



**507th Family District Court
General Policies and Procedures, and
Procedures for Virtual Courtroom via Zoom**
(Revised June 1, 2023)

IT IS ORDERED that the parties, attorneys, witnesses, and any other persons attending proceedings held by the 507th Family District Court shall comply with the following procedures:

1. **General Trial Docket**—Unless specified below, there will be no in person trial docket calls. *General trial docket* is held on Monday at 9:00 AM and is held via zoom at the Presiding Judges virtual courtroom, which is posted on the 507th's website. Trial cases may then be preferentially set by the court during this general trial docket. **Parties and attorneys should be prepared to start an in-person trial at 1:30 p.m. on the same day.**

1.1 **Trial to Occur within One Year** - All trial should occur within one year from the date of filing of the first pleading, however, there may be some exceptions.

2. **Scheduling Hearings**—Except for final trials, all hearing dates are scheduled by a self-represented litigant or an attorney through the e-hearing portal on the District Clerk's Website (www.HCDistrictclerk.com). If you need additional information, go to the Court's website, and navigate to the e-hearing features. A self-represented party should contact the Court Clerk to schedule a hearing.

3. **Uncontested Matters (Including Defaults and Mediated Settlement Agreements)**—The court will hear *uncontested matters* Monday through Thursday from 8:15 a.m. to 9:15 a.m. in-person and/or via Zoom. Prove-ups are by appointment only and are held in the Associate Judge's virtual courtroom. Please review the court's Uncontested Checklist and ensure that all required documents are filed at least three business days prior to the hearing date. If the uncontested checklist is not completed and efiled, the matter will not be heard.

3.1 *All Self-Represented litigants shall contact the Domestic Relations Office (DRO) before setting his/her case on the uncontested docket. You may scan the QR Code below:*

Domestic Relations Office
Request for Order Review Application



4. **Off docket approach**—Attorney’s may call the court clerk to inquire of judge’s availability for a zoom approach for questions of no more than 5 minutes. To ensure that there is no Ex-Parte communications, the court will not allow off docket approaches if not all the necessary parties and/or attorneys are present.

5. **Contested Temporary Orders**—Hearings for contested temporary orders after the parties have attended mediation are set on Tuesdays and Thursdays and **are heard IN-PERSON**. A party may request a hearing date and time via the E-hearing the e-hearing portal on the District Clerk’s Website (www.HCDistrictclerk.com). Temporary orders hearings may be limited to one hour per party. *A request for temporary orders in a modification case should be supported by an affidavit.* If you appear for temporary orders via zoom, your case will be reset for mediation, unless it is waived by the court. An in-person temporary order hearing date will be scheduled after the date of mediation.

6. **Enforcements**—Enforcement actions are set on Wednesdays at 9:00 a.m. and **are heard in person in the main courtroom**. Parties with an agreement may prove up the agreement on the record. Attorneys and parties should have already conferred with each other, exchanged exhibits, and be ready and prepared to try their case at the time it is called to trial. If incarceration is requested, the moving party should file a proposed commitment order prior to the commencement of the hearing or no hearing shall be had. Commitment orders must be entered by 2:00 p.m. on the date of incarceration.

7. **CPS hearings**—CPS hearings are set on Wednesdays beginning at 9:00 a.m., except for emergencies. Docket call shall be held **via zoom** at *the Associate Judges virtual courtroom* which is posted on the 507th’s website. Final trial in a CPS case is held in person before the Presiding Judge.

8. **Entry of Orders**—Entry of all orders is by submission only and are set each Friday at 9:00 a.m. Please ensure that all documents listed as “*Required Orders and Forms for Entry of Final Decree/Order*” have been e-filed, otherwise your case may be dismissed on the date of entry. It is a responsibility of attorneys or parties to verify within seven business days of filing a proposed order that the order has been signed by the Court. When based on a mediated settlement agreement, the terms of the final order must comply with the mediated settlement agreement.

