

Cause Number _____

Print cause number and other court information exactly as it appears on the petition filed in this case.

In the Matter of the Marriage of

In the: (check one):

Print first, middle, last name of spouse filing divorce.

and

Court Number

District Court

County Court at Law

Print first, middle, last name of other spouse.

_____ County, Texas

And in the Interest of the following minor child(ren):

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Objection to Notice of Court Proceeding
(For Divorce Case with Children)

My name is _____.

I am the: Petitioner Respondent in this case.

I object to the attached notice about the court proceeding set for _____ (date) and _____ (time).

I am making this objection within a reasonable time after I received the notice, which was on _____ (date).

Below, I am telling the Court why I object to the notice itself, to the method of appearance specified in it, or both. I am asking for relief.

(Check all that apply).

Defective Notice

I object to the Notice because it did not contain the information needed for participants to participate in the court proceeding. The Notice did not meet the requirements of Texas Rule of Civil Procedure 21(b).

Specifically, the Notice failed to state:

(Check only those that apply).

- the location of the court proceeding
- instructions for joining the proceeding electronically
- the court's designated contact information
- instructions for submitting evidence.

Therefore, I am asking: **(check all that apply)**

- the Court to serve an amended notice or order that does satisfy the requirements of rule 21(b), including timely service of that amended notice before the court proceeding.
- the other party in this case to serve an amended notice or order that does satisfy the requirements of rule 21(b), including timely service of that amended notice before the court proceeding.

Objection to Method of Appearance

Objection to In-Person Requirement

I object to the method of appearance in the notice, because the notice does not permit the following people to appear by electronic means:

(Check all that apply.)

- | | <u>Name of person</u> |
|--|-----------------------|
| <input type="checkbox"/> Petitioner | _____ |
| <input type="checkbox"/> Respondent | _____ |
| <input type="checkbox"/> Attorney for Petitioner | _____ |
| <input type="checkbox"/> Attorney for Respondent | _____ |
| <input type="checkbox"/> Witnesses | _____ |
| <input type="checkbox"/> Other participants | _____ |

I ask the Court to allow the following people to appear by electronic means:

(Check all that apply.)

- | | <u>Name of person</u> |
|--|-----------------------|
| <input type="checkbox"/> Petitioner | _____ |
| <input type="checkbox"/> Respondent | _____ |
| <input type="checkbox"/> Attorney for Petitioner | _____ |
| <input type="checkbox"/> Attorney for Respondent | _____ |
| <input type="checkbox"/> Witnesses | _____ |
| <input type="checkbox"/> Other participants | _____ |

I specifically ask that the Court allow or order the above people to appear using the following electronic means: **(Check all that apply.)**

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Zoom | <input type="checkbox"/> Microsoft Teams |
| <input type="checkbox"/> Court Call | <input type="checkbox"/> Telephone |
| <input type="checkbox"/> WebEx | <input type="checkbox"/> Other: _____ |

Good cause exists for my objection **(explain)**:

Objection to Specific Electronic Means

I object to the method of appearance in the notice. The Notice requires the following people:
(Check all that apply.)

	<u>Name of person</u>
<input type="checkbox"/> Petitioner	_____
<input type="checkbox"/> Respondent	_____
<input type="checkbox"/> Attorney for Petitioner	_____
<input type="checkbox"/> Attorney for Respondent	_____
<input type="checkbox"/> Witnesses	_____
<input type="checkbox"/> Other participants	_____

I ask the Court to allow or order the following people:

(Check all that apply.)

	<u>Name of person</u>
<input type="checkbox"/> Petitioner	_____
<input type="checkbox"/> Respondent	_____
<input type="checkbox"/> Attorney for Petitioner	_____
<input type="checkbox"/> Attorney for Respondent	_____
<input type="checkbox"/> Witnesses	_____
<input type="checkbox"/> Other participants	_____

To appear using the following electronic means: (Check the method that you are asking for.)

<input type="checkbox"/> Zoom	<input type="checkbox"/> Microsoft Teams
<input type="checkbox"/> Court Call	<input type="checkbox"/> Telephone
<input type="checkbox"/> WebEx	<input type="checkbox"/> Other: _____

Good cause exists for my objection (explain):

Objection When Oral Testimony Will Be Heard

The Notice requires a party or lawyer to appear electronically for a court proceeding in which oral testimony will be heard.

(Choose all that apply).

- There is no good cause to require a party, lawyer, or other participant to appear electronically.
- The parties do not agree to appear electronically.

Therefore, the Court must permit them to participate by physical presence in the courtroom, under Texas Rule of Civil Procedure 21d(b)(2)(A).

Affidavit or Declaration

Attached is an affidavit or declaration stating facts that support my objection(s).
(Find a blank general affidavit at <https://texaslawhelp.org/article/general-affidavit>).

Request for Ruling

Before the Court proceeds by the objected-to method of appearance, I ask the Court to:

- conduct a hearing on the objection(s)
- rule on the objection(s)
- timely communicate the ruling to the parties in a written order or on the record.

Request to Consider Good Cause Factors

I ask the Court, in determining good cause, to consider the factors set forth in rule 21d(e) of the Texas Rules of Civil Procedure.

(Check all that apply.)

- case type
- court proceeding type
- the number of parties and witnesses
- the complexity of the legal and factual issues
- the type of evidence to be submitted, if any
- technological restrictions such as lack of access to or proficiency in necessary technology
- travel restrictions such as lack of transportation, distance, or inability to take off work
- whether a method of appearance is best suited to provide necessary language access services for a person with limited English proficiency or accommodations for a person with a disability
- any previous abuse of a method of appearance

Prayer

I ask the Court to grant my objection(s) and all other relief requested or to which I may be entitled.

Sign your name here.

Certificate of Conference (check if your court requires it)

I certify that a reasonable effort has been made to resolve the issues addressed in this motion without the necessity of court intervention and has failed.

Sign your name here.

Notice of Hearing (check if applicable)

The above motion is set for hearing by:

- telephone, specifically _____
- other remote means, specifically _____
- other means, specifically _____

on _____ (date) at _____ (time).

SIGNED on _____ (date).

Judge or Clerk


Certificate of Service

I certify that I delivered a copy of this document to each party in this case, or if a party is represented by a lawyer, to the party's lawyer, by: **(Check one.)**

- Hand delivery to the other party or parties: _____
- Hand delivery to the other party's lawyer: _____
- Email to this email address: _____
- Certified mail, return receipt requested, to this address: **(Note: This method may take too long.)**

- Commercial delivery service (for example, UPS or FedEx) to this address:

- Fax to fax number: _____
- Electronic service through the electronic filing manager. **(Note: The method is required if you electronically file (e-file) this document and the email address of your spouse or your spouse's attorney is on file with the electronic file manager.)**

 _____
Your Signature _____
Date