



DISTRICT COURT
90th Judicial District
Young and Stephens Counties, Texas

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90th Judicial District Court
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LOCAL RULES

If possible, I would encourage all Counsel to communicate with the court via email: districtjudge@youngcounty.org. Although I and/or Beverly Ford (my court coordinator) check the email daily, we will only respond to disputed issues (including court settings, etc.) if all parties have been CC'd within the email. In order to prevent the appearance of impropriety or any ex parte communication, I would appreciate it if ALL communication (email and/or fax) is CC'd to all parties involved in the case.

With the extremely heavy docket (criminal and civil) pending, I feel it is incumbent on me to implement the following rules in order to move the cases as expeditiously and effectively as possible:

1: COURT SETTINGS

- A) All settings will be scheduled through the court coordinator. Please call or email in advance an order to receive the dates/times in which your case may be heard. Once a court date is agreed upon by all counsel, please notify the coordinator immediately. A confirmation letter CC'd to all parties will be required.
- B) Occasionally, it will be incumbent upon the court to set the case for hearing. All parties will be notified and counsel will be expected to be present on such date.
- C) If this court has a conflict with a case (of which there are several, especially criminal), all settings will be set pursuant to a visiting/assigned schedule. Due to the busy schedules and the expense related to bringing in a visiting/assigned judge, it will be mandatory that all counsel on the case be ready to proceed when their case is called.

- D) Except on prior approval of the court, all matters in which the managing conservatorship is in issue, the parties shall be granted not more than two hours to present their case, which time shall be equally divided.

In all other temporary matters, including modifications of temporary orders, the parties shall be granted not more than one hour to present their case, which time shall be equally divided.

Counsel should not request an extended setting at the time the application for temporary relief is presented to the court for scheduling unless, because of unusual circumstances, the time limits are unworkable or inappropriate for the case at hand. The court shall determine the amount of time that shall be allotted for the hearing and counsel will be bound by that time.

2) CONTINUANCES

- A) Only the court will cancel a setting. No party shall cancel a trial or hearing without the consent of opposing counsel and then only upon notification to the Court.
- B) Any continuance or changes in settings must be the agreement of all parties before they will be cancelled. Upon opposition to a continuance or rescheduling of a setting, a formal Motion for Continuance must be timely filed and copied to all parties and a hearing shall be held either in open court or via conference call.

3) ORDERS

UPON FAILURE TO FURNISH THE COURT WITH A TEMPORARY ORDER, FINAL JUDGMENT, OR DECREE WITHIN THE APPLICABLE TIME PERIOD, THE COURT MAY, AT THE COURT'S DISCRETION, CONTINUE THE CASE OR PLACE THE CASE ON THE COURT'S DISMISSAL DOCKET.

- A) No order shall be submitted to the court for approval without a hearing unless it has been approved by opposing counsel and is accompanied by the motion requesting the relief granted. If opposing counsel has not approved the order, there shall be an order setting the matter for hearing accompanying the motion.
- B) All Final Judgments/Decrees/Orders of the Court shall be reduced to writing by counsel designated by the court within thirty (30) days after rendition, announcement of the court's ruling, announcement of agreement/settlement in open court and forwarded to opposing counsel for approval as to form. Within thirty (30) days after receipt by opposing counsel, orders shall be delivered to the court for signature and filing.
- A) All temporary orders shall be reduced to writing within ten (10) days after rendition, announcement of the court's ruling, announcement of

agreement/settlement in open court and forwarded to opposing counsel for approval as to form. Within ten (10) days after receipt by opposing counsel, orders shall be delivered to the court for signature and filing.

B) Agreed orders of any kind shall be approved by all counsel as to form and content. If counsel is unable to secure all opposing counsel's approval as to form, counsel may:

(a) File a motion for entry of the proposed judgment, order, or decree and secure a hearing for the same, with notice to all opposing counsel, pursuant to Rule 21(a), Texas Rules of Civil Procedure. At a hearing, the court may assess costs and attorney's fees within the court's discretion; or

(b) Present the court with the proposed judgment, decree, or order, together with a letter requesting the court to sign the same if the court has not received a written objection from opposing counsel within ten (10) days from the date of the letter. Each party who submits a proposed judgment for signature shall serve the proposed judgment and a copy of the letter on all parties who have appeared and remain in the case, in accordance with Rule 21(a), Texas Rules of Civil Procedure. If the court receives a written objection from opposing counsel within the stated time, the proponent of the judgment, decree, or order shall schedule a hearing for the entry of the same with the court coordinator.

4) DIVORCE & SAPCR CASES

A) In all cases in which temporary payment of debts or support of a spouse and/or child is in issue, each party shall be required to furnish:

(a) A statement of monthly income in a form substantially similar to that attached to these rules as Appendix 1.

(b) All payroll statements, pay stubs, W2 forms, and/or 1099 forms which evidence that party's earnings for the calendar year prior to the temporary hearing and from January 1 of the current year through the date of the temporary hearing.

B) In all cases in which the Clerk of Court is designated by law to provide certain information to a third party, including but not limited to, reports of divorce or annulment of marriage, information on child in suit affecting parent-child relationship and certificate of last known address, the forms containing this information MUST be presented to the court at the time the judgment is presented for signature, and then filed with the clerk along with the judgment. Failure to tender the required forms with the judgment will render the judgment voidable.

C) The *Court's Standing Order* will accompany all family law pleadings and shall take effect the moment that the party receives notice of its filing.

(5) CONFERENCE REQUIRED

a. Except for motions expressly allowed by law to be filed ex-parte, before filing any motion, counsel for a moving party shall confer with the counsel for all parties affected by the requested relief to determine whether or not the contemplated motion will be opposed. Such conference is required for all motions except motions to dismiss the entire action or indictment, motions to suppress, motions for summary judgment and motions for new trial.

b. All motions shall contain a certificate by the party filing same that efforts to resolve the dispute without Court intervention have been attempted and failed and shall set forth specifically the efforts taken by date, action and method. If an opposing party is pro se, and that party does not respond to efforts to confer, counsel may certify that the pro se party failed to respond.

c. Any motion omitting such certificate shall not be set for hearing until such certification has been filed.