



CHAMBERS COUNTY STANDING ORDER FOR FAMILY LAW CASES

Effective for All Family Cases Filed on or after January 1, 2023

This is an Order of the 344th District Court of Chambers County, Texas. The purpose of this Order is to protect the parties and their children and to preserve the parties' property while a divorce case or suit affecting the parent-child relationship (SAPCR) is pending before the Court.

This Order was not requested by any party.

THIS ORDER MAY BE ENFORCEABLE BY CONTEMPT.

1. GENERAL ORDERS

1.1 Who Must Obey this Order

The Court ORDERS the parties in every divorce and every suit affecting the parent-child relationship filed in Chambers County to obey this Order.

A SAPCR includes, but is not limited to, modification cases, paternity cases, and original suits affecting the parent-child relationship.

The Court further ORDERS any person who acts in concert with or participation with a party, or a party's agent or attorney, who receives actual notice of this Order, to obey this Order.

1.2 If this Order Conflicts with a Different Order

If any part of this Order conflicts with any part of an active court order, including a protective order, Child Protective Services order, or a temporary or final order in a divorce case or SAPCR, then the parties must obey that part of the active court order.

1.3 When this Order Starts and Ends

This Order takes effect (starts) when an original petition is filed in a divorce case or SAPCR. This Order remains in full force and effect as a temporary restraining order for fourteen days after the original petition is filed. If no party contests this Order by presenting evidence at a hearing or before the fourteenth day after the original petition is filed, this Order shall continue in full force and effect as a temporary injunction until further order of the Court.

This Order terminates (ends) when the Court signs a final order or the case is dismissed.

1.4 Petitioner Must Attach Copy of this Order to Petition

The petitioner in a divorce case or SAPCR shall attach a copy of this Order to the original petition filed in the case and each copy of the petition. At the time the petition is filed, if the petitioner has not attached a copy of this Order to the petition, the District Clerk shall ensure that a copy of this Order is attached to the petition and every copy of the petition presented.

1.5 Attorneys' Fees

The Court may order a party who violates this Order to pay another party's reasonable and necessary attorneys' fees incurred to enforce this Order. An award of attorneys' fees is in addition to any other remedies available to enforce this Order.

2. ORDERS ABOUT CHILDREN

The following orders are about any child who is the subject of this case.

All parties are ORDERED:

2.1 Do NOT hide the child from another party.

2.2 Do NOT change the child's current residence unless:

(a) all parties agree in writing to the change,

(b) the Court orders the change, or

(c) an active court order gives you the exclusive right to designate the child's primary residence and the new residence is within the geographical area, if any, allowed in that order.

2.3 Do NOT disrupt or withdraw the child from the school or daycare facility where the child is presently enrolled unless:

(a) all parties agree in writing to the change,

(b) the Court orders the change,

(c) an active court order gives you the exclusive right to make decisions about the child's education, or

(d) an active court order gives you the exclusive right to designate the child's primary residence and the withdrawal is related to designating a new primary residence for the child.

- 2.4 Do NOT make derogatory comments about another party, another party's family members, or another party's dating partner, in the presence of or within hearing of the child, or on social media accessible to the child.

3. ORDERS ABOUT CONDUCT DURING THE CASE

All parties are ORDERED:

- 3.1 Do NOT communicate with any other party in a way that is threatening or harassing.
- 3.2 Do NOT threaten to take unlawful action against any party, member of a party's family or household, or a party's property.
- 3.3 Do NOT call, email, text, or use any other electronic communications to contact another party at an unreasonable hour, in an offensive or repetitious manner, anonymously, or without a legitimate purpose of communication.
- 3.4 Do NOT open or divert mail addressed to any other party.
- 3.5 Do NOT access any other party's email account, financial account, social media account, or any other electronic account.
- 3.6 Do NOT illegally intercept or record any other party's electronic communications.

4. ADDITIONAL ORDERS THAT APPLY IN DIVORCE CASES

- 4.1 Orders about Property and use of Money during Divorce Cases

"Property" includes personal property and real property, without regard to whether the property is claimed as separate property or community property.

