial pleading a stamp in the form set forth in **Appendix 1** hereto which gives notice of the date and time of the Status Hearing.

b. Exceptions from Notice of Status Hearing

Suits filed initially by the Attorney General of the State of Texas and suits filed by the Jefferson County Criminal District Attorney do not require a Status Hearing unless specifically ordered by the Court. The District Clerk will not affix a Notice of Status Hearing to such suits.

c. Status Hearing

The Status Hearing will be set approximately 75 to 85 days after the suit is filed. Prior to the Status Hearing, the parties may seek temporary orders, proceed with discovery, set the case for hearings or final trial in accord with the Texas Rules of Civil Procedure and these rules.

If the Status Hearing is scheduled for a date when an attorney is unavailable due to a "vacation," it shall be the responsibility of such attorney to reschedule the Status Hearing with opposing counsel and the Court.

d. Scheduling Order

At the time of the Status Hearing, or by agreement prior to the date of the Status Hearing, a Scheduling Order will be entered scheduling the case for trial and setting forth deadlines and agreements of the parties necessary to prepare the case for trial. The Scheduling Order shall be in the form described in **Appendix 2**.

If an attorney otherwise fails to appear at a Status Hearing without good cause, the Scheduling Order may be entered in his or her absence.

RULE 1.8 APPLICATION FOR EX PARTE ORDERS

Counsel presenting any application for an *ex parte* order shall, at the time the application is presented to the Court, certify in writing that:

- a. to the best of counsel's knowledge, the party against whom the relief is sought is not represented by counsel; or
- b. If the party against whom the relief is sought is represented by counsel, that (i) such counsel has been notified of the application and does not wish to be heard by the Court thereon; or (ii) counsel presenting the application has diligently attempted to notify opposing counsel, has been unable to do so, and the circumstances do not permit additional efforts to give such notice.

RULE 1.9 TEMPORARY HEARINGS

a. Scheduling

All temporary hearings shall be set on a date and at a time scheduled by the Court. At the time set for the temporary hearing, counsel shall make an announcement of the estimate of time required to present the case.

b. Notice Required When Responding Party Seeking Affirmative Relief

An application to the Court for a temporary order and notice of any hearing thereon which is presented by a party responding to an application for temporary orders in which that party is seeking affirmative relief shall be served on the adverse party in accordance with Rule 5 and Rule 21a of the Texas Rules of Civil Procedure, as amended.

c. Time Limits

In all matters in issue, the parties shall be granted a reasonable amount of time to present the case. Counsel should request a special setting at the time the application for temporary relief is presented to the Court for scheduling when, because of unusual circumstances, the time allotted for hearings in any particular working day are unworkable or inappropriate. The Court shall determine the amount of time that shall be allotted for the hearing

on a case-by-case basis after consultation with the attorneys on the case.

d. Order of Cases

All cases in which counsel announces a settlement shall be heard first. All other cases shall be docketed according to counsel's announcement, with those matters requiring the least amount of time to be heard first.

e. Documents Required

In all cases in which temporary support of a spouse and/or the child is in issue, each party shall be required to furnish:

1. A statement of monthly income and expenses in a form substantially similar to that attached to these rules as **Appendix 3**.
2. Copies of that party's federal income tax returns for the two calendar years prior to the temporary hearing.
3. All payroll statements, pay stubs, W2 forms, and 1099 forms which evidence that party's earnings for the calendar year prior to the temporary hearing and from January 1 of the current year through the date of the temporary hearing.

