

Question

What are the fundamental types of legal documents, including petitions, responses, motions, and orders, used in Texas family law cases (such as divorce, custody, and child support), and what are their purposes and procedural roles?

Answer (Texas)

Short response

The fundamental legal documents in Texas family law cases—such as divorce, custody, and child support—include petitions, responses, motions, and orders, each serving distinct procedural and substantive roles throughout the litigation process. These documents initiate proceedings, frame the issues, request judicial action, and formalize court decisions, as governed by the Texas Family Code and interpreted by Texas courts.

Summary

Texas family law cases rely on a structured set of legal documents to manage disputes involving divorce, child custody, child support, and related matters. Petitions commence actions and set forth the claims, responses allow opposing parties to contest or answer those claims, motions are used to request specific interim or procedural relief, and orders are the court's formal rulings that resolve issues either temporarily or finally.

Each document type has specific statutory requirements and procedural functions. Petitions and responses define the scope of the dispute, motions facilitate the management and enforcement of rights during litigation, and orders—whether temporary or final—impose binding obligations or grant relief. The Texas Family Code provides detailed guidance on the content, timing, and effect of these documents, ensuring due process and the orderly administration of justice in family law matters.

Background and Relevant Law

Legislative and Regulatory Framework

The Texas Family Code is the primary legislative authority governing family law proceedings in Texas. It prescribes the types, contents, and procedural roles of legal documents used in cases involving divorce, child custody, child support, termination or reinstatement of parental rights, and related matters.

Petitions

A petition is the foundational document that initiates a family law case. For example, in suits affecting the parent-child relationship (SAPCR), the original petition sets forth the claims and requests for relief, such as custody, support, or termination/reinstatement of parental rights. The Code specifies who may file petitions and what they must contain, depending on the relief sought:

- **Child Custody Enforcement:** A verified petition is required to enforce a child custody determination, and it must include certified copies of relevant orders, jurisdictional information, and details about the parties and child ([Tex. Fam. Code § 152.308](#)).
- **Reinstatement of Parental Rights:** Only certain parties may file a petition to reinstate parental rights, and the petition must be sworn and include specific information about the prior termination and the grounds for reinstatement ([Tex. Fam. Code § 161.302](#)).
- **Suspension of License for Child Support Arrearage:** A child support agency or obligee may file a petition to suspend a license if the obligor is in significant arrears ([Tex. Fam. Code § 232.004](#)).

Service of citation is required upon filing a petition, ensuring that all interested parties are notified and have an opportunity to respond ([Tex. Fam. Code § 102.009](#)).

Responses

While the Family Code does not always use the term "response," it contemplates responsive pleadings such as answers, counterpetitions, and objections. For example, in modification proceedings, a party may file a counterpetition to seek alternative relief ([In re Farmer](#), 2023-03-01). Responses serve to contest the claims in the petition, assert defenses, or raise new issues.

Motions

Motions are written requests for the court to take specific action during the course of a case. The Family Code and administrative rules provide for various types of motions:

- **Motion for Enforcement:** Used to compel compliance with temporary or final orders, including child support and custody orders ([Tex. Fam. Code § 157.001](#)).
- **Motion to Modify:** Requests a change to an existing order based on a material and substantial change in circumstances ([In re A.L.E.](#), 2009-02-12).
- **General Motions:** Any party may file a motion to request procedural relief, such as changing a hearing date or seeking a ruling ([1 Tex. Admin. Code § 155.305](#)).

Motions must be filed in writing, specify the relief sought, and are not effective until ruled upon by the judge.

Orders

Orders are the court's formal decisions, which may be temporary (interim) or final:

- **Temporary Orders:** Issued to protect the safety and welfare of a child or to maintain the status quo during litigation. These may address conservatorship, support, restraining conduct, or other urgent matters ([Tex. Fam. Code § 105.001](#)).
- **Final Orders:** Resolve the substantive issues in the case, such as divorce decrees, final custody determinations, or child support obligations. Final orders must contain specific information, including party identification and terms of relief ([Tex. Fam. Code § 105.006](#)).
- **Special Orders:** The Code also provides for specialized orders, such as those terminating or reinstating parental rights ([Tex. Fam. Code § 161.206](#)), adjudicating parentage ([Tex. Fam. Code § 160.636](#)), or authorizing emergency removal of a child ([Tex. Fam. Code § 262.102](#)).

Orders may be subject to modification, enforcement, or appeal, depending on their nature and the procedural posture of the case.

Case Law

Texas appellate decisions further clarify the procedural roles and requirements for these documents:

- **Temporary Orders:** Courts may issue temporary orders for the safety and welfare of children, including conservatorship, support, and restraining orders, but generally only after notice and a hearing ([In re K.M.](#), 2018-04-18; [In re Mcpeak](#), 2017-04-13).
- **Motions to Modify or Enforce:** Parties may file motions to modify or enforce existing orders, and the moving party must demonstrate a material and substantial change in circumstances for modifications ([In re A.L.E.](#), 2009-02-12).
- **Petitions and Counterpetitions:** Both initial petitions and counterpetitions are used to assert or contest claims regarding the parent-child relationship ([In re Farmer](#), 2023-03-01).
- **Finality of Orders:** The Texas Supreme Court has emphasized the need for clear indicia of finality in orders to determine appealability ([In re Interest of R.R.K.](#), 2019-12-13).

Administrative Decisions and Secondary Materials

Administrative rules reinforce the requirement that motions must be in writing and specify the requested relief ([1 Tex. Admin. Code § 155.305](#)). Secondary materials provide practical checklists and guidance for drafting pleadings and motions, highlighting the range of temporary orders that may be necessary in family law litigation.

Analysis

Petitions

Purpose and Role:

A petition is the document that initiates a family law proceeding. It sets forth the factual allegations, legal grounds, and specific relief sought by the petitioner. In divorce, custody, and child support cases, the petition frames the issues for litigation and triggers the requirement for service of citation on all interested parties ([Tex. Fam. Code § 102.009](#)).

Types and Requirements:

- **Original Petition in SAPCR:** Used to commence actions involving the parent-child relationship, such as custody or support. Must identify the parties, the child, and the relief sought.
- **Petition for Enforcement:** In child custody enforcement, the petition must be verified and include certified copies of the orders to be enforced, as well as detailed information about jurisdiction and any related proceedings ([Tex. Fam. Code § 152.308](#)).
- **Petition for Reinstatement of Parental Rights:** Must be sworn, include specific information about the prior termination, and comply with notice requirements ([Tex. Fam. Code § 161.302](#)).
- **Petition for Suspension of License:** Used to enforce child support by seeking suspension of a delinquent obligor's license ([Tex. Fam. Code § 232.004](#)).

