

Judge Lori Chrisman Hockett

255TH DISTRICT COURT

COURT POLICIES

(Please read the Dallas Family Courts Local Rules in addition to these policies.)

Judge Hears:

Final trials (jury & non-jury); final custody modifications; contempts; appeals from AJ and IV-D; motions for new trial - except final hearings before AJ; M/continuance regarding final trials; summary judgments and other dispositive motions, bill of review, and any matter not referred to AJ.

Associate Judge Hears:

All temporary hearings; TRO's; all final modification hearings including child support and possession but not custody; writs of attachment and Habeas Corpus, all discovery disputes; and post judgement matters (except contempt).

Appeals:

Court will enforce the report of the Associate Judge pending appeal unless a stay is granted. Court will schedule a 15 minute conference with attorneys prior to special setting for de novo hearing.

Child Support:

All new child support orders shall be payable to the Texas Central Disbursement Unit. The Court WILL NOT sign any child support order (including temporary orders) that is not accompanied by a wage withholding order (see TEX FAM CODE §154.001).

Contempt:

Mondays at 9:30 a.m. No motion for contempt seeking punishment will be heard without a proposed contempt order and order of commitment.

Continuances:

No continuance or pass of any matter will be granted without obtaining a new date from the Court. No case will be withdrawn from the docket without the specific agreement of both sides communicated to the Court prior to beginning of hearing/trial or the granting of a continuance by the Court.

Dismissals:

Dismissal dockets are held on the first Thursday of the month from 9:00 a.m. to 10:00 a.m. Within one week of an original filing or a filing to reopen a closed case, all cases are set on the dismissal docket. Notice will be mailed to all active attorneys. Attorneys/Pro Se parties filing an answer should check with the Court for the dismissal date. A written request to retain on the docket may be submitted within one week prior to the dismissal date. All requests to retain must be submitted to the Court prior to the dismissal hearing or the case will be dismissed. A request to retain may be e-mailed to the Court Administrator (cnicholson@dallascounty.org).

Docket Call:

No formal docket call (trials set at pre-trial or by coordinator)

Final Order:

Must be submitted within 30 days of trial or case will be dismissed.

Interpreter:

The Court will provide an interpreter for all contested hearings. An interpreter is available on the 1st and 3rd Friday each month for non-contested prove ups. To request an interpreter, you must complete a Request for Interpreter available in the clerk's office or e-mail the Administrator (cnicholson@dallascounty.org) within 5 working days of the hearing. Cancellations must be made a minimum of 24 hours before the hearing. Failure to provide adequate notice of cancellation may result in the assessing of the interpreter fee to one or both parties.

Interviewing Children:

If the Court interviews a child, it will be done only by appointment after all testimony is heard. Children should not come to the courthouse unless the parties are specifically directed to by the Court.

Mediation:

Mediation is mandatory in all contested cases. The Court may waive mediation if the trial is short with non-complex issues. Attorneys are REQUIRED to attend FCS mediation unless prior to mediation a TRCP Rule 11 agreement is filed waiving the right to rescind the MSA because the attorneys did not appear and/or sign it.

Name Change:

Only granted upon live testimony or complete written affidavit of non-appearing party sufficient to satisfy TEX FAM CODE §45.103.

Parenting Classes:

Required in most cases but can be waived by the Judge. Approved programs include but not limited to the following: Children in the Middle, Families First, Child & Family Guidance

Paternity Issue in Divorce:

If appropriate pleadings are on file with an affidavit of status and sworn acknowledgment of paternity by biological father (see TEX FAM CODE §160.302-303).

Prior SAPCR:

Transfer of prior SAPCR into divorce is preferred procedure, but Court will accept reference of prior matter in divorce decree with copy of prior order attached. Terms of prior SAPCR order cannot be modified by divorce decree. If prior SAPCR is an OAG matter, the OAG must approve decree.

Pre-trials:

All requests for pre-trial hearings must be in writing delivered to the court or by e-mail to the Court Administrator (cnicholson@dallascounty.org). The requesting party is responsible for notifying all other attorneys and pro se parties in writing in accordance with TRCP 21a. Pre-trial may be waived by the Judge if short, non-complex issues involved. Failure to appear at pre-trial hearing could result in dismissal for want of prosecution or default judgment entered (see Dallas Family Court Local Rule 5.03).

Pro Se Divorces:

Heard from any Court if compatible with other Court's policy. All Pro Se final orders must be approved in advance - deliver proposed documents to Court Clerk. All Pro Se prove ups held 1st and 3rd Wednesday every month.

Prove ups:

See current rotating schedule for daily prove ups. Court will hear prove ups at any other time the Court is available or during trial breaks - check with clerk for availability.

Residency Restrictions:

There is a rebuttable presumption that it is in the best interest of the child(ren) that, unless the parties agree in writing filed with the Court, that so long as the non-primary parent lives in Dallas County the residency of the children is restricted to Dallas County and contiguous counties.

Social Studies:

Required in all contested custody and significant possession cases. Fees to be set by Court based upon income of parties.

Stipulation Divorces:

Yes, if no significant property, no children and waiver.

Trial Settings:

Trial settings are obtained at the pre-trial hearing. A request for a pre-trial hearing raises a presumption that the requesting party will be ready for trial on the trial date. In custody matters, social study and mediation must be complete before trial. In property matters, mediation must occur before trial and sworn inventories and proposed division must be filed before trial. There is no required form for inventories except in complex property matters a consolidate (spread sheet) inventory is required.