RULE 1.10 SEMINAR FOR PARENTS

a. Seminar Mandatory

All parties in divorce suits involving a suit affecting the parent-child relationship, who are parents of a child the subject of the suit, shall attend and complete an educational seminar or course approved by the Court in which the suit is pending. The Courts of this County have determined that it is in the best interest of children of divorce to require parents to attend a seminar or course to enhance their parenting abilities and to better understand the effects of divorce on children. The content of the seminar or course shall include, but not be limited to:

- (1) the emotional effects of divorce on parents;
- (2) the emotional and behavioral reactions to divorce by young children and adolescents;

- (3) parenting issues relating to the concerns and needs of children at different developmental stages;
- (4) stress indicators in young children and adolescents;
- (5) conflict management;
- (6) family stabilization through development of a coparenting relationship;
- (7) the financial responsibilities of parenting;
- (8) family violence, spousal abuse, and child abuse and neglect; and
- (9) the availability of community services and resources.

A course or service taken in compliance with Section 105.009 of The Texas Family Code, as amended, satisfies the requirements of this Rule.

b. Fees

Each party shall attend the seminar or approved service of equal value at that party's sole cost and expense. The fee shall be payable to the service provider at the time of registration. The fee for the seminar shall be reduced or waived in cases of indigence, in the manner provided by the Texas Rules of Civil Procedure.

c. Deadline for Completion

Each party shall complete the seminar or approved service of equal value within sixty (60) days after the date the respondent parent is served with process or executes a waiver of citation in the case, and prior to a final hearing on the merits of the case.

d. Verification of Attendance

Each party completing the seminar shall be provided with a certificate of attendance which that party shall present to the referring Court prior to final hearing of the case.

e. Sanctions

The Court may take appropriate action with regard to a party who fails to attend or complete a course or seminar ordered by the Court, including holding the party in contempt of Court, striking pleadings, or invoking any sanction provided by Rule 215, Texas Rules of Civil Procedure.

RULE 1.11 PRETRIAL AND TRIAL SETTINGS

a. By Request

Except in settings ordered in Scheduling Order (Rule 1.7d of these rules), settings of contested cases shall be made **ONLY** upon the dated, written request of any attorney of record by delivering or mailing such request to the Clerk of Court. A copy of the request for setting shall be served, pursuant to Rule 21a, T.R.C.P., upon all attorneys of record in the case and all parties not represented by counsel. The written request shall be in substantially the same form as the form described in **Appendix 4**.

b. Uncontested Cases

In the 279th District Court, all uncontested matters will be heard at 8:30 a.m., Monday through Friday. In the 317th District Court, all uncontested matters will be heard at 9:00 a.m., Monday through Friday. Attorneys desiring to have uncontested matters heard at the above times should be in the appropriate court at the appropriate time.

Attorneys desiring to have their uncontested cases heard at the beginning of the morning docket of each Court (8:30 a.m. for the 279th and 9:00 a.m. for the 317th), should contact the Clerk of Court before 3:00 p.m. at least one (1) day prior to the setting.

If there is ANY issue that is not settled, the case will be considered to be a contested case and handled as such.

RULE 1.12 TRIALS IN EXCESS OF THREE (3) HOURS

All trials projected to require more than three (3) hours of court time will require a pre-trial hearing and will require an approved ADR procedure as set out in Rule 1.5 of these rules.

RULE 1.13 INVENTORY AND APPRAISEMENT

a. Inventory and Appraisal Required

In all cases in which the character, value or division of property or debts is in issue, each party shall file, not less

than thirty (30) days prior to trial, a sworn inventory and appraisal of all of the separate and community property owned or claimed by the parties and all debts and liabilities owed by the parties. It is recommended that each party file this inventory in a form substantially similar to the form attached as **Appendix 5**.

b. Composite Inventory and Appraisal

After each party's sworn inventory and appraisal has been filed, the parties shall file a composite inventory and appraisal in a form substantially similar to that attached as **Appendix 5**, which will include all items on each party's sworn inventory and appraisal. The petitioner shall initiate the composite inventory and forward it to the respondent for completion not less than seven (7) days prior to trial. The respondent shall complete and file the composite inventory with the Court and serve a copy of the same on the petitioner not less than three (3) days prior to trial. On the composite inventory, each party will indicate in the space provided any asset or liability he or she requests as an award from the Court. All values assigned by the parties will be assumed by the Court to fairly represent the value each party assigns to the asset or liability described.

c. Sanctions for Failure to File

If a party or the parties fail to prepare and/or file the initial inventory or the composite inventory as required, the Court may conduct a pretrial hearing and make such orders with regard to the failure as are just, including but not limited to, sanctions pursuant to Rule 215(2)(b) of the Texas Rules of Civil Procedure, as amended.

