

**Statistical Report for the 231st, 233rd, 322nd,
324th, 325th and 360th Judicial District Courts
Tarrant County, Texas**



2017

Executive Summary

The need for an accurate representation of the prevalence of the different types of visitation orders has prompted this particular analysis. In order for our legislature to make optimum laws concerning the guidance that courts receive concerning possession schedules they need accurate and verifiable information which reflects the current prevalence of different types of visitation orders. The appointment of primary conservatorship to mothers and fathers was also noted, as well as the use of attorneys by either party. The results from this study were obtained by looking through 1641 court orders that were issued in the month of February 2017 in the 231st, 233rd, 322nd, 324th, 325th and 360th Judicial District Courts, Tarrant County, Texas. The 1641 orders consisted all family court orders disposed of in Tarrant County in February of 2017. Of the 1641 cases, 527 contained cases that included possession orders, these were the cases that were analyzed.

Among the key findings were:

- 1) When a visitation schedule was ordered, only 14% of those orders gave more than minimum contact with the non-primary parent. And only 6% of all order visitation schedules were 50/50.
- 2) Only 11% of men were awarded primary conservatorship.
- 3) Out of the 79 cases that awarded more than minimum visitation time only 27 were ordered by a judge, the rest were agreed.
- 4) Of the 79 cases where more than minimum visitation was awarded, in 34 of these cases the male had an attorney. In the 27 cases ordered by judges, in 21 cases the male had an attorney.
- 5) Out of the 60 cases that awarded a male to be the primary parent only 17 were ordered by a judge, the rest were agreed.
- 6) Of the 60 cases where a male was appointed primary conservator, in 46 of these cases the male had an attorney. Of the 17 cases ordered by a judge, in 14 cases the male had an attorney.
- 7) Although 83% of male petitioners had attorneys, only 11% of males were awarded primary. Compared to 74% female petitioners with attorneys and 88% of females being awarded primary.
- 8) Only 1 out of the 82 cases settled in a negotiation conference at the Office of the Attorney General gave more than minimum possession.
- 9) Only 1 out of the 82 cases settled in a negotiation conference at the Office of the Attorney General gave primary conservatorship to a male.

Out of the 1461 orders, 526 orders had relevant data. Among the excluded orders were ongoing cases, cases that were “non-suited” or dismissed, change of venues, cases that didn’t involve children, cases where possession and/or primary conservatorship were not ordered, cases that involved more than 2 parties (excluding the OAG) and consolidations.

The Texas Fathers’ Rights Movement, Texas@tfrm.us, Data set available upon request

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More than the Minimum – “More than SPO”

The “more than SPO” designation identifies visitation orders that allow the child to spend more time with the non-primary parent than a standard possession (SPO) order would. Out of 546 visitation orders only 79 allowed more than minimum contact between the non-primary parent and the child.

- 32 cases were a 50/50 visitation split.
- 29 cases were extended standard possession orders (the weekends begin on Thursdays and end on Monday)
- 14 cases were in-between a standard possession order and an extended standard possession order
- 4 were in-between an extended standard possession order and 50/50.

- 6 cases were through the OAG

- 27 cases were “Final Judgment After Non-Jury Trial” (the judge decided)
- 51 cases were “agreed judgements”
- 1 case was a “default judgment”

Out of 546 court ordered visitation schedules for the months of February 2017, the judges only ordered 27 that allowed the non-primary parent to spend more than minimum time with their child. The other cases were agreed or settled.

Lastly, looking at the 27 cases that were decided by a judge (Final Judgment) we see that 21 of these cases the male had an attorney. And in the 51 agreed cases, 34 of the males had attorneys. Compare this to the 307 cases where a standard possession order was ordered and only 51 of the males had attorneys in those cases. We can see that parents hiring an attorney is highly correlated with a child being allowed more than minimum visitation with their non-custodial parent. Additionally, only 6 cases where a child is allowed more than minimum access to their non-custodial parents came from an “OAG Case”. Thus when parents aren’t likely to have money to go to court and simply settle through the OAG, children are likely to get only minimum contact with their non-primary parent.

The Exception to the Rule- Male Primary Parent

The few cases where the males are awarded primary deserve special attention as well. Out of 546 cases where visitation orders were established a judge only awarded primary conservatorship to males 60 times.

