

309TH JUDICIAL DISTRICT COURT

Presiding Judge: Sheri Y. Dean
Associate Judge: Beverly B. Malazzo

Contact:

Clerks: 713-274-4520
Coordinators: 713-274-4527
Court Reporter: 713-274-4528
Website: <https://www.justex.net/courts/Family/FAMILYCourt.aspx?crt=56>

Court Staff:

Court Coordinator: Madeline Russell; madeline_russell@justex.net
Head Clerk: Sandra "Sandy" Gomez; sandra.gomez@hcdistrictclerk.com
Assistant Clerk: LaCosha Edmonson; lacosha.edmonson@hcdistrictclerk.com
Bailiff: Deputy Earnest Lee
Bailiff:
Official Court Reporter: Delores Johnson; delores_johnson@justex.net
Court Reporter for AJ: Angelia Singleton; ajhs64@gmail.com

Mediation prior to Temporary Orders	Parties must appear personally in Court unless they have settled. Court will determine need for mediation referral for Temporary Orders at first setting/hearing. Interim Orders (Band-Aid Orders) are required with a reset date for the full hearing contained in the Order.
Mediation prior to Final Trial	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.
Parenting Classes	Parenting classes are required per local rules. Online classes are accepted unless specified by Court.
Name Changes	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.
PreTrials	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, Motions for Continuance, Motions in Limine, etc. 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 THE CHECKLIST HAS BEEN EFILED, ATTENDANCE AT THE PRETRIAL CONFERENCE SETTING IS NOT REQUIRED. Otherwise, if no PreTrial Conference Checklist is turned in and/or a continuance is being sought,

	Attorneys and ProSe 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 JWEB System, will be honored, but a reset of the Pre-Trial setting will be required.
Issuance of Scheduling Orders	Scheduling Orders are issued 75-90 days after Initial Pleadings are filed with no less than 60 days notice for Trial.
DWOPs	Petitioner's or Movant's non-appearance at Trial will result in a DWOP if parties have been properly notified for Trial. Cases set for Trial will be dismissed if there is no appearance or no service.
Use of Parenting Coordinators/Facilitators	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.
Cases Involving Children's Preferences/ Interviewing Children in Chambers	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.
Preferential Settings	Preferential settings are rarely granted, but the Court will entertain requests supported by the facts and circumstances.
Reset Procedures for Trial Settings or Hearings	<u>Ancillary hearing resets:</u> 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 or approach the Court. <u>Trial settings:</u> 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 Pre-Trial and Trial date. Attorney vacation letters that are in the JWEB System are honored without a hearing or Motion for Continuance.
Motions for Continuance	Motions for Continuance are to be filed on or before the Pre-Trial Conference. A rare continuance may be considered on day of Trial. Appearance is required on Trial day. See above also.
Improved PreTrial Conference Checklist (see attached example)	There is no requirement to appear for a Pre-Trial Conference setting if the Pre-Trial 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 BEFORE you get to Trial. The PreTrial Conference Checklist is available on line. The Checklist must be efiled.
Amicus Appointments	With few exceptions, a Temporary Hearing is required prior to the appointment of an Amicus. If the Court finds a need for an Amicus, the case will be recessed.

Other

Prove-ups:

Divorce cases: Party must be present with counsel if represented. Final decree must be e-filed prior to the setting date. 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 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 e-filed before the hearing.

SAPCR: Party must be present with counsel if represented. Final Orders must be e-filed adjudicating parentage. Heading should reflect if the Order is an agreement or default. If child support is ordered, the Employer's Withholding and Medical Support Orders must be 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 e-filed 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 e-filed 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 e- filed 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. E-file BVS and FOCAS forms with the final orders. If an e-filed order is not visible on the date of entry, a new entry date will be assigned by the clerk. If on second entry date the order is not in the Court’s file, Court will put the case on the DWOP docket. Entry resets will be for one week only. A second request for a reset will require an appearance.

