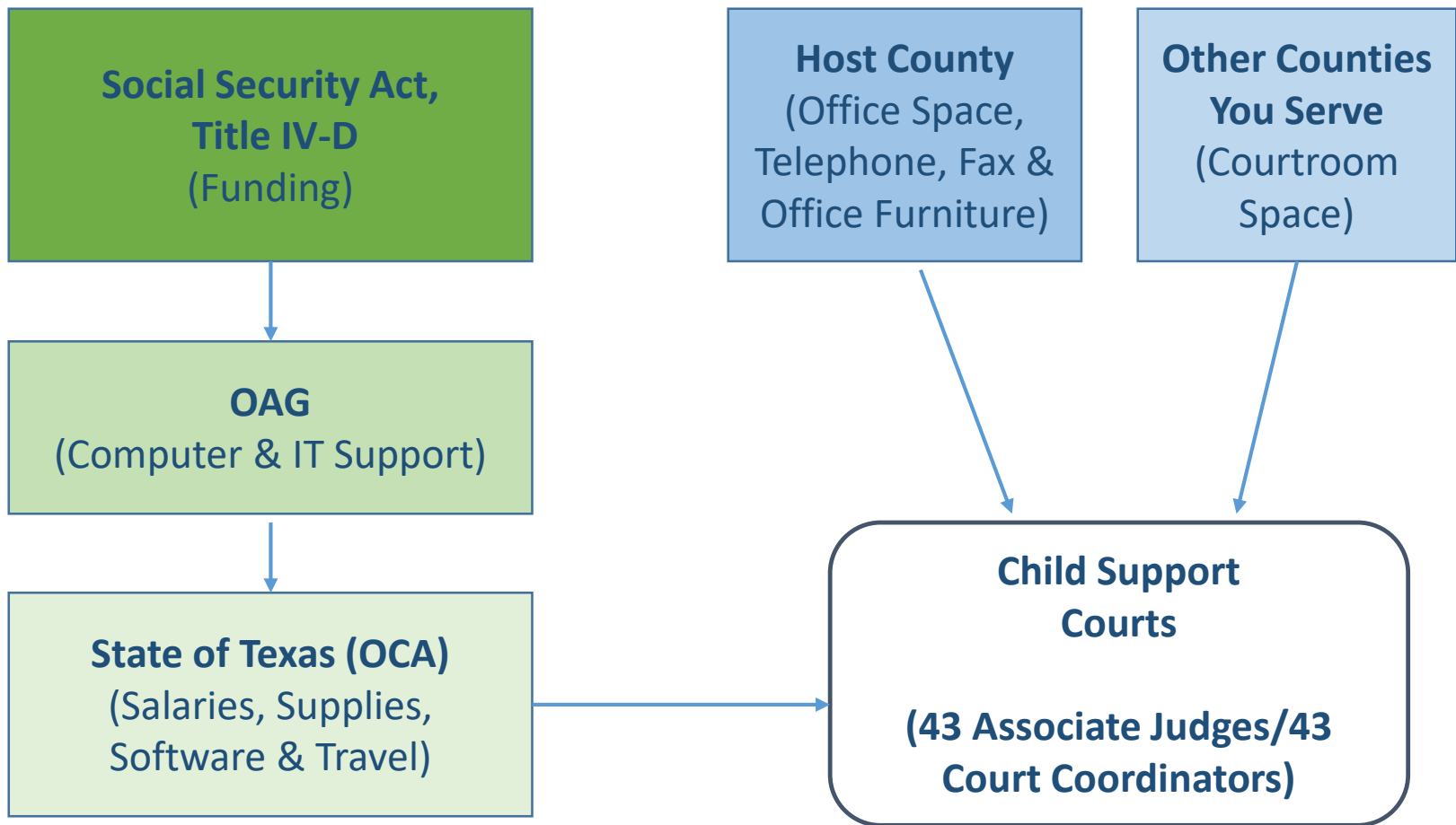
