

**Re: Randall County Court at Law No. 2**

**SUPPLEMENTAL OR SPECIFIC GUIDELINES (SEE ALSO FORM 1 – FAMILY LAW  
PRELIMINARY OPERATING GUIDELINES OF THE RANDALL COUNTY COURT AT LAW #2)**

**1. Orders of the court**

- a. All orders in excess of one page shall be numbered. Further, footers should be placed on such orders.
- b. The title of an Order should be accurate and provide a reasonable description of the substance of the Order.
- c. Orders should have parallel or consistent language where same would be reasonably expected; e.g., Divorce Decrees pertaining to property division should have identical or mirror preliminary language in connection with the division of property or debts, unless there is a specific reason not to.
- d. The signature page of the judge should not be on an isolated or separate page from the rest of the Order.
- e. The part of the order immediately before the judge’s signature line, should be as follows:

“Signed \_\_\_\_\_”.

In connection with same, this court normally does not **render** until the court **signs** the order. There may be exceptions, but if that is the case this court will or should specifically set forth in its oral rendition that it is **rendering** on that date, as to a part or as to the whole.

- f. This court will typically instruct one attorney to prepare the order. It is expected that the other attorney or attorneys will promptly review the order, and ultimately approve same *as to form only*; or *as to form and substance* if applicable. If there is a dispute as to the form of the order, the court should be promptly notified, so that either a telephonic conference may be arranged or a hearing set pertaining to same. The court expects the attorneys to cooperate and communicate with each other pertaining to the *form* of the order.
- g. If there is not an attorney on the other side, the drafting attorney shall promptly mail by regular and certified mail to the pro se party a copy of the order signed to such pro se party’s last known address. The order should certify that same will be accomplished, or has been accomplished.
- h. The court expects attorneys to indicate to the court any unusual aspect of the order, or an aspect of the order that the attorney should reasonably expect that the court might desire specific or additional consideration.
- i. Further, **motions** and **orders** which are not of a routine nature should not be presented to the court without an explanatory letter accompanying same, unless the **motion** is sufficiently detailed. In that connection, the court expects that non-routine **motions** and **orders** shall not be presented to the court without reasonable notice to the court of the nature of same, so that the court will be less likely to sign any such **order** without appropriate consideration and background. This particularly relates to **motions** and **orders** which may be acted on *without a hearing*, but not exclusively to same.
- j. The attorneys should not present to the court for consideration an **order** without a separate **motion** pertaining thereto. The **motion** should specifically and clearly describe the relief requested to which the accompanying **order** pertains.

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- k. The court expects the lawyers to use a form or forms that are generally used by attorneys in the state of Texas; e.g., pertaining to family law matters, currently Pro Doc provides forms that family lawyers typically use. This is particularly necessary pertaining to family law orders or other pleadings or documents, as same typically are voluminous with a great deal of statutory or common language. The court expects orders submitted to the court for signature to contain current and common language, consistent with acceptable forms in use.

**2. Property division trials**

- a. This court expects the attorneys to present evidence which specifically and accurately describes relevant marital property. Obviously, specific orders, including final orders, cannot be accomplished with accuracy without such information. Further, same are necessary for the court to completely and accurately determine and assess the marital estate.
- b. Consistent with the foregoing, the court prior to a hearing, and especially prior to a final hearing, expects **inventory and appraisements** to be exchanged by the parties, and offered into evidence at the hearing, or offered as a trial aid. Certainly pertaining to final hearings, the court expects strict compliance with same. Such inventories and appraisements should clearly and specifically characterize and describe the property, debt, or other aspects of property division, with values. If possible, **economic contribution claims or reimbursement claims** should be set forth therein.
- c. As previously set forth in Fam. Form 1 (Family Law Operating Guidelines), page 4 thereof, provision h, **trial aids**, worksheets, and related are expected as appropriate or necessary. This is particularly applicable pertaining to economic contribution or reimbursement claims, retirement issues, tracing, and other complex or detailed issues. As feasible and necessary, the court further desires **expert witnesses** in connection with such matters.
- d. The court expects that each attorney immediately prior to the inception of trial will submit to the court a **proposed property division** as a trial aid. Typically at the inception of the trial, such **proposed property division** will be admitted into evidence with appropriate limitations as applicable. Such **proposed property division** will set forth in columnar form the specific property and liabilities, and other relevant property considerations or circumstances, with specific valuations and ultimately net sums. Of course, such valuations or information should be consistent with the inventory and appraisal of the particular party. Also, the attorneys are expected to be in strict compliance with Fam. Form 1 (Family Law Operating Guidelines) pages 4-5, which form excerpts pertain to **trial exhibits and related**.
- e. As set forth in other parts of the court's guidelines or forms, the court expects the parties to have made a good faith effort to **stipulate** as to various matters pertaining to property division, including, without limitation, values and characterization. In that connection, the court will at the beginning of the trial ask the attorneys what **stipulations** have been or can be made; and further as necessary the court at the outset will go over the property issues with the attorneys pertaining to **stipulations** or related.
- f. The court expects to be advised by the attorneys as soon as practical and necessary that their case involves complexity or a significant contest pertaining to property issues. The court will thereafter determine whether to have a **pre-trial hearing**; and further whether to follow up same with a **scheduling order or orders**, or related. Additionally, **mediation** which is further mentioned hereinbelow will be implemented in a timely manner.
- g. As stated in previously set forth guidelines or forms, this court requires at a minimum **the last 2 years income tax returns** of the parties. (In cases involving corporations or other business entities, the business entity's income tax returns shall also be produced.)
- h. Balance sheets, income statements, summaries of same or transactions of business entities shall also be presented at trial. **Experts** as necessary should be produced to testify as to the foregoing. **Summaries** or other worksheets are encouraged.

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- i. **Experts** as necessary should be produced to testify pertaining to tracing or detailed or complex matters.
  - j. The court expects appropriate and necessary **discovery** to be accomplished prior to trial.
  - k. **Mediation almost always is required** before final trial pertaining to property division cases which involve complex or detailed matters.
3. This court expects the attorneys to communicate with each other, and be reasonably accessible for such communication. In that regard, the court expects the attorneys to follow the **Texas Lawyers Creed**; and other ethical provisions governing Texas law practice.
4. The foregoing are particularly applicable pertaining to bench trials, and family law hearings or trials.
5. The court further advises the attorneys to review the previous forms of this court, which also address the subject of this form.