

**279<sup>TH</sup> AND 317<sup>TH</sup> DISTRICT COURTS  
JEFFERSON COUNTY, TEXAS**

**INFORMATION FOR PRO SE (SELF-REPRESENTED) LITIGANTS**

**General Information**

If you are representing yourself (pro se) in a family law matter in Jefferson County – Divorce, Suit Affecting Parent-Child Relationship, Modification Suit, Protective Order, etc. – please understand the following:

- You must present a complete Final Decree of Divorce or Order that settles and resolves ALL issues in your case;
- The Court will not review the Final Decree or Order for completion and will not confirm that the Final Decree or Order is properly drafted;
- You cannot rely on the Court signing the Final Decree or Order as a representation that the Final Decree or Order is accurate and actually settles all of the issues as you intend or that it adequately resolves all of the issues that you have a right to be resolved.

If you are considering handling your legal matter by yourself (Pro Se), without an attorney, ensure that you fully understand all of the steps involved. Further, make sure that you understand your legal rights. You will be solely responsible for protecting yourself and your rights.

Only an attorney licensed in the State of Texas is allowed to give you legal advice. Neither the Judge, Court Coordinator, District Clerk's Office, nor any of the courthouse staff can give you legal advice. You are encouraged to hire a lawyer to protect your rights.

*The Local Rules of the 279th and 317th District Courts of Jefferson County, Texas for Family Law Proceedings* can be found on the websites for the 279<sup>th</sup> and 317<sup>th</sup> District Courts, as well as any specific policies or procedures for the Court that your case is assigned to. It is your responsibility to read and comply with those rules.

Information regarding pleadings and issues related to your case may be obtained from local and state websites, including, but not limited to, [www.texaslawhelp.org](http://www.texaslawhelp.org) and [www.tyla.org/familylaw.html](http://www.tyla.org/familylaw.html).

## **Final Hearings for Pro Se / Self-Represented Litigants**

All final hearings involving pro se / self-represented litigants will be heard on the second and fourth Friday of each month beginning at 8:30 a.m. Pro se / self-represented litigants must verify that they have attended a Pro Se / Self-Represented Litigant Help Clinic and get prior approval from the Court Coordinator to be placed on a particular docket. Further, the pro se / self-represented litigant must have filed all necessary paperwork (including a waiver, decree, proper notice to all party (or parties), and certificates of last known address) with the Jefferson County District Clerk's office before the case will be scheduled to be heard.

## **Pro Se / Self-Represented Litigant Help Clinic**

On the Wednesdays immediately prior to the second and fourth Fridays of each month, volunteer attorneys have agreed to host a Pro Se / Self-Represented Litigant Help Clinic. **This will be held from 8:30 to 11:00 a.m.** If you are seeking assistance through this clinic, please be on the second floor of the Courthouse (near the 279<sup>th</sup> and 317<sup>th</sup> District Courts) by 9:30 a.m.

The purpose of these clinics will be to provide limited assistance in ensuring that final orders are completed and sufficient and that all necessary prerequisites have been met before finalizing your case. (You will be responsible for having your final orders completed *before* you attend this clinic. The volunteer attorneys will not draft or fill out your orders for you.)

A representative from the Office of the Attorney General – Child Support Division will also be available at these Pro Se / Self-Represented Litigant Help Clinic. They can provide assistance in calculating and determining child support, Medicaid / health insurance issues for children, and in incorporating or referencing any previous orders for conservatorship or child support that the Office of the Attorney General previously participated in.

The volunteer attorneys will not complete your orders for you, but will only review your completed final orders and let you know if your orders are sufficient for the Court to consider and provide guidance on any corrections that may be necessary. Further, limited assistance may be provided regarding evaluating your notice and with child support issues.

No attorney-client relationship will be created between any self-represented litigants receiving assistance from the volunteer attorneys at the Pro Se / Self-Represented Litigant Help Clinics. These attorneys are providing general assistance only and will not be representing you in any way.

If you do not attend one of the Pro Se / Self-Represented Litigant Help Clinics prior to your final court proceeding or hearing, your case will not be heard or considered on the scheduled date.

## **To finalize any case, you must first verify that:**

1. A signed and notarized Waiver of Service by the Respondent has been filed with the District Clerk; or

2. The Respondent has been served with citation, the citation has been on file at least 10 days and Respondent's answer date has passed, or any time after Respondent has filed an answer. (Service must be made in compliance with the Texas Rules of Civil Procedure.)
3. If the Respondent has been served with citation, the answer date has passed, and the Respondent has not filed an answer at any time, then please review the "Default Judgments" section below.

### **Default Judgments**

Before you can schedule any court proceeding or hearing to finalize a default judgment, you must complete the Certificate for Default Judgment checklist and file it with the Court. Once it has been completed and filed, email Kelly Webster at [kelly.webster@jeffcotx.us](mailto:kelly.webster@jeffcotx.us) to schedule your default hearing. This will help ensure you do not have to come back to Court multiple times in order to finalize your case.

### **Uncontested Cases**

A case is only considered "uncontested" when every party has agreed in a written order to all terms and conditions that must be addressed by the Court. With regard to a divorce action, a case is only considered "uncontested" when each party has agreed in a written Final Decree of Divorce on how to divide any property acquired and the debts incurred during the marriage, and all other issues. If children are involved, the Final Decree must include proper agreements regarding conservatorship, possession, support and health care issues.

