Special Instructions For Travis County Divorces

Travis County Offices

Civil Courthouse, 1000 Guadalupe Street 854-9020

District Clerk's Office, 1000 Guadalupe Street Room 302 (3rd floor) and Room 103 (1st floor) 854-4369

Law Library Self-Help Center, 314 West 11th Room 140 (1st floor) in the Granger Building Diagonally across from the Civil Courthouse 854-8677

Domestic Relations Office, 1010 Lavaca Directly across from the Civil Courthouse 854-9696

Where do I file for Divorce?

File your *Petition for Divorce* in the District Clerk's Office, Room 302, (3rd floor).

What is the Standing Order?

A copy of the *Travis County Standing Order* Regarding Children, Property and Conduct of Parities <u>must</u> be attached to your Petition for Divorce. This order applies to both you and your spouse. READ IT CAREFULLY! A copy of this order is included with these instructions.

When does the court hear <u>uncontested</u> divorce cases?

Monday through Friday 8:30 - 9:20 a.m. and 1:30 - 2:20 p.m. **Uncontested Docket** is held in a different courtroom each week. Ask for its location at the Courthouse Information Booth (1st floor).

Where do I file my Decree of Divorce after it's signed by the Judge?

The District Clerk's Office, Room 302 (3rd floor).

How do I set up a child support account?

Complete a *Request to Establish an Account* form. Pick up this form at the District Clerk's Office or Domestic Relations Office. Download this form at http://www.traviscountytx.gov/dro/forms.asp.

Do you need help?

If your divorce is **uncontested** (agreed or default) you may qualify for **FREE** help from the Travis County Law Library Reference Attorney.

Who can meet with the Reference Attorney?

You can meet with the Reference Attorney if your case is:

- A simple divorce; and
- Agreed (you and your spouse agree on all issues) or default (your spouse does not respond after being served); and
- o A Travis County case; and
- Neither you nor your spouse has a lawyer.

How can the Reference Attorney help?

The Reference Attorney can:

- Review your paperwork,
- Help you complete your paperwork, and
- Explain the steps in an uncontested divorce.

How do I make an appointment?

Call the Law Library Self-Help Center at 854-8677.

Can the Reference Attorney represent me or give me legal advice?

No. The Reference Attorney **cannot** represent you or give you legal advice.

Do I need legal advice?

Getting legal advice from a lawyer now can save you time and money in the long run. This is true, especially if children are involved or you <u>or</u> your spouse have a retirement account, house or other valuable property.

The Lawyer Referral Service (472-8303) can help you find a private lawyer. Ask for a lawyer willing to provide Limited Scope Representation, if you just want advice. If you are low income, you may qualify for free help from Legal Aid (374-2700). Regardless of income, you may obtain free legal advice at the Free Evening Legal Clinics. These and other community resources are listed on the back.

Helpful Numbers & Websites

Referrals

Lawyer Referral Service

472-8303 or 1-866-303-8303

www.austinlrs.com

- o Callers referred to private attorneys
- Match Program reduced-fee program for low-income callers

First Call for Help: 211

Dial 211 or 973-9203

o 24-Hour community service referral

Free Legal Advice / Representation

Free Evening Legal Clinics

1-800-369-9270

www.vlsoct.org

- Mondays 6-7 p.m. at Martin Jr. High, 1601 Haskell
- Wednesdays 6-7 p.m. at Webb Middle School, 601 E. St. John
- Free legal advice regardless of income
- Low-income individuals may apply for full legal representation

Free Legal Advice Hotline

472-8303 1st Tuesday 5:30-7:30 p.m.