Procedural Role:

The petition defines the scope of the dispute and the court's jurisdiction. It also triggers procedural protections, such as the right to notice and an opportunity to respond.

Responses

Purpose and Role:

Responses allow the opposing party to contest the claims in the petition, assert defenses, or raise new issues. While the Family Code does not always use the term "response," it contemplates answers, counterpetitions, and objections.

Types and Requirements:

- **Answer:** The basic responsive pleading, which may admit or deny allegations and assert affirmative defenses.
- **Counterpetition:** Used to seek alternative or additional relief, such as a different custody arrangement ([In re Farmer](#), 2023-03-01).
- **Objections:** May be filed in response to specific requests, such as objections to a proposed child support review order ([Tex. Fam. Code § 233.020](#)).

Procedural Role:

Responses ensure adversarial process and due process by allowing all parties to be heard and to present their positions.

Motions

Purpose and Role:

Motions are written requests for the court to take specific action during the course of a case. They are essential for managing the litigation process, seeking interim relief, or enforcing existing orders.

Types and Requirements:

- **Motion for Enforcement:** Used to compel compliance with court orders, including child support and custody orders. Must be filed in the court of continuing, exclusive jurisdiction ([Tex. Fam. Code § 157.001](#)).
- **Motion to Modify:** Requests a change to an existing order based on a material and substantial change in circumstances ([In re A.L.E.](#), 2009-02-12).
- **General Motions:** May request procedural relief, such as changing a hearing date or seeking a ruling ([1 Tex. Admin. Code § 155.305](#)).
- **Emergency Motions:** In cases of imminent harm, a party may file a verified application for a warrant to take physical custody of a child ([Tex. Fam. Code § 152.311](#)).

Procedural Role:

Motions facilitate the efficient management of cases, allow parties to seek necessary relief during litigation, and provide mechanisms for enforcement and modification of orders.

Orders

Purpose and Role:

Orders are the court's formal decisions, which may be temporary (interim) or final. They impose binding obligations, grant relief, or resolve disputes.

Types and Requirements:

- **Temporary Orders:** Issued to protect the safety and welfare of a child or to maintain the status quo during litigation. May address conservatorship, support, restraining conduct, or other urgent matters ([Tex. Fam. Code § 105.001](#); [In re K.M.](#), 2018-04-18).
- **Final Orders:** Resolve the substantive issues in the case, such as divorce decrees, final custody determinations, or child support obligations. Must contain specific information, including party identification and terms of relief ([Tex. Fam. Code § 105.006](#)).
- **Special Orders:** Include orders terminating or reinstating parental rights ([Tex. Fam. Code § 161.206](#)), adjudicating parentage ([Tex. Fam. Code § 160.636](#)), or authorizing emergency removal of a child ([Tex. Fam. Code § 262.102](#)).

Procedural Role:

Orders formalize the court's decisions, provide enforceable relief, and may be subject to modification, enforcement, or appeal. Temporary orders are generally issued after notice and a hearing, except in emergencies ([Tex. Fam. Code § 105.001](#); [In re K.M.](#), 2018-04-18).

Other Key Documents

- **Agreed Orders and Mediated Settlement Agreements:** Parties may resolve disputes through agreements, which can be incorporated into court orders ([In re Lee](#), 2013-09-27). Note: [In re Lee](#) has been disagreed with by a subsequent case, but the general principle that parties may settle and have their agreements incorporated into orders remains valid.
- **Notices:** Required for service of process and to inform parties of hearings or proposed orders ([Tex. Fam. Code § 102.009](#); [Tex. Fam. Code § 233.0095](#)).

Exceptions and Caveats

- **Emergency Orders:** In cases of immediate danger to a child, courts may issue temporary orders or restraining orders without prior notice or a hearing, but only if statutory criteria are met ([Tex. Fam. Code § 262.102](#)).
- **Finality of Orders:** Not all orders are immediately appealable. The Texas Supreme Court has clarified that only orders with clear indicia of finality are appealable ([In re Interest of R.R.K.](#), 2019-12-13).
- **Subsequent Negative Treatment:** [In re Lee](#) (2013-09-27) was disagreed with in a later case, but its discussion of Rule 11 agreements and mediated settlements remains generally instructive for understanding the procedural role of agreements in family law.

Conclusion

Texas family law cases are governed by a comprehensive statutory and procedural framework that prescribes the use and function of fundamental legal documents: petitions initiate proceedings and define the issues; responses allow parties to contest or supplement claims; motions facilitate interim relief, enforcement, or modification; and orders formalize the court's decisions, whether temporary or final. Each document type has specific statutory requirements and procedural roles, ensuring due process and the orderly resolution of family law disputes. The Texas Family Code, supported by case law and administrative rules, provides detailed guidance on the preparation, filing, and effect of these documents, which are essential to the fair and efficient administration of justice in family law matters.

Legal Authorities

[Jardon v. Pfister](#), 593 S.W.3d 810 (Tex. App. 2019)

Texas Court of Appeals

Extract

In early 2014, the parties entered into a mediated settlement agreement under which they agreed to share possession of the child. That agreement was reduced to temporary orders in February 2015... Father moved to modify the temporary orders based on a material change of circumstances affecting the child. In its order granting that motion, the trial court found a material change of circumstances... Based on those findings of changed circumstances, which Mother does not contest, the court awarded Father full custody of A.E.P. and appointed him sole managing conservator. Those modified terms were thereafter incorporated into the Final Decree.

Summary

The passage provides insight into the procedural roles of various legal documents in Texas family law cases. It mentions a mediated settlement agreement (MSA), temporary orders, motions to modify orders, and a final decree. The MSA is an agreement between parties that can be incorporated into temporary orders by the court. Temporary orders are interim decisions by the court that can be modified if there is a material change in circumstances. A motion to modify is a request to change these orders based on new circumstances. The final decree is the court's final decision, incorporating any modifications made during the proceedings.

[In re A.L.E., 279 S.W.3d 424 \(Tex. App. 2009\)](#)

Texas Court of Appeals

Extract

In an effort to ensure stability and continuity for children, Texas law has imposed 'significant hurdles' before a conservatorship order may be modified. ... Specifically, a trial court may modify a conservatorship order if modification would be in the child's best interest and 'the circumstances of the child, a conservator, or other party affected by the order have materially and substantially changed' since the previous order. Tex. Fam.Code Ann. § 156.101 (Vernon 2008). As a threshold determination, then, the moving party must show a material and substantial change in circumstances; otherwise, the petition must be denied.

Summary

The passage provides insight into the procedural role of petitions in Texas family law, specifically regarding the modification of conservatorship orders. It highlights the requirement for a petition to demonstrate a material and substantial change in circumstances to be considered by the court. This is a

fundamental aspect of the procedural role of petitions in family law cases, as it sets the threshold for court consideration.

