

IN THE 465th JUDICIAL DISTRICT COURT OF BASTROP COUNTY, TEXAS

STANDING ORDER FOR FAMILY CASES

Effective for All Family Law Cases Filed on or after November 1, 2023.

THIS BASTROP COUNTY STANDING ORDER FOR FAMILY CASES IS BINDING ON THE PARTIES, THE PARTIES' OFFICERS, AGENTS, SERVANTS, EMPLOYEES, ATTORNEYS, AND ANY OTHER PERSON WHO ACTS IN CONCERT OR PARTICIPATION WITH THE PARTIES OR THEIR AGENTS AND WHO RECEIVES ACTUAL NOTICE OF THESE ORDERS, AND IS ENFORCEABLE BY CONTEMPT OF COURT, INCLUDING A FINE AND/OR CONFINEMENT IN JAIL FOR EACH VIOLATION.

This Order was not requested by a party. This is a standing order of the 465th District Court of Bastrop County, Texas that applies in every divorce suit and every suit affecting the parent-child relationship ("SAPCR") pending before the 465th Judicial District Court of Bastrop County, Texas. The 465th District Court of Bastrop County has adopted this Order to protect the parties and their children and to preserve their property while the lawsuit is pending before the Court. Therefore, it is ORDERED:

1. **NO DISRUPTION OF CHILDREN**. The following orders apply to any child who is the subject of this case. All parties are ORDERED:
 - 1.1 **Do NOT** change the residence of the child or remove the child from the State of Texas, acting directly or in concert with others, *unless*:
 - (a) all parties agree in writing to the change,
 - (b) the Court orders the change, or
 - (a) there is an active court order that gives a party the right to designate the child's primary residence and the new residence is in the geographic area, if any, allowed in that order.
 - 1.2 **Do NOT** disrupt or withdraw the child from the school or day-care facility where the child is currently 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) there is an active court order that gives a party the right to designate the child's primary residence and the withdrawal is related to designating the new primary residence of the child.
 - 1.3 **Do NOT** hide the child from another party.

Filed 3:42 p.m

NOV 01 2023

Sarah Loucks
District Clerk, Bastrop County

- 1.4 **Do NOT** disturb the peace of the child.
- 1.5 **Do NOT** make derogatory comments about another party, another party's family or another party's dating partner in the presence of or within hearing of the child or on social media that is accessible to the child.
2. **CONDUCT OF THE PARTIES DURING THE CASE**. All parties are ORDERED to refrain from the following acts:
 - 2.1 Communicating with another party, whether in person or in any other manner, including any electronic means, in a way that is threatening or harassing.
 - 2.2 Placing one or more telephone calls, emails, text messages, or other electronic communications to another party at an unreasonable hour, in an offensive or repetitious manner, without a legitimate purpose of communication, or anonymously.
 - 2.3 Accessing, modifying, destroying or interfering with the regular mail, email, social media account, financial account, or any other electronic account belonging to another party.
 - 2.4 Creating an email account, social media account or other electronic account in the name of another party.
3. **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 the following acts:
 - 3.1 Destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of one or both spouses.
 - 3.2 Misrepresenting or refusing to disclose to the other spouse or to the Court, on proper request, the existence, amount, or location of any tangible or intellectual property of one or both of the parties, including electronically stored or recorded information.
 - 3.3 Damaging, destroying, or tampering with the tangible or intellectual property of any party, including any document that represents or embodies anything of value.
 - 3.4 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of a party, whether personal property or real estate property, and whether separate or community, except as specifically authorized by this Order.
 - 3.5 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this Order.
 - 3.6 Making withdrawals from any checking, savings, or any account in a financial institution for any purpose, except as specifically authorized by this Order.