17 of these cases were ordered by a judge, "final judgment".

31 cases were uncontested (agreed on ahead of time by both parents, or one of the parents defaulted)

51 of these cases were in a non-OAG setting.

8 of these cases were at an OAG Hearing.

Only 1 case was at an OAG Conference.

Out of 546 court ordered visitation schedules for the months of February 2017, the judge only ordered a male primary parent 17 times. The other cases were agreed or settled.

Lastly, out of the 60 cases where a male was awarded primary conservatorship, the male had an attorney in 46 of those cases. In the 17 cases where a judge ordered the male to have primary conservatorship, the males had attorneys in 14 of those cases.

Results

The results are looked at as a total of all cases and as results that are particular to a specific venue and specific courts. The reason being is because there are a variety of responsible parties who can establish a given court order. At a hearing, the judge could order the specific court order, parties can agree to the orders on their own terms without attorneys involved, or the orders can be established by the Office of the Attorney General. So looking at the results for different venues can help identify variations in the composition of the overall result. Ultimately we see that the Office of the Attorney General has the least variety of visitation schedules (they almost exclusively order standard possession orders), judges have a little more variety in their orders and uncontested cases have the most variety.

Total Results

Attorney Representation		
Male with attorney	166	30%*
Female with attorney	190	35%**
Sex of Primary Parent		
Female	434	79%
Male	60	11%
None	52	10%
total	546	100%
Possession Order		
SPO	307	56%
more than SPO	79	14%
less than SPO	103	19%
as agreed	36	7%
Total	546	100%
Venue		
Non-OAG	289	53%
OAG Conference	82	15%
OAG Hearing	175	32%
Total	546	100%
Comments		
SPO-ESPO	14	3%
ESPO	29	5%
ESPO-50/50	4	1%
50/50	32	6%

*%of males

**% of females

Remarks: It's worth noting here that of the 79 cases that gave "more than SPO", males had attorneys in 55 of them. And in the 60 cases where men won primary conservatorship, males had attorneys in 46 of them.

Non-OAG Contested

Attorney Representation		
Male with attorney	39	53%
Female with attorney	40	55%
Sex of Primary Parent		
Female	41	56%
Male	16	22%
None	16	22%
total	73	100%
Possession Order		
SPO	25	34%
more than SPO	25	34%
less than SPO	16	22%
as agreed	6	8%
n/a	1	1%
total	73	100%
Venue		
Non-OAG	73	100%
OAG Conference	0	0%
OAG Hearing	0	0%
total	73	100%
Comments		
SPO-ESPO	5	7%
ESPO	8	11%
ESPO-50/50	3	4%
50/50	9	12%
Total	25	34%

Remarks: In these cases there was a hearing and the judge decided the outcome. Of the 25 cases that were “more than SPO”, males had attorneys for 20 of those. Also, in 13 of the 16 cases where a male was appointed primary, the males had attorneys.

Non-OAG Uncontested

Attorney Representation		
Male with attorney	112	52%
Female with attorney	136	63%
Sex of Primary Parent		
Female	151	70%
Male	35	16%
None	30	14%
total	216	100%
Possession Order		
SPO	86	40%
more than SPO	48	22%
less than SPO	52	24%
as agreed	20	9%
n/a	10	5%
total	216	100%
Venue		
Non-OAG	216	100%
OAG Conference	0	0%
OAG Hearing	0	0%
total	82	100%
Comments		
SPO-ESPO	9	4%
ESPO	19	9%
ESPO-50/50	1	0%
50/50	19	9%
Total	48	22%

Remarks: These cases are either cases that were agreed by both parties or one party defaulted (did not show up and the case was decided against them). Either way none of these cases are OAG cases. Note that non-OAG cases have a higher rate of attorney usage by the parties and a higher rate of males receiving primary conservatorship and children receiving more than minimum access to their non-primary parent.