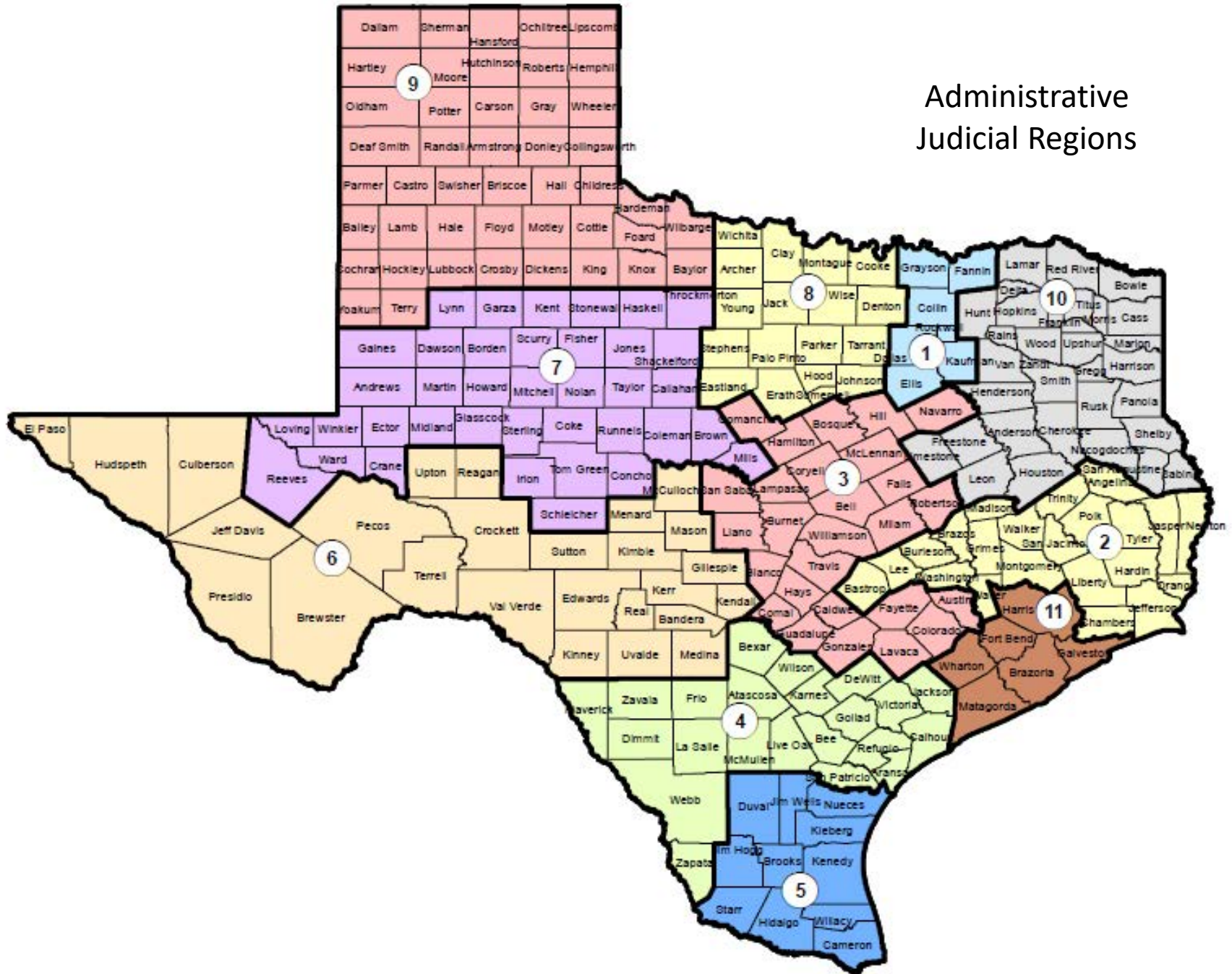




