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TEXAS ANNOTATED FAMILY CODE

2009 EDITION

Debra H. Lehrmann

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Charla B. Conner

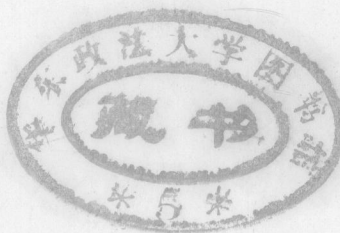
TEXAS ANNOTATED FAMILY CODE

Debra H. Lehrmann

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With Texas Family Code and
related Texas statutes through
the 81st Legislative Session (2009)
and applicable federal statutes
through Public Law 111-30
(June 19, 2009)



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Dedication

The 2009 edition of *Texas Annotated Family Code* is dedicated to:

The Honorable Doretha Smith Henderson

On November 5, 2008, the Texas legal community suffered a great loss with the passing of Judge Doretha Smith Henderson. Known for her conscientious attention to detail, remarkable work ethic, and thorough grasp of the law, she will be missed greatly.

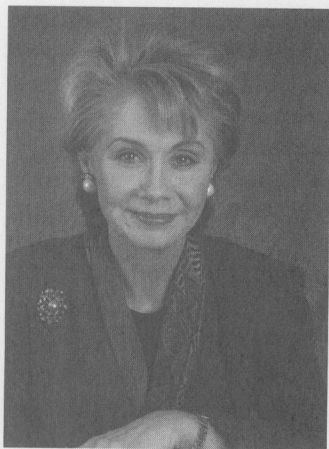
Judge Henderson presided as an Associate Judge over IV-D matters in the 2nd Administrative Judicial Region of Texas for nine years. Prior to her appointment as an associate judge, Judge Henderson served as an Assistant Attorney General in the Child Support Division for fifteen years. While at the Attorney General's Office, Judge Henderson held positions as a field attorney, Senior Regional Attorney, Section Chief, and Deputy and Assistant to the Director of Field Operations.

Judge Henderson was a member of the College of the State Bar of Texas, the Family Law Section of the State Bar of Texas, and the Houston Bar Association. Judge Henderson's publications included *Title IV-D and Child Support Enforcement: Confusion and Misinformation Abound*, 65 TEX. B.J. 504 (2002), and *The Texas Uniform Parentage Act: An Overview*, STATE BAR OF TEX. FAM. L. SEC. REP. (2003). She was also a frequent presenter at continuing legal education seminars in Texas.

Judge Henderson contributed to the *Texas Annotated Family Code* since 2006, providing numerous annotations and commentary references relating to child support, enforcement, and income withholdings. She was a respected authority on this area of the law, whose legal writing for this publication was unsurpassed. We will miss her greatly and proudly dedicate this edition in her honor.

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Debra H. Lehrmann



The Hon. Debra H. Lehrmann, the District Judge of the 360th District Court in Fort Worth, Texas, has served as a family law judge in Tarrant County for over 21 years. A member of Phi Beta Kappa, Judge Lehrmann graduated with high honors from the University of Texas in 1979 and the University of Texas School of Law in 1982.

Prior to her appointment to the bench, she practiced family law with the Fort Worth law firm of Law, Snakard & Gambill. She also worked as the lead attorney and director of the Enforcement Division of the Tarrant County Domestic Relations Office. In 1990, she was recognized as the Outstanding Young Lawyer of Tarrant County.

Judge Lehrmann currently serves as a commissioner on the National Conference of Commissioners on Uniform State Laws (NCCUSL), where she serves as the Chair of the drafting committee on the Uniform Relocation Act. Since 2003, she has served on the NCCUSL committee which is creating a uniform law on the court-appointed representation of children. She is a past president of the Texas Chapter of the Association of Family and Conciliation Courts (AFCC), is a past president of the Tarrant County Young Lawyers Association, is a master member of the Eldon B. Mahon Inn of Court, serves on the Advisory Board of Tarrant County Dispute Resolution Services, is a fellow of the Texas Bar Foundation and the American Bar Foundation, and is a charter member of the Tarrant County Bar Foundation.

An active member of the Family Law Section of the American Bar Association (ABA/FLS), she serves as chair-elect of the section and as the Judicial Liaison to the Judicial Division of the ABA. She previously served as secretary of the section, is a past member of the Family Law Council, the Continuing Legal Education Committee, and the Publications Board, and has served as chair of the child support committee. From 2000-2003, she was a member of the ABA/FLS Committee to Develop Standards for Representation of Children in Custody Litigation. She currently serves on the Executive Committee of the Section Officer's Conference (SOC) of the ABA.

