

FILED

Marilyn Burgess
District Clerk

OCT 12 2020

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By: [Signature]
Deputy
Harris County, Texas

ORDER AMENDING
DIRECT FILING ORDER
DISTRICT JUDGES, HARRIS COUNTY, TEXAS

The Direct Filing Order filed on September 1, 1977, Vol. 1465, Pages 56-72: and amended:

05/15/78	vol. 1562	Pages 41-42
05/22/78	vol. 1587	Pages 102-118
09/18/78	vol. 1616	Pages 159-175
01/21/79	vol. 1818	Pages 411-425
03/27/79	vol. 1699	Pages 709, et seq
09/31/80	Vol. 1978	Pages 292, et seq
07/20/81	vol. 2140	Pages 377-398
08/29/83	vol. 2589	Pages 165, et seq
09/01/84	vol. 1	Pages 546, et seq
01/31/85	vol. 1	Pages 967-973
06/11/86	vol. 2	Pages 822-827
06/09/87	vol. 3	Pages 869-872
04/25/89	Vol. 5	Pages 531-541
06/26/92	vol. 3	Pages 578-584
03/03/93	vol. 4	Pages 624-635
07/20/93	vol. 4	Pages 688-699
11/04/93	vol. 5	Pages 13, et seq
04/05/95	vol. 6	Pages 735-737
07/02/01	vol. 6	Pages 735, et seq.
12/12/06	vol. 6	Image 25623895
01/29/06	vol. 6	Pages 275-276
11/09/09		Image 43859704
01/26/16		Image 68788815

P.5

is hereby further amended as follows:

Be it remembered that the Board of District Court Judges Trying Family Cases amends the Direct Filing Order, providing for cases to be assigned to the court by means of an automated system;

It is therefore Ordered, Adjudged and Decreed that the Direct Filing Order be amended, effective November 15, 2020, to be implemented by the Harris County District Clerk in all instances no later than January 1, 2021, as follows:

SECTION 2: FAMILY DISTRICT COURT TRIAL DIVISION

PLAN AND PROCEDURE

When any original proceeding, as referred to in this Order, is presented to the District Clerk for filing in one of the Family District Court Trial Division courts, it shall be immediately assigned a case number in sequence. This case number will then be stamped on the original petition and file and fee docket. All costs will be collected and noted on said file.

The file will then be passed on to another station and assigned to a specific Family District Court by using the "Automated Random Assignment System."

Said "Automated Random Assignment System" shall be a blind filing process which provides:

1. equal distribution of all new filings;
2. that assignment cannot be determined until after said Court assignment is made by the "Automated Random Assignment System";
3. management reports on the operation of the "Automated Random Assignment System" as deemed appropriate by the Administrative Judge of the Family Division;
4. The Family District Court Trial Division, as set forth above, shall have filed and docketed in those District Courts, the following matters:
 - a. all matters set forth in the Family Code of the State of Texas except those matters assigned to other District Courts Divisions.
 - b. Each Court in this Division, except for the 280th District Court which has been designated as domestic violence district court for Harris County, shall have docketed 1/10 of the following types of cases:
 - i. All terminations and adoptions other than those filed by the Harris County Child Protective Services.
 - ii. All new suits affecting the parent-child relationship involving parentage.
 - iii. All actions for removal of disabilities of minority.

- c. All actions for the enforcement of any Consent Decree or contract arising out of or in conjunction with any action previously filed in any of the Family District Courts.
 - d. The following cases shall be filed and docketed in the 280th District Court:
 - i. all original applications for a protective order under Title 4 of the Texas Family Code;
 - ii. all original applications for a protective order under Title 4 of the Texas Family Code filed concurrently with an original petition under the Family Code; and
 - iii. all cases in which one parent is alleged to have caused the death of another parent and there is a history of domestic violence in the relationship.
 - e. All original applications for a protective order in which a Harris County Family District Court has continuing exclusive jurisdiction or dominant jurisdiction (defined as another family court in which a prior pending case involving the same parties or same children was first filed) shall be filed in that court unless otherwise specifically excepted above in "4.d.iii." If a matter is mistakenly docketed to the 280th Court, the matter shall be promptly transferred by the Harris County District Clerk's Office to the appropriate Family District Court.
 - f. Nothing herein prohibits the courts from exchanging benches.
 - g. In addition to the foregoing, each Court in this division may have filed and docketed therein the following type cases: Change of name.
5. The court designated as the Domestic Violence District Court for Harris County shall give preference to domestic violence cases, including case involving:
- a. dating violence, as defined by Section 71.0021, of the Family Code; and
 - b. family violence, as defined by Section 71.004, Family Code.
6. Domestic violence cases include:
- i. an original application for a protective order under Title 4, Family Code;

- ii. an original application for a protective order under Title 4, Family Code, that involves both parties and is filed concurrently with an original petition under the Family Code; and
- iii. any matter involving custody of a minor child if one parent is alleged to have caused the death of another parent and there is a history of domestic violence in the parents' relationship.

7. The court designated as the Domestic Violence District Court for Harris County may also hear divorce and custody cases in which a court has made an affirmative finding of family violence involving both parties; or in which a protective order has been issued under Title 4, Family Code, involving both parties.

In the event the “Automated Random Assignment System” fails to function as designed, the following manual system shall be used except for cases assigned to the Court designated as giving preference to domestic violence cases.

“Manual Random Selection Device”: A spherical hollow device (commonly called a lottery wheel), constructed of opaque material so that the contents cannot be seen, designed to contain 200 balls and to rotate on an axis so that with each revolution of the sphere, it will randomly release one of the balls. The 200 balls will be identified by the following:

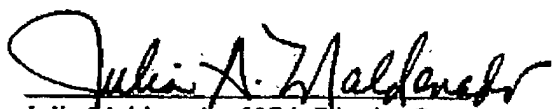
- 20 marked “245th District Court”
- 20 marked “246th District Court”
- 20 marked “247th District Court”
- 20 marked “257th District Court”
- 20 marked “308th District Court”
- 20 marked “309th District Court”
- 20 marked “310th District Court”
- 20 marked “311th District Court”
- 20 marked “312th District Court”
- 20 marked “507th District Court”

The clerk assigned to operate the random selection device shall receive and account for all cases in an ascending numerical sequence. When said clerk determines that he has received the next proceedings filed in the Family District Court in the proper sequence, he shall rotate the selection device and determine the court number contained on the ball released and immediately stamp a corresponding number on the petition and file docket. After each random selection, the ball selected shall be deposited in a separate confidential container until such time as all 180 balls contained within the device have been used. The manual random selection process shall be continued by emptying the confidential container into the “Manual Random Selection Device.”

The clerk assigned to operate the "Manual Random Selection Device" shall receive and account for all cases in ascending numerical sequence. After the manual random selection and assignment, the ball selected shall be deposited in a separate confidential container until such time as the system is "up." Assignment made during this period shall be logged by the district clerk and such log made available to the Administrative Judge of the Family Division of the District Courts.

This plan may be revised to accommodate the use of an automated random selection system, or more suitable device to accomplish a random selection, provided the same is submitted to the District Judges of Harris County for approval before being put into effect.

Dated: October 9, 2020


Julia Maldonado, 507th District Court
Administrative Judge, Family Trial Division



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this November 13, 2020

Certified Document Number: 92589074 Total Pages: 5

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com