

**2023 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
10/12/20		Image 92589074

is hereby further amended as follows:

By Order of the Board of District Court Judges Trying Family Cases the Direct Filing Order is amended, effective February 1, 2023, to be implemented by the Harris County District Clerk in all instances no later than March 1, 2023, as follows:

PLAN AND PROCEDURE

I. **Automated System**

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, the District Clerk's Office is ORDERED to 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.

IT IS ORDERED that 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, unless a law, rule, or Order of the Family District Court Trial Division dictates otherwise;
2. that assignment cannot be determined until after said Court assignment is made by the “Automated Random Assignment System”; and
3. management reports on the operation of the “Automated Random Assignment System” as deemed appropriate by the Administrative Judge of the Family Division.

II. The Family District Court Trial Division

The Family District Court Trial Division currently consists of the following courts:

The “245th District Court”
The “246th District Court”
The “247th District Court”
The “257th District Court”
The “280th District Court”
The “308th District Court”
The “309th District Court”
The “310th District Court”
The “311th District Court”
The “312th District Court” and
The “507th District Court”

The Family District Court Trial Division shall have filed and docketed in those District Courts and any court added to the Family District Court Trial Division, the following matters:

1. All matters set forth in the Family Code of the State of Texas *except those matters assigned to other District Courts Divisions*. If a matter is assigned by another Direct Filing Order to another Division, the Family District Court Trial Division shall still receive those matters which the Family Code requires be filed in one court and which by standing order, local rule or further modification of this Direct Filing

Order by the Board of District Court Judges Trying Family Cases have determined belong in a family district court.

2. Each Court in this Division, except for the 280th District Court which has been designated as the Domestic Violence District Court for Harris County, shall have docketed an equal fraction (currently 1/10th) 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; and
 - iv. All change of name petitions.
3. 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 shall be assigned to the Family District Court in which the previous action was filed and/or heard.
4. All modifications, writs, and post judgment matters in which a Harris County Family District Court is the court of continuing and exclusive jurisdiction over the child or is the court which issued a final decree or judgment involving the same private parties shall be filed in that District Court, except as follows:
 - i. The newly-filed matter is a protective order / domestic violence case, which shall be filed in the 280th Court; or
 - ii. The matter is an original suit filed by a governmental entity and the allegations of abuse or neglect arise from the same incident or occurrence and involve children that live in the same household, which shall be filed in accordance with Section 262.015 of the Texas Family Code.
5. All applications for a protective order and all cases concerning domestic violence, as defined below, shall be filed and docketed in the designated Domestic Violence District Court for Harris County, Texas (the 280th Court), regardless of whether another Harris County District Court has continuing exclusive jurisdiction or dominant jurisdiction in a case involving the same parties or same children.

6. The action of the 280th District Court in granting or denying a final protective order does not vest continuing and exclusive jurisdiction or dominate jurisdiction over the parties or the child in the 280th Judicial District Court.
7. The court designated as the Domestic Violence District Court for Harris County shall give preference to domestic violence cases, including case involving:
 - i. dating violence, as defined by Section 71.0021, of the Family Code; and
 - ii. family violence, as defined by Section 71.004, Family Code.
8. 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.
9. The court designated as the Domestic Violence District Court for Harris County may also, by an exchange of benches, hear divorce and custody cases in which the 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. The doctrine of exchange of benches does not change or create continuing and exclusive jurisdiction or dominant jurisdiction.

MANUAL SYSTEM IF AUTOMATED RANDOM ASSIGNMENT SYSTEM FAILS OR IS UNWORKABLE

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 200 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: February 6, 2023.



Angela Graves-Harrington, 246th District Court
Administrative Judge, Family Trial Division