The Role and Responsibilities of the Court Coordinator in a Child Support Court Part I

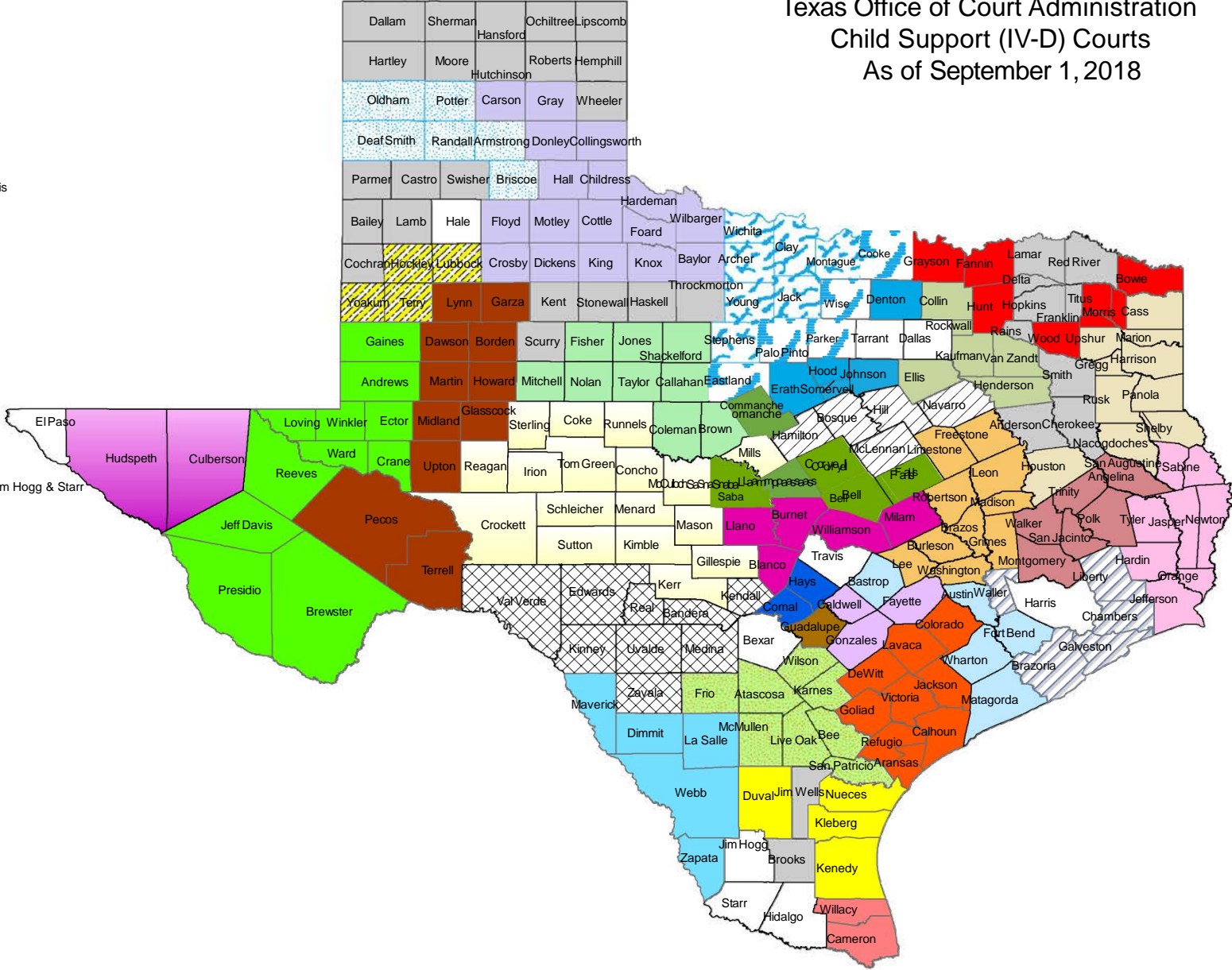


Administrative Judicial Regions



Texas Office of Court Administration Child Support (IV-D) Courts As of September 1, 2018

- 1, 2 & 4 - Dallas
- 3
- 5
- 6
- 7
- 8
- 9
- 10, 11, 14, 43 - Harris
- 12
- 13
- 15
- 16
- 17
- 18
- 18 & 19 - Travis
- 19
- 20 & 23 - Bexar
- 21
- 22
- 24
- 25 & 26 - Hidalgo, Jim Hogg & Starr
- 27
- 28
- 29
- 30
- 30 & 44 - El Paso
- 31
- 32
- 33
- 34
- 35
- 36
- 37 & 38 - Tarrant
- 39
- 39 & 40 - Hale
- 40
- 41
- 42
- Do not participate



Who are you?

