

Judge Vonda Bailey

255th JUDICIAL DISTRICT COURT POLICIES

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

Judge Bailey Hears:

Final trials (jury & non-jury); final custody modifications; contempts; appeals from AJ and IV-D; motions for new trial; m/continuance regarding any setting on her docket; summary judgments and other dispositive motions, bill of review, motions to set aside (final trial issues), motion to set aside MSA and/or arbitration of final order, and any matter not referred to AJ. To obtain a setting on Judge Bailey's docket, email the Coordinator, Brittany King, at brittany.king@dallascounty.org.

Associate Judge Jean Lee Hears:

All temporary hearings; TRO's; final Protective Orders; final modification hearings including child support and possession but not custody; Writs of Attachment and Habeas Corpus, all discovery disputes; any post judgment matter (except contempt). To obtain a setting on Judge Lee's docket, call the Clerk at 214.653.6159.

The following motions shall be heard BY SUBMISSION ONLY (**DO NOT SET ON THE DOCKET**): Withdrawals, Substitutions, Reinstatements, Continuances, Alternative Services, Publications, and Consolidations. Please be advised that on all motions to withdraw, attorneys shall insert in the order their respective client's email address.

All hearings shall be held both in person and virtually. Depending on the complexity of the matter, the Court may use its own discretion.

Appeals:

The Court will enforce the report of the Associate Judge pending appeal unless a stay is granted. Upon request, the Court will schedule a 15-minute conference within 30 days to specially set a de novo hearing. The de novo hearing must occur within 90 days of the original hearing or it will be dismissed. Contact the Coordinator for a setting.

Child Custody Evaluation:

Required in all contested custody and significant possession cases. Fees to be set by Court based upon income of the parties. Contact the Clerk for a setting or the parties may contact the Coordinator if there is an agreement to present that single issue by submission.

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).

Contact Information:

All attorneys and self-represented litigants must provide the Clerk with their e-mail address in writing.

Self-Represented Litigants:

All self-representing litigant cases shall be heard by Judge Lee. Judge Lee accepts walk-ins for self-represented litigants without an appointment or setting on Wednesdays at 9:30a.m. for immediate assistance. A final order or decree may also be submitted to the clerks for submission review by Judge Lee. All default cases shall be proved up on the record with Judge Bailey after decree/order approval by Judge Lee.

Contempt:

No motion for contempt seeking punishment will be heard without a proposed contempt order and order of commitment. To obtain a setting, an Order to Appear must be walked through to be signed and then taken to the Coordinator for a setting in accordance with the Local Rules.

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.

Please be advised that the Court will generally grant all first-time requests for a continuance in alignment with the Lawyers Creed. Emergencies and statutory deadlines will be carefully considered when determining a continuance.

Dismissals:

Dismissal dockets are held every Friday morning of each month beginning at 9:00a.m. with Judge Lee and the Coordinator. 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/pro se parties. Attorneys/self-represented 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 Coordinator (brittany.king@dallascounty.org).

Exhibits:

All exhibits shall be submitted directly to the Court's official reporter, Joie Rivera, either by USB drive or email at joie.rivera@dallascounty.org no later than the day before the hearing. **No paper exhibits are accepted.**

Final Order:

Upon rendition or announcement of settlement, the case shall be placed on a dismissal docket in accordance with Local Rule 8.02. This hearing date will serve as a date to enter the order if no agreed order is submitted prior to this hearing date. This hearing date may only be reset upon the agreement of all parties.

Permanency Court:

The 255th Judicial District Court will utilize the Dallas County Protection and Permanency Court. Cases will be referred and monitored by Judge Lee on a case-by-case basis.

Proper Usage of Pronouns

It is the policy and requirement of this Court to address all individuals by preferred pronouns. The 255th Court is inclusive of all genders and sexual orientations and expects all individuals before it to respect the preferred pronouns of others, such as he/him/his, she/her/hers, and they/them.

Public Defender:

The 255th Judicial District Court will utilize the Dallas County Public Defenders Office. Cases will be referred and monitored by Judge Lee on a case-by-case basis.

