FILED
AT 9:40 AM
SEP 21 2026
CLERK, DISTRICT COURT, HUNT CO., TX

STANDING ORDER IN CASES
INVOLVING CHILD PROTECTIVE SERVICES

The 196th and 354th Judicial District Courts, by and for the State of Texas and sitting in and for Hunt County, Texas issue this Standing Order in cases involving the Child Protective Services division of the Texas Department of Family and Protective Services ("DFPS"). This Order is created to assist the parties in their representation of their respective clients and to protect the best interests of children in the care or conservatorship of DFPS, and is intended only to apply to litigation where DFPS is a party under Subtitle E of the Texas Family Code.

In making this Order, the District Courts of Hunt County, Texas have taken into account (1) the best interests of the child(ren), (2) the rights of the parent(s), (3) the significant amount of disclosure routinely made through statutorily required court reports and review hearings, (4) the Health Insurance Portability and Accountability Act and Privacy Standards ("HIPAA") and the Texas Medical Privacy Act ("Privacy Act") and (5) the publicly funded nature of this special statutory litigation.

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.

Any reference to "the Department" or "DFPS" in this Order shall apply with equal force to any DFPS Single Source Continuum Contractor (hereinafter "SSCC").

CONDUCT OF PARTIES

Any Parent or Intervenor is ORDERED to refrain from the following conduct concerning any child(ren) who are the subject(s) of the suit:

1. Removing the child(ren) from a court-ordered placement, acting directly or in concert with others, without the written agreement of DFPS or an order of the court.

2. Disrupting or withdrawing the children from the school or day-care facility where the children are enrolled, without the written agreement of DFPS or an order of the court.

3. Disturbing the peace of the children.

4. Discussing with the child(ren), or with any other person in the presence of the children, any litigation related to the children or any other party, or any criminal charge or investigation regarding the child and/or any party.

5. Using or possessing any dangerous drug or controlled substance not prescribed by a physician during any period of possession or visitation of a child, or within the 12 hours preceding any period of possession or visitation.

6. Using vulgar, profane, obscene, or indecent language, or a course or offensive manner to communicate with any party or a representative or employee of DFPS, whether in person, by telephone, or in writing.

7. Threatening any party in person, or a representative or employee of DFPS, by telephone, or in writing to take unlawful action against any person, or a representative or employee of DFPS.

8. Placing one or more telephone calls, at any unreasonable hour, in an offensive or repetitious manner without a legitimate purpose of communication, or anonymously to any party or representative or employee of DFPS.

9. Intentionally, knowingly or recklessly causing bodily injury to any party or the child of any party, or to a representative or employee of DFPS.

10. Contacting the child(ren) regardless of age, in violation of the terms and/or conditions of a visitation plan, family plan of service, safety plan, parent/child safety plan, or court order, including but not limited to by electronic means (e.g. phone, text, email), social media (e.g. apps, instant messaging, Discord, etc.) and/or games and gaming consoles.

DISCOVERY

1. Counsel for a party or ad litem for the child(ren) may undertake whatever investigation that they may deem appropriate and whatever formal discovery that is authorized by this Order. In addition, the court shall carefully consider motions for discovery provided by this Order as the need arises. However, the Court encourages cooperation to ensure full disclosure without costly and time-consuming discovery.

2. HEALTH INFORMATION. Pursuant to the Health Insurance Portability and Accountability Act and Privacy Standards ("HIPAA") and the Texas Medical Privacy Act ("Privacy Act"), the following applies to all parties, including but not limited to Attorney and Guardian Ad Litems to the children, involved in a case filed by DFPS:

a. All parties to any lawsuit regarding cases involving the DFPS are put on notice that their Protected Health Information ("PHI") will be released to the other parties, including the Attorney and Guardian Ad Litems; attorneys for the parties; agents of the parties; and other treatment professionals as set out below.

b. DFPS shall provide any psychological evaluation; medical information, including all treatment, healthcare operations, psychotherapy notes and protected health information (as defined in HIPAA and the Privacy Act); health history; hospitalization records; tests; outpatient care; educational records which may contain health information; educational information; ARD records; therapy notes; reports; CANS assessments; mental health records; drug, alcohol, or substance abuse records; or other information related to the child(ren) to each party, including but not limited to the Attorney and Guardian Ad Litems for the child(ren) and to the attorney of each

Respondent Parent corresponding with that child within ten (10) business days of receipt by any agent of DFPS.

c. DFPS shall provide any psychological evaluation; medical information, including all treatment, healthcare operations, psychotherapy notes and protected health information (as defined in HIPAA and the Privacy Act); health history; hospitalization records; tests; outpatient care; educational records which may contain health information; educational information; ARD records; therapy notes; reports; mental health records; drug, alcohol, or substance abuse records; psychosocial evaluation; psychiatric evaluation; attendance records at any service; certifications of completion of services; or other information related to a Respondent Parent to each party including but not limited to the attorneys for each Respondent Parent and the Attorney and Guardian Ad Litems for the child(ren) within ten (10) business days of receipt by any agent of DFPS.

