



DENISE M. FORTENBERRY
130th Judicial District Judge

***Standing Orders Regarding Business Records and Change in Placement or Visitation
in Child Protection Services Cases***

1. Lab Test Results

- 1.1 **IT IS ORDERED** that the Department of Family and Protective Services (DFPS) attorney of record shall be added as a recipient of all lab test results. DFPS shall add attorney@co.matagorda.tx.us to all lab test paperwork to identify the County Attorney's office of all results.
- 1.2 Additionally, DFPS is **ORDERED** to provide the following documentation to all attorneys involved in this CPS case within five (5) business days of the receipt of the documentation from the provider.
- A. Urinalysis tests results;
 - B. Hair Follicle test results;
 - C. Fingernail test results;
 - D. Psychological reports;
 - E. Home Studies;
 - F. Provider Recommendations;
 - G. Therapist's notes for each parent to the appropriate counsel of record for that parent, as well as, the children's ad litem and guardian ad litem. Upon order of the Court, DFPS shall provide the therapist notes to the opposing parent's counsel;
 - H. Therapist's notes for children to all counsel of record.
- 1.3 **IT IS ORDERED** that DFPS shall file all drug tests, including, but not limited to, urinalysis, hair follicle and fingernail with the Court, within five (5) business days of receipt, with a notice of confidentiality affixed. Unless a party files an objection in writing within seven (7) business days, any objection to hearsay or authenticity will be waived. If an objection is filed, DFPS may file a business records affidavit, in accordance with Texas Rules of Civil Procedure, or use other methods to meet the objection.

2. Redacted CPS File

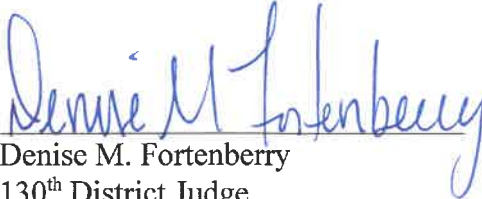
- 2.1 DFPS is **ORDERED** to request a redacted copy of DFPS’s file within five (5) business days of DFPS obtaining Temporary Managing Conservatorship.
- 2.2 Further, DFPS is **ORDERED** to request file supplements every two (2) months during the pendency of the case.
- 2.3 Additionally, DFPS is **ORDERED** to provide these records to attorneys within five (5) business days of receipt.

3. Change in Placement.

- 3.1 DFPS is **ORDERED** to notify all attorneys a minimum of seven (7) days prior to DFPS moving the child from the current placement, unless the child is in danger.
- 3.2 If DFPS feels the child is in danger and removes a child without the above notice, DFPS is **ORDERED** to notify the attorneys within three (3) hours of the removal from placement;

4. Visitation. IT IS ORDERED that visitation ordered by the Court shall only be changed by a motion and hearing, unless the child is in danger.

Signed August 31, 2023.


 Denise M. Fortenberry
 130th District Judge

FILED
 at 7:20 o'clock A. M.

SEP - 1 2023

JANICE L. HAWTHORNE
 Clerk of District Court, Matagorda Co., Texas
 By  DEPUTY