

Post-Trial & Appellate Proceedings (Family Law) Research Guide

Overview

This research guide includes information and resources on post-trial and appellate proceedings in family law cases. Topics touched on here include de novo, new trial, nunc pro tunc, default judgments, and enforcement. 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

Texas Family Code

- Ch. 9 Post-Decree Proceedings (Divorce)
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.9.htm>
- Ch. 56 Appeal (Juvenile)
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.56.htm>
- Ch. 109 Appeals (SAPCR)
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.109.htm>

Secondary Resources in Print

Texas Family Law Practice Manual KFT 1294.T4S7

- Vol. 1, Ch. 8 Ancillary Motions and Proceedings
- Vol. 2, Ch. 26 Posttrial Proceedings and Appeals

O'Connor's Texas Family Law Handbook KFT 1294.A291 O26

- Ch. 8-A Postdissolution Partition of Community Property §15 Appellate Review
- Ch. 8-B Postdissolution Partition of

Community Property §16 Appellate Review

O'Connor's Texas Family Law Forms KFT 1294.A65 W55

- De Novo §1C:5-7
- Clarification §16C:1 (child support); §17:1 (possession & access)
- Enforcement/Contempt §16B-16F (child support); §17B-17E (possession & access); §18B-18D (property division)

Texas Family Law Practice and Procedure KFT 1294. F35

- Obj. G Appellate Review
- Obj. O Post-Trial Property Division
- See *Appeals* in Index

Dorsaneo's Texas Litigation Guide KFT 1730.T4

- Vol. 10, Chs. 145-154 Appellate Procedures
- Vol. 10, Ch. 153 Accelerated Appeals
- Vol. 10, Ch. 154 Restricted Appeals

CLE Materials

Advanced Family Law Course KFT 1294.S83

- 2020 Ch. 67 Ain't Too Proud to Beg: Persuading the Appellate Court
- 2019 Ch. 66 What Every Family Lawyer Must Know about Post-Trial Issues

Advanced Family Law Drafting KFT 1294 .A92

- 2021 Ch. 12 It's Not Over Until It's Over: Post Trial Motions

Marriage Dissolution Institute KFT 1300.M372

- 2018 Ch. 3 Temporary Orders During Appeal

Online Resources

Appealing a Judgment in Texas (TexasLawHelp)
<https://texaslawhelp.org/article/appealing-a-judgment-in-texas>

Texas Young Lawyers Association Pro Se Appellate Guide
<http://www.tyla.org/tyla/assets/File/Pro%20Se%20Litigant%20Guide.pdf>

How to Set Aside Default Judgment (TexasLawHelp)
<https://texaslawhelp.org/article/how-set-aside-default-judgment>

De Novo Hearings and Posttrial Strategies (DFPS Appellate Unit)
https://www.dfps.state.tx.us/Child_Protection/Attorneys_Guide/documents/Section_10_De_Novo_Post_Trial.pdf

Correcting a Clerical Mistake (TexasLawHelp)
<https://texaslawhelp.org/guide/i-want-to-correct-a-clerical-mistake-in-a-judgment>

Retain or Reinstate a Case (TexasLawHelp)
<https://texaslawhelp.org/article/how-to-retain-or-reinstate-a-case-dismissed-by-the-court>

Tarrant County: Sample De Novo Hearing Form
https://www.tarrantcounty.com/content/dam/main/law-library/pdfs/De_Novo_Packet_Request_and_Notice_of_Hearing.pdf

Tarrant County: Sample Motion and Order for New Trial Forms
https://www.tarrantcounty.com/content/dam/main/law-library/pdfs/New_Trial_Motion_and_Order.pdf

Texas Courts: Rules of Appellate Procedure
<https://www.txcourts.gov/media/1453411/texas-rules-of-appellate-procedure.pdf>

- <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)

Legal Assistance

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

- Tarrant County LegalLine Sign-up