RULE 1.14 DISCOVERY

a. Child Support Cases

In all suits involving child support, each party who is a parent shall furnish to the Court the information described for determination of child support set out in Section 154.063, Texas Family Code, as amended.

b. Requests for Disclosure

In all suits for divorce, the parties may submit a Request for Disclosure in the form of the document described in **Appendix 6**, subject to sanctions provided for failure to properly reply as set forth in the Texas Rules of Civil Procedure.

c. Other Discovery

All other discovery shall be obtained by agreement or in compliance with the Texas Rules of Civil Procedure.

RULE 1.15 ORDERS AND DECREES

a. Reduction to Writing Within Thirty (30) Days

Within no more than thirty (30) days after rendition, announcement of the Court's ruling or announcement of settlement by counsel, counsel shall cause all judgments, decrees or orders of any kind to be reduced to writing, forwarded to opposing counsel for approval as to form, and delivered to the Court for signing. At the end of each hearing or trial, the Court may set a date for receipt of written documents reflecting the judgment or order of the Court.

b. Dismissal if Written Order Not Furnished

Upon failure to furnish the Court with a judgment, order or decree disposing of the case within the thirty (30) day period, the case may be dismissed and costs may be taxed at the Court's discretion.

c. Procedure for Entry of Order

If counsel is unable to secure all opposing counsel's approval as to form, counsel may:

1. file a motion for entry of the proposed judgment, order or decree and secure a hearing for the same, with notice to all opposing counsel pursuant to Rule 21a, Texas Rules of Civil Procedure. At a hearing, the Court may assess costs and attorney's fees within the Court's discretion; or

2. present the Court with the proposed judgment, decree or order, together with a letter requesting the Court to sign the same if the Court has not received a written objection from opposing counsel within ten (10) days from the date of the letter. Each party who submits a proposed judgment for signature shall serve the proposed judgment and a copy of the letter on all other parties who have appeared and remain in the case, in accordance with Rule 21a, Texas Rules of Civil Procedure. If the Court or the proponent of the proposed judgment receives a written objection from opposing counsel within the stated times, the proponent of the judgment, decree or order shall schedule a hearing for entry of the same pursuant to subdivision 1 of this rule.

RULE 1.16 DISMISSAL FOR WANT OF PROSECUTION

a. Dismissal Docket

The court may set a "Try or Dismiss" Docket in any month, except June, July or August. All cases which have been on file for more than one (1) year may be dismissed for want of prosecution unless retained on the docket by order of the Court.

b. Other Dismissals for Want of Prosecution

The Court, on its own motion, may dismiss a case for want of prosecution. The procedure provided in Rule 165a of the Texas Rules of Civil Procedure, as amended, shall apply.

c. Reasons for Dismissal

A case may be dismissed for want of prosecution for any of the following reasons:

1. Failure of a party seeking affirmative relief to take appropriate action when the case has been pending for six months.
2. Failure of counsel for a party seeking affirmative relief to appear for a pretrial, scheduling or preliminary hearing, particularly if there has been a previous failure to appear or no motion has been timely filed to meet the exceptions previously sustained.

3. Failure of a party seeking affirmative relief to make an announcement as scheduled when the case has been set for trial.

TITLE 2. MISCELLANEOUS

RULE 2.1 AUTHORITY FOR RULES

These rules are adopted pursuant to Rule 3a of the Texas Rules of Civil Procedure, as amended, and the constitutional, statutory and inherent powers of the courts to regulate proceedings before them and to provide for the orderly and efficient dispatch of litigation.

