

JUDGE SANDRE STREETE

256th Judicial District Court Policies and Procedures

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

Judge Streete hears: Final trials (jury & non jury); final custody modifications; contempts/enforcements; appeals from the AJ and IV-D; motions for new trial – except final hearings before the AJ; motions for continuance regarding final trials; summary judgments and other dispositive motions, Bill of Review, and any matter not referred to the AJ. Please email the court at 256thcourt@dallascounty.org to schedule a setting on Judge Streete’s docket.

Associate Judge Moore hears: All temporary hearings; TRO’s; final modification hearings (except custody) by agreement; Writs of Attachment and Habeas Corpus; all discovery disputes and Motions for Withdrawal. For settings on Judge Moore’s docket contact the clerks at **214-653-6449**

Agreed Orders: Agreed orders can be finalized by an affidavit. The order and affidavit must be e-filed with the District Clerk’s office. The District Clerk’s office will submit the order to the Judge for signature.

Appeals: The Court will enforce the report of the Associate Judge pending appeal. The Court will schedule a 15 minute conference via Zoom ID: **Zoom ID: 814 2441 0538** with attorneys prior to special setting a De Novo hearing. The De Novo hearing must occur within 90 days of the original hearing or it will be dismissed. After an appeal is filed it is the responsibility of the appealing party to get a setting from the Court Coordinator.

Child Custody Evaluation: Available with payment of required cost. Fees to be set by the Court based upon income of parties. Not required, but will be Court Ordered if necessary.

Child Support: All child support shall be payable through the Texas Child Support 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 pro se litigants must provide the clerk their current contact information (including email address) in writing.

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 e-filed, and signed by the Court. Counsel must then, per Local Rules, schedule a Hearing through the Court Coordinator. A prepared contempt order and Order of Commitment is REQUIRED prior to hearing on contempt matters.

Continuances: Each request for continuance will be considered on a case-by-case basis, even if the motion is agreed to by all parties. A Motion for Continuance should be e-filed and set for hearing before

the District Judge prior to the final hearing. No continuance or pass, even if agreed, is considered granted without obtaining approval from Judge Streete. The same applies to hearings before the Associate Judge.

Dismissals: A dismissal notice will be mailed to all active attorneys/pro se parties. Attorneys/Pro Se parties filing an answer should check with the Court (via email to Coordinator at 256thcourt@dallascounty.org) or online (www.dallascounty.org) 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 emailed to the court at 256thcourt@dallascounty.org.

Default Orders: All default orders must be scheduled for a prove-up through the Court Coordinator, 256thcourt@dallascounty.org. A Final Order, Prove Up Affidavit, Certificate of Last Known Address, Military Affidavit and Austin Form must be E- filed and accepted before your prove-up hearing. (See Default Checklist on Court's webpage)

Final Order/Settlement Agreements: Upon rendition or announcement of settlement, the case will be assigned a dismissal date in accordance with Local Rule 8.02. This hearing date will serve as a deadline to enter the order. Failure to enter the Order by this dismissal date could result in a dismissal for want of prosecution. This hearing date may only be reset at the discretion of the court.

Inclement Weather: In the event of inclement weather, call (214-653-6410) or email the court at 256thcourt@dallascounty.org for updates on the status of hearings. The Court's voicemail will be updated by 7:00am. Also, if local news stations list Dallas County offices as "closed" or "delayed", the Court will follow that directive.

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. The interview of the child must be conducted by the Judge or Family Court Services. When reviewing an interview by Family Court Services make prior arrangements with the Associate Judge so that the report will be available at the 9:00am or 1:30pm docket. The report must be viewed in the courtroom.

Mediation: The Court will appoint a mediator if the parties cannot agree on a qualified person. Usually costs are assessed one-half to each party. If parties are unable to pay for mediation the case will be referred to Dallas County Family Court Services or DCDRC. Mediation is required for any trial longer than 2 hours. Mediation should occur at least 30 days before final trial.

Mediated Settlement Agreements: Must be in writing and meet statutory requirements. Prove Up for your MSA must be done at your Trial Setting or prior to, on a regular Prove up Docket, or via submission.

Name Change: In a divorce suit, restoration of maiden name or former name is granted without background check. Other name changes require a fingerprint card and background check by the Texas Department of Public Safety.

Paternity Issue in Divorce: If appropriate pleadings are on file with an affidavit of status and sworn acknowledgement of paternity by the biological father (see TEX FAM CODE §160.302-303). Case by Case determination.