[In re Lee, 411 S.W.3d 445, 56 Tex. Sup. Ct. J. 1247 \(Tex. 2013\)](#)

Texas Supreme Court

Extract

Prior to the enactment of ADR provisions in section 153.0071, parties settled family disputes by entering into agreements pursuant to Texas Rule of Civil Procedure 11, Chapter 154 of the Civil Practice and Remedies Code, and general principles of contract law. See *In re Calderon*, 96 S.W.3d 711, 717-18 (Tex.App.-Tyler 2003, orig. proceeding). Rule 11 provides a mechanism for parties or attorneys to narrow the issues before the trial court and independently resolve other matters in a pending lawsuit through properly executed written agreements.

Summary

The passage provides insight into the procedural roles of legal documents in Texas family law cases. It highlights the use of Rule 11 agreements, which are written agreements used to narrow issues before the trial court and resolve matters independently in a pending lawsuit. This is relevant to understanding the types of legal documents used in family law cases, as it illustrates how parties can settle disputes outside of court through written agreements.

[In re L.J.K.](#)

Texas Court of Appeals

Extract

Father now appeals on nine issues: 1) the parties' agreement for final orders was a final order; 2) it was improper for Mother's attorney to sign the final order as to form for Father's attorney; 3) the trial court's 2020 final order failed to comply with the parties' 2018 agreement; 4) the cause should have been dismissed for want of prosecution; 5) Father's attorney elicited perjury at a contempt hearing related to the trial court's orders; 6) the trial court improperly denied Father's motion for new trial on the mistaken belief that it no longer had plenary power to grant it; 7) Mother did not give Father proper notice under Rule 21a of the Texas Rules of Civil Procedure; 8) the trial court ordered improper medical support; and 9) the trial court's contempt order did not conform to the pleadings. Our review follows.

Summary

The passage provides insight into the types of legal documents and procedural issues that can arise in Texas family law cases, such as final orders, motions for new trial, and contempt orders. It highlights the procedural roles of these documents, such as compliance with agreements, proper notice, and the court's plenary power.

[In re Interest of R.R.K., 590 S.W.3d 535 \(Tex. 2019\)](#)

Texas Supreme Court

Extract

In this case, we decide whether a memorandum order modifying possession and child support is final and appealable, rendering the trial court's later order void, and the mother's appeal untimely. Relying on a Mother Hubbard clause, the court of appeals held that the memorandum order was the final order, and it dismissed the mother's appeal for lack of jurisdiction. We conclude that the memorandum order lacks 'clear and unequivocal' indicia of finality, requiring an examination of the record to determine the trial court's intent. See Lehmann v. Har-Con Corp., 39 S.W.3d 191, 205–06 (Tex. 2001); In re Elizondo, 544 S.W.3d 824, 827 (Tex. 2018) (per curiam). The record in this case demonstrates that neither the trial court nor the parties intended the memorandum to be the final order.

Summary

Procedural role of orders in Texas family law, specifically addressing the finality of orders and the implications for appeals. It highlights the importance of clear and unequivocal indicia of finality in orders, which is crucial for determining whether an order is appealable. This is relevant to understanding the procedural roles of orders in family law cases.

[In re Hullaby, 08-22-00081-CV \(Tex. App. Jun 28, 2022\)](#)

Texas Court of Appeals

Extract

For a covered suit, Title 5 of the Texas Family Code authorizes certain temporary orders. Before rendering a final order, section 105.001 permits a court to make a temporary order, including the modification of a prior temporary order, for the safety and welfare of the child. Id. § 105.001. Such temporary order may generally include an order for the temporary conservatorship of the child, for the temporary support of the child, restraining a party from disturbing the peace of the child or another party, prohibiting a person from removing the child beyond a geographical area

identified by the court, or for payment of reasonable attorney's fees and expenses. Id. § 105.001(a). However, except under circumstances that are not applicable here, a temporary order may not be rendered for the temporary conservatorship of the child 'except after notice and a hearing.' Id. § 105.001(b).

Summary

The passage provides insight into the procedural role and purpose of temporary orders in Texas family law cases. It explains that temporary orders can be issued for the safety and welfare of the child, covering aspects like temporary conservatorship, support, and restraining orders. The passage also highlights the requirement of notice and a hearing before such orders can be rendered, ensuring due process.

[In re A.I.M.](#)

Texas Court of Appeals

Extract

Pursuant to Section 105.002 of the Texas Family Code, a party may demand a jury trial over certain matters involving conservatorship. Tex. Fam. Code § 105.002(a). A court may not submit questions to the jury concerning support or 'a specific term or condition of possession of or access to [a] child.' Id. § 105.002(c)(2)(B). A party, however, is entitled to have a jury determine the appointment of conservators, the parent with the right to designate the primary residence of the child, and the need for any geographic restrictions for the primary residence of the children. Id. § 105.002(c)(1). Section 105.002(c) states that in a jury trial, a party is entitled to a verdict by the jury and the court may not contravene a jury verdict on the issues of: Id. § 105.002(c).

Summary

While a jury can determine certain issues like the appointment of conservators and the designation of a child's primary residence, it cannot decide on support or specific terms of possession or access. This delineation of roles between the jury and the court is crucial in understanding the procedural framework of family law cases in Texas.

[In re Sherry Lemons, 47 S.W.3d 202 \(Tex. App. 2001\)](#)

Texas Court of Appeals

Extract

This motion alleged that 'circumstances of the child or a person affected by the order to be modified have materially and substantially changed since the rendition of the order.' The motion further alleged that '[t]he terms and conditions for possession and access by Petitioner are not in substantial compliance with a standard possession order. . . .' The relief requested was access or possession of the child be modified as provided by the Texas Family Code. The motion also requested the entry of temporary orders. The court held a hearing and thereafter entered the temporary orders, the subject of this mandamus.

Summary

The passage provides insight into the procedural role of motions in Texas family law cases, specifically motions to modify existing orders regarding child possession and access. It highlights the use of motions to request changes based on changed circumstances and the procedural step of requesting temporary orders pending a final decision. The passage also touches on the role of temporary orders in family law proceedings.

[In re Chesser, No. 10-21-00039-CV \(Tex. App. Jun 09, 2021\)](#)

Texas Court of Appeals

Extract

A trial court may enter temporary orders—including orders for the temporary support of the child—and such temporary orders are not subject to interlocutory appeal. See TEX. FAM. CODE ANN. § 105.001(a), (e). Thus, a challenge to temporary orders in a suit affecting the parent-child relationship is allowed through mandamus, as there is no adequate remedy by appeal. See Little v. Daggett, 858 S.W.2d 368, 369 (Tex. 1993) (orig. proceeding); see also In re Ostrofsky, 112 S.W.3d 925, 928 (Tex. App.—Houston [14th Dist.] 2003, orig. proceeding).