RULE 2.2 TITLE AND CITATION

These rules shall be known as the Local Rules of the District Courts of Jefferson County, Texas for Family Law Proceedings.

RULE 2.3 PARTIAL CIVIL INVALIDITY

In the event any of the foregoing rules or any part thereof is held to be invalid for any reason, such invalidity shall not affect the validity of the remaining rules and parts of rules, all of which have been separately numbered and adopted.

RULE 2.4 TERMS

The terms *counsel*, *lawyer*, and *attorney of record* as used in these rules shall apply to an individual litigant in the event a party appears *pro se*.

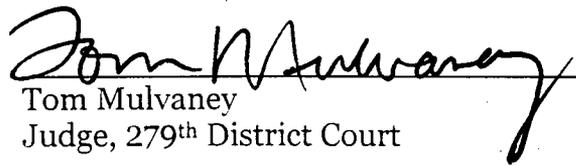
RULE 2.5 CONSTRUCTION OF RULES

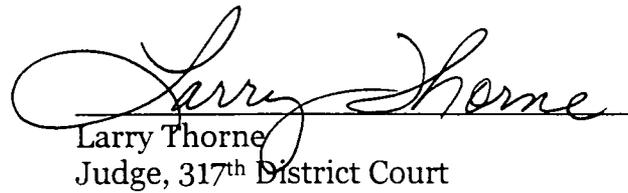
Unless otherwise expressly provided, the past, present or future tense shall each include the other; the masculine, feminine or neuter gender shall each include the other; and the singular and plural shall each include the other.

RULE 2.6 APPLICATION OF RULES

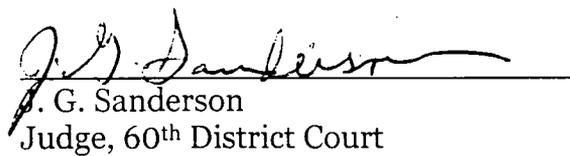
These rules supersede any prior local rules of practice specific to family law matters in the District Courts of Jefferson County, Texas. These rules shall become effective upon approval by the Texas Supreme Court.

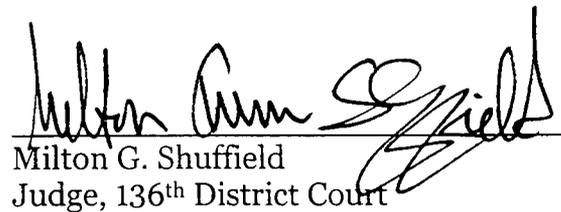
SIGNED 9-13, 1999.

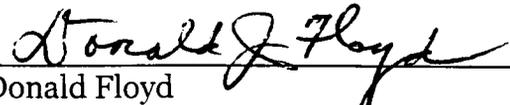

Tom Mulvaney
Judge, 279th District Court


Larry Thorne
Judge, 317th District Court


James W. McHaffy
Judge, 58th District Court


J. G. Sanderson
Judge, 60th District Court

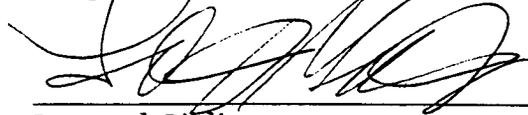

Milton G. Shuffield
Judge, 136th District Court



Donald Floyd
Judge, 172nd District Court



Charles Carver
Judge, Criminal District Court



Leonard Giblin
Judge, 252nd District Court

APPENDIX 1

NOTICE TO ALL PARTIES
AND THEIR ATTORNEYS:

A status hearing is scheduled
for _____ in the 279th
District Court at 8:30 a.m. unless
a judgment has already been entered.

NOTICE TO ALL PARTIES
AND THEIR ATTORNEYS:

A status hearing is scheduled
for _____ in the 317th
District Court at 9:00 a.m. unless
a judgment has already been entered.

