ORDER CONCERNING THE IDENTIFICATION OF PARTIES IN PLEADINGS

Among other information, a minor's name, birth date and address is considered to be sensitive data when including in a pleading. Rule 21c(a)(3), Rules of Civil Procedure.

Rule 21c(b) provides that "Unless the inclusion of sensitive data is specifically required by a statute, court rule, or administrative regulation, an electronic or paper document, except for will and documents filed under seal, containing sensitive data may not be filed with a court unless the sensitive data is redacted."

Rule 21c(d) provides that if a document must contain sensitive data, the filing party must notify the clerk by either designating the document as containing sensitive data when the document is electronically filed or including the phrase "NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA" if the document is not electronically filed.

Texas Family Code Sections 6.401, 6.406, 102.008, 105.006 and Texas Rules of Civil Procedure Rule 79 require certain information to be included in the style and/or body of a petition and final order including the full name of parties and the names and dates of birth of any minor children.

Section 6.401 requires the pleadings in a suit for divorce or annulment to be styled "In the Matter of the Marriage of _____ and _____."

Section 102.008 requires the pleadings in a suit affecting the parent child relationship, excluding the adoption of an adult, to be styled "In the interest of _____ and _____, a child." The name and date of birth of a child may be omitted only if an adoption is requested.

Section 51.303, Texas Government Code, requires the District Clerk to "keep an index of the parties to all suits filed in the court. The index must list the parties alphabetically using their full names and must be cross-referenced to the other parties to the suit."

Effective January 1, 2017, the name of any minor child which is the subject of a suit affecting the parent-child relationship, including divorce actions, shall be included in the style of the case. The District Clerk is ordered to return for correction any filing or pleading that does not comply with this order. The filing party of a pleading which contains the minor's name in the style under this order shall comply with Rule 21c(d) which will prohibit the clerk from making the document accessible on a public internet site, without redacting the information as required by Rule 21c(f).

Signed on December 8, 2016.

Judge, 258th Judicial District Court

Judge, 411th Judicial District Court

Judge, County Court at Law