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 and Wednesday 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:

Use of email addresses: The Court allows and encourages late calls to be done via email prior to docket call. General inquiries can be made via email as well. Court reporters encourage inquiries via their email addresses. However, email addresses are not to be used to send pleadings, evidence in a case, etc. Using emails to notify court of filings or to check on documents being signed is encouraged.

Supervised Visitation – When supervised visitation may be in the best interest of the child, it is preferable that the parties suggest an acceptable supervisor. If none can be found, then visitations through an agency which provides supervised access will be ordered. Please see attached list. This list is for reference only and not an endorsement of any these programs or agencies by this Court.

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.

Custody Evaluations – a new statute has made changes to the requirements in Custody Evaluations. Please read this statute.

E-filing: Bring a courtesy copy for the Court's review. Copies filed prior to the night before or the day of a hearing will not be in the court system for judge's review. After e-filing, there is some time required for processing. Therefore, a practice tip is to e-file motions, orders, etc. two days in advance of a scheduled hearing or setting to assure receipt by the Court and that the document is in the system for the Court's review at the setting. Also, watch and make sure orders get signed after you e-file them. If not, email or call the clerk and inquire.

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 JWEB System are honored without a hearing or Motion for Continuance. Please make sure to call in if you have a setting. **DO NOT** assume the Court is aware of your vacation letter.

309th Judicial District Court

APPROPRIATE LANGUAGE FOR DECREES and MOTIONS TO MODIFY BASED ON AN MSA AFTER IN RE STEPEHANIE 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. _____

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IN THE DISTRICT COURT
309TH 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 _____ Yes _____ No
Limine have been filed, heard, and ruled on.
- 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.**

**Supervised Visitation Providers
Harris and Contiguous Counties**

	Location	On-Site/ Off-Site	Registration Fees	Visitation Fees	Guest Fees	Monitored Exchanges
Access Builds Children (ABC) (936) 203-8297	Montgomery County (Conroe)	On-Site Only	\$100 for visiting parent + \$25 annually	Group: Sliding Scale ranging from \$110 \$165 per 4 hour visit; Private: \$75 first hour plus \$40 each add. hour on site only	\$20 per guest per visit	Not offered off site
A Family Affair (214) 681-3005	Offices in Austin and Dallas, but also serves Harris Co.	Off-Site Only	\$50 per party	\$50 for one child plus \$10 each add. child; 2 hour minimum	No charge for guests	\$65 per exchange
Angels for Children (281) 380-3928	Harris, Fort Bend, Brazoria, Galveston	Off-Site Only	\$75 per party	\$110 first 2 hours plus \$35 each add. hour for 1-2 children; \$40 each add. hour for more than 2 children	\$10 per guest (1- 2 guests)	\$55 per exchange
Galveston County Supervised Visitation (281) 482-0266	Galveston, Harris, Brazoria	On-Site or Off-Site	\$100 annually per party	Group: \$150/month for two four hour visits; Private: \$75 first hour plus \$25 each add. hour		\$25 per exchange per party
Guardians of Hope (713) 542-1110	Harris and contiguous counties	On-Site or Off-Site	\$75 per party	Group: Sliding Scale ranging from \$55 \$110 per 4-hour visit, Private: \$35 per hour with 2 hour minimum plus \$40 travel/report fee	\$5 per guest per hour	\$60 per exchange
Melody Allen, MA, LPC-S (832) 925-3304	Fort Bend County	On-Site or Off-Site	\$100 annually per party	\$65 first hour plus \$30 each add. hour; \$10 each add. child On-Site therapeutic visits: \$100/hour	\$10 per person	\$60 per exchange
We Are The Children's Haven (WATCH) (281) 635-3664	Harris and contiguous	Off-Site	\$50 per party	\$110 first hour plus \$30 each add. hour	Case by case basis	\$55 per exchange (if supervisor is available)
Westfield Youth Services (713) 528-2008	Harris County	On-Site or Off-Site	\$85 per party annually	\$60 first hour plus \$25 each add. hour	\$10 per guest	\$50 per exchange