d. Any Respondent Parent, Attorney for Respondent Parent, Attorney or Guardian Ad Litem who has independent records of any psychological evaluation; medical information, including all treatment, healthcare operations, psychotherapy notes and protected health information (as defined in HIPAA and the Privacy Act); health history; hospitalization records; tests; outpatient care; educational records which may contain health information; educational information; ARD records; therapy notes; reports; mental health records; drug, alcohol, or substance abuse records; psychosocial evaluation; psychiatric evaluation; attendance records at any service; certifications of completion of services; or other information related to a Respondent Parent or child(ren) shall provide the records to DFPS for inclusion in the official file held by DFPS related to the case within ten (10) business days of receipt by the Respondent Parent, Attorney or Guardian Ad Litem and provide a copy to the other parties in the case. This section does not apply to consulting experts retained by any party or the child(ren).

e. Any person, including medical professionals, educational professionals, or other professional, shall be authorized pursuant to HIPAA, the Privacy Act and all other laws of this State, any state, or the United States to release the requested records pursuant to this Order of the Court.

f. Any document(s) produced during discovery by the Department or by any party or ad litem for the child(ren) shall be redacted to remove any and all placement identification information from any such document(s), including but not limited to name(s), address and phone number.

3. INTERROGATORIES. Except with leave of court, a party or ad litem for the child may not serve interrogatories.

4. DEPOSITIONS. Except with leave of court, a party or ad litem may not take depositions.

5. PRODUCTION. Except as provided by this Order, a party or ad litem may not serve a request for production without leave of court. DFPS shall produce a copy of the deidentified case record no less than thirty (30) days prior to trial. A "deidentified case record" is a COMPLETE

case record with any confidential information redacted. After the record is produced, DFPS shall supplement the record as required by the Texas Rules of Civil Procedure.

Upon the written request of a party or ad litem, in a reasonable time and at a reasonable place, DFPS shall make available for review all videos, audio, and/or photographs relevant to the case.

No more than five (5) days following the entry of temporary orders, a parent shall sign a release of information for all medical, psychological, or psychiatric records, and for all treatment records, including but not limited to records related to drug and/or alcohol abuse to DFPS.

6. DISCLOSURE. Notwithstanding Chapter 301 *et seq.* of the Texas Family Code and the Texas Rules of Civil Procedure, a party or ad litem may not serve Requests for Disclosure on any party without leave of Court. All parties, including the attorney ad litem for the child(ren), shall file pretrial disclosures as set forth in Rule 194.4 of the Texas Rules of Civil Procedure not later than fourteen (14) days prior to trial. This paragraph is intended to modify the deadline in Texas Rules of Civil Procedure §194.4(b).

7. PLEADING DEADLINES. Except with leave of court, all pleadings must be amended at least thirty (30) days prior to trial.

8. SERVICE. All parties who do not have an attorney shall maintain a current address and a current email address on file with the District Clerk of Hunt County, Texas. Pursuant to the Texas Rules of Civil Procedure, a notice to a *pro se* party may be made by notice in open court, through the electronic filing system in use by the District Clerk of Hunt County, or personal service, or service to the current address on file with the District Clerk by sending notice by both certified mail and first-class mail.

9. TRIAL CONFERENCE. A Trial Conference will be held at the time of the second permanency hearing.

10. HEARING. Any party may seek a modification of any of the requirements of this section based upon the specific circumstances of a party or the scope and/or nature of the litigation.

RELEASE OF CERTAIN INFORMATION

IT IS ORDERED that DFPS shall release to all attorneys in each case information relating to the placement of children made the basis of the suit, including the name(s) of the person with whom the child/children are placed, the address at which the child/children and any and all contact information, including but not limited to the address, telephone number, and email address of the person(s) with whom the child/children are placed. This release shall be made as soon as is practicable following the appointment of the attorney or the placement of the child as applicable.

IT IS FURTHER ORDERED that the attorney to whom this information is released shall not provide any of the above-referenced information to the attorney's client at any time, whether during the pendency of the case or after a resolution of the case, nor shall the attorney provide the information to any third party, including but not limited to experts, witnesses, friends or family

members of the attorney's client, or appellate attorneys. Any release of the information to any third party requires specific written order of the court after notice and an opportunity to be heard.

IT IS FURTHER ORDERED that DFPS, the guardian *ad litem* for the child(ren), or the attorney *ad litem* for the child(ren) may seek an *ex parte* emergency order from the appropriate court to withhold the information described above. If an *ex parte* order allowing the information to be withheld is granted, the court will hold a hearing within 14 days of the date of the *ex parte* order, with notice to all parties/attorneys of their right to appear and be heard, to determine whether the information should be released or withheld.