Summary

The passage provides insight into the procedural role of temporary orders in Texas family law cases. It explains that temporary orders can be issued by a trial court for the temporary support of a child and that these orders are not subject to interlocutory appeal. Instead, challenges to such orders can be made through a petition for writ of mandamus, as there is no adequate remedy by appeal. This highlights the procedural role of temporary orders and the specific legal document (petition for writ of mandamus) used to challenge them.

[In re Tullos, 12-22-00228-CV \(Tex. App. Sep 30, 2022\)](#)

Texas Court of Appeals

Extract

In a suit affecting the parent-child relationship, a trial court may make a temporary order for the child's safety and welfare, including an order (1) for the temporary conservatorship of the child, (2) for the temporary support of the child, (3) to restrain a party from disturbing the peace of the child or another party, (4) to prohibit a person from removing the child beyond a geographical area identified by the court, or (5) for payment of reasonable attorney's fees and expenses. Tex. Fam. Code Ann. § 105.001(a).

Summary

The passage provides insight into the types of temporary orders that can be issued by a trial court in Texas family law cases concerning the parent-child relationship. These orders are fundamental legal documents used to ensure the child's safety and welfare during the proceedings. The passage outlines specific types of temporary orders, such as those for conservatorship, support, and geographical restrictions, which are crucial in managing the interim arrangements in family law cases.

[In re Mcpeak, 525 S.W.3d 310 \(Tex. App. 2017\)](#)

Texas Court of Appeals

Extract

On November 22, 2016, Mother and Father executed and the trial court approved Agreed Temporary Orders... Mother filed a motion to set aside the Temporary Orders. On December 8, Mother filed a motion to modify the Temporary Orders... On December 28, Mother filed a motion asking the trial court to confer with the oldest child, who was 13 years old, pursuant to section 153.009 of the Texas Family Code... The trial court heard these motions on January 18, 2017, but stopped the hearing because Mother had failed to file an affidavit that complied with section 156.102 of the Texas Family Code... The Temporary Orders, by granting Father possession of the children, had the effect of giving Father the exclusive right to designate the children's primary residence. Mother filed a motion to modify the Temporary Orders... Section 153.009(a) of the Texas Family Code provides that at a hearing, on the application of a party, the court shall interview in chambers a child twelve years of age or older regarding the child's wishes as to the person who shall have the exclusive right to determine the child's primary residence.

Summary

The passage provides insight into the types of legal documents used in Texas family law cases, specifically focusing on temporary orders and motions to

modify them. It highlights the procedural role of motions, such as the motion to modify temporary orders and the motion to confer with a child, and the requirements under the Texas Family Code. The passage also illustrates the procedural error made by the trial court in applying the wrong section of the Family Code, emphasizing the importance of understanding the correct legal framework for different types of orders.

[In re Farmer](#)

Texas Court of Appeals

Extract

On November 8, 2016, relator filed a Petition to Modify the Parent-Child Relationship requesting that, among other things, the trial court require Mother's periods of possession be restricted and supervised. Mother responded by filing a Counterpetition to Modify the Parent-Child Relationship seeking the right to designate the primary residence of the children, as well as a modification of the terms and conditions for access to or possession of the children. ... In a suit affecting the parent-child relationship, the trial court may make a temporary order for the safety and welfare of the child, including an order modifying a prior temporary order. TEX. FAM. CODE ANN. § 105.001(a). Specifically, section 105.001(a) of the Texas Family Code provides that, in a suit affecting the parent-child relationship, a trial court may make a temporary order for the child's safety and welfare, including an order (1) for the temporary conservatorship of the child, (2) for the temporary support of the child, (3) to restrain a party from disturbing the peace of the child or another party, (4) to prohibit a person from removing the child beyond a geographical area identified by the court, or (5) for payment of reasonable attorney's fees and expenses. *Id.*

Summary

The passage provides insight into the types of legal documents used in Texas family law cases, specifically petitions and counterpetitions to modify the parent-child relationship. It also discusses temporary orders that a court may issue for the safety and welfare of a child, as outlined in the Texas Family Code § 105.001(a). This information is relevant to understanding the procedural roles of these documents in family law cases.

[In re K.M., NO. 12-18-00044-CV \(Tex. App. Apr 18, 2018\)](#)

Texas Court of Appeals

Extract

In a suit affecting the parent-child relationship, a trial court may make a temporary order for the child's safety and welfare, including an order (1) for

the temporary conservatorship of the child, (2) for the temporary support of the child, (3) to restrain a party from disturbing the peace of the child or another party, (4) to prohibit a person from removing the child beyond a geographical area identified by the court, or (5) for payment of reasonable attorney's fees and expenses. TEX. FAM. CODE ANN. § 105.001(a). The trial court is further authorized to render temporary orders in a suit for modification. Id. § 156.006(a) (West Supp. 2017). Other than an emergency order sought by a governmental entity, an order may not be rendered under section 105.001(a)(1), (2), or (5) except after notice and a hearing.

Summary

The passage provides insight into the types of temporary orders that can be issued in Texas family law cases, specifically those affecting the parent-child relationship. It outlines the purposes of these orders, such as ensuring the child's safety and welfare, and the procedural requirement of notice and a hearing before certain orders can be rendered. This information is relevant to understanding the procedural roles of legal documents in family law cases.

[In re K.B., 683 S.W.3d 850 \(Tex. App. 2024\)](#)

Texas Court of Appeals

Extract

In August 2022, real party in interest the Texas Department of Family and Protective Services (the Department) filed its original petition in a suit affecting the parent-child relationship (SAPCR), seeking the termination of Mother's parental rights to her son, K.B. (Kevin). The Department sought emergency removal of Kevin from Mother, and the district court granted the Department's request. In September 2022, the district court held a full adversary hearing. See Tex. Fam. Code § 262.201. According to the district court's docket notes, a copy of which has been included in the mandamus record, the contested hearing was transcribed by the court reporter. The docket notes also reflect that '[a]fter hearing testimony,' the district court found that the Department had met its burden of proof, found that granting the Department temporary managing conservatorship (TMC) of Kevin was in Kevin's best interest, and thus granted the Department TMC of Kevin.

Summary

The passage provides insight into the types of legal documents and procedures used in Texas family law cases, specifically in the context of a suit affecting the parent-child relationship. It mentions the filing of an "original petition" by the Department of Family and Protective Services, the request for "emergency removal," and the granting of "temporary managing conservatorship" (TMC) by the court. These documents and orders are fundamental in family law cases involving child custody and parental rights.