Divorcing spouses are ORDERED:

- (a) Do NOT destroy, remove, conceal, encumber, transfer, or otherwise harm or reduce the value of the property of one or both spouses.
- (b) Do NOT hide property from your spouse. Do NOT misrepresent or refuse to disclose to your spouse or the Court, on proper request, the existence, amount, or location of any property of one or both spouses.
- (c) Do NOT damage, destroy, or tamper with the tangible or intellectual property of one or both spouses, including any document that represents or embodies anything of value.
- (d) Do NOT sell, transfer, assign, mortgage, encumber, or alienate in any manner property of either spouse, unless specifically authorized by this Order.

- (e) Do NOT incur any debt, other than legal expenses in connection with this case, unless the debt is specifically authorized by this Order.
- (f) Do NOT withdraw or transfer money from any account in any financial institution for any purpose, except as specifically authorized by this Order.
- (g) Do NOT spend any cash in either spouse's possession or subject to either spouse's control for any purpose, except as specifically authorized by this Order.
- (h) Do NOT withdraw or borrow 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.
- (i) Do NOT sign or endorse your spouse's name on any negotiable instrument, check, or draft, such as tax refunds, insurance payments, and dividends. Do NOT attempt to negotiate any negotiable instrument payable to your spouse without your spouse's personal signature.
- (j) Do NOT take any action to terminate or limit credit or charge cards in your spouse's name or possession or lines of credit in your spouse's name.
- (k) Do NOT enter, operate, or exercise control over the motor vehicle in your spouse's possession.
- (l) Do NOT alter withholding for federal income taxes on your wages or salary while this case is pending.
- (m) Do NOT cancel or change utilities or contractual services in any way or attempt to withdraw any deposits for utilities or contractual services. Utilities include, but are not limited to, water, electricity, gas, telephone, Internet, and cable television services. Contractual services include, but are not limited to, security, delivery, pest control, landscaping, or yard maintenance.
- (n) Do NOT exclude your spouse from the residence you and your spouse currently share or have shared within the thirty (30) days before the original petition for divorce was filed in this case.
- (o) Do NOT enter any safe deposit boxes in the name of, or subject to the control of either spouse, whether owned individually or jointly, unless authorized by later court order or written agreement signed by both spouses permitting such entrance.
- (p) Do NOT delete any data or content from any social network profile used or created by either spouse or any child who is the subject of this case.

4.2 Orders about Personal and Business Records in Divorce Cases

"Records" include, but are not limited to:

- Family records (including photographs, calendars, journals, and diaries);
- Property records;
- Financial and business records;
- Any records of income, debts, or other obligations (including a canceled check, deposit slip, and other records from a financial institution, a record of credit purchases or cash advances, a tax return, or financial statement); and
- Emails, text messages, videos or chat messages, or other digital or electronic data, whether stored on a computer hard drive, diskette, in a removable storage device, in cloud storage, or other electronic storage medium.

Divorcing spouses are ORDERED:

- (a) Do NOT conceal or destroy any record
- (b) Do NOT falsify any record.
- (c) Do NOT modify, change, or alter the native format or metadata of any record.

4.3 Orders about Insurance in Divorce Cases

Divorcing spouses are ORDERED:

- (a) Do NOT withdraw or borrow in any way all or any part of the cash surrender value of life insurance policies on the life of either spouse, except as specifically authorized by this Order.
- (b) Do NOT change or alter in any way the beneficiary designation on any life insurance on the life of either spouse or any child who is the subject of this case.
- (c) Do NOT cancel or alter in any way the casualty, automobile, or health insurance policies insuring you, your spouse, or any child who is the subject of this case or any property owned by or in the possession of you, your spouse, or any child who is the subject of this case.

4.4 Specific Authorizations in Divorce Cases

Divorcing spouses are specifically authorized by this Order to:

- (a) Engage in acts reasonable and necessary to the conduct of that spouse's usual business and occupation.
- (b) Spend and incur debt for reasonable attorneys' fees and expenses in connection with this case.

- (c) Spend and incur debt for reasonable and necessary living expenses for food, clothing, shelter, transportation, school, and medical care, including reasonable and necessary expenses for minor children.
- (d) Withdraw money from financial institution accounts only for the purposes authorized by this Order.

This ORDER is effective as of January 1, 2023.

Signed by Judge Randy McDonald and filed with the District Clerk's Office on December 6, 2022.

FILED
THIS THE 16 DAY OF Dec
A.D. 2022 AT 4:03 O'CLOCK P M
BY FATTI L HENRY
DISTRICT CLERK, CHAMBERS COUNTY, TEXAS
DEPUTY

Randy McDonald
JUDGE RANDY MCDONALD
344th District Court