State Employee

- You are an employee of the State of Texas, the Office of Court Administration, OCA.
- Your hours of work are determined by and reported to OCA.
- Your judge is appointed by the Presiding Judge of the judicial region in which your court is located. The term of appointment is four years.
- Contact OCA for further details:

Human Resource Division/OCA

Charlotte.Miller@txcourts.gov

County Employee

- You are not a county employee. Although your office is usually located within the county courthouse or a building owned by the county.
- Your office hours may be affected by county holidays that may not be recognized state holidays, (Columbus Day).
- Discuss how to manage this difference in hours with your judge.



What is a Court Coordinator?

- The primary duties of this position are to **manage, direct, supervise, coordinate** and **plan the operations** of courts and to **assist the judiciary** in making certain decisions, except those judicial decisions required by law to be made by judges.
- You are not an attorney. You may provide procedural information to a person; but, do not give anyone legal advice.
- You, just as your judge, must follow the Texas Code of Judicial Conduct.
http://www.txcourts.gov/media/514728/TXCodeOfJudicialConduct_20020822.pdf
- Your judge may be disciplined for something you do that is prohibited by the Canons (rules) in the Code of Judicial Conduct.
- Confidentiality is a requirement in your position. Information about parties, their case, their financial information are confidential and you should not discuss these with anyone.



What does the OAG do?

- The cases in a Child Support Enforcement Court are filed by a designated IV-D agency. In Texas, that agency is the Office of the Attorney General, or OAG.
- The OAG is responsible for the establishment and enforcement of child support. They represent the state and cannot represent individuals involved in child support claims.
- Either one or both parents may hire an attorney to represent them.
- On a case-by-case basis, child support services include:
 - ✓ Locating the absent parent
 - ✓ Establishing paternity
 - ✓ Establishing and enforcing child support orders
 - ✓ Establishing and enforcing medical support orders
 - ✓ Reviewing and adjusting child support payments
 - ✓ Collecting and distributing child support payments



You are the Cornerstone of the Court

You will bring together **administrative processes** and **judicial processes** to resolve child support cases.

Although you will rarely be seen or heard; your talent will be seen in the effective management of child support cases.

Welcome to the world of court management!



**This completes Part I. We
will take questions from
Part I and will continue on
to Part II.**



A woman with long brown hair, wearing a blue pinstriped suit and a pearl necklace, is looking at a man in a judge's robe. The man is holding a folder and looking at the woman. They are in a courtroom setting with wood paneling. Other people in suits are visible in the background.

The Role and Responsibilities of the Court Coordinator in a Child Support Court

Part II

Child Support Cases

- Child support enforcement cases are family law cases and are filed either in the district court or the statutory court, also known as County Courts at Law (CCL).
- A county may have a General or Standing Order that informs attorneys and the OAG that child support cases will be heard by the associate judge. Check with the clerk of that court for a copy of this Order.
- Although your judge is hearing these cases, the originating court (district or CCL) maintains jurisdiction over these cases.
- Even though there is an order directing everyone to the child support enforcement court, an attorney will often file a ‘Motion to Object to the Associate Judge’. Your judge and the judge of either the district or CCL court will decide how to address those cases.
- Because these cases belong to the district or CCL courts, a party can appeal the ruling of the associate judge to the court of jurisdiction (the court where the case was originally filed).



Cases that live forever!

- The Texas Family Code, Chapter 154, outlines the various scenarios when child support payments can be enforced.