[In re Calderon, 96 S.W.3d 711 \(Tex. App. 2003\)](#)

Texas Court of Appeals

Extract

Transferring a case to a county where the child has resided for more than six months is a mandatory ministerial duty under section 155.201 of the Texas Family Code... An order denying a motion to transfer the proceeding is not subject to interlocutory appeal. TEX. FAM.CODE ANN. § 155.204(e) (Vernon 2002). ... Section 155.201(b) of the Texas Family Code provides as follows: (b) If a suit to modify or a motion to enforce an order is filed in the court having continuing, exclusive jurisdiction of a suit, on the timely motion of a party the court shall transfer the proceeding to another county in this state if the child has resided in the other county for six months or longer. ... A court that renders a final order in a suit affecting the parent-child relationship acquires continuing, exclusive jurisdiction over matters pertaining to the children. TEX. FAM. CODE ANN. § 155.001 (Vernon 2002).

Summary

The passage provides insight into the procedural roles of motions and orders in Texas family law cases. Specifically, it discusses the mandatory nature of transferring a case when a child has resided in another county for six months or more, as outlined in section 155.201(b) of the Texas Family Code. It also highlights that an order denying such a motion to transfer is not subject to interlocutory appeal. Additionally, it mentions the concept of continuing, exclusive jurisdiction in family law cases, which is established when a court renders a final order in a suit affecting the parent-child relationship.

[Tex. Fam. Code § 152.311 Tex. Fam. Code § 152.311 Warrant to Take Physical Custody of Child](#)

Extract

Upon the filing of a petition seeking enforcement of a child custody determination, the petitioner may file a verified application for the issuance of a warrant to take physical custody of the child if the child is imminently likely to suffer serious physical harm or be removed from this state. If the court, upon the testimony of the petitioner or other witness, finds that the child is imminently likely to suffer serious physical harm or be removed from this state, it may issue a warrant to take physical custody of the child. The petition must be heard on the next judicial day after the warrant is executed unless that date is impossible. In that event, the court shall hold the hearing on the first judicial day possible. The application for the warrant must include the statements required by Section FAMILY CODE 152.308(b).

Summary

In Texas family law, a petition can be filed to enforce a child custody determination. If there is an imminent risk of harm or removal of the child, a verified application for a warrant to take physical custody of the child can be filed. The court can issue such a warrant based on the petitioner's testimony or other evidence. This document plays a crucial role in ensuring the child's safety and maintaining jurisdictional integrity in custody cases.

[Tex. Fam. Code § 233.020 Tex. Fam. Code § 233.020 Contents of Petition For Confirmation of Nonagreed Order](#)

Extract

A petition for confirmation of a child support review order not agreed to by the parties: must include the final review order as an attachment to the petition; and may include a waiver of service executed under Section FAMILY CODE 233.018 and an agreement to appear in court for a hearing. Documentary evidence relied on by the Title IV-D agency, including, if applicable, an acknowledgment of paternity or a written report of a parentage testing expert, shall be filed with the clerk as exhibits to the petition, but are not required to be served on the parties. The petition must identify the exhibits that are filed with the clerk.

Summary

The passage provides specific information about the contents and procedural requirements of a petition for confirmation of a child support review order that is not agreed to by the parties. It outlines what must be included in the petition, such as the final review order and potentially a waiver of service and agreement to appear in court. It also details the handling of documentary evidence by the Title IV-D agency.

[1 Tex. Admin. Code § 155.305 1 Tex. Admin. Code § 155.305 Motions, Generally](#)

Extract

To make a request, including a request to change a setting or obtain a ruling, order, or any other procedural relief from the judge, a party shall file a written motion. The motion shall describe specifically the action requested and the basis for the requested action. Unless otherwise specified in this chapter, a motion is not granted until it has been ruled on by the judge, even if the motion is uncontested or agreed.

Summary

The passage provides insight into the procedural role of motions in Texas legal proceedings, including family law cases. It explains that motions are used to request specific actions or rulings from a judge and must be filed in writing. The passage also clarifies that a motion is not granted until the judge has ruled on it, highlighting the procedural importance of judicial approval.

[Tex. Fam. Code § 152.308 Tex. Fam. Code § 152.308 Expedited Enforcement of Child Custody Determination](#)

Extract

A petition under this subchapter must be verified. Certified copies of all orders sought to be enforced and of any order confirming registration must be attached to the petition. A copy of a certified copy of an order may be attached instead of the original. A petition for enforcement of a child custody determination must state: whether the court that issued the determination identified the jurisdictional basis it relied upon in exercising jurisdiction and, if so, what the basis was; whether the determination for which enforcement is sought has been vacated, stayed, or modified by a court whose decision must be enforced under this chapter and, if so, identify the court, the case number, and the nature of the proceeding; whether any proceeding has been commenced that could affect the current proceeding, including proceedings relating to domestic violence, protective orders, termination of parental rights, and adoptions and, if so, identify the court, the case number, and the nature of the proceeding; the present physical address of the child and the respondent, if known; whether relief in addition to the immediate physical custody of the child and attorney's fees is sought, including a request for assistance from law enforcement officials and, if so, the relief sought; and if the child custody determination has been registered and confirmed under Section FAMILY CODE 152.305, the date and place of registration. Upon the filing of a petition, the court shall issue an order directing the respondent to appear in person with or without the child at a hearing and may enter any order necessary to ensure the safety of the parties and the child. The hearing must be held on the next judicial day after service of the order unless that date is impossible. In that event, the court shall hold the hearing on the first judicial day possible. The court may extend the date of hearing at the request of the petitioner. An order issued under Subsection (c) must state the time and place of the hearing and advise the respondent that at the hearing the court will award the petitioner immediate physical custody of the child and order the payment of fees, costs, and expenses under Section FAMILY CODE 152.312, and may schedule a hearing to determine whether further relief is appropriate, unless the respondent appears and establishes that: the child custody determination has not been registered and confirmed under Section FAMILY CODE 152.305 and that: (A) the issuing court did not have jurisdiction under Subchapter C; (B) the child custody determination for which enforcement is sought has been vacated, stayed, or modified by a court having jurisdiction

to do so under Subchapter C; or (C) the respondent was entitled to notice, but notice was not given in accordance with the standards of Section FAMILY CODE 152.108, in the proceedings before the court that issued the order for which enforcement is sought; or the child custody determination for which enforcement is sought was registered and confirmed under Section FAMILY CODE 152.305, but has been vacated, stayed, or modified by a court of a state having jurisdiction to do so under Subchapter C.

Summary

Procedural requirements for filing a petition to enforce a child custody determination in Texas. It specifies that the petition must be verified and include certified copies of relevant orders. The passage also details the information that must be included in the petition, such as jurisdictional basis, any modifications to the determination, and other proceedings that may affect the case. Additionally, it describes the court's role in issuing orders for hearings and the conditions under which a respondent can contest the enforcement. This information is directly relevant to understanding the types of legal documents used in Texas family law cases, particularly in the context of child custody enforcement.