OAG Hearing

Attorney Representation		
Male with attorney	15	9%
Female with attorney	14	8%
Sex of Primary Parent		
Female	162	93%
Male	8	5%
None	5	3%
total	175	100%
Possession Order		
SPO	116	66%
more than SPO	5	3%
less than SPO	34	19%
as agreed	10	6%
n/a	10	6%
total	175	100%
Venue		
Non-OAG	0	0%
OAG Conference	0	0%
OAG Hearing	175	100%
total	175	100%
Comments		
SPO-ESPO	0	0%
ESPO	2	1%
ESPO-50/50	0	0%
50/50	3	2%
Total	5	3%

Remarks: An OAG hearing is when one party initiates proceedings with the OAG and a settlement can't be reached in a conference or mediation so the case goes to court. Notice the low prevalence of attorney usage and the high prevalence of SPOs.

OAG Conference

Attorney Representation		
Male with attorney	0	0%
Female with attorney	0	0%
Sex of Primary Parent		
Female	80	98%
Male	1	1%
None	1	1%
total	82	100%
Possession Order		
SPO	80	98%
more than SPO	1	1%
less than SPO	1	1%
as agreed	0	0%
n/a	0	0%
total	82	100%
Venue		
Non-OAG	0	0%
OAG Conference	82	100%
OAG Hearing	0	0%
total	82	100%
Comments		
SPO-ESPO	0	0%
ESPO	0	0%
ESPO-50/50	0	0%
50/50	1	0%
Total	1	1%

Remarks: Here one party has filed with the OAG and both parties' settle in a conference at an office ran by the Attorney General. Notice that in only one case does a male receive primary and in only one case does a child receive more than minimum access with the non-primary parent.

231st District Court

Attorney Representation		
Male with attorney	39	37%
Female with attorney	45	43%
Sex of Primary Parent		
Female	81	77%
Male	15	14%
None	9	9%
total	105	100%
Possession Order		
SPO	51	49%
more than SPO	15	14%
less than SPO	23	22%
as agreed	10	10%
n/a	6	6%
total	105	100%
Venue		
Non-OAG	70	67%
OAG Conference	14	13%
OAG Hearing	21	20%
total	105	100%
Comments		
SPO-ESPO	5	5%
ESPO	4	4%
ESPO-50/50	2	2%
50/50	4	4%
Total	15	14%

233rd District Court

Attorney Representation		
Male with attorney	18	21%
Female with attorney	22	26%
Sex of Primary Parent		
Female	73	85%
Male	9	10%
None	4	5%
total	86	100%
Possession Order		
SPO	49	57%
more than SPO	10	12%
less than SPO	16	19%
as agreed	9	10%
n/a	2	2%
total	86	100%
Venue		
Non-OAG	35	41%
OAG Conference	15	17%
OAG Hearing	36	42%
total	86	100%
Comments		
SPO-ESPO	2	2%
ESPO	4	5%
ESPO-50/50	0	0%
50/50	4	5%
Total	10	12%

322nd District Court

Attorney Representation		
Male with attorney	27	34%
Female with attorney	26	33%
Sex of Primary Parent		
Female	63	79%
Male	7	9%
None	10	13%
total	80	100%
Possession Order		
SPO	50	63%
more than SPO	16	20%
less than SPO	9	11%
as agreed	2	3%
n/a	3	4%
total	80	100%
Venue		
Non-OAG	41	51%
OAG Conference	12	15%
OAG Hearing	27	34%
total	80	100%
Comments		
SPO-ESPO	3	4%
ESPO	6	8%
ESPO-50/50	2	3%
50/50	5	6%
Total	16	20%

324th District Court

Attorney Representation		
Male with attorney	34	0%
Female with attorney	36	0%
Sex of Primary Parent		
Female	75	98%
Male	7	1%
None	13	1%
total	95	100%
Possession Order		
SPO	56	98%
more than SPO	16	1%
less than SPO	12	1%
as agreed	3	0%
n/a	8	0%
total	95	100%
Venue		
Non-OAG	51	0%
OAG Conference	16	100%
OAG Hearing	28	0%
total	95	100%
Comments		
SPO-ESPO	3	0%
ESPO	6	0%
ESPO-50/50	0	0%
50/50	7	0%
Total	16	1%

