

THE 387TH JUDICIAL DISTRICT COURT RULES OF PRACTICE

OSCAR M. TELFAIR III, PRESIDING JUDGE
JETTY ABRAHAM, ASSOCIATE JUDGE



The following Rules of Practice apply to all legal proceedings in the 387th Judicial District Court of Fort Bend County, Texas, effective January 1, 2025, until further ordered by the Court.

I. GENERAL POLICIES

These Rules of Practice shall apply equally to attorneys and self-represented litigants. Each party should also consult applicable state law and the Fort Bend County local rules for additional specifics and time limits.

a. COURT STANDARDS

The 387th Judicial District Court adheres to the Texas Code of Judicial Conduct, Texas Disciplinary Rules of Professional Conduct, and Texas Lawyer's Creed. Violations may result in appropriate sanctions.

b. FILING DOCUMENTS

The 387th Judicial District Court is paperless. Documents and pleadings shall be filed with the District Clerk. All questions regarding a file, filing, service, etc., should be directed to the District Clerk's Office at (281)341-4509 or www.FortBendCountyTX.gov.

c. COMMUNICATION WITH THE COURT

All communication with the Court shall be through the court coordinator via email at 387thHearings@FortBendCountyTX.gov. Opposing counsel and self-represented litigants shall be included in all communications with the court coordinator, save and except for requesting hearing dates. The court staff does not provide legal advice or participate in *ex parte* communications.

d. DOCKET CONTROL ORDERS

November 1, 2025, Docket Control Orders were implemented in the 387th District Court. For all cases filed on or after November 1, 2025, thirty (30) days from the date of filing, a

Docket Control Order will automatically be attached to the case file and mailed to the litigants and/or their attorneys. A trial date shall be assigned to the case.

The following timelines shall apply:

Divorce with no children: Trial date set six (6) months after filing date.

Divorce with children: Trial date set nine (9) months after filing date.

Modifications: Trial date set nine (9) months after filing date.

e. COURTROOM ATTIRE

Appropriate professional attire is required for ALL court appearances, in person and on Zoom. Hats, sunglasses (unless prescription), jeans, shorts, sleeveless or revealing dresses or tops and/or other inappropriate clothing are not permitted.

f. ELECTRONIC DEVICES

All cell phones and other electronic devices must be in silent mode or turned off while in the courtroom. It is impermissible to record any proceedings in the 387th District Court conducted electronically or in person by any means, including but not limited to audio recordings, video recordings, photographs, screenshots. **RECORDINGS OF ANY COURT PROCEEDING IS STRICTLY PROHIBITED AND A VIOLATION OF STATE LAW.**

g. DRINKING AND EATING IN THE COURTROOM

Drinking, eating, and chewing gum are NOT allowed in the courtroom or on Zoom proceedings. Exception: Parties attending trial may have water at counsel table.

h. CHILDREN IN THE COURTROOM

Children are not allowed in the courtroom or on Zoom without prior Court approval. The court coordinator will reach out to the respective parties to schedule all in camera minor interviews granted by the Court.

i. PEACE OFFICERS

Any peace officer that is a party to a case or that has any interest or personal connection to a case shall turn over any weapon in their possession to the bailiff of the court until released by the Court. All weapons will be returned at the conclusion of the court appearance.

j. VACATION LETTERS

Vacation letters shall be filed with the District Clerk per the local district court rules. Proof of filing in another county is not sufficient. A courtesy copy of your vacation letter shall be provided to all opposing counsel and self-represented litigants in your case.

k. HOLIDAYS/COURT NOT IN SESSION

The 387th Judicial District Court will not be in session on any official Fort Bend County holiday. Please consult the District Clerk's website to determine those dates. Closures for inclement weather will be provided on the Court's website.

2. DOCKET

1. ALL cases filed prior to November 1, 2025, that require a final trial must be scheduled through the Court Coordinator via email at 387thHearings@FortBendCountyTX.gov and added to the docket.
2. ALL hearings except original filings (i.e., temporary orders, temporary *ex~parte* protective orders, writs of habeas corpus, etc.) shall be scheduled through the online scheduler for the 387th Judicial District Court, *Schedulista*, which can be found on the Court's website.

