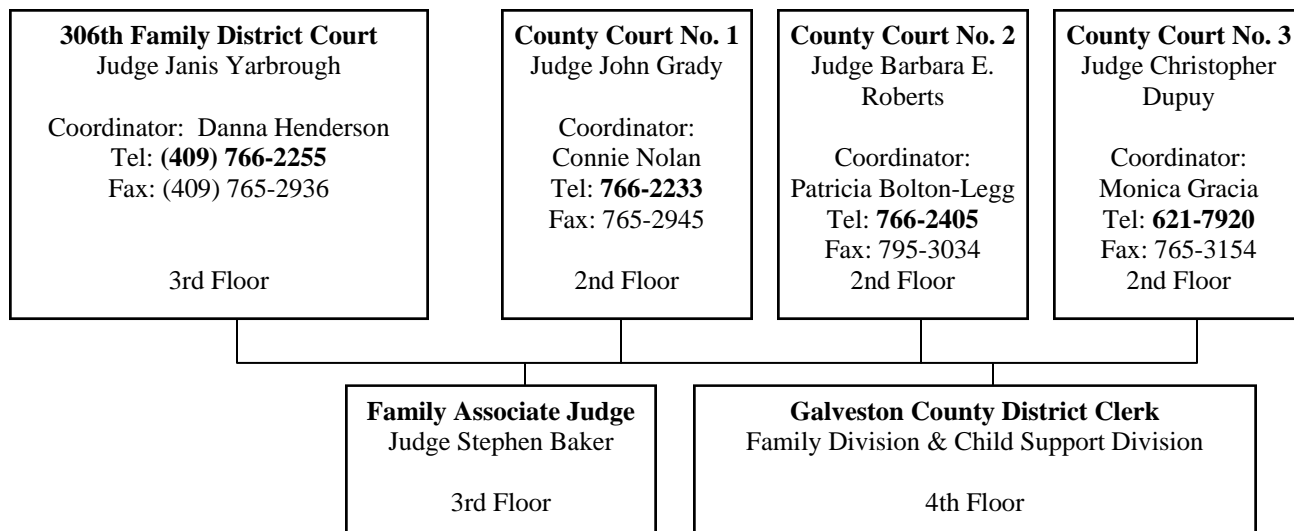


# GALVESTON COUNTY FAMILY COURTS

**Jurisdiction.** Four courts have jurisdiction to hear family law cases in Galveston County: 50% of family cases are assigned to the 306th Family District Court (Judge Yarbrough) and the other 50% are divided equally between the three County Courts at Law (No. 1—Judge Grady, No. 2—Judge Roberts, No. 3—Judge Dupuy).



**Associate Judge.** All four family courts share one full-time Family Associate Judge, Stephen Baker, who has his own courtroom on the 3rd floor. Judge Baker hears virtually all hearings on temporary orders, protective orders, enforcements, discovery motions and most ancillary matters. Judge Baker hears cases Monday through Thursday and has dockets each day at 9:00 a.m. and 1:30 p.m. Typically, up to five hearings are assigned to each docket and all will be heard that morning or afternoon (often with strict time limits). Attorneys request hearings through the Court Coordinators and communicate with Judge Baker through the court to which the case is assigned. Judge Baker does not have a court reporter so attorneys must arrange for their own reporter (especially in enforcement actions). Judge Baker's rulings are usually written by him on 3-part carbonless forms although he will sign proposed orders drafted by counsel.

**File Everything With the District Clerk.** It is somewhat confusing, but all pleadings filed in family cases in the County Courts at Law are filed with the District Clerk, as are pleadings from the 306th Family District Court. The Family and Child Support Divisions of the District Clerk are on the fourth floor of the Galveston County Justice Center. Unlike Harris County, there are not clerks in the individual courts and case files are kept together on the 4th floor. Attorneys are not allowed to take files between the courts and the clerk's office for any reason.