8.1 **Disputed and/or Contested Entry**—If there is a dispute and/or contest regarding the entry of an order, **a party MUST file a motion to enter**, set the motion for hearing, and provide proper notice to the other party pursuant to the Texas Rules of Civil Procedure. All contested motion to enter are heard on Thursdays and set through the e-hearing portal on the District Clerk’s Website (www.HCDistrictclerk.com)

9. **Entry by Submission** - The following orders will be signed by submission (no hearing is required) if the proper information is included in the order:

Agreed Order For Withdrawal of counsel – signed by the client and not less than 30 days
from date of trial

Agreed Order for Substitution of Counsel – signed by the client and new attorney

9. **Discovery disputes**—Discovery disputes are heard in-person, on Friday at 1:30 p.m. (1) A request for hearing will not be granted unless the party requesting the hearing files a certificate of conference stating all efforts made to communicate with opposing counsel or the Pro-Se party regarding the discovery dispute, including but not limited to date and time of zoom meeting or in-person meeting. A lack of substantial efforts to communicate (i.e. leaving a single voicemail or not sending request for zoom or in-person meeting) may affect the request for a hearing date. (2) Motions to quash depositions—if the motion to quash is based on the unavailability of the lawyer or witness, or a scheduling conflict, then the party filing the motion to quash shall provide at least three alternative dates within the body of the motion for taking of the deposition.

10. **Mediation prior to temporary orders**—Mediation is required before temporary orders hearings. Exceptions may be made in certain cases. If a party is being denied possession of the party’s child(ren), the court may waive the mediation requirement. Failure to mediate may not be used as an excuse to avoid a temporary order hearing.

11. **Mediation prior to final trial**—Mediation is required before the final trial of a case. Exceptions may be made in certain cases. Parties seeking such an exception should file a motion seeking such relief and set a hearing on the issue at least 15 days before final trial. The failure to mediate prior to trial may result in dismissal of the case.

12. **Agreement’s Incident to Divorce (TFC 7.006)**—An agreement incident to divorce must be reviewed by the court prior to the parties proving up their divorce or annulment. If the court incorporates the AID by reference in the final decree, the agreement is not required to be filed with the court or the court clerk.

13. **Pretrial conference for jury trials**—A pretrial conference is **required** for all jury trials and will be heard in person on Friday morning 10 days prior to the jury trial. Prior to the pretrial conference, the parties should file a **Pretrial Conference Checklist**. See the courts website for the checklist.

14. **Pretrial conference for Adoptions and Special Immigrant Juvenile cases**—A pretrial conference is required for adoption cases and/or Special Immigrant Juvenile (SIJ) cases. Contact the Court Coordinator for a pre-trial date at least 60 days prior to the trial setting. Failure to attend a pre-trial setting may result in the suit being dismissed for want of prosecution.

Other cases may be set for a pre-trial conference on a case-by-case basis if requested by the court, the attorneys or a self-represented litigant.

15. **Late calls**—Late calls should be made no later than 8:40 a.m. on the day of your hearing or trial. Attorneys are responsible for ensuring that they have complied with local administrative regional rules regarding any conflict settings. Any attorney sent to stand in for an absent attorney should expect to fully represent the client at the hearing.

16. **Cases involving children**—In cases regarding children, use the child's entire name. Do not use initials to identify children.

17. **Ex-Parte Temporary Restraining Orders**—*Ex-Parte* Temporary Restraining Orders should be joint and mutual although exceptions may be made if supported by affidavit. In divorce actions, *ex parte temporary restraining orders* should use the language included in section TFC 6.501. In a Suit Affecting the Parent-Child Relationship (SAPCR cases), the court will strike certain proposed injunctions such as *alcohol* or *paramour* injunctions if not supported by an affidavit.

18. **Supervised visits**—If a party is requesting that a parent's possession be supervised, the requesting party should be prepared to pay the costs associated with providing the proposed supervisor unless good cause shown.

19. **Appointment of attorney ad litem**—in matters where service by publication occurs, an attorney ad litem shall be appointed to represent the party served by publication, the serving party should contact the court after the return of service and a copy of the actual publication has been e-filed. In matters where service occurs by posting on courthouse door, where there are no children or property, the court may waive the Ad Litem *only* after a motion and hearing to waive Ad Litem.

20. **Appointment of amicus attorney**— The court may appoint an Amicus Attorney in a case in which conservatorship or possession of and/or access to the child is in dispute. The Amicus Attorney shall bill the parties for work performed at a rate not to exceed \$250 per hour. The Parties may agree to the appointment of an Amicus Attorney, however, the Amicus Attorney must be listed on the 507th Family District Court's wheel for appointment purposes.

21. **Attorney Ad Litem in DFPS matters**— In a DFPS matter, attorneys should submit a voucher for out of court work by the next hearing date in the matter. The attorney Ad Litem in a DFPS matter is only attorney that shall appear for the client and that Ad Litem attorney appointed shall not send a different attorney to stand in him/her, except in an emergency or with prior approval by the court.

22. **Parenting class**—Parties to a custody dispute are encouraged to complete a four hour parenting class prior to trial.