Orders to Appear will not be signed by the Court unless a hearing date is inserted. A hearing date should be scheduled through *Schedulista* and inserted into the Order to Appear. Orders to Appear will not be signed unless a date is inserted into the order prior to filing.

3. ALL original filings will be set by the Court unless the filing party inserts a date previously provided by the Court Coordinator.
4. ALL hearings and trials are scheduled to be conducted in person, except for Friday Zoom docket and the submission docket. There will be no hybrid Zoom/in-person hearings and/or trials. The Court reserves the right to allow Zoom.
5. ALL cases will be assigned to the Presiding Judge for docket call. Cases will be assigned to either the Presiding Judge or to the Associate Judge at the time of docket call.
6. Docket call is at 9:00 a.m., unless otherwise specified by the Court. Attorneys and parties are expected to timely answer the docket, unless excused by the Court.
7. Announcements of "pass," conflicts, or late appearances shall be communicated to the Court Coordinator and all opposing counsel and self-represented litigants via email to 387Late@FortBendCountyTX.gov prior to 9:00 a.m. The email should include the cause number, estimated time of arrival, and specific information regarding the conflict or reason for the late appearance.
 - Without a reasonable excuse for conflict or late appearance, the Court may deduct the duration of the delay from the late party's/counsel's time in the hearing.
 - Failure to inform the Court of a conflict or late appearance and reason for the late appearance may result in a hearing being passed or the opposing side moving forward.
 - Failure to appear by the estimated time of arrival may result in a hearing being passed or the opposing side moving forward.

- Hearings may only be passed by the party setting the hearing or by the Court. Passing a hearing does not pass any other hearing set by another party.

3. PARENTING CLASSES AND COUNSELING

- a. **IMPORTANT:** For any case involving children, the Court, at its discretion, may refer parents to an education course or for counseling.

Approved in-person courses:

- Depelchin Children’s Center: (713)730-2335, www.Depelchin.org
- Divorce as Friends: (713)520-5370, www.DivorceAsFriends.com

Approved Zoom courses (live):

- Positive Parenting Through Divorce:
www.LiveVideoCoParentingClass.com

Approved Online Courses:

- 4: <https://PuttingKidsFirst.org/>
- 5: <https://KidsFirstToday.com/>
- 6: <https://www.FamilyAffairs.org/>
- 7: <https://ParentingChoice.com/>
- 8: <https://TxParent.com/>
- 9: <https://ParentClassOnline.com/>
- 10: <https://CoParentingIntoTheFuture.com/>
- 11: <https://CourtApprovedParenting.com/new/>

4. MEDIATION

- a. Mediation is required PRIOR to any hearings on temporary orders if conservatorship, possession and access, or geographical restriction is contested, unless waived by the Court. Failure to mediate may result in your hearing being reset. The Mediator’s report and Mediated Settlement Agreement (MSA) must be filed.
- b. Mediation is required PRIOR to any hearing on temporary orders if the time estimate exceeds one (1) hour, unless waived by the Court. Failure to mediate may result in your hearing being reset. The Mediator’s report and MSA must be filed.
- c. Mediation is required PRIOR to trial, except for:
- Applications for Protective Orders
 - Motions for Enforcement
 - Contempt actions
 - No-answer defaults
- d. Mediation may be waived after filing a motion and showing of good cause.
- e. Parties may agree on a mediator or may file a motion for the Court to appoint a mediator. Fort Bend County Dispute Resolution Center, “DRC,” also provides mediation on an income-based fee scale for each party.

The DRC can be reached at www.FortBendDRC.org or (281)342-5000.