310TH JUDICIAL DISTRICT COURT

Presiding Judge: Lisa Millard
Associate Judge: Conrad Moren

Contact:

Telephone:

713-274-1310

Website:

<https://www.justex.net/courts/Family/FAMILYCourt.aspx?crt=57>

Court Staff:

Court Coordinator:

Molly Nguyen

Head Clerk:

Nidia Alberto

Assistant Clerk:

Bailiff:

Fred Harrison

Court Reporter:

Clarisia Ramirez

Mediation prior to Temporary Orders	Not required.
Mediation prior to Final Trial	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.
Parenting Classes	<p>The Court requires a parent education course as set out in the Tex. Fam. Code and the <i>Rules of the Judicial District Courts of Harris County, Texas, Family Trial Division</i>.</p> <p>12.1 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>
Name Changes	Criminal background check required. Birth certificate of child on minor name change required.
Pre-Trials	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.
Issuance of Scheduling Orders	Court issues scheduling order after case has been on file for 90 days. Attorneys are allowed to set their own Trial date by submitting an agreed scheduling order if done prior to court issuing its own scheduling order.

<p>DWOPs</p>	<p>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. A case also is subject to being dismissed for want of prosecution if a written order is not submitted timely after rendition.</p>
<p>Use of Parenting Coordinators/Facilitators</p>	<p>Other than the requirements set out in the Tex. Fam. Code, the Court has no particular policies as to the use of Parenting Coordinators.</p>
<p>Cases Involving Children’s Preferences/ Interviewing Children in Chambers</p>	<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>3.5 Interview of Child / Child's Testimony. 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>
<p>Preferential Settings</p>	<p>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.</p>
<p>Motions for Continuance</p>	<p>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</p>

	is the responsibility of the parties to obtain a new Trial date from the Trial Coordinator.
Amicus Appointments	Appointments are made according to Tex. Fam. Code Ch. 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 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.
Other	<p>Amicus attorneys must be appointed prior to Trial in all contested matters concerning custody of children.</p> <p>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>5.1 <u>Certificate of Conference.</u></p> <p>5.1.1 Unopposed motions shall be labeled "Unopposed" in the caption.</p> <p>5.1.2 Opposed motions shall contain a certificate that:</p> <ol style="list-style-type: none"> 1) states that the movant and respondent have conferred with each other and in good faith have attempted to resolve the matter; and 2) identifies the basis of disagreement between counsel; or 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. <p>5.1.3 The clerk of each court is directed not to submit opposed motions to the judge which do not comply with this rule.</p> <p>5.1.4 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</p>

involving service of citation.

Prior to hearing on Temporary Orders, all information, including the party's Financial Information Sheet, must be exchanged.

"Calling in late" is not acceptable for matters set on the Trial docket. The Court does not 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 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 F. York
Associate Judge: Diane Guariglia

Contact:

Telephone:

713-274-4580

Website:

<https://www.justex.net/courts/Family/FAMILYCourt.aspx?crt=58>

Court Staff:

Court Coordinator:

Victor Almendarez

Head Clerk:

Iris Garcia

Assistant Clerk:

Sky Armstrong

Bailiff:

Deputy Eddie Harrold

Bailiff:

Deputy Uriah Brown

Court Reporter:

Stephanie Wells

Court Reporter:

Angie McBride

Mediation prior to Temporary Orders	Required in all cases. Mediation may be waived by the Court in extreme circumstances (i.e. Family Violence).
Mediation prior to Final Trial	Required in all cases unless waived by the Court prior to Final Trial.
Parenting Classes	Per Local Rules of the Harris County Family Trial Division.
Name Changes	Must have criminal background check on file with the Court along with a valid identification card.
Pre-Trials	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. Failure to complete the pretrial checklist or in the alternative appear at pretrial may result in a dismissal of your case.
Issuance of Scheduling Orders	The Court will issue Scheduling Orders ninety (90) days after the petition has been filed.
DWOPs	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.)
Use of Parenting Coordinators/Facilitators	Case-by-case basis.
Cases Involving Children's Preferences/ Interviewing Children in Chambers	If the ONLY ground for modification is based on choice, Tex. Fam. Code 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 Tex. Fam. Code. There must be prior Court approval before bringing the child(ren) to court.

