

CAUSE NO. D-1-FM-07-003213

IN RE:

Texas Department of Family and Protective Services Litigation

§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURTS OF

TRAVIS COUNTY, TEXAS

419<sup>th</sup> JUDICIAL DISTRICT

STANDING ORDER ON PREPARATION OF DISTRICT CLERK'S RECORD IN A CPS APPEAL

Filed in The District Court of Travis County, Texas

MAY 24 2013 JA

At Lissp. M. Amalia Rodriguez-Mendoza, Clerk

The Court makes this Order on its own initiative. In making this Order, the Court has taken into consideration, among other things, the best interest of the child or children whose lives may be affected by the terms of this Order, the rights of the parent or parents whose lives may be affected by the terms of this Order, the publicly-funded nature of this special statutory litigation, and the need for the effective and efficient administration of justice.

This Order is intended to facilitate the efficient administration of cases in the Travis County Civil District Courts in which a claim of abuse or neglect has been asserted by TDFPS (hereinafter referred to as "Travis County CPS cases"). This Order shall apply to all Travis County CPS cases in which a notice of appeal is filed in the Civil District Courts of Travis County on or after the date of signature of this Standing Order. However, nothing in this Order shall preclude the filing of a written agreed stipulation of matters to be included in the clerk's record or a request by any party to designate specific items to be included in the Clerk's record for purposes of appeal.

---

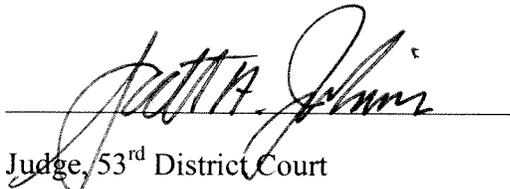
The Court finds that, in accordance with Rule 34 of the Texas Rules of Appellate Procedure (TRAP), a party seeking appeal of final judgment should obtain a written agreed stipulation of matters to be included in the clerk's record or file a written designation specifically requesting items to be included in the clerk's record for purposes of appeal. In the absence of a written agreed stipulation under TRAP 34.2, the Court finds that the District Clerk should, at a minimum, include the below designated items in the clerk's record on an appeal of final judgment in a CPS case.

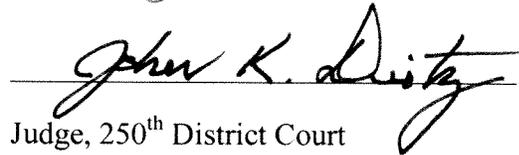
IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that, unless a written agreed stipulation of matters to be included in the clerk's record is filed under TRAP 34.2, the District Clerk shall, at a minimum, include the following items in the Clerk's record on an appeal of final judgment in a CPS case:

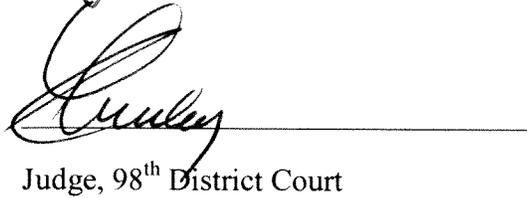
- The Court's docket sheet;
- All pleadings on which the trial was held, including:
  - Most Recent Petition;
  - Most Recent Answers / Counterclaims / Interventions on File;
- Executed Returns showing Service of Process;
- The court's judgment or other order(s) that are being appealed;
- The court's charge and the jury's verdict, if applicable;
- Any requests for findings of fact and conclusions of law and any findings of fact and conclusions of law that were issued;
- Any post-judgment motion, and the court's order on the motion;
- The notice of appeal;
- Any formal bill of exception;
- Any request for a reporter's record, including any statement of points or issues under TRAP 34.6(c);

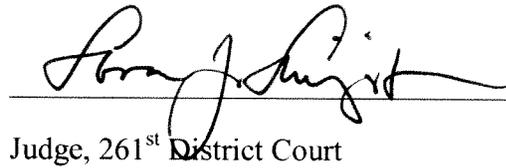
- Any request for preparation of the clerk's record;
- Any notifications under the Indian Child Welfare Act, as applicable;
- Any correspondence from Indian tribes, as applicable;
- A certified bill of costs including the costs of preparing the clerk's record, showing credits for payments made; and
- Subject to TRAP 34.5(b), any other filing that a party designates to have included in the record.

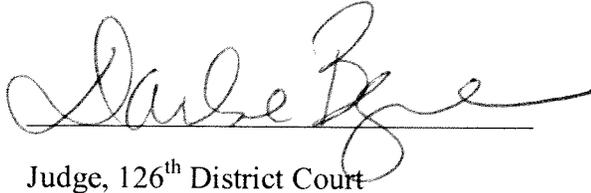
SIGNED this the 24 day of May, 2013.

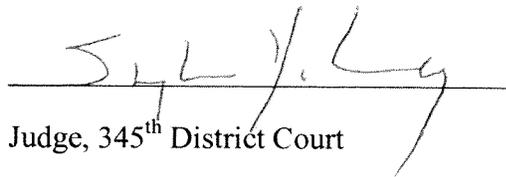
  
Judge, 53<sup>rd</sup> District Court

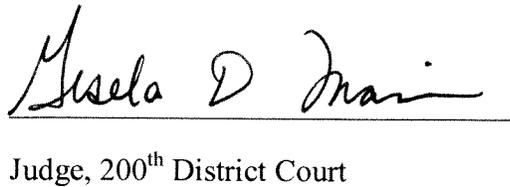
  
Judge, 250<sup>th</sup> District Court

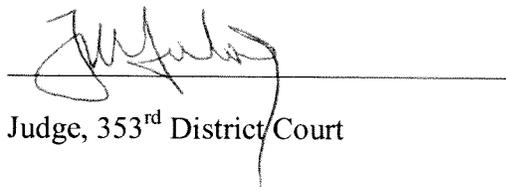
  
Judge, 98<sup>th</sup> District Court

  
Judge, 261<sup>st</sup> District Court

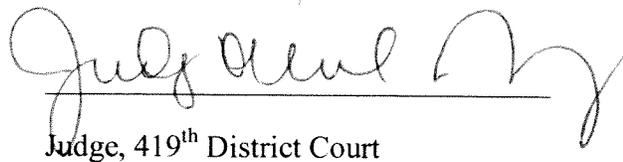
  
Judge, 126<sup>th</sup> District Court

  
Judge, 345<sup>th</sup> District Court

  
Judge, 200<sup>th</sup> District Court

  
Judge, 353<sup>rd</sup> District Court

  
Judge, 201<sup>st</sup> District Court

  
Judge, 419<sup>th</sup> District Court