325th District Court

Attorney Representation		
Male with attorney	23	25%
Female with attorney	26	28%
Sex of Primary Parent		
Female	67	73%
Male	12	13%
None	13	14%
total	92	100%
Possession Order		
SPO	53	58%
more than SPO	14	15%
less than SPO	20	22%
as agreed	5	5%
n/a	0	0%
total	92	100%
Venue		
Non-OAG	49	53%
OAG Conference	13	14%
OAG Hearing	30	33%
total	92	100%
Comments		
SPO-ESPO	1	1%
ESPO	3	3%
ESPO-50/50	0	0%
50/50	10	11%
Total	14	15%

360th District Court

Attorney Representation		
Male with attorney	25	28%
Female with attorney	35	40%
Sex of Primary Parent		
Female	75	85%
Male	10	11%
None	3	3%
total	88	100%
Possession Order		
SPO	48	55%
more than SPO	8	9%
less than SPO	23	26%
as agreed	7	8%
n/a	2	2%
total	88	100%
Venue		
Non-OAG	43	49%
OAG Conference	12	14%
OAG Hearing	33	38%
total	88	100%
Comments		
SPO-ESPO	0	0%
ESPO	6	7%
ESPO-50/50	0	0%
50/50	2	2%
Total	8	9%

Category Descriptions and Responses

Column identifier	Description	Responses
Case Number	The specific case identifier and date that the case was filed	Case Number
Closure	The closure indicates the means by which the case was decided (agreed by both parties, decided by a Judge, by a Jury..)	<ul style="list-style-type: none"> • Agreed Judgment • Default Judgment • Final Judgment After non-Jury-Trial • Post Judgment • CONSOLIDATED INTO ANOTHER CASE • DISMISSED LACK OF PROSECUTION • DISMISSED OR NON-SUITED • TRANSFERRED TO ANOTHER COUNTY
Cause of Action	When a case is filed its case type is recorded and later reported to the Office of Courts Administration ¹ .	<ul style="list-style-type: none"> • ADOPTION, ADULT • ANNULMENT/NO CHILDREN • BILL OF REV/PEN • DECLARATORY JUDGMENT • DECLARING MARRIAGE VOID/NO CHILDREN • DIVORCE • DIVORCE WITH CHILDREN • ESTABLISHMENT IV-D • FOREIGN JUDGMENT FAMILY LAW • GRAND PARENT ACCESS • HABEAS CORPUS • INTERSTATE - NO TX CAUSE IV-D • MODIFICATION-CUSTODY • MODIFICATION-OTHER • NAME CHANGE • PATERNITY • PATERNITY IV-D • POST JUDGMENT TITLE IV-D • PROTECTIVE ORDER • QUALIFIED DOMESTIC

		<p>RELATIONS ORDER</p> <ul style="list-style-type: none"> • REMOVAL OF DISABILITIES OF MINOR • SUIT AFFECTING PARENT CHILD RELATIONSHIP • SUIT TO ENFORCE • SUIT TO ENFORCE-POST JUDGMENT • TERMINATION & ADOPTION P/C REL • TERMINATION OF PARENT CHILD RELATIONSHIP
Order Date	Indicates when an order was ordered	date
Entry Date	Indicates when an order was entered	date
Sex of petitioner/ Respondent	Indicates whether the petitioner and respondent were male or female	Male/female
venue	The venue indicates whether the order was made through a conference with the OAG, whether filed through the OAG and then had a hearing, or non-OAG	<ul style="list-style-type: none"> • OAG Hearing • OAG Conference • Non-OAG
Male/female attorney	Indicates whether the male/female had an attorney representing him/her	Yes/No
Primary	Primary is used to identify the party that has the right to designate the primary residence of the child. The person with this right is usually the party receiving child support and is commonly referred to as the party who has "custody"	Male/Female
Possession Order	Possession Order indicates how much time the child spends with the non-primary parent. A Standard Possession Order (SPO) allows the child about 24% time with the non-primary parent, an extended SPO allows the child about 34% time with the non-primary parent and 50/50 is a 50/50 time split.	<ul style="list-style-type: none"> • SPO • Less than SPO • As Agreed • More than SPO
Comments	The comments will indicate, if "more than spo" is indicated, what the approximate time distribution is. extended SPO allows the child about 34% time with the non-primary parent and 50/50 is a 50/50 time split and times in-between are indicated with a "-".	<ul style="list-style-type: none"> • SPO-ESPO • ESPO • ESPO-50/50 • 50/50