

IN THE DISTRICT COURTS AND COUNTY COURTS AT LAW  
OF MONTGOMERY COUNTY, TEXAS

MONTGOMERY COUNTY STANDING ORDER REGARDING CHILDREN,  
PETS, PROPERTY AND CONDUCT OF THE PARTIES

RECEIVED AND FILED  
FOR RECORD  
At \_\_\_\_\_ O'clock \_\_\_\_\_ M.

MAR 11 2009  
BARBARA GLADDEN ADAMICK  
District Clerk  
MONTGOMERY COUNTY TEXAS  
BY: *[Signature]*

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Montgomery County District Courts and County Courts at Law that applies in every divorce suit and every suit affecting the parent-child relationship filed in Montgomery County. The District Courts and County Courts at Law have adopted this order because the parties, their children and the family pets 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, for the purpose of changing the residence of the children or evading the jurisdiction of the court, acting directly or in concert with others, without the written agreement of both parties or an order of the 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 the 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 the court.
- 1.4 Disturbing the peace of the children.
- 1.5 Making disparaging remarks regarding the other party or the other party's family in the presence or within the hearing of the children.
- 1.6 Consuming alcohol within the 24 hours before or during any period of possession of or access to the children.
- 1.7 Permitting an unrelated adult with whom either party has an intimate or dating relationship to remain in the same residence with the children between the hours of 9:00 p.m. and 8:00 a.m.

2. **PROTECTION OF FAMILY PETS OR COMPANION ANIMALS.** Both parties are to refrain from harming, threatening, interfering with the care, custody, or control of a pet or companion animal that is possessed by a person protected by this order or by a member of the family or household of a person protected by this order.

Minute

3. **CONDUCT OF THE PARTIES DURING THE CASE.** Both parties are ORDERED to refrain from doing the following acts:

- 3.1 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.
- 3.2 Threatening the other party in person, by telephone, or in writing to take unlawful action against any person.
- 3.3 Placing one or more telephone calls, at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
- 3.4 Causing bodily injury to the other party or to a child of either party.
- 3.5 Threatening the other party or a child of either party with imminent bodily injury.
- 3.6 Opening or diverting mail addressed to the other party.

4. **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:

- 4.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both of the parties.
- 4.2 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.
- 4.3 Damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value.
- 4.4 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.
- 4.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real property, and whether separate or community, except as specifically authorized by this order.
- 4.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.

**Minute**

Date: \_\_\_\_\_

- 4.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
- 4.8 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.
- 4.9 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.
- 4.10 Entering any safe-deposit box in the name of or subject to the control of Petitioner or Respondent, whether individually or jointly with others.
- 4.11 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.
- 4.12 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 4.13 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 4.14 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending.
- 4.15 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.
- 4.16 Excluding the other party from the use and enjoyment of the other party's residence.

5. **PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE.** "Records" means any tangible document or recording and includes e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- 5.1 Concealing, destroying, disposing of, or altering any family records, property records, financial records, business records or any records of income, debts, or other obligations.

**Minute**

5.2 Falsifying any writing or record relating to the property of either party.

6. **INSURANCE IN DIVORCE CASE.** If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:

- a. 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.
- b. Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children.
- c. Canceling, altering, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties' property or persons, including the parties' children.

7. **SPECIFIC AUTHORIZATIONS IN DIVORCE CASE.** If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

- a. To engage in acts reasonable and necessary to conduct each party's usual business and occupation.
- b. To make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit.
- c. To make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care.
- d. To make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

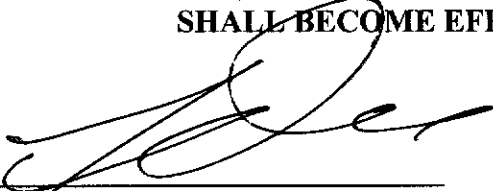
8. **SERVICE AND APPLICATION OF THIS ORDER.**

- a. 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.
- b. 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 notice of the court. This entire order will terminate and will no longer be effective once the court signs a final order.

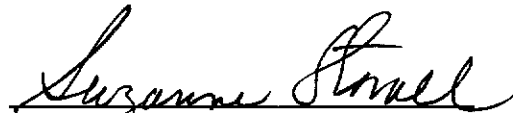
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9. **EFFECT OF OTHER COURT ORDERS.** If any part of this order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this order not changed by some later order remains in full force and effect until the court signs a final order.
10. **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. Mediation may be required by the court to which the case is assigned, and the parties are ordered to comply with any such requirement from said court.
11. **BOND WAIVED.** It is ORDERED that the requirement of a bond is waived.

**THIS MONTGOMERY COUNTY STANDING ORDER REGARDING CHILDREN, PETS, PROPERTY AND CONDUCT OF THE PARTIES SHALL BECOME EFFECTIVE ON MARCH 15, 2009**



HON. FRED EDWARDS  
9<sup>th</sup> Judicial District Court



HON. SUZANNE STOVALL  
221<sup>st</sup> Judicial District Court



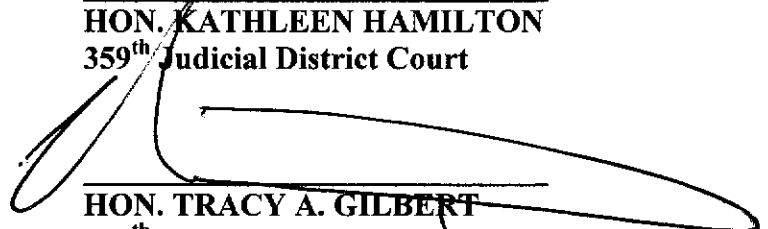
HON. CARA WOOD  
284<sup>th</sup> Judicial District Court



HON. KATHLEEN HAMILTON  
359<sup>th</sup> Judicial District Court



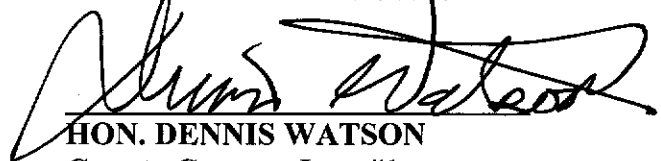
HON. K. MICHAEL MAYES  
410<sup>th</sup> Judicial District Court



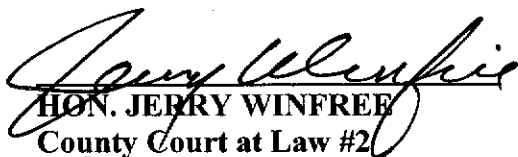
HON. TRACY A. GILBERT  
418<sup>th</sup> Judicial District Court



HON. MICHAEL SEILER  
435<sup>th</sup> Judicial District Court



HON. DENNIS WATSON  
County Court at Law #1



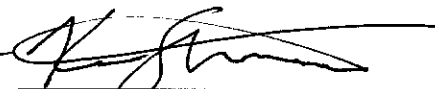
HON. JERRY WINFREE  
County Court at Law #2



HON. PATRICE McDONALD  
County Court at Law #3



HON. MARY ANN TURNER  
County Court at Law #4



HON. M. KEITH STEWART  
County Court at Law #5

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