Preferential Settings	The 311 th Court will no longer set have preferential trial settings without special circumstances. 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. Temporary Orders hearings may be preferentially set. 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.
Motions for Continuance	A Motion for Continuance on a FIRST trial setting is automatically granted if <u>all</u> parties are in agreement, simply contact Victor for a new Trial date. All other Motions for Continuance must be presented to the Judge.
Amicus Appointments	Determined on a case-by-case basis.
Other	<ol style="list-style-type: none"> 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 Withholding Order and Medical Support Order. If all documents are not provided at this time of prove up, the Court will provide an entry date. 5. The Court will not begin a trial with contested property issues unless the parties have submitted to the Court Proposed Property Divisions (PPD) in Excel format that also contains proposed percentage split, (i.e.: 50/50, 60/40, etc.). Counsel may either provide the PPD on a jump drive tendered to the judge at trial or emailed to Victor Almendarez prior to trial. Attorneys are required to provide a courtesy paper copy of the PPD so the Court may follow along during testimony. Failure to comply with the Court's policy may result in sanctions.

Other

6. Do not submit a Rule 11 Agreement resetting a trial setting unless it's the first setting and you've obtained the new trial date from Victor. If the Rule 11 doesn't comply with the aforementioned, it will not be honored by the Court.

312TH JUDICIAL DISTRICT COURT

Presiding Judge: David Farr
Associate Judge: Eileen Gaffney

Contact:

Clerks: 713-274-4540; www.justex.net
Coordinators: 713-274-4545; pat_plotkin@justex.net
Court Reporter: 713-274-4548
Website: <https://www.justex.net/courts/Family/FAMILYCourt.aspx?crt=59>

Court Staff:

Court Coordinator: **Patricia Plotkin**
Head Clerk: **Dawn Hutchings**
Assistant Clerk: **Shawn Simien**
Bailiff: **Michelle Hoskins**
Bailiff: **Dwayne Small**
Official Court Reporter: **Barbara Nagji**
Court Reporter for AJ: **Kim Weidenheft**

Mediation prior to Temporary Orders	Only if custody is in issue. If custody is in issue, required on both original filings and modifications, unless waived by the Court.
Mediation prior to Final Trial	Required in all contested cases, unless waived by the Court. To request waiver of mediation, party seeking waiver to file with the Court and set it for hearing well in advance of final Trial setting.
Parenting Classes	Policy is per local rules, though, generally, Court will accept an agreement even if parties did not complete parenting classes; Court does not have a list of specific or approved courses.
Name Changes	Have a copy of the Petitioner's Driver's License or other government-issued photo ID; criminal background check must be on file and must be in Petitioner's name.
Pre-Trials	Scheduled in Jury Trials, adoption cases and for other trials/cases as requested by parties and/or at the Court's discretion.
Issuance of Scheduling Orders	Scheduling orders are issued approximately 75 days after a case has been filed, when there is an Answer or Counter-Petitioner on file.
DWOPs	Cases are subject to dismissal when there is no announcement or an announcement of "not ready" at final Trial, at a Pre-Trial hearing, or at the Entry hearing of a final Order. Cases are set on the Court's dismissal docket, if 3 to 4 months after the initial filing, there is no service or no waiver on file, OR there is a waiver on file or service has been executed but there is no answer or counter-petition on file and it appears from that file that no movement/progress

