

TEMPORARY ORDERS INFORMATION SHEET

(Family law cases)

Either at the time the case is filed or shortly thereafter, either one party or the other may file a request for temporary orders. The requests take two forms: Notice of Temporary Orders hearing or a Temporary Restraining Order. It is customary for attorneys in Tarrant County to file a Temporary Restraining Order to set a hearing within two weeks of the start of the case. Most other counties have standing orders so a Temporary Restraining Order is not needed and a temporary orders hearing is requested through a Notice of Temporary Orders hearing. Both forms are customary and standard and do not imply bad behavior by either party.

At the Temporary Orders hearing the judge will enter temporary orders intended to provide a temporary guideline for behavior until the divorce is finalized. The temporary orders last until the divorce is finalized. While the format of the Temporary Orders varies from county to county, most counties have pre-printed forms with blanks to insert the information specific to your case. In the counties that do not have the pre-printed forms, we normally prepare what we expect will happen and want to happen at the Temporary Orders hearing in a typewritten form so that the judge can sign the orders we've prepared.

The Temporary Orders tell the parties who gets the **temporary** use of the personal property, accounts, credit cards and/or the residence. They also spell out who pays which monthly bills for the next few months until the divorce is final. The judge will rely on your Income and Expense forms, pay and tax information you've provided to us in making these decisions so spend some time getting the information you need to complete the forms accurately. If there are children involved in your case, the Temporary Orders will also define what the **temporary** custody terms are- joint conservatorship or sole conservatorship, standard visitation, nonstandard visitation or supervised visitation, and child support (who pays, how much and for how long).

The time period between the case is filed and the Temporary Orders hearing is the most confusing and difficult as it is the beginning of the transition from the way your life has been to something different. Emotions tend to run higher at this time and decisions may be more difficult as we try to pull together all the information we need to begin working toward a final order. We want you to be as comfortable and prepared for this phase as possible. To that end, please call, e-mail or set up an office conference to ask questions, discuss specific strategies you wish to explore or simply role play a courtroom experience so that when the Temporary Orders hearing happens, you have an idea of what the experience will entail. If there are specific documents you wish for us to review for possible use in the courtroom, we must have the original documents without writing or notes on them at least one week before the hearing as there are certain evidentiary requirements that have to be met which take time to accomplish.