[Tex. Fam. Code § 105.006 Tex. Fam. Code § 105.006 Contents of Final Order](#)

Extract

A final order, other than in a proceeding under Chapter 161 or 162, must contain: the social security number and driver's license number of each party to the suit, including the child, except that the child's social security number or driver's license number is not required if the child has not been assigned a social security number or driver's license number; and each party's current residence address, mailing address, e-mail address, home telephone number, name of employer, address of employment, and work telephone number, except as provided by Subsection (c).

Summary

The passage provides specific requirements for the contents of a final order in Texas family law cases, particularly those affecting the parent-child relationship. It specifies the personal information that must be included in such orders, which is crucial for ensuring compliance and enforcement. This information is relevant to understanding the procedural role of final orders in family law cases.

[Tex. Fam. Code § 232.004 Tex. Fam. Code § 232.004 Petition For Suspension of License](#)

Extract

A child support agency or obligee may file a petition to suspend, as provided by this chapter, a license of an obligor who has an arrearage equal to or greater than the total support due for three months under a support order.

Summary

Conditions under which such a petition can be filed and the jurisdictional requirements, indicating its procedural role in enforcing child support orders.

[Tex. Fam. Code § 157.001 Tex. Fam. Code § 157.001 Motion For Enforcement](#)

Extract

(a) A motion for enforcement as provided in this chapter may be filed to enforce any provision of a temporary or final order rendered in a suit. (b) The court may enforce by contempt any provision of a temporary or final order. (c) The court may enforce a temporary or final order for child support as provided in this chapter or Chapter 158. (d) A motion for enforcement shall be filed in the court of continuing, exclusive jurisdiction. (e) For purposes of this section, 'temporary order' includes a temporary restraining order, standing order, injunction, and any other temporary order rendered by a court.

Summary

The passage provides specific information about the use of a "motion for enforcement" in Texas family law cases. It explains that such a motion can be filed to enforce provisions of temporary or final orders, including those related to child support. The passage also clarifies that these motions must be filed in the court of continuing, exclusive jurisdiction and that temporary orders can include various types of court orders such as temporary restraining orders and injunctions.

[Tex. Fam. Code § 105.001 Tex. Fam. Code § 105.001 Temporary Orders Before Final Order](#)

Extract

In a suit, the court may make a temporary order, including the modification of a prior temporary order, for the safety and welfare of the child, including an order: for the temporary conservatorship of the child; for the temporary support of the child; restraining a party from disturbing the peace of the child or another party; prohibiting a person from removing the child beyond

a geographical area identified by the court; or for payment of reasonable and necessary attorney's fees, court costs, and expenses.

Summary

The passage provides insight into the types of temporary orders that can be issued in Texas family law cases, specifically for the safety and welfare of a child. These orders can include temporary conservatorship, support, restraining orders, and geographical restrictions, among others. This information is relevant to understanding the procedural role of temporary orders in family law cases.

[Tex. Fam. Code § 109.001 Tex. Fam. Code § 109.001 Temporary Orders During Pendency of Appeal](#)

Extract

In a suit affecting the parent-child relationship, on the motion of any party or on the court's own motion and after notice and hearing, the court may make any order necessary to preserve and protect the safety and welfare of the child during the pendency of an appeal as the court may deem necessary and equitable. In addition to other matters, an order may: appoint temporary conservators for the child and provide for possession of the child; require the temporary support of the child by a party; enjoin a party from molesting or disturbing the peace of the child or another party; prohibit a person from removing the child beyond a geographical area identified by the court; require payment of reasonable and necessary attorney's fees, court costs, and expenses; or suspend the operation of the order or judgment that is being appealed.

Summary

The passage provides insight into the types of temporary orders that can be issued in Texas family law cases during the pendency of an appeal. These orders are designed to protect the safety and welfare of the child and can include appointing temporary conservators, requiring temporary child support, and enjoining parties from certain actions. This is relevant to understanding the procedural role of temporary orders in family law cases.

[Tex. Fam. Code § 102.009 Tex. Fam. Code § 102.009 Service of Citation](#)

Extract

Except as provided by Subsection (b), the following are entitled to service of citation on the filing of a petition in an original suit: a managing conservator; a possessory conservator; a person having possession of or access to the child under an order; a person required by law or by order to provide for the support of the child; a guardian of the person of the child; a

guardian of the estate of the child; each parent as to whom the parent-child relationship has not been terminated or process has not been waived under Chapter 161; an alleged father, unless there is attached to the petition an affidavit of waiver of interest in a child executed by the alleged father as provided by Chapter 161 or unless the petitioner has complied with the provisions of Section FAMILY CODE 161.002(b), , or ; a man who has filed a notice of intent to claim paternity as provided by Chapter 160; the Department of Family and Protective Services, if the petition requests that the department be appointed as managing conservator of the child; the Title IV-D agency, if the petition requests the termination of the parent-child relationship and support rights have been assigned to the Title IV-D agency under Chapter 231; a prospective adoptive parent to whom standing has been conferred under Section FAMILY CODE 102.0035; and a person designated as the managing conservator in a revoked or unrevoked affidavit of relinquishment under Chapter 161 or to whom consent to adoption has been given in writing under Chapter 162.

Summary

Procedural role of service of citation in Texas family law cases, specifically in the context of filing an original petition. It identifies the parties entitled to receive service of citation, which is a fundamental procedural step in initiating a legal action. This is relevant to understanding the procedural roles of legal documents in family law cases, as service of citation ensures that all interested parties are notified of the legal action and have an opportunity to respond.

[Tex. Fam. Code § 262.102 Tex. Fam. Code § 262.102 Emergency Order Authorizing Possession of Child](#)

Extract

Before a court may, without prior notice and a hearing, issue a temporary order for the conservatorship of a child under Section FAMILY CODE 105.001(a) or a temporary restraining order or attachment of a child authorizing a governmental entity to take possession of a child in a suit brought by a governmental entity, the court must find that: there is an immediate danger to the physical health or safety of the child or the child has been a victim of neglect or sexual abuse; continuation in the home would be contrary to the child's welfare; there is no time, consistent with the physical health or safety of the child and the nature of the emergency, for a full adversary hearing under Subchapter C; the child would not be adequately protected in the child's home with an order for the removal of the alleged perpetrator under Section FAMILY CODE 262.1015 or FAMILY CODE 262.1016 or a protective order issued under Title 4; placing the child with a relative or designated caregiver or with a caregiver under a parental child safety placement agreement authorized by Subchapter L, Chapter 264: (A) was offered but refused; (B) was not possible because there was no time, consistent with the physical health or safety of the child and the nature of the emergency, to conduct the caregiver evaluation; or (C) would pose an

immediate danger to the physical health or safety of the child; and reasonable efforts, consistent with the circumstances and providing for the safety of the child, were made to prevent or eliminate the need for removal of the child.

