

DELTA 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 Delta County District Court that applies in every marriage dissolution suit and every suit affecting the parent-child relationship filed in Delta County, except cases initiated by the Attorney General of Texas or the Department of Family Protective and Regulatory Services. The Courts have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the Courts.

IT IS THEREFORE ORDERED:

1. NO DISRUPTION OF CHILDREN.

All parties are ORDERED to refrain from doing the following acts concerning any child the subject of this suit:

- a. removing any child from the State of Texas, acting directly or in concert with others, without written agreement from all parties or a court order;
- b. disrupting or withdrawing any child from the school or day-care facility where the child is presently enrolled without written agreement of all parties or a court order;
- c. hiding or secreting any child from any party;
- d. changing any child's current place of abode without the written agreement of all parties or a court order;
- e. disturbing the peace of any child;
- f. making disparaging remarks regarding any party or any party's family in the presence or within the hearing of any child; and,
- g. using or possessing any dangerous drug or controlled substance, not prescribed by a physician, during any period of possession of any child or 12 hours before.

2. CONDUCT OF THE PARTIES DURING THIS CASE.

All parties are ORDERED to refrain from doing the following acts:

- a. Using vulgar, profane, obscene or indecent language, or a coarse or offensive manner, while communicating with any party or child, whether in person, by telephone or in writing (including text messaging or other forms of electronic communication such as email or fax).

- b. threatening another party or any child in person, by telephone or in writing (including text messaging or other forms of electronic communication such as email or fax) to take unlawful action against any person.
- c. placing one or more telephone calls to any party, at an unreasonable hour, in an offensive or repetitious manner, anonymously or without a legitimate purpose of communication.
- d. opening, diverting, withholding or interfering with the delivery of mail addressed to any party;
- e. causing bodily injury to any party or child of any party;
- f. changing any party's password or access to code to an account at any business, financial institution, computer network, social networking site and the like without that party's express, written consent.

3. PRESERVATION OF PROPERTY.

If this is a suit to dissolve a marriage, both parties to the marriage are ORDERED to refrain from the following acts:

- a. destroying, removing, concealing, encumbering, transferring or otherwise harming or reducing the value of any item of property of one or both of the parties;
- b. 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;
- c. damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value;
- d. tampering with the tangible property of one or both of the parties, including any document that represents or embodies anything of value, and causing any pecuniary loss to the other party;
- e. incurring any indebtedness except as specifically authorized by this order;
- f. making withdrawals from any account for any purpose except as specifically authorized by this order;
- g. 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 (IRA) or Keogh account, except as specifically authorized by this order;

- h. signing or endorsing the other party's name on any negotiable instrument or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party;
- i. taking any action to terminate or limit credit or debit cards in the name of the other party;
- j. taking any action to obtain credit in the name of the other party;
- k. entering, operating or exercising control over any motor vehicle in the possession of the other party;
- l. discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending;
- m. terminating or in any manner affecting any utility (gas, water, electric, etc...) or contract services (security, pest control, landscaping, etc...) at any property owned, occupied or controlled by the other party or in any manner attempting to withdraw any deposits for service in connection with such services.

4. SPECIFIC AUTHORIZATION IN MARRIAGE DISSOLUTION CASES.

If this is a case to dissolve a marriage, the parties to the marriage are specifically authorized to do the following:

- a. to engage in acts reasonable and necessary to the conduct of the 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.

5. PERSONAL AND BUSINESS RECORDS IN MARRIAGE DISSOLUTION CASES.

If this is a case to dissolve a marriage, the parties to the marriage are ORDERED to refrain from doing the following:

- a. concealing, destroying, disposing of or altering in any manner family

records, property records, business records or any records of income, debts, liabilities or other obligations;

b. falsifying any writing or record relating to the property of either party. "Records" as used herein includes paper documents as well as data stored or maintained in any electronic or digital format.

6. INSURANCE IN MARRIAGE DISSOLUTION CASES.

If this is a case to dissolve a marriage, the parties to the marriage are ORDERED to refrain from doing the following:

- a. withdrawing or borrowing in any manner all or part of the cash surrender value of any life insurance policy on the life of either party or child 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 child of either party;
- c. cancelling, altering or in any manner affecting any casualty, auto or health insurance policy insuring any property owned by either party, including the child of either party.

7. SERVICE AND APPLICATION OF THIS ORDER

- a. Petitioner/Movant/Applicant shall attach a copy of this Order, signed by the Petitioner/Movant/Applicant, to the original petition/motion/application and to each copy. The clerk ***shall not*** accept for filing a petition/motion/application if the Petitioner/Movant/Applicant has failed to attach a signed copy of this Order to the original petition/motion/application and each copy.
- b. this Order is effective upon the filing of the petition/motion/application and shall remain in full force and effect as a temporary restraining order for fourteen (14) days after the date of filing of the original petition/motion/application. If no party contests this order by presenting evidence at a hearing on or before fourteen (14) days after the date of the filing of the original petition/motion/application, 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 dispositive order in this suit.

8. EFFECT OF OTHER COURT ORDERS.

If any part of this Order conflicts with any part of a Family Violence Protective Order (hereinafter "the Protective Order") currently in effect at the time of the filing of this suit, or a Protective Order issued after the filing of this suit, involving the parties to this suit, the terms and provisions of the Protective Order prevail over conflicting portions of this Order. Any part of this Order not changed by some later order remains in full force and effect until the Court signs a final dispositive order in this suit.

This Delta County Standing Order Regarding Children, Property and Conduct of the Parties shall become effective on March 1, 2013.



Eddie Northcutt, Judge
8th District Court
Delta County, Texas



Will Biard, Judge
62nd District Court
Delta County, Texas

I, _____, do hereby state that I have received a copy of the Delta County Standing Order Regarding Children, Property and Conduct of the Parties, have read it in full and understand it and agree to be bound by its terms.

Petitioner/Movant/Applicant