



# Divorce Glossary of Terms

*Divorce in Texas is surprisingly mechanical as far as the process. The requirements for a divorce are the same for everyone who files or responds to a divorce suit. A question many people ask is “How long does a divorce take?” Some divorces take much longer than others. Let’s look at the process.*

**Associate judge:** appointed by the District judge. Hears temporary orders, enforcements, and other non-final matters.

**Attorney General:** Specifically, the Child Support Division of the Texas Attorney General’s office. This is the government entity that seeks child support on behalf of the State of Texas.

**Bailiff:** The armed deputy in the courtroom

**Best Interest of the Child (BIC):** the primary focus of the court when deciding possession and visitation schedules.

**Child Support:** An amount of money to be paid monthly by one parent to the other for the benefit and support of the children of the marriage.

**Clerk:** The person or team that manages the files for the court

**Court Coordinator:** The person who manages the court’s calendar and schedule.

**Court reporter:** The person who types the dialogue in a hearing

**Custodial parent:** This is the parent who has possession of the children a majority of the time. Certain rights and duties to the children follow this position. See Obligee

**Discovery:** The formal process of investigation facts and document of one or more parties in a suit. This process can be expensive due to the amount of work and resulting legal fees required to complete the process properly. Most pro se litigants do not participate in discovery. Failure to participate in discovery can leave a litigant blind

as to the assets and defenses of the other party. Conversely, failure to participate in discovery sent by the other side carries legal penalties.

**District Judge:** An elected judge who decides final cases. In some counties, a County Court at Law judge hears divorce cases rather than a district judge.

**Domestic Relations Office:** The department that manages the child support order at the courthouse if the Attorney General is not directly involved in the child support order.

**Extended Standard Possession Schedule:** This is an alternate possession schedule the non-custodial parent can generally elect.

**Final Decree of Divorce:** The final order issued by the court that details the settlement of the divorce.

**Litigant:** a person involved in litigation. This term does not denote whether the person is petitioner or respondent. It's a general term meaning merely that the person is involved.

**Non-Custodial Parent:** This is the person who has possession of the children a minority of the time. Typically, this parent has a possession schedule with the kids. See Obligor.

**Objection:** A LEGAL argument as to the validity of a question or statement during testimony or of a written document. Proper legal objections are made based on the Texas Rules of Evidence, the Texas Family Code, the Texas Rules of Civil Procedure, Texas Practice and Remedies Code, and other sources of statutory law in Texas. Appeals are largely based on objections. Failure to properly object can ruin your chance of an appeal over the topic later.

The legal objection can be:

- **Overruled:** That means the judge does not agree that the objection is proper. The question or written statement is allowed into the proceeding.
- **Sustained:** That means the judge agrees the question or statement is improper. The question or statement is not allowed in the proceedings.
- **Overruled or sustained in part:** Sometimes the court will allow a portion of a statement or question that is proper while throwing out the improper portion.

**Obligee Parent:** The parent who receives the child support from the other parent. This person is the custodial parent, generally.

**Obligor Parent:** The parent who pays child support to the other parent. This person is the non-custodial parent, generally.

**Original Petition for Divorce:** The original pleading that starts a divorce

**Petitioner:** The person who starts a family law case. The petitioner files the original petition for divorce.

**Possession schedule:** the time allotted for a non-custodial parent to have possession of the children.

**Pro se:** the legal term for someone who represents him or herself in a legal proceeding. The term derives from Latin meaning “for himself”.

**Prove-up:** The short hearing most judges require to sign and enter the final decree of divorce. This is mostly a dog and pony show requiring the litigant to read a script and answer any questions the judge might have. Lawyers can help with this process and make the prove-up super simple.

**Qualified Domestic Relations Order (QDRO):** A specialized legal document that divides up a retirement plan like a 401(k) according to the terms of the divorce decree.

**Respondent:** The person who is being sued by the petitioner. In other areas of law, this person would be called a defendant, but in family law, the person is responding, not having to mount a defense.

**Retainer:** A sum of money paid to the lawyer in advance of work performed on your case. By depositing money up front, the lawyer is free to work on your case without the delay of constantly waiting for payments from the client.

**Rule 11 Agreement:** An agreement between attorneys on behalf of the clients. A Rule 11 is quasi-binding on the parties and is an informal way to efficiently handle small matters without having a hearing.

**Standard Possession Schedule:** The typical possession schedule defined in the Texas Family Code. This is the schedule the Code presumes is the minimum time for the non-custodial parent to have possession of the children.

**Temporary Orders:** Orders that control how the parties interact during the pendency of the divorce. These can be modified if needed by a Rule 11 or a Hearing. Temporary Orders run in perpetuity until further order of the court.

**Temporary Restraining Order, (TRO):** An order that restrains a party from some specific behaviors that damage the marital estate or disrupt the wellbeing of the children.

**Texas Family Code, (TFC),** or sometimes referred to as “the Code” in our materials: The statutes that govern family law matters in Texas

**Texas Department of Family Protective Services (TDFPS,** formerly known as CPS)

# Youngblood Law, PLLC

---

## DIVORCE INNOVATION

### Our Firm

*Youngblood Law, PLLC is a Fort Worth, Texas family law firm focusing on helping people define their new normal through their divorce and beyond. This essay is intended for educational use only and is not a replacement for competent legal counsel. If you are facing a family law matter, we recommend obtaining competent legal counsel like Youngblood Law, PLLC. For more information contact us at 817-601-5345, find us on the web at [www.youngblood-law.com](http://www.youngblood-law.com),. Find us on Facebook at [www.facebook.com/youngbloodlawPLLC/](http://www.facebook.com/youngbloodlawPLLC/)*