In 2005, Judge Lehrmann received the Court Appointed Special Advocates (CASA) Scott Moore Award. She speaks frequently at continuing legal education events throughout the state and country, and lectures on family law at Texas Wesleyan University School of Law. The author of numerous published articles, in 2003 she received the Texas Bar Foundation's award for the best bar journal article of the year, for *The Child's Voice—An Analysis of the Methodology Used to Involve Children in Custody Litigation* (Texas Bar Journal, November 2002). She is the author of two legal treatises which are updated yearly, *Texas Annotated Family Code* (Lexis Nexis-Matthew Bender) and *Court-Appointed Representation of Children in Texas Family Law Cases—A Practical Guide* (Lexis Nexis-Matthew Bender).

Dedication

For my children, Gregory and Jonathan

For their grandparents, Norma "Grandmommy" Talley, the late Julius William Herman, M.D. and the late Lydia "Mimi" Herman

For their great grandparents, Daddy Louie Spitzer and the late Adeline "Mam-Ma" Spitzer

For their aunts and uncles, Carolyn "Auntie" Baldwin, Uncle Larry Baldwin, Uncle Larry Lehrmann and Aunt Kathy Lehrmann

For their cousins, Kimberly, Andrew, Shawn, Sarah, Ben, Lisa, Andrew, Chandler, Harrison, Meredith and Kylie, and

For their father, Greg, my husband, my best friend, and the love of my life.

Heather L. King



Heather L. King, a lifetime native of Fort Worth, Texas, received her B.A. from Texas Christian University in 1987 and J.D. from Texas Tech University School of Law in 1995. She practices exclusively trial and appellate family law throughout the State of Texas.

Heather is board certified in family law by the Texas Board of Legal Specialization, a fellow in the American Academy of Matrimonial Lawyers, an officer in the Texas Academy of Family Law Specialists, and a member of the Family Law Council of the State Bar of Texas. She has served in numerous bar leadership positions during the course of her career, including President of the Tarrant County Family Law Bar Association in 2002, after having served five years on

the Board of Directors of that association. She also served as President of the entire Tarrant County Bar in 2008-2009, having served four years on the Board of Directors of that association.

Heather is honored to have received substantial acknowledgment for her bar leadership and legal skills, including having received the *Friend of the Inn* award for outstanding contributions to the Eldon B. Mahon Inn of Court in 2002, and the *President's Certification of Outstanding Achievement* from the Tarrant County Bar Association in 2003, as well as being recognized as one of the Top Fifty Female Lawyers in the State of Texas by *Texas Monthly Magazine* in 2005, 2006, 2007, 2008, and 2009, the Top 100 Lawyers in Dallas Fort Worth by *Texas Monthly Magazine* in 2006, 2007, 2008, and 2009, and being listed in *The Best Lawyers in America* in 2007, 2008, and 2009. She has authored over 40 articles relating to family law, as well as three books focusing on direct and cross examination skills. She is a frequent faculty member at continuing legal education courses across Texas.

Heather attributes her success to her father-in-law, J. Steven King, whose counsel, mentoring, and outstanding reputation have served to springboard Heather's career in family law to proportions she never expected, including Heather's accepting a position as partner at the firm of Koons, Fuller, Vanden Eykel & Robertson, managing the Southlake office. She will always remain thankful to all of her loyal friends in the family law community and most importantly, her husband of 20 years, J. Steven King, Jr.

Charla B. Conner



Charla Bradshaw Conner, a Texas native, received her B.S., *summa cum laude*, from Texas Woman's University in 1987 and her J.D. from Southern Methodist University School of Law in 1993. She practices exclusively in family law throughout the State of Texas. She is a partner at Koons, Fuller, Vanden Eykel & Robertson in Denton, Texas.

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Academy of Family Law Specialists and the State Bar of Texas. In addition to her litigation practice, Charla is a certified mediator and a collaborative law attorney. She also serves on the Legislative Committee and the Grievance Committee for the State Bar of Texas.

Charla has spoken at numerous State Bar of Texas continuing education courses. She was Co-Author, State Bar of Texas, Texas Family Law Council Checklist Committee for "Checklist" Publication, Volumes I and II.

Charla won the Best CLE Article of 2007 for the State Bar of Texas, Family Law Section. Charla has received recognition by being listed in *Texas Super Lawyers*®, *Texas Monthly Magazine*, 2003 through 2009, and being listed in *Texas Super Lawyers*®, *Texas Monthly Magazine* Top Fifty Female Attorneys in Texas and Top 100 *Super Lawyers*® in Dallas/Fort Worth. She has a Martindale-Hubbell AV® Peer Review Rating.

Charla attributes her success to her supportive and loving family: her two daughters, Rachel and Erin Bradshaw, and her husband, Coye Conner, Jr. She will always be grateful to them for their support and love.

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The Honorable Steve Owen, J.D. — Judge Owen has presided as the Associate Judge of IV-D Court # 1 in Tarrant County since October, 2000. A recognized expert on IV-D practice, he has lectured and written extensively for the State Bar of Texas on related matters.

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