Summary

This section of the Texas Family Code outlines the conditions under which a court may issue a temporary order, temporary restraining order, or attachment of a child without prior notice and a hearing. This is specifically in cases where there is an immediate danger to the child's physical health or safety, or if the child has been a victim of neglect or sexual abuse. The passage provides insight into the procedural role of such orders in emergency situations, highlighting the court's responsibility to ensure the child's safety and the conditions that must be met before such an order can be issued.

[Tex. Fam. Code § 161.206 Tex. Fam. Code § 161.206 Order Terminating Parental Rights](#)

Extract

If the court finds by clear and convincing evidence grounds for termination of the parent-child relationship, it shall render an order terminating the parent-child relationship. ... an order terminating the parent-child relationship divests the parent and the child of all legal rights and duties with respect to each other, except that the child retains the right to inherit from and through the parent unless the court otherwise provides.

Summary

The passage provides insight into the procedural role of an "order" in Texas family law, specifically in the context of terminating parental rights. It explains that an order is a legal document rendered by the court when it finds sufficient grounds for termination, and it outlines the legal consequences of such an order.

[Tex. Fam. Code § 233.017 Tex. Fam. Code § 233.017 Contents of Child Support Review Order](#)

Extract

An order issued under this chapter must be reviewed and signed by an attorney of the Title IV-D agency and must contain all provisions that are appropriate for an order under this title, including current child support, medical support, dental support, a determination of any arrearages or retroactive support, and, if not otherwise ordered, income withholding. A child support review order providing for the enforcement of an order may

not contain a provision that imposes incarceration or a fine or contains a finding of contempt. A child support review order that is not agreed to by all the parties may specify and reserve for the court at the confirmation hearing unresolved issues relating to conservatorship or possession of a child.

Summary

The passage provides specific information about the contents and limitations of child support review orders in Texas family law. It outlines the necessary components of such orders, including child support, medical and dental support, and income withholding. It also specifies procedural limitations, such as the prohibition of incarceration or fines in enforcement orders and the handling of unresolved issues in cases of disagreement.

[Tex. Fam. Code § 160.636 Tex. Fam. Code § 160.636 Order Adjudicating Parentage; Fees, Costs, and Expenses](#)

Extract

The court shall render an order adjudicating whether a man alleged or claiming to be the father is the parent of the child. An order adjudicating parentage must identify the child by name and date of birth. ... On a finding of parentage, the court may order retroactive child support as provided by Chapter 154 and, on a proper showing, order a party to pay an equitable portion of all of the prenatal and postnatal health care expenses of the mother and the child.

Summary

The passage provides insight into the procedural role of an "order adjudicating parentage" in Texas family law. This type of legal document is used to determine and officially declare the parentage of a child, which can have implications for child support and other related expenses. The order must identify the child and can include provisions for retroactive child support and health care expenses. This is a specific type of order used in family law cases concerning parentage.

[Tex. Fam. Code § 35.005 Tex. Fam. Code § 35.005 Order For Temporary Authorization](#)

Extract

At the hearing on the petition, the court may hear evidence relating to the child's need for care by the petitioner, any other matter raised in the petition, and any objection or other testimony of the child's parent, conservator, or guardian. The court shall award temporary authorization for care of the child to the petitioner if the court finds it is necessary to the child's welfare and no objection is made by the child's parent, conservator,

or guardian. If an objection is made, the court shall dismiss the petition without prejudice. The court shall grant the petition for temporary authorization only if the court finds by a preponderance of the evidence that the child does not have a parent, conservator, guardian, or other legal representative available to give the necessary consent. The order granting temporary authorization under this chapter expires on the first anniversary of the date of issuance or at an earlier date determined by the court. The order may authorize the petitioner to: consent to medical, dental, psychological, and surgical treatment and immunization of the child; execute any consent or authorization for the release of information as required by law relating to the treatment or immunization under Subdivision; obtain and maintain any public benefit for the child; enroll the child in a day-care program, preschool, or public or private primary or secondary school; authorize the child to participate in age-appropriate extracurricular, civic, social, or recreational activities, including athletic activities; and authorize or consent to any other care for the child essential to the child's welfare. An order granting temporary authorization under this chapter must state: the name and date of birth of the person with temporary authorization to care for the child; the specific areas of authorization granted to the person; that the order does not supersede any rights of a parent, conservator, or guardian as provided by court order; and the expiration date of the temporary authorization order. A copy of an order for temporary authorization must: be filed under the cause number in any court that has rendered a conservatorship or guardian order regarding the child; and be sent to the last known address of the child's parent, conservator, or guardian.

Summary

This section of the Texas Family Code outlines the procedure and requirements for obtaining a temporary authorization order for the care of a minor child. It describes the conditions under which a court may grant such an order, the types of authorizations it may include, and the procedural requirements for filing and notifying relevant parties. This is a specific type of legal document used in family law cases concerning the care of a minor child.

[Tex. Fam. Code § 233.0095 Tex. Fam. Code § 233.0095 Notice of Proposed Child Support Review Order In Cases of Acknowledged Paternity](#)

Extract

If an individual has signed the acknowledgment of paternity as the father of the child or executed a statement of paternity, the Title IV-D agency may serve on the parties a notice of proposed child support review order. ... the Title IV-D agency may file the child support order for child support, medical support, and dental support for the child as provided by Chapter 154 according to the information available to the agency.

Summary

The passage provides insight into the procedural role of a "notice of proposed child support review order" in cases where paternity has been acknowledged. It outlines the process by which the Title IV-D agency can serve notice to parties involved, detailing the amount of child support due and the steps for contesting or agreeing to the proposed order. This is a specific type of legal document used in Texas family law cases related to child support.

[Tex. Fam. Code § 233.018 Tex. Fam. Code § 233.018 Additional Contents of Agreed Child Support Review Order](#)

Extract

If a negotiation conference results in an agreement of the parties, each party must sign the child support review order and the order must contain as to each party: a waiver by the party of the right to service of process and a court hearing; the mailing address of the party; and the following statement printed on the order in boldfaced type, in capital letters, or underlined: 'I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS CHILD SUPPORT REVIEW ORDER. I UNDERSTAND THAT IF I SIGN THIS ORDER, IT WILL BE CONFIRMED BY THE COURT WITHOUT FURTHER NOTICE TO ME. I KNOW THAT I HAVE A RIGHT TO REQUEST THAT A COURT RECONSIDER THE ORDER BY FILING A MOTION FOR A NEW TRIAL AT ANY TIME BEFORE THE 30TH DAY AFTER THE DATE OF THE CONFIRMATION OF THE ORDER BY THE COURT. I KNOW THAT IF I DO NOT OBEY THE TERMS OF THIS ORDER I MAY BE HELD IN CONTEMPT OF COURT.'

