

IN THE DISTRICT COURTS
OF TOM GREEN, COKE,
CONCHO, IRION, RUNNELS,
SCHLEICHER AND
STERLING COUNTIES

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THE 51ST, 119TH, 340TH AND 391ST
JUDICIAL DISTRICTS
OF THE
STATE OF TEXAS

**STANDING ORDER REGARDING PROPERTY AND CONDUCT
OF PARTIES IN
DIVORCE AND SUITS AFFECTING THE PARENT-CHILD
RELATIONSHIP**

No party to this lawsuit has requested this order. Rather this order is a standing order of the 51st, 119th, 340th and 391st Judicial District Courts that apply in every divorce suit and every suit affecting the parent-child relationship filed in the counties of Tom Green, Coke, Concho, Irion, Runnels, Schleicher and Sterling (“District Courts”). The District Courts have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending.

Therefore, it is ORDERED:

1. NO DISRUPTION OF CHILDREN. All parties are prohibited from:
 - 1.1 Either directly or in concert with others, removing the children from the State of Texas, 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.
 - 1.4 Changing the children’s current residence, without the written agreement of both parents or an Order of this Court.
 - 1.5 Disturbing the peace of the children.

2. CONDUCT OF THE PARTIES DURING THE CASE. Both parties are prohibited from:
 - 2.1 Using vulgar, profane, obscene, or indecent language, in a course 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, all parties are prohibited, either directly or in concert with others, from:
- 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 photographs, video images, or 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 any other manner, alienating any of the property of the other party, whether personal property or real property, and whether separate or community, except as specifically authorized by this Order.
 - 3.6 Incurring any indebtedness, other than legal expenses 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 the 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 or 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 on 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 Terminating or limiting credit or charge cards in the name of other party.
 - 3.12 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
 - 3.13 Discontinuing or reducing 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 Excluding the other party from the use and enjoyment of the other party's residence.
4. PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE. If this is a divorce case, both parties to the marriage are prohibited from:
- 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" includes 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 prohibited from:
- 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 or 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:
- 6.1 Engage in acts reasonable and necessary to conduct that party's usual business and occupation.
 - 6.2 Make expenditures and incur indebtedness for reasonable attorney's fees and legal expenses.
 - 6.3 Make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
 - 6.4 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 effect as a Temporary Restraining Order for fourteen days after the date of 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 the Court. This entire Order will terminate and will no longer be effective once the Court signs a Final Order.

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 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 standing order shall become effective on the 1st day of November, 2008.

S/ Oct. 31, 2008

BARBARA L. WALTHER
51ST DISTRICT JUDGE

S/ Oct. 31, 2008

BEN WOODWARD
119TH DISTRICT JUDGE

S/ Oct. 31, 2008

JAY WEATHERBY
340TH DISTRICT JUDGE

S/ Oct. 31, 2008

TOM GOSSETT
391ST DISTRICT JUDGE