### **Divorce Cases**

Please note that in any divorce, the case cannot be finalized if the wife is pregnant at the time of the final hearing.

Further, in any divorce case, if a child has been the subject of a prior Court Order, either in Jefferson County or another county, the prior court case must be transferred to this Court and/or consolidated with the divorce case. It is your responsibility to file the necessary pleadings and have this completed. The Court cannot and will not be able to assist you with having this done.

#### **1. Agreed / Uncontested Divorce Cases:**

If you have an Agreed Final Decree that has been signed by ALL parties, you can prove-up the case by affidavit. Prove-ups by affidavit will only be considered if ALL of the following conditions are met:

- a. At least one of the parties has completed the Affidavit for Prove-Up of Agreed Divorce and filed the notarized document with the District Clerk;
- b. There is an Agreed Final Decree of Divorce signed by every party and attorney involved in the case;
- c. The Agreed Final Decree settles ALL issues;

- d. All signatures are distinctive, written signatures or DocuSign-style signatures (the Court will not accept “/s/ Typed Name” for the signature line); and
- e. The Appearances section of the Final Decree indicates that the parties “did not appear” in person and that the making of a “record was waived”.

\*\*\*Once all of the above conditions have been met, please eFile the Agreed Final Decree of Divorce signed by all parties and attorneys, and email Kelly Webster at [kelly.webster@jeffcotx.us](mailto:kelly.webster@jeffcotx.us) to let her know that the Final Decree is ready to be reviewed by the Court.

## 2. Contested Divorce Cases:

When you are ready to set your case for a final court proceeding or hearing, please eFile your Notice of Final Court Proceeding and the Court will set the matter on the next available date. If your case has not been set for a final court proceeding or hearing within one (1) week from your submission, please contact Kelly Webster at [kelly.webster@jeffcotx.us](mailto:kelly.webster@jeffcotx.us) to verify the Notice of Final Hearing was received. Once you receive verification that your final court proceeding or hearing has been set, it is your responsibility to ensure that all opposing parties or attorneys have received timely notice of the trial setting pursuant to and in compliance with the Texas Rules of Civil Procedure.

## **Suits Affecting Parent-Child Relationship and Modification Suits**

### 1. Agreed / Uncontested Suits Affecting Parent-Child Relationship and Modification Suits:

If you have an agreed final order that has been signed by ALL parties, you do not have to prove-up the case in person or by affidavit. Prove-ups are not required if ALL of the following conditions are met:

- a. There is an agreed order signed by every party and attorney involved in the case;
- b. The agreed order settles ALL outstanding issues;
- c. All signatures are distinctive, written signatures or DocuSign-style signatures (the Court will not accept “/s/ Typed Name” for the signature line); and
- d. The Appearances section of the Final Decree indicates that the parties “did not appear” in person and that the making of a “record was waived”.

\*\*\*Once all of the above conditions have been met, please eFile the Agreed Final Decree of Divorce signed by all parties and attorneys, and email Kelly Webster at [kelly.webster@jeffcotx.us](mailto:kelly.webster@jeffcotx.us) to let her know that the Final Decree is ready to be reviewed by the Court.

## 2. Contested Suits Affecting Parent-Child Relationship and Modification Suits:

When you are ready to set your case for a final court proceeding or hearing, please eFile your Notice of Final Court Proceeding and the Court will set the matter on the next available date. If your case has not been set for a final court proceeding or hearing within one (1) week from your submission, please contact Kelly Webster at [kelly.webster@jeffcotx.us](mailto:kelly.webster@jeffcotx.us) to verify the Notice of Final Hearing was received. Once you receive verification that your final court proceeding or hearing has been set, it is your responsibility to ensure that all opposing parties or attorneys have received timely notice of the trial setting pursuant to and in compliance with the Texas Rules of Civil Procedure.

### **Adoptions and Name Changes (Adult and Minors):**

All adoptions and requests for name changes for minors must be set by you for a prove-up hearing with the Court. You must have a proposed order eFiled prior to your hearing date.

When you are ready to set your case for a final court proceeding or hearing, please email Kelly Webster at [kelly.webster@jeffcotx.us](mailto:kelly.webster@jeffcotx.us), and she will set the matter on the next available date.

#### **Adult Name Changes:**

Please do not contact the Court to set a final hearing until you have eFiled a proposed Order and you have verified that the Certificate of Criminal History Record Information has been completed in your case and is on file with the District Clerk. To verify that the Certificate of Criminal History Record Information is on file in your case, please go to the Jefferson County webpage and look up your case. The Court will consider granting an adult name change by submission and without a hearing if all necessary documents are filed with the pleadings and order.

To obtain a Certificate of Criminal History Record Information, you will need to mail your fingerprint card to the Texas Department of Public Safety (DPS) with a file-stamped copy of your Petition to Change the Name of an Adult. There is a fee for this service. DPS will send the results directly to the District Clerk. The Texas Department of Public Safety (DPS)'s website has specific instructions on submitting fingerprint cards for a legal name change. Form CS-65 has the steps you need to follow.