

Child Custody/Conservatorship Research Guide

Overview

This research guide includes information and resources on child custody, also known as conservatorship, in Texas. Custody is often confused with guardianship, which can also be a separate process initiated through the probate courts. When dealing with a Texas child custody case, Texas judges are legally bound by the guidance of the best interests of the child standard – this means that the judge must strive to make a custody determination best serving the child’s mental, physical, and emotional needs. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Family Code: Title 5 The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship

- Ch. 152 Uniform Child Custody Jurisdiction and Enforcement Act
<https://statutes.capitol.texas.gov/Docs/FA/pdf/FA.152.pdf>
- Ch. 153 Conservatorship, Possession and Access
<https://statutes.capitol.texas.gov/Docs/FA/pdf/FA.153.pdf>

Secondary Resources in Print

Texas Family Law Practice Manual KFT 1294.T487

- Vol. 3, Ch. 36, Physical Possession of a Child
- Vol. 3, Ch. 40, Original SAPCR

Texas Family Law Practice and Procedure KFT 1294.F35

- Vol. 1, Task B2: Determining Custody of Children
- Vol. 1, Task C3: Drafting the Petition and SAPCR
- Vol. 1, Task C8: Establishing Parenting Plans
- Vol.2, Ch. E1, Task E-2, Section C Agreeing on Conservatorship of Children
- Vol. 3, Obj. H, Modifying SAPCR Decree

Texas Family Code Annotated KFT 1294.A3

- Title 5, The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship

O'Connor's Texas Family Law Handbook KFT 1294.A291 026

- Ch. 4 Possession and Access, Section 4-E: Suit for Conservatorship

O'Connor's Texas Family Code Plus KFT 1294.03B4

- Family 154.309 Conservatorship

Sampson, Tindall and England's Texas Family Code Annotated KFT 1294.A3

- Ch. 153 Conservatorship, Possession, and Access

Texas Practice Guide KFT 1280.T4931

- Family Law
 - Vol. 3, Ch. 11 Conservatorship
 - Vol. 3, Ch. 13 Modification of Conservatorship and Support

Building a Parenting Agreement That Works: Child Custody Agreements Step by Step KF 547.L98

Texas Litigation Guide KFT 1730.T4

- Vol. 22, Ch. 371 Conservatorship

CLE Materials

Advanced Family Law KFT 1294.S83

- 2021 Ch. 36 What Lawyers Need to Know to be the Better Advocate in a Disputed Custody Case
- 2021 Ch. 37 Creative Possession Orders
- 2021 Ch. 40 Geographic Restriction and Relocation
- 2021 Ch. 47 The Language of Child Welfare
- 2021 Ch. 52 Secondary Traumatic Stress and Child Welfare Law
- 2021 Ch. 70 How to Win a Custody Case
- 2020 Ch. 18 Only Daddy That'll Walk the Line: Standing – Who Gets a Seat at the Table?
- 2020 Ch. 37 Expert Testimony in a SAPCR
- 2019 Ch. 62 Trying Custody Cases on a Shoestring Budget

Marriage Dissolution Institute KFT 1300.M372

- 2022 Ch. 10 On the Road Again: Standard Possession Order Issues and the New Under 50 Miles Provision
- 2019 Ch. 9 Parental Alienation
- 2018 Ch. 16 Drafting, Negotiating and Litigating Pre-Schooler and Teenager Issues
- 2017 Ch. 13 Child Support: Coloring Outside the Lines
- 2014 Ch. 15 Grandparent, Step Parent, Same Sex Partner, and Third Party Standing and Access Issues
- 2014 Ch. 16 Discovery-Children (including third parties)

[support/families-and-parenting/access-and-visitation](#)

Child Custody (TX Rio Grande Legal Aid)

<https://www.trla.org/child-custody>

Standard Possession Order (TX Access)

<https://www.txaccess.org/standard-possession-order-and-parenting-time>

Pro Se Divorce Handbook (State Bar of Texas)

https://www.texasbar.com/AM/Template.cfm?Section=Free_Legal_Information2&Template=/CM/ContentDisplay.cfm&ContentID=27026

Best Interest, Using the Holley Factors in Child Custody Cases

<https://www.texasbar.com/AM/Template.cfm?Section=articles&Template=/CM/HTMLDisplay.cfm&ContentID=35145>

Conservatorship and Adult Guardianships (NOLO)

<https://www.nolo.com/legal-encyclopedia/conservatorships-adult-guardianships-30063.html>

Adoption or Permanent Managing Conservatorship

https://www.dfps.texas.gov/Child_Protection/Adoption/Adoption_or_PMC.asp

Joint Managing Conservators Rights and Responsibilities

<https://www.txaccess.org/joint-managing-conservators-rights-and-responsibilities>

Online Resources

Child Custody and Visitation (TexasLawHelp)

<https://texaslawhelp.org/family-divorce-children/child-custody-visitation?page=1>

Child Custody and Support (TSLL)

<https://guides.sll.texas.gov/child-custody-and-support/child-custody>

Access and Visitation (TX Atty. General)

<https://www.texasattorneygeneral.gov/child->

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)