<http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.154.htm>

- The average age of a child support case is often 18 years; when the child turns 18 years of age. Or, when the child finishes college, as provided in a divorce decree.
- On a case-by-case basis, the OAG will determine what action to file in order to enforce child support payments.
- A judge may order child support payments from:
 - Both parents;
 - One parent who does not have custody of the child, referred to as the “Non-Custodial” parent;
 - Both parents to another party who is not the parent of the child, such as a Grandparent; or,
 - Both parents to an agency who has custody of the child, such as, Child Protective Services.



Where and How do Parents Pay Child Support?

- Legal source: Family Code, Chapter 154.004

<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.154.htm#154.004>

- Payments by a party or through wage withholding are paid to the Texas Child Support Disbursement Unit in Texas or the state disbursement unit of another state.
- Except Orders rendered before January 1, 1994 (23 years ago); and, child support that is not enforced by the Title IV-D agency.



Motions to Object to the Associate Judge

- “All Title IV-D cases shall be referred to the associate judge by general order for each county by the judge of the court to which the associate judge is appointed; or, by general order issued by the presiding judge who appointed the associate judge.” Family Code, Section 201.101.

<http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.201.htm#201.101>

- Referral of cases may not be made for individual cases or case by case.
- A party who objects to a final hearing or trial by the associate judge must file a written objection **no later than 10 days from the date the party received notice** that the associate judge will hear the trial.
- A Motion to Object may also be filed by a party who perceives the associate judge would have a conflict in hearing the case.
- An associate judge may recuse her/himself from hearing a case in which there is a conflict.



Assigned Judges

Scenario ← 1 or 2 →

Your judge is temporarily unable to perform his/her duties due to

- a) Illness
- b) Vacation
- c) Continuing Education
- d) Family Circumstances
- e) Military Service
- f) Other (must explain)

Family Code, Section 201.113

1. Call the Associate Judge who will be assigned.

2. Call your Regional Presiding Judge

The Presiding Judge will:

- Appoint associate judge;
- Notify OCA of appointment prior to assigned judge's service.

For Assignments under Scenario **Number 1**, OCA will:

- Send assigned judge a letter outlining guidelines and Instructions for reimbursement.
- After assignment is complete, assigned judge submits invoice to presiding judge for approval.
- Presiding Judge sends request to OCA.
- OCA processes reimbursement claim for payment to the judge.

Your judge cannot hear a case due to:

- a) Recusals
- b) Disqualifications

Government Code,
Section 74.054

Call your Regional Presiding Judge.

The Regional Presiding Judge will select an assigned judge. Payment for this judge is made through the State Comptroller's Office

For Assignments under Scenario **Number 2**, the presiding judge will:

- Send the assigned judge an Order of Assignment.
- After assignment is complete, assigned judge submits reimbursement request to presiding judge for approval.
- Presiding Judge approves reimbursement request.
- Presiding Judge submit request for payment to the State Comptroller's Office.

