

IN THE DISTRICT COURTS OF JASPER, NEWTON, SABINE AND SAN AUGUSTINE COUNTY, TEXAS

JASPER, NEWTON, SABINE AND SAN AUGUSTINE COUNTY STANDING ORDER REGARDING
CHILDREN, PETS, PROPERTY AND CONDUCT OF THE PARTIES

No party to this lawsuit has requested this order. Rather, this order is a standing order of the Jasper, Newton, Sabine, and San Augustine County District Courts that applies in every divorce suit and every suit affecting the parent-child relationship filed in Jasper, Newton, Sabine and San Augustine County. The District Courts have adopted this order because the parties, their children and the family pets should be protected and their property preserved while the lawsuit is pending before the court. Therefore, IT IS ORDERED:

1. **NO DISRUPTION OF CHILDREN.** Both parties are ORDERED to refrain from doing the following acts concerning any children who are subjects of this case:
 - 1.1 Removing the children from the State of Texas, for the purpose of changing the residence of the children or evading the jurisdiction of the court, acting directly or in concert with others, without the written agreement of both parties or an order of the court.
 - 1.2 Disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled, without the written agreement of both parties or an order of the court.
 - 1.3 Hiding or secreting the children from the other parent or changing the children's current place of abode, without the written agreement of both parties or an order of the court.
 - 1.4 Disturbing the peace of the children.
 - 1.5 Making disparaging remarks regarding the other party or the other party's family in the presence or within the hearing of the children.
 - 1.6 Consuming alcohol within the 24 hours before or during any period of possession of or access to the children.
 - 1.7 Permitting an unrelated adult with whom either party has an intimate or dating relationship to remain in the same residence with the children between the hours of 9:00 pm and 8:00 am.
2. **PROTECTION OF FAMILY PETS OR COMPANION ANIMALS.** Both parties are to refrain from harming, threatening, interfering with the care, custody, or control of a pet or companion animal that is possessed by a person protected by this order.

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

3.1 intentionally communicating in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm the other party;

3.2 threatening the other party in person or in any other manner, including by telephone or another electronic voice transmission, video chat, in writing, or electronic messaging, to take unlawful action against any person, intending by this action to annoy or alarm the other party;

3.3 placing a telephone call, anonymously, at an unreasonable hour, in an offensive and repetitious manner, or without a legitimate purpose of communication with the intent to annoy or alarm the other party;

3.4 intentionally, knowingly, or recklessly causing bodily injury to the other party or to a child of either party;

3.5 threatening the other party or a child of either party with imminent bodily injury.

3.6 opening or diverting mail or email or any other electronic communication addressed to the other party;

3.7 tracking or monitoring personal property or a motor vehicle in the possession of a party, without that party's effective consent, including by:

a. Using a tracking application on a personal electronic device in the possession of that party or using a tracking device; or

b. Physically following that party or causing another to physically follow that party.

4. **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:

4.1 intentionally, knowingly, or recklessly destroying, removing, concealing, encumbering, transferring, or otherwise harming or reducing the value of the property of the parties or either party with intent to obstruct the authority of the court to order a division of the estate of the parties in a manner that the court deems just and right, having due regard for the rights of each party and any children of the marriage;

4.2 intentionally misrepresenting or refusing to disclose to the other party or to the court, on proper request, the existence, amount or location of any tangible or intellectual property of the parties or either party, including electronically stored or recorded information;

- 4.3 intentionally or knowingly damaging or destroying the tangible or intellectual property of the parties or either party, including electronically stored or recorded information;
- 4.4 intentionally or knowingly tampering with the tangible or intellectual property of the parties or either party, including electronically stored or recorded information, and causing pecuniary loss to the other party;
- 4.5 Selling, transferring, assigning, mortgaging, encumbering, or in any other manner alienating any of the property of either party, whether personal property or real property, and whether separate or community, except as specifically authorized by this order, regardless of whether the property is:
 - (i) personal property, real property, or intellectual property; or
 - (ii) separate or community property;
- 4.6 Incurring any indebtedness, other than legal expenses in connection with this suit, except as specifically authorized by this order.
- 4.7 Making withdrawals from any checking or savings account in any financial institution for any purpose, except as specifically authorized by this order.
- 4.8 Spending any sum of cash in either party's possession or subject to either party's control for any purpose, except as specifically authorized by his order.
- 4.9 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.
- 4.10 Entering any safe-deposit box in the name of or subject to control of Petitioner or Respondent, whether individually or jointly with others.
- 4.11 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.
- 4.12 Taking any action to terminate or limit credit or charge cards in the name of the other party.
- 4.13 Entering, operating, or exercising control over the motor vehicle in the possession of the other party.
- 4.14 Discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending.

