

COLLIN COUNTY DISTRICT COURTS  
GENERAL ORDERS

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

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

1. NO DISRUPTION OF CHILDREN. Both parties are ORDERED to refrain from doing the following acts concerning any children who are subjects of this case:

- 1.1 Removing the children from the State of Texas, acting directly or in concert with others, without the written agreement of both parties or an order of this Court.
- 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled, without the written agreement of both parents or an order of this Court.
- 1.3 Hiding or secreting the children from the other parent or changing the children's current place of abode, without the written agreement of both parents or an order of this Court.
- 1.4 Disturbing the peace of the children.
- 1.5 Making disparaging remarks about each other or the other person's family members, to include but not be limited to the child's grandparents, aunts, uncles, or stepparents.
- 1.6 Discussing with the children, or with any other person in the presence of the children, any litigation related to the children or the other party.
- 1.7 If this is an original divorce action, allowing anyone with whom the party is romantically involved, to remain over night in the home while in possession of the child. Overnight is defined from 10:00 p.m. until 7:00 a.m.

2. CONDUCT OF THE PARTIES DURING THE CASE. Both parties are ORDERED to refrain from doing the following acts:

- 2.1 Using vulgar, profane, obscene, or indecent language, or a coarse or offensive manner to communicate with the other party, whether in person, by telephone, or in writing.
- 2.2 Threatening the other party in person, by telephone, or in writing to take unlawful action against any person.

- 2.3 Placing one or more telephone calls, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
- 2.4 Opening or diverting mail addressed to the other party.

3. PRESERVATION OF PROPERTY AND USE OF FUNDS DURING DIVORCE

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

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

any manner attempting to withdraw any deposits for service in connection with such services.

3.15 Intercepting or recording the other party's electronic communications.

4. PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

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

5. INSURANCE IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

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

6. SPECIFIC AUTHORIZATIONS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

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

7. SERVICE AND APPLICATION OF THIS ORDER.

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

order will terminate and will no longer be effective when the court signs a final order or the case is dismissed.

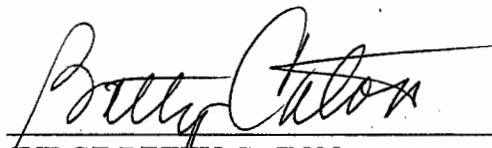
8. EFFECT OF OTHER COURT ORDERS. If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court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

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

June 1, 2006.



JUDGE ROBERT DRY  
199<sup>th</sup> District Court



JUDGE BETTY CATON  
296<sup>th</sup> District Court



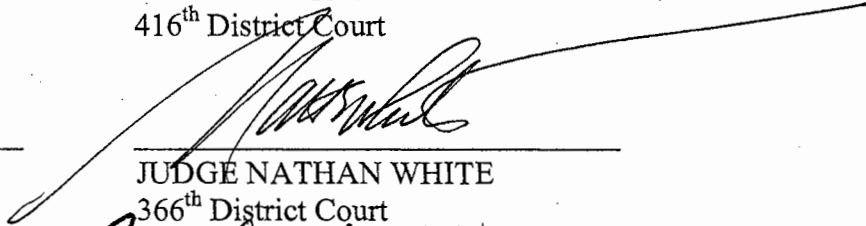
JUDGE CHARLES SANDOVAL  
380<sup>th</sup> District Court



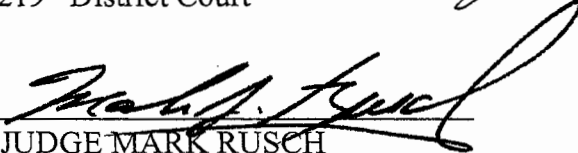
JUDGE CHRIS OLDNER  
416<sup>th</sup> District Court



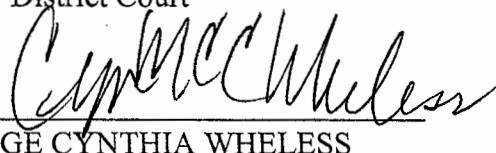
JUDGE CURT HENDERSON  
219<sup>th</sup> District Court



JUDGE NATHAN WHITE  
366<sup>th</sup> District Court



JUDGE MARK RUSCH  
401<sup>st</sup> District Court



JUDGE CYNTHIA WHELESS  
417<sup>th</sup> District Court

## Implementation of Standing Order

1. Types of pleadings:
  - a. Waiver Divorce, no request for TRO
    - i. Attorney should have attached a copy of Standard Order “SO” (for mutuality), to original and all copies.
    - ii. If not attached, Clerk should attach one to original and all copies
    - iii. No issuance of citation or notice or TRO.
  - b. Divorce action with service, no request for TRO or hearing
    - i. Attorney should have attached a copy of SO.
    - ii. If not attached, Clerk should attach one to original and all copies
    - iii. Service of citation only (no notice, no service of TRO)
  - c. Divorce action with request for service and notice of hearing
    - i. Attorney should have attached a copy of SO
    - ii. If not attached, Clerk should attach one to original and all copies
    - iii. Service of Citation and notice of hearing (no service of TRO)
  - d. Divorce action with request for additional restraining orders, temp hearing and service of citation
    - i. Attorney should have attached the SO
    - ii. If SO not attached, clerk should attach one to original and all copies
    - iii. Attorney should present order for additional relief for judge’s attention and signature.
    - iv. Coordinator should present TRO to Judge for signature.
    - v. Clerk should issue citation, Notice and TRO.
  - e. SAPCR, no request for TRO or hearing
    - i. Attorney should attach the SO.
    - ii. If not attached, Clerk should attach one.
    - iii. Clerk should issue Citation (no TRO to issue, no notice of hearing).
  - f. SAPCR, with request for extraordinary relief and hearing.
    - i. Attorney should attach the SO
    - ii. If not Attached, Clerk should attach one to original and all copies
    - iii. Attorney should present TRO to coordinator for Judge’s attention and signature.

- iv. Coordinator should present TRO for Judge's signature.
- v. Clerk should issue citation, TRO and notice

## 2. Considerations:

- a. Costs to litigants
  - i. No extra costs when no TRO or notice requested.
  - ii. Costs incurred only by request of process by litigant
- b. Opting out
  - i. Not allowed without written motion.
  - ii. Or written Rule 11 agreement filed with clerk
- c. When to send file up to Coordinator
  - i. When extraordinary relief requested and TRO presented (extraordinary relief means additional TRO not in SO).
  - ii. When temporary hearing requested.
  - iii. All other filings do not require Judge's or Coordinator's attention
- d. Setting hearings
  - i. All original requests for temporary hearings should be set within the 14 day period traditionally observed for TROs.
  - ii. Subsequent hearings in accordance with each Court's policy or as determined by Court.

## 3. Objectives

- a. Reduction of paper handling and time by clerks generated by standard TRO requests (no need to send to Court, then receive file back to get out TRO and Notice. Only one meeting with attorney)
- b. Reduction of Coordinator time in reviewing, tabbing, presenting every TRO to Judge for signature; reduction of coordinator time in setting hearings on cases for sole reason of continuing TRO as a Temp Injunction, when no other relief is needed.
- c. Reduction of Judge's time in reviewing and signing TRO's along with attendant interruptions of ongoing work. Reduction of temporary hearings on docket.
- d. Reduction of time invested by attorneys in waiting for file, taking it to the coordinator, waiting for judge or looking for another, appearing at a hearing for sole purpose of continuing TRO as Temp Injunction, filing counter-TRO to protect Respondents, reduction of time in pleading and copying costs.