APPENDIX 2

CAUSE NO. _____

IN THE MATTER OF THE MARRIAGE OF

JOHN DOE AND
JANE DOE

AND IN THE INTEREST OF THEIR
MINOR CHILDREN

§
§
§
§
§
§

IN THE DISTRICT COURT OF

JEFFERSON COUNTY, TEXAS

____ TH JUDICIAL DISTRICT

SCHEDULING ORDER

Based on the information available to the Court, the following scheduling order shall apply to this case unless modified by the Court. If no date is given below, the item is governed by the Texas Rules of Civil Procedure. If no date is required, the attorney for each party shall initial the applicable line confirming that it is not applicable in this case.

1. _____

All parties are properly before the Court.

If JOINDER of the parties is required, all parties must be added and served, whether by amendment or third party practice, by this date. THE PARTY CAUSING THE JOINDER SHALL PROVIDE A COPY OF THIS SCHEDULING ORDER AT THE TIME OF SERVICE.

2. _____

AD LITEM. Any necessary attorney or guardian ad litem appointments have been made or shall be made by this date.

3. _____

WITNESSES. A list must be filed which includes the name, address, and topic of testimony of each witness by this date.

a. EXPERT WITNESS of Petitioner and Respondent;

b. EXPERT WITNESS of all other parties..

c. FACT WITNESS who may be called at trial.

Expert fact witnesses not listed in compliance with this paragraph will not be permitted to testify absent a showing of good cause. This designation is not a substitute for any required interrogatory supplementation.

4. _____ PARENTING SEMINAR is completed by both parties.
_____ PARENTING SEMINAR will be completed by this date.
5. _____ ALTERNATIVE DISPUTE RESOLUTION. By this date the parties must either (1) file an agreement for ADR stating the form of ADR requested and the name of an agreed mediator, if applicable; or (2) set an objection to ADR. If no agreement or objection is filed, the Court may sign an ADR order.
6. _____ INVENTORY AND APPRAISEMENT. Spouses shall exchange a sworn inventory and appraisal by this date. A complete inventory shall be filed prior to trial. An inventory combining the inventories of the parties should be required prior to trial.
7. _____ DISCOVERY. All discovery requests and deposition notices must be filed by this date. Discovery may be initiated after this date by stipulation in conformity with Rule 11, Tex. Rules of Civil Procedure. Incomplete discovery will not delay the trial date.
8. _____ PSYCHOLOGICAL EVALUATION OR SOCIAL STUDY to be completed by this date.
9. _____ PLEADINGS. All amendments and supplements must be filed by this date. This order does not preclude prompt filing of pleadings directly responsive to any timely filed pleadings.
10. _____ A STATUS CONFERENCE is set on this date.
11. _____ PRETRIAL CONFERENCE. Parties shall file their Pretrial Order and shall be prepared to discuss all aspects of trial with the Court on this date. TIME: _____ M. (Required for cases expected to exceed three hours and jury trials).
12. _____ TRIAL. This case is set for trial on the merit on this date. The time needed for trial will/will not exceed three hours.

13. _____ A jury fee has been paid. Proposed charge will be filed with the Court prior to jury selection.
14. _____ Counsel for all parties certify that they are not presently set in any other Court, civil or CRIMINAL.
15. _____ Counsel for all parties certify that they have no vacation letter on file or hereby waive the vacation notice!
16. _____ SCHEDULING CONFERENCE is rescheduled for _____, 1999, for the following reason:

SIGNED this the ____ day of _____, ____.

JUDGE PRESIDING

ACKNOWLEDGED:

Attorney for Petitioner

Attorney for Respondent

Attorney Ad Litem

APPENDIX 3

G-2

NOTICE This form is to be completed and a copy furnished to opposing Counsel and the Court prior to the show cause hearing. Parties having income will attach proof of earnings, i.e. letter from employer, check stubs, W 2 forms, income tax statements, etc.