CPS Billing:

CPS billing and invoices shall be submitted to Judge Lee for initial review and final approval by Judge Bailey.

Interpreter:

The Court will provide an interpreter for all contested hearings upon request if the parties are indigent. To request an interpreter, e-mail the Coordinator a minimum of 5 working days prior to the hearing. Cancellations must be made 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 shall not be brought to the courthouse unless specifically directed to do so by the Court.

Mediation:

Mediation is **mandatory** in all contested cases, except the Court may waive mediation if the trial is short with non-complex issues. Attorneys are required to attend FCS mediation or be available by phone 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. Failure to attend mediation within the timeframe scheduled by the Court shall result in your trial date reset.

Whether a case settles in mediation, or an impasse is called, each mediator shall file a status letter with the Court upon conclusion of mediation.

Name Change:

In a divorce suit, restoration of maiden name only granted upon live testimony or written affidavit of non-appearing party sufficient to satisfy TEX FAM CODE §45.103. Petitions for name changes require a fingerprint card and background check by the Texas Department of Public Safety.

Parenting Classes:

Required in contested cases but can be waived by the Court. Approved programs include but not limited to the following: Between Two Homes, For Kids Sake, Children In The Middle, and Families First.

Prior SAPCR:

Transfer of prior SAPCR into divorce is preferred procedure, but the 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 only attaching the prior order. It must be consolidated to be modified.

Writ of Commitment

The party requesting commitment to jail shall be solely responsible for the \$158.00 payment of the writ issuance. The \$158.00 payment shall be made directly to the clerks.

Pre-trials:

All pre-trial settings are held every Friday morning of each month beginning at 9:00a.m. with Judge Lee and the Coordinator. A request for a pre-trial hearing raises a presumption that the requesting party is ready for trial. Mediation needs to be completed prior to pretrial to receive a #1 trial setting. If custody is an issue, a custody evaluation must be started and have an anticipated date of completion. Failure to appear at pre-trial hearing could result in dismissal for want of prosecution or a default judgment entered (see Dallas Family Court Local Rule 5.03).

Self-Represented Litigants (Divorces):

Self-represented litigants must submit final orders for approval. Once approved and if an affidavit of testimony is filed, the Court will waive the prove up and consider the order by submission.

Prove ups:

Prove ups on the record may be scheduled on Judge Bailey's docket on Fridays at 9:00a.m. You may obtain a setting with the Court Coordinator.

Residency Restrictions:

There is a rebuttable presumption that it is in the best interest of the child(ren), 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.

Trial Settings:

Trial settings are obtained at the pre-trial hearing. In custody matters, a child custody evaluation and mediation must be completed before trial. In property matters, mediation must occur before trial and sworn inventories and a proposed division must be filed before trial. There is no required form for inventories except in complex property matters where a consolidated (spreadsheet) inventory is required.

Notice to Attorneys and Litigants:

Although District Judges *may* sign orders from other courts, the 255th District Court is **NOT** allowed to sign orders from the 254th District Court, including agreed orders, per the request of the 254th District Court Judge.

Judge Jean Lee

POLICIES AND PROCEDURES

Electronic hearings before the 255th Court Associate Judge:

Email exhibits to jean.lee@dallascounty.org. There are no deadlines to tender exhibits.

To log in to electronic hearings: Go to zoom.com to log in for virtual/ electronic hearings. For AM settings, unless otherwise specified, use Zoom ID 915 9144 2553. For PM settings, unless otherwise specified, use Zoom ID 939 5552 6469. For Dismissal for Want of Prosecution (DWOP) and Prove-Up settings, use Zoom ID 961 1106 4392.

In-person hearings before the 255th Court Associate Judge:

Exhibits may be presented in court. There are no deadlines to tender exhibits.

The 255th District Court Associate Judge's court is located in the George Allen Courts Building at 600 Commerce Street, Dallas, Texas 75202, 4th Floor. The Court's designated point of contact is by email at brittany.king@dallascounty.org.

For general information, you may contact the court clerk for the 255th District Court.