- 4.15 Terminating or in any manner affecting the service of water, electricity, gas, telephone, cable television, 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 any deposits for service in connection with such services.
- 4.16 excluding the other party from the use and enjoyment of a specifically identified residence of the other party;
5. **PERSONAL AND BUSINESS RECORDS IN DIVORCE CASE.** "Records" means any tangible document or recording and includes e-mail or other digital or electronic data, whether stored on a computer hard drive, diskette or other electronic storage device. If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:
- 5.1 Concealing, destroying, disposing of, or altering any family records, property records, financial records, business records or any records of income, debts, or other obligations.
- 5.2 Intentionally falsifying a writing or record, including an electronic record, relating to the property of either party;
- 5.3 destroying, disposing of, or altering any financial records of the parties, including a canceled check, deposit slip, and other records from a financial institution, a record of credit purchases or cash advances, a tax return, and a financial statement;
- 5.4 destroying, disposing of, or altering any e-mail, text message, video message, or chat message or other 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;
- 5.5 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;
- 5.6 deleting any data or content from any social network profile used or created by either a party or a child of the parties;
- 5.7 using any password or personal identification number to gain access to the other party's email account, bank account, social media account, or any other electronic account;
6. **INSURANCE IN DIVORCE CASE.** If this is a divorce case, both parties to the marriage are ORDERED to refrain from doing the following acts:
- a. 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.

- b. Changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the parties' children.
- c. canceling, altering, failing to renew or pay premiums on, or in any manner affecting the level of coverage that existed at the time the suit was filed of any life, casualty, automobile, or health insurance policy insuring the parties' property or persons, including a child of the parties.

7. **SPECIFIC AUTHORIZATIONS IN DIVORCE CASE.** If this is a divorce case, both parties to the marriage are specifically authorized to do the following:

- a. To engage in acts reasonable and necessary to conduct each 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.

8. **SERVICE AND APPLICATION OF THIS ORDER.**

- a. The Petitioner shall attach a copy of this order to the original petition and to each copy of the petition. 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.
- b. 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 on or before fourteen days after the date of the filing of the original petition, this order shall continue in full force and effect as a temporary injunction until further notice of the court. This entire order will terminate and will no longer be effective once the court signs a final order.

9. **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, 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.

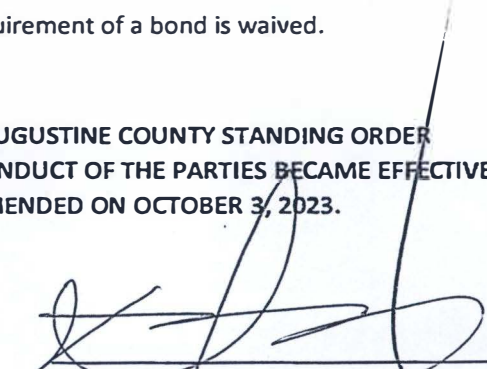
10. **PARTIES ENCOURAGED TO MEDIATE.** The parties are encouraged to settle their disputes amicably without court intervention. The parties are encouraged to use alternative dispute resolution methods, such as mediation, to resolve the conflicts that may arise in this lawsuit. Mediation may be required by the Court to which the case is assigned, and the parties are ordered to comply with any such requirement from said Court.

11. **BOND WAIVED.** It is ORDERED that the requirement of a bond is waived.


THIS JASPER, NEWTON, SABINE, AND SAN AUGUSTINE COUNTY STANDING ORDER REGARDING CHILDREN, PETS, PROPERTY, AND CONDUCT OF THE PARTIES BECAME EFFECTIVE ON OCTOBER 15, 2009 AND WAS AMENDED ON OCTOBER 3, 2023.



HON. CRAIG M. MIXSON
1ST JUDICIAL DISTRICT COURT



HON. DELINDA L. GIBBS-WALKER
1A JUDICIAL DISTRICT COURT



HON. JAMES PAYNE
273RD JUDICIAL DISTRICT COURT

ROSA NORSMORTHY
DISTRICT CLERK
JASPER COUNTY, TEXAS
2023 OCT 23 PM 1:54

FILED