FILED
AT 11:30 o'clock A M
FEB 27 2024
CHERYL FULCHER
DISTRICT CLERK
HOPKINS COUNTY, TEXAS

HOPKINS COUNTY STANDING ORDER IN FAMILY LAW CASES

(Effective the 2nd day of January, 2024)

On their own motion, the judges of the 8th Judicial District Court, the 62nd Judicial District Court, and the Hopkins County Court-at-Law issue this standing order, which shall apply in all family law cases. The order is made for the protection of the parties and their children, and for the preservation of their property while the lawsuit is pending. Therefore, it is ORDERED:

1. NO DISRUPTION OF CHILDREN

All parties are ORDERED to refrain from the following acts concerning a child subject of this suit:

A. During the pendency of an original suit, removing a child from the State of Texas for the purposes of changing the child's residence, acting directly or in concert with others, without the written agreement of the parties or an order from the presiding judge.
B. During the pendency of an original suit, disrupting or withdrawing a child from the school or day-care facility where the child is presently enrolled, without the written agreement of the parties or an order from the presiding judge.
C. During the pendency of an original suit, changing a child's current place of abode, without the written agreement of the parties or an order from the presiding judge.
D. Hiding or secreting the child from the other parent.
E. Disturbing the peace of a child.
F. Making disparaging remarks about the other party or members of the other party's family, including but not limited to the child's grandparents, aunts, uncles, or stepparents.
G. Discussing with a child, or with any other person in the presence or hearing of a child, any litigation related to a child or the other party.
H. In a divorce case, allowing anyone with whom the party is romantically involved to remain overnight (from 10:00 p.m. until 7:00 a.m.) in the party's residence while in possession of a child.

2. CONDUCTOFPARTIES

All parties are ORDERED to refrain from the following acts:

A. Communicating in person or in any other manner, including by telephone, electronic voice transmission, video chat, writing, or electronic messaging with the other party using vulgar, profane, obscene, or indecent language, or in a coarse or offensive manner.
B. Threatening the other party in person or in any other manner, including by telephone, electronic voice transmission, video chat, writing, or electronic messaging to take unlawful action against any person.

C. Placing one or more telephone calls, anonymously, at an unreasonable hour, in an offensive or repetitious manner, or without a legitimate purpose of communication.
D. Opening or diverting mail, e-mail, or any other electronic communication addressed to the other party.
E. Using a password or personal identifying information to gain access to the other party's email account, bank account, social media account, or any other electronic account.
F. Illegally intercepting or recording the other party's oral or electronic communications.

3. PRESERVATION OF PROPERTY & USE OF FUNDS DURING DIVORCE

The following orders apply to electronic records and electronically stored information, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium. In a divorce case, both parties to the marriage are ORDERED to refrain from the following acts:

A. Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both parties.
B. Misrepresenting or refusing to disclose to the other party or to the court, on proper request, the existence, amount, or location of any tangible or intellectual property of one or both parties.
C. Damaging or destroying tangible or intellectual property of one or both parties, including any document that represents anything of value.
D. Tampering with tangible or intellectual property of one or both parties, including any document that represents anything of value, and causing pecuniary loss or substantial inconvenience to the other party.
E. Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any property of either party, whether personal property, real estate, or intellectual property, whether separate property or community property, except as specifically authorized by this order.
F. Incurring any debt, other than legal expenses in connection with this suit, except as specifically authorized by this order.
G. Withdrawing money from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
H. Spending money in either party's possession or subject to either party's control for any purpose, except as specifically authorized by this order.
I. Withdrawing or borrowing in any manner for any purpose from any retirement, profit-sharing, pension, death, or other employee benefit plan, employee savings plan, individual retirement account, or Keogh account, of either party, except as specifically authorized by this order.
J. Signing or endorsing the other party's name on any negotiable instrument, check, or draft, including a tax refund, insurance payment, and dividend, or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party.
K. Taking any action to terminate or limit credit or charge cards in the name of the other party.
L. Entering, operating, or exercising control over a motor vehicle in the possession of the other party.
M. Discontinuing or altering the withholding for federal income taxes from either party's

wages or salary.

N. Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, or any other contractual service, such as security, pest control, landscaping, or yard maintenance at the other party's residence, or attempting to withdraw any deposit paid in connection with such services.

4. PERSONAL & BUSINESS RECORDS IN DIVORCE CASE

These orders apply to electronic records and electronically stored information, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium. In a divorce case, both parties to the marriage are ORDERED to refrain from the following acts:

A. Concealing or destroying any family records, property records, business records, or any records of income, debts, or other obligations.
B. Falsifying any writing or record relating to the property of either party.
C. Destroying, disposing of, or altering any financial record of either party, including a canceled check, a deposit slip, any other record from a financial institution, a record of credit purchases or cash advances, a tax return, or a financial statement.
D. Destroying, disposing of, or altering any e-mail, text, or chat message, video message, or other electronic information relevant to the suit.
E. Modifying, changing, or altering the native format or metadata of any electronic information relevant to the suit.
F. Deleting any data or content from any social network profile used or created by either party or a child of the parties.

5. INSURANCE IN DIVORCE CASE

In a divorce case, both parties to the marriage are ORDERED to refrain from the following acts:

A. Withdrawing or borrowing in any manner all or any part of the cash surrender value of a life insurance policy on the life of either party or a child of the parties, except as specifically authorized by this order.
B. Changing or in any manner altering the beneficiary designation on any life insurance policy on the life of either party or a child of the parties.
C. Canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time the suit was filed, of any life, casualty, automobile, or health insurance policy insuring the parties' property or persons, including a child of the parties.

6. SPECIFIC AUTHORIZATIONS IN DIVORCE CASE

In a divorce case, both parties to the marriage are specifically authorized to do the following:

A. Engage in acts reasonable and necessary to conduct that party's usual business and occupation.
B. Make expenditures and incur debt for reasonable attorney's fees and expenses in connection with this suit.
C. Make expenditures and incur debt for reasonable and necessary living expenses for

food, clothing, shelter, transportation, and medical care.

7. SERVICE & APPLICATION OF THIS ORDER

A. The petitioner shall attach a copy of this order to the petition and to each copy of the petition. If, at the time the petition is filed, the petitioner has failed to attach a copy of this order to the petition and any coy of the petition, the district clerk shall ensure that a copy of this order is attached to the petition and every copy of the petition presented.
B. This order is effective upon the filing of the suit and shall remain in full force and effect as a temporary restraining order for fourteen days after the date of the filing of the 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 petition, this order shall continue in full force and effect as a temporary injunction until further order of the court. This order will terminate in its entirety 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 portion of this order conflicts with a provision in a protective order previously or subsequently entered, the protective order provision shall prevail. Any portion of this order not changed by a subsequent order remains in full force and effect until the court signs a final order.

9. MEDIATION

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 arising out of the lawsuit.

10. REQUESTS FOR EX PARTE RELIEF

Applications for ex parte relief, such as temporary restraining orders, shall not contain items that are already addressed in these standing orders, or items that are substantially the same. The only items to be applied for ex parte should be items of genuine concern under the unique facts of the case.

Before filing an application for ex parte relief, the filing attorney shall make a diligent effort to determine whether the other party is represented by an attorney, and if they are, the filing attorney shall make a diligent effort to contact the other party's attorney prior to filing the application for ex parte relief and to make reasonable accommodations regarding agreed orders, scheduling hearings, etc.

Effective on the 2nd day of January, 2024.

HON. EDDIE NORTHCUTT
8TH JUDICIAL DISTRICT COURT

HON. WILL BIARD
62ND JUDICIAL DISTRICT COURT

HON. JOHN GINN
HOPKINS COUNTY COURT-AT-LAW