**Mailing Address:** 600 59th Street, Room 4001, Galveston, Texas 77551

**League City Annex:** Pleadings can be filed with the District Clerk (but not new cases), and child support print-outs and certified copies picked up at the District Clerks Office in the North County Annex just off I.H. 45 in League City at 174 Calder Road, League City 77573. Telephone: (281) 316-8727.

**Fax Filing:** Send a letter requesting an account be setup along with a \$200 check to the District Clerk. Fax filing is \$1.50/page and any statutory fees must be paid before a fax is accepted. Deductions from the account will be posted and notice sent when funds low. Fees can be paid over the phone by calling 1-800-272-9829, select option 3, the jurisdiction code is '5344'. When the transaction is complete you will receive a 6-digit transaction code. Payments can also be made online at [www.officialpayments.com](http://www.officialpayments.com), choose 'local payments,' the jurisdiction code is '5344.' The fax filing number for Galveston County is 409-766-2292.

**Electronic Filing:** None now, but e-filing should soon be implemented by the District Clerk.

# GALVESTON COUNTY FAMILY COURTS

(Continued)

**New Local Rules for Family Cases:** Check the websites for these courts for comprehensive new local rules for family law cases that went into effect in 2011 as soon as the Texas Supreme court approves them. The new rules include many new provisions, such as a requirement that detailed requests for relief and proposed property divisions be exchanged and filed before trial.

**Discovery in Family Cases.** The new local rules require mandatory disclosure of financial information before a hearing or trial even without discovery requests, just as in Harris County. Certificates of Written Discovery are specifically not to be filed with the clerk (attorneys should stop wasting time on them since they are not required!)

**Status Conferences and Scheduling Orders.** In all four courts, status conferences are set about 120 days after the filing of a new suit. In the 306th, attorneys do not attend the status conference but can instead fax the court a report about the case using a form the court prepared. In the three county courts, counsel must either submit an agreed scheduling order based on a trial date obtained over the phone from the Court Coordinator or appear in person at the court to work out a scheduling order.

**Trial Settings.** The 306th Family District Court gives definite trial settings and usually assigns two or three cases to each setting. Thus, a docket control order might set a case as No. 2 on April 5 and as No. 1 on June 14. Trial settings in the County Courts are complicated by the fact that there also misdemeanor, criminal, juvenile and civil cases. Typically, quite a few cases of different types are set for trial in a given week and a family case might well not go to trial on the assigned date because another case is required to go first. Short bench trials are set on nonjury weeks and are more likely to start when they are scheduled.

**Pretrial Hearings.** The County Courts usually do not conduct pre-trial conferences in non-jury cases. The 306th Family District Court conducts very important pretrial conferences on the Friday before trial. Parties must exchange witness lists, exhibit lists and marked exhibits before or at the pre-trial conference. Judge Yarbrough will not allow a witness to testify unless he or she is on the witness list and will exclude exhibits not on the exhibit list exchanged at the pre-trial conference. She will also use the pre-trial conference to make sure the parties mediated and went to the required four-hour "For Kids Sake" class (or its equivalent).

**Appeals from the Associate Judge.** Three of the four courts require parties to mediate prior to a hearing on a de novo hearing appealing a ruling of the Associate Judge. The 306th Family District Court, County Court No. 2 and County Court No. 3 require mediation before the appeal hearing. Currently, County Court No. 1 does not. Judge Yarbrough in the 306th typically imposes severe time limits on an appeal hearing, usually one hour total for the hearing (even if custody is at issue and many witnesses are involved). Associate Judge Baker will sign a typed order based on his ruling even if a request for a de novo hearing has been filed.

**Entries.** Entry hearings before the Associate Judge or the presiding judge are set for a definite date and time. The Associate Judge hears entries of his rulings. Orders can be mailed or delivered if everyone has signed the order. However, if someone will not sign an order or if there is a disagreement on the form of the order, the attorneys need to appear at the entry. Entry hearings before the presiding judges are on their dockets and the files should be in the court. For entries before the associate judge, an attorney who needs to contest the form of an order must call the clerk to have the file pulled for the Associate Judge because the entry will not be on his or her printed docket.