- 3.7 Spending any sum of cash in either spouse's possession or subject to either spouse's control for any purpose, except as specifically authorized by this Order.
- 3.8 Removing a spouse as a beneficiary, withdrawing, or borrowing in any manner for any purpose from any retirement, profit-sharing, pension, death, or other employee benefit plan or employee savings plan or from any individual retirement account or Keogh account, except as specifically authorized by this Order.
- 3.9 Signing or endorsing the other spouse'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 spouse without the personal signature of that spouse.
- 3.10 Taking any action to terminate, modify, or limit the lines of credit, credit cards, charge cards, or any financial account in the name of the other spouse or possession of the other spouse.
- 3.11 Entering, operating, or exercising control over the motor vehicle in the possession of the other spouse.
- 3.12 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending.
- 3.13 Terminating or changing the utilities or contractual services at the other spouse's residence or attempting to withdraw any deposits for service in connection with such services. Utilities include, but are not limited to, water, electricity, telephone, internet, and cable. Contractual services include, but are not limited to security, pest control, landscaping, or yard maintenance.
- 3.14 Entering any safe deposit box in the name of, or subject to the control of, the other spouse.
- 3.15 Destroying, disposing of, or altering any email, text message, video message, or chat message or other electronic data or electronically stored information relevant to the subject matter of the suit, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.
- 3.16 Deleting any data or content from any social network profile used or created by a party or a child of the parties.
- 3.17 Modifying, changing, or altering the native format or metadata of any electronic data or electronically stored information relevant to the subject matter of the suit for dissolution of marriage, regardless of whether the information is stored on a hard drive, in a removable storage device, in cloud storage, or in another electronic storage medium.
- 3.18 Unlawfully intercepting or recording the other party's electronic communications.


4. **PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE.** If this is a divorce case, both parties to the marriage are ORDERED to refrain from the following acts:
 - 4.1 Concealing, destroying, or altering any record.
 - 4.2 Falsifying any writing or record relating to the property of either party.
 - 4.3 Modifying or deleting the native format or metadata of any record.
5. **INSURANCE IN DIVORCE CASE.** If this is a divorce case, both parties to the marriage are ORDERED to refrain from the following acts:
 - 5.1 Withdrawing or borrowing in any manner all or any part of the cash surrender value of life insurance policies on the life of either party, except as specifically authorized by this Order.
 - 5.2 Changing, or in any manner altering, the beneficiary designation on any life insurance policy on the life of either party or the parties' children.
 - 5.3 Canceling, altering, failing to renew or pay premiums on, or in any manner affecting any casualty, automobile, or health insurance policies insuring the parties' property of persons, including the parties' minor children.
6. **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 the conduct of that party's usual business and occupation.
 - 6.2 To make expenditures and incur indebtedness for reasonable attorney's 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.
7. **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 filed in the 465th District Court. At the time the petition is filed, if the Petitioner has failed to attach a copy of this Order to the petition and any copy of the petition, the Clerk shall ensure that a copy of this Order is attached to the petition and every copy of the petition presented.
 - 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 until further order of the Court. This entire Order will terminate and will no longer be effective once the court signs a final order.

8. **EFFECT OF OTHER COURT ORDERS.** If any part of this Order is different from any part of a protective order that has already been entered or is later entered, the protective order provisions prevail. Any part of this Order not changed by some later order remains in full force and effect until the court signs a final order.
9. **PARTIES ENCOURAGED TO MEDIATE.** The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit.
10. **TEMPORARY ORDERS.** Nothing in these general orders precludes any party from seeking temporary orders by the Court upon proper notice and hearing.
11. **DEFINITIONS.**
 - 11.1 The term “party” as used in this Order does not include the Attorney General, the Texas Department of Family and Protective Services, or the Bastrop County District Attorney.
 - 11.2 A Suit Affecting the Parent-Child Relationship (“SAPCR”) includes, but is not limited to modifications cases, paternity cases, and original suits affecting the parent-child relationship.
 - 11.3 “Property” includes personal property and real property, without regard to whether the property is claimed as separate property or community property.
 - 11.4 “Records” include, but are not limited to:
 - (a) Family records (including photographs, calendars, journals and diaries);
 - (b) Property records of either party;
 - (c) Financial and business records of either party;
 - (d) Any records of income, debts, or other obligations of either party (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 a financial statement); and
 - (e) Emails, text messages, videos or chat messages, or other digital or electronic data of either party, whether stored on a computer hard drive, diskette, in a removable storage device, in cloud storage, or other electronic storage medium.
12. **DURATION.** This Order takes effect when an original petition is filed in a divorce case or in a suit affecting the parent-child relationship. 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 on 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 when the Court signs a final order or the case is dismissed.

**THIS STANDING ORDER FOR FAMILY LAW CASES SHALL BECOME EFFECTIVE
November 1, 2023.**

Signed November 1, 2023.



JUDGE VERÓNICA JUAREZ-DUNNE
465TH JUDICIAL DISTRICT