5. **DISCLOSURES FOR TEMPORARY ORDERS AND FINAL TRIAL**

Failure to comply with the rules below may result in the hearing or trial being reset or dismissed.

a. TEMPORARY ORDERS

In any hearing for temporary orders in which child support or spousal support is in dispute, the parties SHALL exchange by 12:00 noon on the business day before the hearing:

- Financial Information Statement
- Income tax returns for the previous two years
- Two most recent payroll stubs
- Proposed support calculations

For any hearing for temporary orders for child support, the financial information statement shall contain sufficient information regarding each party's available health and dental insurance, including but not limited to the cost for the children, so the Court may render a medical support order regarding health and dental insurance for the children.

For all hearings for temporary orders, the parties shall exchange by 12:00 noon on the business day before the hearing proposed request relief. This rule shall constitute a discovery request, and failure to comply may be grounds for sanctions.

b. FINAL TRIAL

Each party's final sworn inventory, financial information statement, and financial information required under the Texas Family Code, including but not limited to the parties' income tax returns for the past two years and the parties' two most recent payroll stubs, latest statements furnished to each party regarding rights and monetary interests in any retirement or savings plans, proposed child support calculation, proposed division of property, and proposed requested relief shall be exchanged no later than ten (10) days before commencement of final trial.

If child support and/or medical support is at issue, the financial information statement shall contain sufficient information regarding each party's available health and dental insurance, including but not limited to the cost for the children, so the Court may render a medical support order regarding health and dental insurance for the children.

Each party also furnish sufficient information to enable the Court to render a Qualified Domestic Relations Order, "QDRO," if applicable.

Sworn inventories or the proposed division of property shall list and total, in column format, all property values and liabilities and shall show the net worth of the community estate and the net worth of any claimed separate estate. This rule shall constitute a discovery request and failure to comply may be grounds for sanctions.

Sworn Inventory and Proposed Division of Property

- Each Sworn Inventory and Proposed Division of Property shall list each item of property and its fair market value, all liabilities and their respective amounts, any properties securing payment, and the names and respective amounts owed to all creditors.
- Any property or liability shall be characterized as separate or community property.
- All beneficial interests in insurance and benefits arising from a party's employment, such as pensions, profit sharing plans, savings or thrift plans, whether vested or non-vested, shall be identified. Supporting documentation may be either attached or submitted as an exhibit.

THE ABOVE MUST BE SUBMITTED TO THE COURT DURING TRIAL.

6. EXHIBITS//WITNESSES

- Exhibit lists and witness lists shall be exchanged and filed with the clerk by 12:00 noon on the business day before any hearing or trial.
- Exhibits shall be pre-marked and exchanged with copies provided to all counsel and self-represented litigants by 12:00 noon the business day before any hearing or trial.
- Exhibits should be pre-marked, identifying the offering party (Petitioner, Respondent, Intervenor, etc.) and using numbers only.
For example, "Petitioner Exhibit 1" but not "Petitioner Exhibit A."

7. HEARING SETTINGS

- Except for final trials and original filings, all request for hearing dates shall be scheduled through the online scheduler for the 387th District Court, located on the Court's website. The estimated time needed for the hearing should be included in the request.
- Notice and proof of notice to opposing counsel and self-represented litigants shall be pursuant to the Texas Rules of Civil Procedure and shall be filed.
- When there are no contested parent-child issues, the temporary orders hearing is limited to 1.5 hours. When there are contested parent-child issues, the temporary orders hearing is limited to 3 hours. The Court will allocate time evenly between the parties.
- A Motion for Modification of Temporary Orders must have a supporting affidavit and must be approved by the Court.