23. **Courtroom demeanor**— Electronic devices not required for virtual courtrooms should be in silent mode. Proper courtroom attire and demeanor is required when appearing in person or via zoom. ***Video recording, audio recording, and taking photographs of court proceedings is prohibited***, except at the conclusion of an adoption case. No food or gum chewing is allowed. Zoom appearances may not be made while the person appearing is driving the motor vehicle. While in trial, parties and attorneys may have beverages at counsel table.

24. **Children**— Children are not allowed in the courtroom or virtual courtroom without the court’s pre-approval. If the court approves a request for a judge to interview a child in chambers, bring the child to the courthouse at the interview time.

25. **Presence of other individuals while on zoom**—When appearing via zoom, attorneys and litigants must disclose the presence of other individuals who are within hearing distance of the attorney or litigant prior to the commencement of the proceeding or at any time when another individual comes within said hearing distance. Failure to disclose the presence of such individuals may result in the court striking them as witnesses if they are called to testify. You must display your name and your case number on the screen when you appear via zoom.

These policies and procedures do not supplant the Harris County local rules.

Policies and Procedures for Zoom Docket

- I. Virtual Courtroom for Docket Calls and Hearings
 - a. The 507th has two zoom virtual courtrooms, one for Judge Maldonado, the Presiding Judge, and a separate one for the Associate Judge. Zoom links for the virtual courtrooms are located on the courts website, or go to zoom and input the following meeting ID's:
 - i. **Judge Julia Maldonado:** 935 217 54311
 - ii. **Associate Judge:** 256 481 4446
 - iii. **Password for both:** 507
- II. POLICIES AND PROCEDURES
 - a. Local rules and family code requirements for filings and pre-exchange of materials and or exhibits apply.
 - b. Parties are responsible for logistics of their remote appearance. Technical difficulties that are not timely resolved may result in a hearing being passed. If a party's inability to participate is due to a lack of familiarity with zoom, such lack of participation may be considered a failure to appear.
 - c. The scheduling party is responsible for including zoom conference details in the notice of hearing to the other parties.

III. PARTICIPATING IN THE ZOOM VIRTUAL COURTROOM

- a. When you join the virtual meeting, you will be in a virtual waiting room. The Court will then bring you into the virtual courtroom.
- b. Because the zoom app works on all smart phones, tablets, and computers, each attorney, party, and process a party must appear by video, rather than merely by voice.
- c. When you enter the virtual courtroom, your video is automatically activated and your audio muted, until the hearing begins.
- d. Hearings will be transcribed by the official or deputy court reporter.
- e. Witnesses will be called as in any case. Only people on video will be permitted to testify unless they are in the physical presence of a notary public.
- f. Notes may be passed between lawyer and client, using the private chat feature. To do so, hit the “CHAT” button, then at the bottom of the chat window, pull down the recipient arrow and select your lawyers slash client’s name; such communication is prohibited during taking of the respective client's testimony. If the rule has been invoked, witnesses shall not use the chat feature and will only be permitted in the virtual courtroom while they're testifying. Witnesses on the witness stand may not refer to notes or paperwork while testifying, except as otherwise allowed.
- g. A client may, upon request, confer in private with their attorney. The client should slip a note via the chat feature to their attorney, who may request a moment to confer. If the request is granted by the Court, the attorney and the client will be moved into a confidential video room to confer.
- h. All hearings conducted via zoom app or subject to additional instructions as deemed appropriate by the court during the hearing.

IV. NO RECORDING OF COURT PROCEEDING

- a. NO PERSON, OTHER THAN THE COURT REPORTER, MAY RECORD A COURT PROCEEDING WITHOUT THE COURT’S PERMISSION. THIS PROHIBITION APPLIES TO ALL PERSONS, INCLUDING MEMBERS OF THE PUBLIC VIEWING COURT PROCEEDINGS ON ANY COURT’S LIVE STREAM AND TO PERSONS WITH THE ABILITY TO RECORD ANY VIRTUAL COURT PROCEEDING. ANY PERSON FOUND TO BE IN VIOLATION OF THIS ORDER FACES CONTEMPT PROCEEDINGS, INCLUDING A FINE OF UP TO \$500 AND A SENTENCE OF CONFINEMENT FOR UP TO SIX (6) MONTHS IN JAIL FOR EACH ACT OF CONTEMPT OF COURT.

V. Policies apply to agents

- a. No party, attorney, or witness may circumvent the terms of these policies by having another person perform a task prohibited for that party, attorney, or witness. For example, if an attorney is prohibited from communicating with a witness during a proceeding, the attorneys legal assistant or other agent of the attorney may not communicate with that witness during the proceeding.

SIGNED ON June 1, 2023



HON. Julia A. Maldonado