FINANCIAL INFORMATION STATEMENT DISTRICT COURT

No. _____

PETITIONER/RESPONDENT _____

ATTORNEY _____

I certify that the following answers to the questions as listed are true and correct:

1. Date of Marriage _____ Separation _____
2. Ages of the children of this marriage () () () () () ()
Are any of the children handicapped? Yes/No
3. What are your necessary monthly expenses? Indicate those secured by mortgages by placing a check beside the amount.
(a) Rent/House payment \$ _____ (q) Beauty parlor _____
(b) Food _____ (r) Haircuts _____
(c) Doctor _____ (s) Entertainment _____
(d) Dentist _____ (t) Child Care _____
(e) Drugs _____ (u) OTHER _____
(f) Life Insurance _____
(g) Hospitalization _____
(h) Auto Insurance _____
(i) House Insurance _____
(j) Car Payments _____
(k) Gasoline & Oil _____
(l) Car Expenses _____
(m) Other Transportation _____
(n) Furniture _____
(o) All Utilities _____
(p) Lunches, School _____
TOTAL \$ _____

4. Are you working? _____ Kind of work _____
Employer _____ Address _____
5. Gross Income Weekly/Monthly/Other _____
\$ _____

Deductions
Withholding \$ _____
FICA _____
Retirement _____
Total \$ _____

NET INCOME \$ _____

6. Is your spouse working? _____ Kind of work _____
Employer _____ Address _____
7. Gross Income Weekly/Monthly/Other _____
\$ _____

Deductions
Withholding \$ _____
FICA _____
Retirement _____
TOTAL \$ _____

NET INCOME \$ _____

8. I feel that a reasonable sum for me to PAY/RECEIVE would be:
a. Temporary alimony \$ _____
b. Child support _____
TOTAL \$ _____
Weekly/Monthly

Proof of earnings have not been attached because:
Other Income When appropriate, state the amount of income, the source and by whom received:

Witness my hand this _____ day of _____, 19_____

Husband/Wife

I hereby tender this statement into evidence for the purpose of aiding the Court to determine the amount of child support and temporary alimony, when appropriate.

APPENDIX 4

Clerk of the 279th/317th District Court
1149 Pearl Street
Beaumont, TX 77701

Re: Cause No. _____;
In the Matter of _____

Dear _____:

Please set the above-referenced case for a (non-jury/jury trial). I certify that the case will be ready for trial in accord with the Local Rules of the District Courts of Jefferson County, Texas for Family Law Proceedings.

The estimated length of trial will be _____ (hours/days).

Sincerely,

c: Opposing Counsel
Client

APPENDIX 4

APPENDIX 5

CAUSE NO. _____

IN THE MATTER OF
THE MARRIAGE OF

AND

AND IN THE INTEREST OF
THEIR MINOR CHILDREN

§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

JEFFERSON COUNTY, TEXAS

279TH / 317TH JUDICIAL DISTRICT

PETITIONER'S / RESPONDENT'S INVENTORY AND APPRAISEMENT

Comes Now, _____, Petitioner / Respondent, and files this
her / his Inventory and Appraisement of all assets and liabilities, community and separate property,
as attached.

Respectfully submitted,

BY: _____

State Bar No. _____

ATTORNEYS FOR PETITIONER / RESPONDENT

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the attached Inventory and Appraisement was duly
served upon Petitioner's / Respondent's attorney of record, _____
_____, on
this the _____ day of _____, _____.

CAUSE NO. _____

IN THE MATTER OF
THE MARRIAGE OF

AND

AND IN THE INTEREST OF
THEIR MINOR CHILDREN

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

JEFFERSON COUNTY, TEXAS

279TH / 317TH JUDICIAL DISTRICT

AFFIDAVIT

STATE OF TEXAS
COUNTY OF JEFFERSON

§
§

I, _____, state on oath that, to the best of my knowledge and belief, the foregoing inventory and appraisalment contains

1. a full and complete list of all properties in my possession or subject to my control that I claim belong to the community estate of myself and my spouse, with the value thereof;
2. a full and complete list of all properties in my possession or subject to my control that I claim or admit as my or my spouse's separate property and estate, with the values thereof; and
3. a full and complete list of the debts that I claim are community indebtedness.

