IN THE \_\_\_\_\_\_ JUDICIAL DISTRICT COURT/COUNTY COURT AT LAW FIVE
EL PASO COUNTY, TEXAS

IN THE MATTER OF THE MARRIAGE OF }

 }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

 }

AND } CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

 }

AND IN THE INTEREST OF: }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

**TEMPORARY ORDERS**

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the above cause came on to be heard for issuance of temporary orders.

APPEARANCES

Petitioner/Counter-Respondent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**appeared in person with attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and announced ready / appeared in person and announced ready, having been duly cited, failed to appear and wholly made default / having previously appeared and been notified of this hearing failed to appear**).

Respondent/Counter-Petitioner \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**appeared in person with attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and announced ready / appeared in person and announced ready, having been duly cited, failed to appear and wholly made default / having previously appeared and been notified of this hearing failed to appear**)

OTHER:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RECORD

 A record was ( **taken by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** **waived, not taken**).

After reviewing the pleadings, hearing testimony/hearing the agreement of the parties, the following findings and recommended orders are made to the referring Court.

TEMPORARY CONSERVATORSHIP

Petitioner is appointed temporary (**joint managing conservator / joint managing conservator with the right to determine the primary residence / sole managing conservator / possessory conservator**).

Respondent is appointed temporary (**joint managing conservator / joint managing conservator with the right to determine the primary residence / sole managing conservator / possessory conservator**).

POSSESSION / ACCESS

For purpose of access only, the (**Petitioner / Respondent**) is named Temporary Possessory Conservator who shall have the right of possession and access at reasonable times agreed by the parties, and failing that agreement:

 As provided by Sec. 153.312 – 153.316, Texas Family Code (**Standard Possession)**

As provided by Sec. 153.312 – 153.317, Texas Family Code (**Standard Extended Possession**)

 As provided by local guidelines for child(ren) under 3.

 As follows: ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CHILD SUPPORT

IT IS ORDERED that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall pay child support to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the amount of $\_\_\_\_\_\_\_\_\_\_\_ (**per month/ per week / every two weeks, bi-monthly**) with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due and payable on the \_\_\_\_\_ day of each \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ thereafter until further order of the Court.

MEDICAL/DENTAL INSURANCE SUPPORT

 (**Medical, dental, and vision)** insurance for the child(ren) shall be provided by (**Petitioner/Respondent**).

(**Petitioner/Respondent**) shall reimburse (**Petitioner/Respondent**) for the cost of health insurance in the current amount of $ \_\_\_\_\_\_\_\_\_\_\_ ( **per month / semi-monthly / bi-weekly /each week**).

If the child(ren) qualify for and are enrolled in (**Medicaid, CHIP**), ( **Petitioner / Respondent** ) is ordered to pay cash medical support of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ per month for the Medicaid reimbursement as additional child support with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due on the \_\_\_\_\_\_ day of each month thereafter so long as the child(ren) receive (**Medicaid/CHIP** ) coverage.

The court finds that health insurance is not available for the child(ren) and the parties do not have access to Medicaid/CHIP, (**Petitioner / Respondent**) is ordered to pay, in addition to periodic child support, the sum of $\_\_\_\_\_\_\_\_\_\_\_\_ as cash medical support for the child(ren) with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due on each \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ thereafter.

 The (**parties are/Respondent is/Petitioner is)** ORDERED to pay \_\_\_\_\_\_\_\_\_% of all uninsured health care costs of the child(ren) so long as support is required to be paid under this Order.

SPOUSAL MAINTENANCE

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall pay temporary spousal maintenance to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as follows: $\_\_\_\_\_\_\_\_\_\_ (**per month/ per week / every two weeks, bi-monthly**) beginning on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and a like payment on each \_\_\_\_\_\_\_\_\_\_ thereafter until further order of the Court.

INJUNCTIONS

The (**both parties/ Petitioner / Respondent**) temporarily enjoined from:

 (1) Harming, annoying, molesting, threatening or injuring each other or a child of either party.

(2) Transferring, encumbering, damaging, destroying or concealing community or separate party of either or of the parties.

(3) Incurring community obligations or debts, except those usual necessary and reasonable as living, business expenses and for legal services in connection with this suit.

(4) Making derogatory or disparaging remarks about the other party to the child(ren) or in the presence of the child(ren) or allowing any person to do so.

(5) Discussing the merits of this case with the child(ren) or in the presence of the child(ren) or allowing any other person to do so.

(6) Arguing with the other party in the presence of the child(ren) or allowing any other person to do so.

(7) Passing messages to the other party through the child(ren).

(8) Removing the child(ren) from El Paso County, Texas for the purposes of changing the child(ren)’s residence without the express written permission of this Court or the other party.

(9) As to the ( **Petitioner / Respondent / both** ) – consuming any alcoholic beverages and/or illegal drugs 8 hours prior to and during any periods of possession.

(10) Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PROPERTY

The parties are granted the exclusive temporary use and possession of property as follows:

Property to Petitioner:

Property to Respondent:

DEBTS

In addition to normal living expenses, the following obligations shall be paid by the parties:

Debts to Petitioner:

Debts to Respondent:

ORDERS FOR SERVICES, COUNSELING, ASSESSMENTS

 The following services, counseling and/or assessments shall be completed by the following dates:

\_\_\_ Children First Program to be completed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_ Domestic Relations Office services as per separate order.

\_\_\_ Other:

ADDITIONAL FINDINGS AND ORDERS

**SCHEDULING ORDER**: The following schedule is ORDERED to be followed in this cause:

DISCOVERY to be completed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. INVENTORIES to be filed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

STATUS/REVIEW HEARING \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

PRE-TRIAL \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

FINAL HEARING \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

MANDATORY SETTLEMENT CONFERENCE on or before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

MEDIATION: This cause is referred to Mediation with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as Mediator in accordance with the Court Order for Mediation. The mediation to be completed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, with the costs shared as follows: $ \_\_\_\_\_\_\_\_ Petitioner / $\_\_\_\_\_\_\_\_\_ Respondent

Any Trial setting of 3 hours or longer shall require the execution of the Waiver of Right to DeNovo Hearing.

At Pre-trial, all parties and counsel are required to attend or shall be subject to sanction and the cancellation of the Final Hearing. Additionally, each party will submit in writing a list of all fact, expert witness(es), exhibits, a proposed settlement, their inventory and appraisement. Failure to comply with the Court’s pretrial order may subject the parties to appropriate sanctions.

**PURSUANT TO RULE 11, T. R. C. P., Attorneys’ or parties’ signatures of approval are required on agreed orders.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PETITIONER ATTORNEY FOR MOVANT

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RESPONDENT ATTORNEY FOR RESPONDENT

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**RECOMMENDED BY:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ASSOCIATE JUDGE

Date of Recommendation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PURSUANT TO SEC. 201.015, Texas Family Code, a party may request a DeNovo hearing before the referring court.

ENTRY OF JUDGMENT: PURSUANT TO Tex. R. Civ. Proc. Rule 305, any party may prepare and submit a proposed order for signature. The attorneys in this case are hereby directed to prepare the proposed order and appear on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to enter the temporary orders in this case. Attorney for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall be primarily responsible for drafting the order in this case.