Summary

The passage provides specific information about the contents and procedural roles of a child support review order in Texas family law. It outlines the requirements for the order, including the waiver of the right to service of process and a court hearing, and the acknowledgment by the parties of their understanding of the order. It also mentions the right to request a court to reconsider the order by filing a motion for a new trial within 30 days of the order's confirmation. This information is directly relevant to understanding the procedural role of orders in Texas family law cases, particularly in the context of child support.

[Tex. Fam. Code § 161.302 Tex. Fam. Code § 161.302 Petition](#)

Extract

The following persons may file a petition under this subchapter requesting the court to reinstate the parental rights of a former parent whose parental

rights were involuntarily terminated under Section FAMILY CODE 161.001 or FAMILY CODE 161.003... A petition for the reinstatement of parental rights may be filed under this subchapter only if... the contents of the petition for reinstatement of parental rights must be sworn by the petitioner and must include... Before a former parent whose parental rights have been involuntarily terminated may file a petition for reinstatement under this subchapter, the former parent, at least 45 days before the petition is filed, must notify the department of the former parent's intent to file the petition... The petition for the reinstatement of parental rights and notice of hearing on the petition must be served on...

Summary

The passage provides detailed information about the petition process for reinstating parental rights in Texas, including who may file such a petition, the conditions under which it can be filed, the required contents of the petition, and the procedural steps involved, such as notification and service requirements. This is directly relevant to understanding the types of legal documents used in Texas family law cases, specifically in the context of reinstating parental rights.

[Tex. Fam. Code § 262.1015 Tex. Fam. Code § 262.1015 Removal of Alleged Perpetrator; Offense](#)

Extract

If the Department of Family and Protective Services determines after an investigation that child abuse has occurred and that the child would be protected in the child's home by the removal of the alleged perpetrator of the abuse, the department shall file a petition for the removal of the alleged perpetrator from the residence of the child rather than attempt to remove the child from the residence. ... A court may issue a temporary restraining order in a suit by the department for the removal of an alleged perpetrator under Subsection (a) if the department's petition states facts sufficient to satisfy the court that: there is an immediate danger to the physical health or safety of the child or the child has been a victim of sexual abuse; ... The order shall be served on the alleged perpetrator and on the parent or other adult with whom the child will continue to reside. ... A temporary restraining order under this section expires not later than the 14th day after the date the order was rendered, unless the court grants an extension under Section FAMILY CODE 262.201(e).

Summary

The passage provides insight into the types of legal documents used in Texas family law cases, specifically in the context of child protection. It mentions the filing of a petition by the Department of Family and Protective Services for the removal of an alleged perpetrator of child abuse. It also discusses the issuance of a temporary restraining order by the court, which is a type of

legal order used to protect the child by removing the alleged perpetrator from the home. These documents play a crucial role in ensuring the safety and protection of the child in situations of alleged abuse.

[Telling Love Story Gone Wrong: Drafting Pleadings and Motions for Temporary Relief](#)

Divorce Tools and Techniques - James Publishing - Rory T. Weiler - 2012-04-01

Extract

Drafting Pleadings & Motions for Temporary Relief... Temporary Orders Are 'Without Prejudice'... Checklist: Temporary Orders That May Be Necessary... Temporary child support. Temporary maintenance (spousal support). Order to seek employment. Temporary visitation. Allocation of family expenses. Temporary custody. Order for physical or mental examination of a party. Court interview with children. Restriction of visitation.

Summary

List of temporary orders that may be necessary in family law cases, such as divorce, custody, and child support. These include temporary child support, temporary maintenance, orders to seek employment, temporary visitation, allocation of family expenses, temporary custody, orders for physical or mental examination, court interviews with children, and restrictions on visitation. These documents play a crucial role in providing immediate relief and maintaining the status quo during the litigation process.

[Preparing for Trial](#)

Divorce Tools and Techniques - James Publishing - Rory T. Weiler - 2012-04-01

Extract

In nearly every divorce case, there are temporary matters, motions, and the like which have no bearing on the trial, and therefore, do not need to be included in your trial notebook. 'Pertinent' might be the petition for dissolution and answer only. It should include any petitions or motions that have been continued to the trial for hearing and adjudication. If motions for sanctions or other relief have been denied with leave to raise at trial or reserved for adjudication at trial, they should be included. Pleadings that contain judicial admissions should be included as well. If you don't need to refer to it at trial, it doesn't belong in the trial notebook.

Summary

Types of legal documents that are pertinent in divorce cases, specifically those that should be included in a trial notebook. It mentions petitions for dissolution, answers, motions continued to trial, motions for sanctions or other relief, and pleadings with judicial admissions. These documents are fundamental in the procedural role of preparing for trial, as they are necessary for adjudication and reference during the trial.

[Marriage Dissolution](#)

Texas Small-Firm Practice Tools. Volume 1-2 - James Publishing - Cindy Stormer - 2022-05-05

Extract

A parenting plan is a temporary or final court order that sets out the rights and duties of parents in a suit affecting the parent-child relationship. It includes provisions relating to conservatorship, possession of and access to a child, and child support, and a dispute resolution process to minimize future disputes. [Tex. Fam. Code §153.601(4).]

Summary

The passage provides insight into one type of legal document used in Texas family law cases, specifically a "parenting plan." It describes the purpose and procedural role of a parenting plan, which is a court order that outlines the rights and duties of parents, including conservatorship, child possession, access, and support. It also includes a dispute resolution process to minimize future disputes. This information is relevant to understanding the types of legal documents used in family law cases in Texas.

[How Relocation Affects Child Custody Agreements](#)

Extract

Parents who need to modify or remove a restriction must petition the court and show a substantial change in circumstances... To relocate a child subject to a Texas custody order, petition the court for a modification. Begin by filing a motion to modify and outlining your reasons for the move... The court process involves several steps: * File a motion to modify the current custody order * Serve notice to the non-custodial parent * Prepare and submit evidence covering the child's best interests... * Attend a hearing, where both parents may present arguments and supporting documents * The judge considers all evidence and issues a ruling, either permitting or denying the relocation

Summary

The passage provides insight into the procedural roles of certain legal documents in Texas family law cases, specifically in the context of modifying child custody orders due to relocation. It mentions the use of petitions and motions to modify custody orders, the requirement to serve notice to the non-custodial parent, and the submission of evidence to support the child's best interests. The passage also outlines the procedural steps involved, including attending a hearing and the judge's role in issuing a ruling.

This memo was compiled by Vincent AI based on vLex materials available as of November 02, 2025. [View full answer on vLex](#)