

DALLAS BENCH BAR
2019

INFORMATION BROUGHT TO YOU BY SCROGGINS LAW GROUP,
PLLC

MAJOR DIFFERENCES BETWEEN COUNTIES

- In Collin County you are just as likely to end up in a general jurisdiction court as a family law court;
- Collin County does not have Family Court Services;
- Collin County only allows 20 minutes per side for temporary orders;
- Collin County requires at least 2 hours notice (I would advise during business hours) to the other side concurrent with presentation of any requested ex-parte orders;
- In Collin County you can efile your proposed orders and receive a signed copy back via efile without the necessity of coordinating with the clerks or coordinators;
- In Collin County you do not have associate judges;
- Sometimes the clerks in Collin County are more stringent about following the document filing rules; i.e., bookmarking your exhibits, etc.;
- Most judges in Collin County (and the local rules) allow an attorney to withdraw via a ten day letter without the necessity of a hearing;
- Collin County has an Auxiliary Court that can be used for certain things, such as prove ups;
- You are required in a motion to compel to put the request, response, and any objections in dispute in the body of the motion, do NOT just attach the discovery as exhibits.

Difference in Standing Orders

Dallas County Has:

- Specifically addresses the protection of pets -Section 2;
- 3.4 – specifically addresses causing bodily injury to the other party or child;
- 3.5 – specifically addresses threatening the other party or child with imminent bodily injury;

Collin County Has:

- 1.6 – specifically addresses discussing the litigation in front of the child;
- 1.7 – specifically addresses unrelated romantic parties in the home overnight during a divorce when the children are present;
- 2.6 – illegally intercepting other party's electronic communications;

GENERAL THINGS THE COLLIN COUNTY COURTS WANT YOU TO KNOW

- Do not submit a proposed order prior to a hearing or ruling (unless agreed);
- Do not send blank notices of hearing, get your time and date from the court coordinator via email and then submit;
- Do not submit/e-file your 10 day withdrawal letter until the expiration of the ten days.

SPECIFIC THINGS THE COURTS/JUDGES WANT YOU TO KNOW

- 199th – Judge Tucker – general jurisdiction court
 - Does not allow prove up via affidavit
- 219th – Judge Edgeworth – general jurisdiction court
- 296th – Judge Roach – general jurisdiction and North Texas Regional Veterans Court
 - Check website before calling court on a case;
- 366th – Judge Ray Wheless – general jurisdiction
 - If a final trial is already set, then no temporary order hearings within thirty (30) days of final trial date
- 380th – Judge Smith – general jurisdiction
 - Only one temporary order hearing permitted except in cases of an emergency;

SPECIFIC THINGS THE COURTS/JUDGES WANT YOU TO KNOW

- 401st – Judge Rusch – general jurisdiction court
 - Does not like to interview children for temporary orders and will allocate interview time against your 20 minutes;
 - Bring a summary of requested relief and offer it as an AID TO THE COURT/DEMONSTRATIVE AID – not an exhibit
- 416th – Judge Thompson- general jurisdiction
 - 9 a.m. means 9 a.m. Do not come strolling in late and say you had another hearing in another court. At minimum check in with bailiff and let them know where you are going;
- 417th – Judge Cynthia Wheless – general jurisdiction with preference for juvenile cases
 - Copy all attorneys or parties on requests for hearings.
 - If the parties cannot agree on a date the court will set the requested party's hearing unless there is a proven conflict or vacation letter on file.

SPECIFIC THINGS THE COURTS/JUDGES WANT YOU TO KNOW

- 429th – Judge Willis – general jurisdiction
 - Preference for civil and family cases;
 - Copy all counsel to agree on hearing date;
- 469th – Judge McCraw – general jurisdiction with preference for family law
- 470th – Judge Miskel – general jurisdiction with preference for family law
 - May NOT prove up cases in Aux court;
 - Bring summary to aid court in final trial with requested property division; and
 - Paper and CLE presentations available from our paper for your review