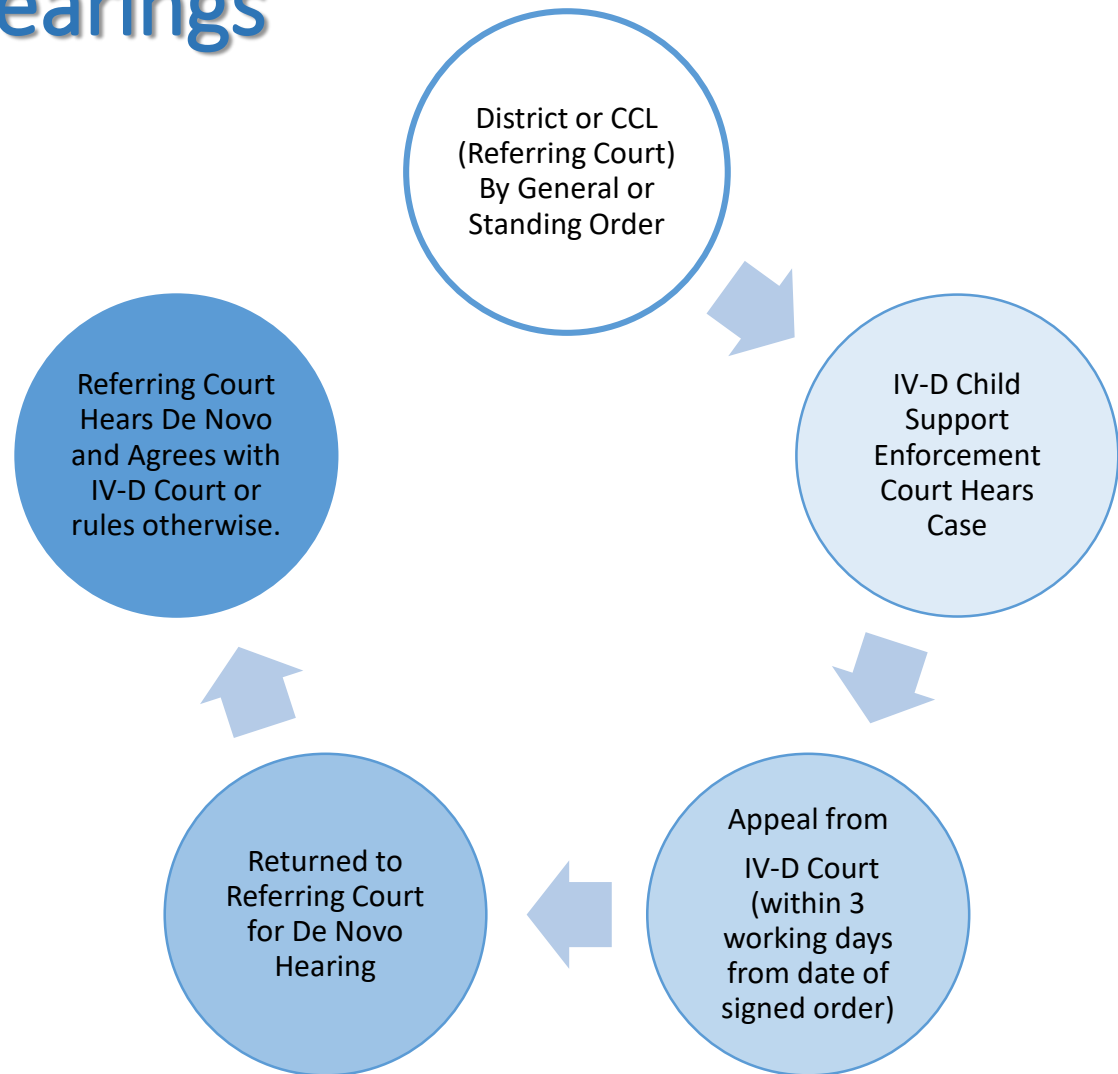


Appeals from Child Support Enforcement Courts

- Appeals from a child support court are heard by the referring court of original jurisdiction.
- These appeals are called **De Novo Hearings**.
- The party seeking a de novo hearing shall file a notice with the clerk **no later than the 3rd working day after the date the associate judge signs the proposed order.**
- Until the de novo hearing is held, the associate judge may not hold a hearing on the respondent's compliance of the conditions in the proposed order.



De Novo Hearings



When is an Order Final?

- An associate judge may hear and render an order on any matter necessary to be decided in connection with a Title IV-D service.
- As long as a request has not been made for de novo hearing, an associate judge may hear and render an order for post-judgment relief, including a motion for new trial, motion to vacate, correct or reform.
- Any ruling by the associate judge is in full force and effect and is enforceable as an order or judgment rendered by the referring court, unless:
 - The order provides for enforcement by contempt; or
 - The order provides for immediate incarceration of the party.
 - In these cases, the proposed order must be signed by the referring court.

Note: Although these orders must be signed by the referring court, incarceration is not delayed unless an appeal is filed.

Family Code, Section 201.1041

<http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.201.htm#201.1041>



This concludes this webinar.

**We will take questions from
both Parts I & II.**



For additional assistance, contact:
Ms. Anissa Johnson,
Program Manager for
Specialty Courts

Phone: 512-936-0288
Anissa.Johnson@txcourts.gov