I make this affidavit with the following reservations and qualifications:

1. Any omission from this inventory is not intentional but is done through mere inadvertence and not for the purpose of misleading my spouse.
2. There may be other assets and liabilities of which my spouse is aware, and their omission from this inventory should not be construed as a waiver of my interest in those items.

SIGNED on this the _____ day of _____, _____.

SIGNED under oath before me on the _____ day of _____, _____.

Notary Public, State of Texas

NO. _____

IN THE MATTER OF
THE MARRIAGE OF:

AND

AND IN THE INTEREST OF:

A MINOR CHILD

§
§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

JEFFERSON COUNTY, TEXAS

_____TH JUDICIAL DISTRICT

**PETITIONER/RESPONDENT'S REQUESTS FOR
DISCLOSURE UNDER LOCAL RULES OF THE COURT**

TO: [Name], by and through [his/her] attorney of record, [name and address of attorney]

Pursuant to the Local Rules of the District Courts of Jefferson County, Texas – Family Law Proceedings, you are requested to disclose, within 30 days [or 50 days] of service of this request, the information or material as set forth in the attached request. Each written response must be preceded by the request to which it applies. No objection or assertion of work product privilege is permitted to a request under this rule. If you fail to comply with this request, the court may order sanctions against you in accordance with the Texas Rules of Civil Procedure. Your response must be signed.

Respectfully submitted,

BY: _____

TBA# _____

ATTORNEYS FOR _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing instrument has been forwarded to _____, on this the _____ day of _____.

REQUEST

- a. State the name, address, phone number, DL#, DOB, place of birth and Social Security number of (name of responding party).
- b. State the name, address, DOB, place of birth and the Social Security number of all children under the age of eighteen born to this marriage.
- c. Produce (responding party's name) tax returns for the years _____ through _____.
- d. State the name, mailing address and phone number of (name of responding party) employer and all previous employers since date of marriage.
- e. Produce payroll proof of income for the year-to-date. (If responding party is self-employed request any documents necessary to prove income).
- f. Produce copies of all documents or reports or responding letters with enclosures from any entity obtained by (name of responding party) by virtue of an authorization furnished by the requesting party.
- g. Execute the attached authorizations to obtain information pertaining to (name of responding party) employee benefits, salary and income.
- h. Describe all property claimed to be the separate property, the method you intend to use to prove same and the factual basis of the claim of separate property. (attach to your answer copies of all indicia of ownership such as deeds or titles).
- i. State the amount, the method you intend to use to prove and the factual basis of any claim for reimbursement and whether said claim is for a separate property claim against the community or a community claim against (petitioner's/respondent's) separate property.
- j. State the name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case.
- k. For any testifying expert:
 - 1. state the expert's name, address and telephone number;

2. state the subject matter on which the expert will testify;
3. state the general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained by, employed by, or otherwise subject to the control of (name of responding party), documents reflecting such information.
4. if an expert is retained by, employed by, or otherwise subject to the control of (name of responding party), produce the originals or copies of the following:
 - (A) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - (B) the expert's current resume' and bibliography.



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

CLERK
JOHN T. ADAMS

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

September 21, 1999

Hon. Olen Underwood
2nd Admin. Judicial Rgn.
301 N. Main, Suite 228
Conroe, Texas 77301

Dear Judge Underwood,

Please find enclosed, a copy of the order of the Supreme Court that temporarily approved local rules for the district courts of Jefferson County for family law proceedings.

Sincerely,

SIGNED

John T. Adams
Clerk

Encl.

cc: Hon. Tom Mulvaney

District Clerk

County Clerk

Supreme Court Adv Committee

Mr. Jerry Benedict
Office of Court Admin

State Law Library