

## 280<sup>th</sup> District Court Policies and Procedures

1. Docket call for the 280<sup>th</sup> is at 9:00 a.m. M-F.
2. All attorneys and litigants are required to contact the court if they anticipate they will be running late. Attorneys must give the cause number, the style of the case and how late they will be. If Attorneys are in another Court, please provide a cell phone number in case the Court needs to contact you. Late calls can be phoned at 713.274.4680 or via email at [280late@justex.net](mailto:280late@justex.net). *Failure to notify the Court could result in the case being dismissed or the Court may proceed without the attorney being present.*
3. Each attorney and litigant shall check in with the Bailiff upon entering the Courtroom.
4. Applicants and Respondents are to sit on opposite sides of the Courtroom and observe the Bailiff's directions on where to sit.
5. All Temporary Ex Parte Orders are determined *based on the affidavit* filed with the Application per the TFC. If a "kick out" Order is requested, live testimony is necessary therefore the applicant must obtain a time to appear from the clerk or coordinator. *Kick outs need to be heard in the morning to allow the clerk to process the citation if the kick out is granted.*
6. The 280<sup>th</sup> Court hears all Harris County District Attorney Protective Order cases on Tuesdays, Wednesdays and Thursdays of each week.
7. The 280<sup>th</sup> Court hears cases filed by AVDA or other agencies on Mondays and Tuesdays. (or as needed on other days)
8. The Court hears private counsel PO's and self-represented litigants (pro se) PO cases on Mondays and Fridays or other days as needed.
9. TCIC and Address forms "Shall" be filed at the same time as the Application for Protective Order. If they are not filed with the application the Court cannot sign a temporary protective order until the forms are submitted.
10. Attorneys are welcome to enjoy coffee or other beverages while in the courtroom HOWEVER, the beverage container MUST have a lid/or top to prevent liquids from being spilled in the courtroom. *Litigants are NOT allowed to bring any food or drink in the Courtroom.*
11. All exhibits shall be pre-marked and exchanged prior to all hearings. If a case is reset, exchange of exhibits shall be done *at least* 24 hours in advance. An Exhibit list is required for all exhibits over 5 exhibits.
  - a. A sample exhibit list is on the court's website and may be downloaded and used. Use "A" for Applicant and "R" for Respondent.
  - b. *Please mark "each" Exhibit separately including photos— DO NOT PACKAGE PHOTOS AND OTHER DOCUMENTS TOGETHER AS ONE EXHIBIT UNLESS THEY ARE NUMBERED IN THE UPPER RIGHT HAND CORNER WITH THE PAGE NUMBER AND TOTAL NUMBER OF PAGES OF THE EXHIBIT.*

- c. DO NOT USE numbers such as 21.1 or 21.2 USE A SEPARATE NUMBER FOR EACH CORRESPONDING document or photo.
  - d. Do not use letters such as 1 a or 1b. Mark each as an individual exhibit!
12. If the Respondent in a PO hearing has firearms and a PO is granted, he/she shall be required to do one of the following:
- a. Sell the firearms and provide proof of sale to the Court with a legitimate bill of sale.
  - b. Allow a friend or family come to court and testify that they will hold the firearms for the duration of the PO and will not release the firearms to the Respondent during the duration of the PO.
  - c. Surrender the firearms to the HCSO for the duration of the protective order.
13. The court will hear Motions for Enforcement of PO in the same manner as any other enforcement in family law related cases such as child support or possession and access case.
14. The Court will set a compliance date on enforcements in the same manner as other family related enforcements.
15. The Court will also set a compliance hearing on for all PO cases in which the Court deems a compliance hearing is necessary, including for BIPP, firearms and general compliance.
16. The Court requires for all Respondents where PO's are granted to complete a Respondent Information form that includes name, mailing address, sleeping address, telephone number, alternate telephone number, email, date of birth, social security number, driver's license and SPN, if any. A photo i.d. will be required as well. *The form may be obtained from the Court Coordinator.*
17. ATTORNEYS who have not filed an Answer or Notice of Appearance before the hearing are required to sign a Notice when they appear for the hearing so the attorney may be attached to the case for all notice purposes.
18. Respondents with less than 48 hours' notice may be given a reset to another date if such is requested. Any resets or continuances requested by a Respondent where the Respondent was served with at least 48 hours' notice require the agreement of the applicant and applicant's counsel.
19. Protective Order hearings are given a max of four (4) hours total; two (2) hours per side. If attorneys believe additional time is needed the Court will evaluate it at the start of the hearing.
20. Interpreters for the 280<sup>th</sup> Court must be certified interpreters unless approval from the Court is given in advance of the hearing.
21. The Court may consider the appointment of an Amicus to serve a limited a limited purpose in Protective Orders matters where possession and access is at issue or where the facts of the case warrant. The Court in consideration of the finances of the applicant and respondent will make every effort to utilize the pro bono assistance from UH Law Center Clinical Programs and South Texas College of Law Clinical Programs or any other agency or entity that has the requisite knowledge and skill level.

22. If an Application request the Respondent to attend a Battering Intervention and Prevention Program --  
-please request a specific program from the list on the Court's website otherwise the Court will choose one from the list.
23. The Court hears all protective order matters under Texas Family Code Protective Orders and all Criminal Code Protective Orders. The Court also has jurisdiction to hear family cases where one of the parents of the children was killed by the other parent.
  - a. The Court will consider evidence of felony conduct by Respondent in granting a Protective Order for over years in duration.
24. Do NOT e-file evidentiary Exhibits with the court except affidavit.
25. No substitutions of attorneys shall be considered without leave of Court within 30 days before trial.
26. Continuances shall not be granted without a hearing set according to the TRCP.
27. The Court will only consider a Motion to Transfer a Protective Order to another Court by submission with an affidavit attached to the Motion filed by the Movant. Attorneys need to include a submission date in their motion.
28. The Court may consider any and all relief requested by the applicant per the TFC 85.021 during the hearing on the protective order.
29. If there are "2" respondents to an application for protective order each Respondent must have their own case number so each Respondent must be served separately with their own application for a protective order.
30. If a case is reset for a trial the discovery deadlines are NOT extended unless a motion is filed and a ruling on such is obtained by the Court.
31. ALL Attorneys are required to check in with the Bailiff and provide the name of the party they represent or let the Bailiff know why they are there.
32. Applicants will not be required in the Courtroom during docket call and will be provided a secure location to wait for their case to be called. Opposing attorneys and Respondents are not allowed in the applicant room unless permitted by the Court.
33. Process Servers are not allowed to serve litigants in the Courtroom or any extension of the Court such as the applicant waiting area. Process Servers are not allowed to ask whether a litigant has checked in with the Court. It is a safety issue and not permitted.
34. All persons who come into Court shall comply with all instructions given by the Court especially those instructions that are for the safety and welfare of the litigants.
35. Attorneys are required to file a Notice of Appearance with the Court as soon as practicable so the Court can link the attorney to the case.