Texas RioGrande Legal Aid

1-888-988-9996

www.trla.org

 Legal representation for low-income people in family law & other civil cases

Texas Advocacy Project

Family Law Hotline 1-800-777-FAIR

Free Legal Forms / Info

Travis County Self-Help Center 854-8677

www.TravisCountyLawLibrary.org

 Free legal forms and help from Reference Attorney with uncontested Travis County family law cases

www.TexasLawHelp.org

o Free legal forms and information

Mediation

Dispute Resolution Center

371-0033 <u>www.austindrc.org</u>

Housing

Austin Tenants Council

474-1961 www.housi

www.housing-rights.org

Texas Rio Grande Legal Aid

374-2700 <u>www.trla.org</u>

Lifeworks

735-2400 <u>www.lifeworksweb.org</u>

Child Support

Domestic Relations Office

854-9696 www.traviscountydro.com

- Child support office
- Travis County child and medical support orders enforced

Attorney General's Office

441-6162 (South Austin Office) 339-1135 (North Austin Office) www.oag.state.tx.us

- Paternity and child support established
- Child and medical support orders enforced and modified

Visitation

Domestic Relations Office

854-9696 <u>www.traviscountydro.com</u>

- o Visitation orders enforced
- Maintains list of organizations that provide supervised visitation and supervised exchange of children

Access and Visitation Hotline

1-866-292-4636 M-F 1-7 p.m. www.txaccess.org

Counseling

Austin Child Guidance Center

452-2241

www.austinchildguidance.org

o Counseling for children

Lifeworks

735-2400 <u>www.lifeworksweb.org</u>

o Youth and adult counseling

YWCA Women's Counseling and Referral Center

326-1222 <u>www.ywca.org</u>

Low cost counseling for women

Capital Area Mental Health Center

328-1000 <u>www.camhc.org</u>

Low cost psychological counseling

Elder Law

Family Eldercare

450-0844 <u>www.familyeldercare.org</u>

Legal Hotline for Texans

477-3950 <u>www.tlsc.org/hotline.html</u>

Veterans

Legal Hotline for Veterans

1-800-622-2520

Domestic Violence

Travis County Attorney's Office 854-9415

 Protective orders for victims of domestic violence

Safeplace

24 hour Hotline 267-SAFE (7233) www.austin-safeplace.org

 Emergency shelter, counseling, and other support for survivors of domestic violence or sexual assault

Family Violence Protection Team 974-8535

Texas Advocacy Project

www.women-law.org

- Family Violence Hotline
- 1-800-374-HOPE (4673)
- Sexual Assault Hotline800-269-SAFE (7233)

Other Hotlines

Abuse Hotline 1-800-252-5400

 Report abuse or neglect of children and elderly or disabled adults

MHMR Crisis Hotline 472-4357

 Telephone counseling, crisis and suicide prevention

Lifeworks Youth Crisis Hotline 735-2400

Texas Legal Hotline 1-800-622-2520

Immigration Law

American Gateways

478-0546 www.americangateways.org

Disability Law

Advocacy, Inc.

1-800-315-3876 (Voice / TDD) www.advocacyinc.org

HIV / AIDS

Capital Area AIDS Legal Project

458-2437 www.asaustin.org

Travis County

Information Booth 854-9020
District Clerk 854-9457
Domestic Relations 854-9696
Constable 5 854-9100
Law Library 854-8677

www.TravisCountyTexas.org

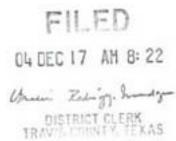
Last update: 5/3/12

TRAVIS COUNTY DISTRICT CLERK'S FILE NO. 121,012 (LOCAL RULES AND GENERAL ORDERS)

TRAVIS 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 Travis County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Travis County. The District Courts of Travis 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.
- 2. <u>CONDUCT OF THE PARTIES DURING THE CASE</u>. 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:
 - 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.
- Damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value.
- 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 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 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 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 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 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.
- 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 reasonable 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. <u>SERVICE AND APPLICATION OF THIS ORDER</u>.

- 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 the court. This entire order will terminate and will no longer be effective once the court signs a final order.
- 8. <u>EFFECT OF OTHER COURT ORDERS</u>. 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 TRAVIS COUNTY STANDING ORDER REGARDING CHILDREN, PROPERTY AND CONDUCT OF THE PARTIES SHALL BECOME EFFECTIVE ON JANUARY 1, 2005.

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