IT IS FURTHER ORDERED that no parent, party, relative to the child or any other person other than the attorney *ad litem* or guardian *ad litem* for the child/children shall ask for or receive from any child/children in the custody of DFPS any of the information described herein, either directly or indirectly.

DISCLOSURE OF PREGNANCY/BIRTH

IT IS ORDERED that any parent or guardian of the child(ren) shall immediately notify DFPS and the Court if they know, believe, or have reason to believe that a parent is or may be pregnant. Such notice shall be in writing with copies to all counsel and CASA, and shall include the name of the treating physician, if any.

Any parent or guardian of the child(ren) shall notify DFPS in writing within twenty-four (24) hours of a live birth to a parent. Upon such notification, DFPS shall notify the Court, all counsel and CASA, in writing, of the live birth. Any notification required in this section shall be by email.

PLACEMENT AND TRANSPORTATION OF CHILDREN

IT IS ORDERED that if the child(ren) who are the subject of a suit are to be placed in a foster home or other private entity, that home or entity must be licensed with an agency that that contracts with DFPS and will be monitored as required by DFPS. Children may not be maintained overnight at an office, hotel, or other unlicensed placement without prior written permission of the Court.

IT IS FURTHER ORDERED that if the child(ren) the subject of a suit must be placed in a licensed foster home, that foster home must be within 60 miles of the Hunt County, Texas courthouse, and such placement shall occur within 72 hours of the removal of the child(ren) from their home or placement.

IT IS FURTHER ORDERED that any child(ren) placed pursuant to the care or conservatorship of DFPS shall be enrolled in school within two (2) regular school days (not including school holidays). Any delay in enrollment must be approved in writing by the Court before the expiration of two regular school days.

IT IS FURTHER ORDERED that DFPS and/or its SSCC must provide the contact information for any placement, along with the name and contact information of the SSCC representative/employee responsible for the placement decision, to the attorney ad litem for the child(ren), guardian *at litem* and the attorney for DFPS within 24 hours of the placement, including both new and subsequent placements.

IT IS ORDERED that DFPS and/or its SSCC shall transport children who are in the temporary or permanent conservatorship of DFPS to and from court, visits, and appointments with physicians and treatment providers as necessary, regardless of distance or difficulty.

TRANSPORTATION OF PARENTS

IT IS ORDERED that DFPS and/or its SSCC shall transport parents to and from services, drug testing and visitations with the child(ren) when the parent desires to attend the same but lacks transportation after a reasonable effort to obtain other means of transportation.

CASEWORKER INFORMATION

IT IS ORDERED that DFPS and/or its SSCC shall identify by name, phone number and email, the caseworker responsible for the child(ren) by filing such identification with the court and providing a copy of the same to guardian *at litem* and all parties either directly or through their attorney of record.

IT IS FURTHER ORDERED that, if there is a change in the caseworker responsible for the child(ren) at any time, DFPS and/or its SSCC shall file with the Court a notification of such change identifying the new caseworker by name and provide a copy of the filed notice to guardian *ad litem* and all parties either directly or through their attorney of record.

IT IS FURTHER ORDERED that the ongoing caseworker and the CPI Investigator and/or the FBSS caseworker for the child(ren) shall attend all hearings, including the adversary hearing. The FBSS caseworker for the child(ren) shall attend all hearings until such time as an ongoing caseworker is assigned to the child(ren).

IT IS FURTHER ORDERED that all other employees of DFPS and/or its SSCC who are to testify in any hearing (other than a final trial or final hearing) may appear by Zoom or other electronic means approved by the Court, except:

1. if the payment of kinship funds has not begun, then the kinship worker and supervisor must appear in person;
2. if the child(ren) is not in a foster home or in a kinship placement, then the kinship and placement workers and supervisor must appear in person; or
3. if otherwise ordered by the Court.

ADMINISTRATION OF CERTAIN MEDICATIONS

IT IS ORDERED that no child shall be administered a psychotropic medication of any kind for which they did not have a prescription prior to being taken into care without a court order

issued after notice to guardian *ad litem* and all parties and a hearing. In the event of an emergency involving the health and safety of the child, DFPS and the guardian ad litem for the child may agree to the administration of psychotropic medications without a court order, but a hearing must be held within five business days following such consent.

INFORMATION REGARING HERITAGE UNDER
THE INDIAN CHILD WELFARE ACT

IT IS ORDERED that any party or ad litem receiving formal notice of the Native status (or the lack thereof) of the child(ren) as defined by the Indian Child Welfare Act (25 U.S.C. 1902) shall file such notice with the court within five business days of receipt, and shall simultaneously provide copies of the same to all parties.

APPROVED AND ADOPTED on this the 16th of September, 2026.

J. Andrew Bench
Judge, 196th Judicial District

Keli Aiken
Judge, 354th Judicial District