	has been made.
Use of Parenting Coordinators/Facilitators	Court reviews the pleadings, the request for the appointment and after a hearing, applies the applicable statutes. A similar procedure applies for substance abuse testing, DNA testing, mental health evaluations and child custody evaluations. Please note the substantial changes in child custody evaluations effective March 1, 2016.
Cases Involving Children’s Preferences/ Interviewing Children in Chambers	Party seeking to file a motion with the court requesting interview. If request is basis for Motion to Modify under Tex. Fam. Code 156.006(b)(3), child will be interviewed before full show cause is scheduled. Note: 156.003(b)(3) does not waive requirement for mediation before full show cause.
Preferential Settings	(1) By motion filed, requesting a hearing; or (2) by agreement after mediation through the court’s on-line calendar. Go to: www.justex.net . Go to the 312th’s webpage and to the preferential calendar.
Motions for Continuance	Set for hearing at least 10 days prior to Trial and to not if agreed, unopposed, or opposed. Note: agreed motions, passes and resets are not automatically honored; however, on 1st settings, the parties can contact the court coordinator at least 3 days before Trial and enter into a Rule 11 Agreement for a reset date which corresponds to the Court’s trial docket dates.
Amicus Appointments	No requirement for an Amicus on contested custody cases; requirement only per Tex. Fam. Code in termination/adoptions. Court requires judicial approval of all agreements for an Amicus, but will strongly defer to agreements of attorneys in that consideration. Attorneys ad litem and non-agreed mediators are appointed in accordance with the new provisions in the Tex. Gov’t Code – on a rotating basis through the FDAMS System. The Court’s list of attorneys ad litem and mediators (and the form to request inclusion on the list) can be found at the Court’s website.
Other	(1) for contested show cause hearings and final Trial, please comply with local rule disclosures; (2) if possible, please pre-mark and exchange exhibits before hearing begins; (3) for defaults, please have your client’s military status affidavit, your certificate of last known mailing address, and as applicable, your client’s inventory and appraisal and evidence to support: child support calculation requested; terms of conservatorship, possession and access, division of property and confirmation of property.

507TH JUDICIAL DISTRICT COURT

Presiding Judge: Julia Maldonado

Associate Judge: Jim Evans

Contact:

Contact:

713-274-4620

Website:

<https://www.justex.net/courts/Family/FAMILYCourt.aspx?crt=70>

Court Staff:

Court Coordinator:

Kristel Rubio

Assistant Clerk:

Tiffany De La Rosa

Lead Clerk:

Stephanie Garza

Bailiff:

Jonathan Lobos & Robeina

Court Reporter:

Ben Alva & Elizabeth Cordov

Mediation prior to Temporary Orders	Required if conservatorship or complex property issues are in dispute, with exceptions in certain cases (i.e. a party is being denied possession of the party's child). Failure to mediate may not be used as an excuse to avoid a hearing.
Mediation prior to Final Trial	Required, with exceptions made in certain cases. Parties seeking such an exception should file a motion seeking such relief and set a hearing on the issue at least 10 days before trial.
Parenting Classes	Required in custody cases. Proof of fulfillment of course requirements must be filed before trial.
Name Changes	Per Texas Family Code.
Pre-Trials	Required before all jury trials and adoptions. Usually set on the Friday 17 days before trial. Adoption cases will be set for trial at the pre-trial.
Issuance of Scheduling Orders	As set by the court coordinator. Set at least 60 days prior to trial.
DWOPs	Case will be dismissed after failure to appear for trial.
Use of Parenting Coordinators/Facilitators	Case-by-case basis, after notice and hearing.
Cases Involving Children's Preferences/ Interviewing Children in Chambers	Interview conducted after notice and hearing, and if granted, the interview will be scheduled after school hours. No child is to be brought to the courthouse without prior approval of the court.
Preferential Settings	Case-by-case basis.
Motions for Continuance	Motions for continuance are to be set for hearing at least 10 days before trial. "Agreed" continuances will not be automatically honored.
Amicus Appointments	Case-by-case basis for disputes regarding custody or possession and access.
Other	Please read the policies and procedure on the court's page on the District Clerk's website and follow the guidelines included on scheduling orders.