

County Court at Law #1 Standing Order Regarding Children, Property and the Conduct of the Parties

No party to this lawsuit has requested this order. Rather, this order is a standing order of the County Court at Law #1 that applies in every divorce suit and in every suit affecting the parent-child relationship filed in County Court at Law #1 of Brazos County. County Court at Law #1 has 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, effective, September 1, 2009,

NO DISRUPTION OF CHILDREN. Unless there is a written agreement of all parties or an order of this court, both parties are ORDERED to refrain from doing the following acts concerning children who are subjects of this case:

- 1.1** Removing the children from the State of Texas, acting directly or in concert with others.
- 1.2** Disrupting or withdrawing the children from the school or daycare facility where the children are presently enrolled.
- 1.3** Hiding or secreting the children from the other parent or changing the children's place of abode immediately before this lawsuit was filed.
- 1.4** Disturbing the peace of the children.

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

- 2.1** Using vulgar, profane, obscene or indecent language, in 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, electronically 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.
- 2.4** Opening or diverting mail addressed to the other party.

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 relating to the property of one or both of the parties:

- 3.1** Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property.
- 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.
- 3.3** Damaging or destroying the tangible property.
- 3.4** Tampering with the tangible property 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 manner alienating any of the property, whether personal property or real property, and whether separate or community, except as specifically authorized by this order.
- 3.6** Incurring any indebtedness 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 authorized by this order.
- 3.8** Spending any sum of cash 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, employee benefit plan, employee savings plan, 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 cards in the other party's name.
- 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, cablevision, 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 deposits for these services.

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 email or other digital or electronic data wherever stored.

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 part of the cash surrender value of life insurance policies on the life of either party.

5.2 Changing or in any manner altering the beneficiary designation on any life insurance on the life of the parties or their children.

5.3 Canceling, altering, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties property or persons or their children.

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 conduct their usual business.

6.2 To make expenditures and incur indebtedness for reasonable attorneys 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.

SERVICE AND APPLICATION OF THIS ORDER.

7.1 The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition prior to filing same with the District Clerk.

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 requested and heard on or

before fourteen days after the date 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 will terminate and will no longer be effective once the court signs a final order.

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.

Signed this 18th day of August, 2009



Amanda Matzke
Presiding Judge, County Court at Law #1