

**279th and 317th DISTRICT COURTS
JEFFERSON COUNTY, TEXAS**

**SELF-REPRESENTED / PRO SE
GUIDELINES AND INFORMATION**

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INFORMATION FOR PRO SE (SELF-REPRESENTED) LITIGANTS

(Revised January 10, 2025)

General Information

If you are representing yourself (pro se or self-represented) in a family law matter in Jefferson County – Divorce, Suit Affecting Parent-Child Relationship, Modification Suit, Protective Order, etc. – please carefully read and 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 or Self-Represented), 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 279th and 317th 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.

After your case is filed, you must fill out and return the Self-Represented Clinic Intake Form in the Self-Represented Litigant Packet. This form is to be completed and returned to Kelly Webster via email (kelly.webster@jeffersoncountytexas.gov) or e-filed with the District Clerk's Office. Your case will not be handled through the Self-Represented Clinic if the intake form is not returned for review.

After the intake form is returned, Clinic staff will determine if you qualify for assistance through the Self-Represented Clinic. Parties will qualify for assistance through the Clinic if their cases are fully agreed (and not otherwise disqualified from receiving assistance) or the Respondent has been served and has failed to file an answer and has defaulted.

Parties will not be eligible to receive assistance through the Clinic if any of the following circumstances are present in your case or during your attendance at the Clinic:

- 1. If the parties purchased a home during the course of the marriage;**
- 2. Either party has an interest in retirement accounts (401(k), pension, etc.) or investments (stocks, bonds, mutual funds, etc.);**
- 3. Parties bring an attorney, paralegal, notary or other person purporting to provide legal services or advice to the Clinic;**
- 4. Clinic proceedings are recorded – either audio or video;**
- 5. Parties that are disruptive or abusive to Clinic staff or personnel will not be provided services; and**
- 6. Any party that does not appear for a scheduled Clinic appointment will be ineligible to participate in further Clinics and their case will be scheduled on the Court's Dismissal Docket.**

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

Final Hearings for Pro Se / Self-Represented Litigants

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. Final hearings and court proceedings will not be scheduled until parties have attended the Self-Represented Clinic and/or participated in required mediation. 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 alternating Wednesdays (schedules will vary) of each month, the Jefferson County Family Courts Self-Represented Clinic will be conducted. Court staff, volunteer attorneys, and other appropriate representatives have agreed to host these Clinics. **This will be held from 8:30 a.m. to 12:00 p.m.** If you are attending the Clinic, please be on the second floor of the Courthouse (near the 279th and 317th District Courts) by 9:30 a.m. and sign in. Assistance will be provided on a first-come, first-served basis. **Attendance at the Clinic is by appointment only and will be verified by email and confirmation prior to your scheduled appointment.**

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.)

For any agreed or default cases, the parties must attend the Self-Represented Clinic before their case will be placed on a trial docket. 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.

All parties attending the Self-Represented Clinic must sign the Acknowledgment and Waiver contained in the Self-Represented Litigant Packet. If your case is a default, the defaulting party who has not answered will not have to sign the Acknowledgment and Waiver.

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.

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.

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.
4. If the case is to be agreed, both parties must attend the Self-Represented Clinic in order for assistance to be provided.

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 and attend the Self-Represented Clinic. Once it has been completed and filed, email Kelly Webster at kelly.webster@jeffersoncountytexas.gov 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.

Please note – for any divorce, your case must be on file for at least 60 days before it can be defaulted and/or the divorce granted.

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. If the case is "uncontested" or "agreed", both parties must attend the Self-Represented Clinic before their case will be heard by the Court.

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. And, all divorce cases must have been on file for at least 60 days before it can be granted and finalized.

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);
- 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”; and
- f. For Parties appearing in Court to prove-up their divorce, the Prove-Up Script contained in the Self-Represented Litigant Packet must be used.

***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@jeffersoncountytexas.gov 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. **(Please note, your case will not be scheduled for a final court proceeding or hearing if you have not attended mediation.)** 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@jeffersoncountytexas.gov 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 Agreed Order 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 Order signed by all parties, and email Kelly Webster at kelly.webster@jeffersoncountytexas.gov to let her know that the Agreed Order 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. **(Please note, your case will not be scheduled for a final court proceeding or hearing if you have not attended mediation.)** 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@jeffersoncountytexas.gov 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@jeffersoncountytexas.gov, 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.