8. TRIAL SETTINGS

Final trial settings for cases filed after November 1, 2025, shall be set as follows:

- Divorce with no children: Trial date will be set six (6) months after filing date
- Divorce with children: Trial date will be set nine (9) months after filing date
- Modifications: Trial date will be set nine (9) months after filing date

Final trial settings for cases filed before November 1, 2025, shall be set as follows:

- Trial should occur within one (1) year of the initiation of an original suit.
 - Trial should occur within six (6) months of the initiation of a modified suit.
- a. Request for trial dates shall be made by emailing the Court Coordinator at 387thHearings@FortBendCountyTX.gov. The expected length of trial should be included in your email. All counsel and self-represented litigants must be included in the email. (The Trial Setting Request Form is no longer being used and will no longer be accepted.)
 - b. Notice and proof of notice to opposing counsel and self-represented litigants shall be pursuant to the Texas Rules of Civil Procedure and shall be filed.
 - c. Pretrial conferences for bench trials are set by motion only and scheduled through the Court Coordinator.
 - d. Pretrial conferences are mandatory for all jury trials and shall be completed no less than seven (7) days prior to the trial start date. All information set forth in the jury trial preparation order shall be furnished to the Court and exchanged with all counsel and self-represented litigants at least three (3) days prior to the pretrial conference.
 - e. Pretrial conferences are mandatory for all adoptions and shall be completed no less than seven (7) days prior to the trial start date. Everything in the adoption pretrial list should be completed and on file at least three (3) days prior to the pretrial conference. Adoptions must be in person and may be scheduled for any day.
 - f. For final trials before the Associate Judge, a Stipulated Waiver of Appeal from Associate Judge's Ruling/Recommendation must be filed with the District Clerk prior to the trial date.

9. FRIDAY ZOOM DOCKET

Beginning at 9:00 a.m. every Friday, the Court will conduct Zoom Docket for the following matters ONLY:

- Agreed divorce prove-ups
- Agreed SAPCR prove-ups
- Uncontested prove-up of any other agreements
- Any contested entries of order

10. THURSDAY SELF-REPRESENTED LITIGANT DOCKET

Beginning at 8:30 a.m. every Thursday, a Self-Represented Litigant Docket will be held for prove-up of uncontested matters for un-represented litigants ONLY.

- Self-represented litigants must sign up for this docket no later than 72 hours prior to the docket using the online scheduler for the 387th District Court, located on the Court's website.
- All orders and closing documents must be filed 72 hours prior to docket. Failure to

file an order that is signed by all parties and/or file all required documents shall result in removal from the docket.

- This docket will be heard by Judge Abraham in Courtroom 3-J.
- Default judgments will not be heard on the Thursday self-represented docket.

11. SUBMISSION DOCKET

Beginning at 9:00 a.m. on Fridays of each week, the Court will conduct a submission docket. If the Court believes that an oral hearing is needed, the Court Coordinator will contact counsel and self-represented litigants with further instructions, or the Court will make a docket entry requesting the matter be set for an oral hearing.

The following contested motions may be heard by submission:

- Motion to Consolidate
- Motion for Continuance
- Motion to Enter/Sign Order
- Motion for Judgment Nunc Pro Tunc
- Motion for Substitute/Alternative Service
- Motion for Summary Judgment
- Motion for Withdrawal of Counsel/Substitution of Counsel

Notice: Movants must serve the notice of submission setting at least ten (10) days prior to the date of the hearing, or more if required by statute or rule. The notice must state:

- The motion will be heard by submission;
- No party may appear for the hearing in person;
- Any response to the motion must be on file at least three (3) days prior to the submission date, or longer if required by statute or rule.
- An amended motion requires a new 10-day notice of submission setting.

Responses: Responses must be filed and served at least three (3) days prior to the submission date, or earlier if required by statute or rule.

Additional Requirements: The caption of the motion must state either “opposed” or “unopposed.” Opposed motion shall contain a Certificate of Conference which states:

- That the parties have conferred with each other and, in good faith, have attempted to resolve the matter, or
- That the parties have not been able to confer, then detailing all efforts made to confer, including dates and methods of attempted communication.

Contested Motion to Enter: Movant’s Motion to Enter must have the proposed order as an exhibit. Non-movant’s response must have a marked copy of movant’s proposed order that identifies the proposed edits.

12. MOTIONS FOR CONTINUANCE

- a. For cases more than a year old, a Motion for Continuance shall be filed by submission or set for a hearing. The caption of the motion must state either