Prior SAPCR: Transfer of prior Dallas County SAPCR into divorce is the procedure. Terms of prior SAPCR order cannot be modified by divorce decree unless both cases are consolidated. If prior SAPCR is an OAG matter, the OAG ***must*** approve the decree.

Special Sets: Only scheduled by the Associate Judge. Contact the Associate Judge in writing by email to request the date. A Financial Information Statement and Summary of Requested Relief must be prepared before hearing.

Pre-trials: Pre Trials are Heard via **Zoom ID: 814 2441 0538**. Complete and efile a copy of the 256th District Court Pre Trial Order (available on court's website) at the end of your Pre Trial to the Court.

All requests for pre-trials must be requested from the Court Coordinator, via email or in person. The requesting party is responsible for notifying all other attorneys and pro se parties in writing in accordance with TRCP 21a. Failure to appear at a pre-trial hearing could result in a dismissal for want of prosecution or entry of a default judgment. (See Dallas Family Court Local Rule 5.03).

Pro Se Divorces: Pro Se litigants should review the Pro Se Checklist on our webpage. After filing your petition and your proposed final order, you **MUST** contact the clerks at 214-653-6449 for a Pro Se Conference setting before the Associate Judge. For your first Pro Se Conference, you will appear via ZOOM (See Judge Moore's Zoom Codes on the court webpage). Once Judge Moore approves your final order, your case will be set for finalization.

Prove ups: Judge Streete hears Prove ups via Zoom on Monday and Wednesday mornings at 9:00am-9:30am via **Zoom ID: 814 2441 0538**.

Ten (10) day Letters: The Court will not sign an Order that does not contain either the signature of all attorneys as to form or proof of notice that said Order has been presented to all attorneys of record or parties requesting same to file written objections within ten (10) days. E-file your ten (10) day letter but do not submit your Order until the ten (10) days have expired. It is recommended that the party filing follow up with a phone call to the clerk if you have not received a response to the filing in a timely manner.

Trial Settings: Trial settings are obtained at the pre-trial hearing. In custody matters, a child custody evaluation should be completed before trial. In property matters, sworn inventories and a proposed division should be filed before trial. There is no required form for inventories except in complex property matters where a consolidated inventory (spreadsheet) is required. **Failure to appear at a Trial setting could result in a dismissal for want of prosecution or entry of a default judgment.**

Exhibits: For hearings before Judge Streete, email the exhibits to the Court Reporter at glenda.finkley@dallascounty.org and the Coordinator at 256thcourt@dallascounty.org no later than noon the day before the hearing. The subject line of your email should reflect the Cause number and clearly state "Petitioner's Exhibits" or "Respondent's Exhibits". The exhibits must be in PDF format, the County cannot accept Dropbox documents. Please identify each Exhibit individually and send in one email attachment if possible. Please also bring enough copies of your exhibits for the Court and other parties at your hearing.

E-filing: If a cover letter is not submitted requesting that the clerks set a motion for a hearing or submit an order for signature, the clerks will only scan the document and take no action. It is recommended that the party filing follow up with a phone call to the clerk if you have not received a response to the filing in a timely manner.

Ex Partes, Writs, Temporary Restraining Orders: Ex Partes, Writs of Attachment, Writs of Habeas Corpus and Temporary Restraining Orders must be submitted in person to the Associate Judge.

Temporary Hearings: A Financial Information Statement and Summary of Requested Relief must be prepared before the hearing. As a courtesy and for efficiency, all proposed exhibits should be sent and reviewed before the hearing with opposing counsel.

Copies of Orders: The District Clerk will automatically send copies of all Orders signed by the Judge.

Withdrawal of Attorney: Must be filed and approved **30 days** before a final trial setting.

Court Appointments: Please complete an application for any court appointment annually. (Mediation, Ad Litem, Guardian Ad Litem, Publication Attorney, Amicus Attorney, Parenting Facilitator, etc. (See application on website)

Paysheets for Court Appointed Attorneys and Mediators: Please email paysheets to court coordinator at 256thcourt@dallascounty.org.

Zoom Hearings with Judge Streete: Friday morning Pre trials, Monday and Wednesday AM Prove Ups, and Appeals Conferences, Motions for Continuance, other simple Motions will all be heard via **Zoom ID: 814 2441 0538.**

All other Hearings and Trials will be held in person.

