

# **CHANGES IN SAPCR ISSUES AND TRENDS FOR THE FUTURE**

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**ROY W. MOORE, *Houston***  
Attorney at Law

**HONORABLE ROY L. MOORE, *Houston***  
245<sup>th</sup> District Court, Harris County Courthouse

State Bar of Texas  
**35<sup>TH</sup> ANNUAL**  
**ADVANCED FAMILY LAW COURSE**  
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Dallas

**CHAPTER 40**



**THOMAS L. AUSLEY**  
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## **EDUCATION**

Texas Tech University, B.B.A. in Finance, 1965  
University of Texas School of Law, J.D., 1968

## **PROFESSIONAL ASSOCIATIONS**

Member, State Bar of Texas since 1968  
Board Certified by Texas Board of Legal Specialization  
Family Law, 1980 (re-certified 2005)  
Fellow, American Academy of Matrimonial Lawyers  
Officer of the Texas Chapter:  
Treasurer, 2001-2002  
Secretary, 2002-2003  
President-Elect, 2003-2004  
President, 2005-2006  
Member, Board of Governors of American Academy of Matrimonial Lawyers  
National Chapter  
Fellow, International Academy of Matrimonial Lawyers  
Member, American Bar Association - Family Law Section  
Associate, American Board of Trial Advocates  
Member, Board of Trustees for the Collaborative Institute of Texas (2003-2007)  
Charter Member, Texas Family Law Foundation  
Member, Board of Trustees (2006-2009)  
Member, College of the State Bar of Texas  
Member, Family Law Section Council, State Bar of Texas (2003-2010)  
Secretary, 2008-2009, Treasurer, 2009-2010  
Fellow, Texas Bar Foundation  
Fellow, American Bar Foundation, 2006-2009  
Life Fellow, State Bar of Texas  
Life Fellow, American Academy of Matrimonial Lawyers Foundation  
Listed in the Martindale-Hubbell Bar Registry of Preeminent Lawyers  
Member, Texas Academy of Family Law Specialists  
President, Travis County Family Law Advocates (2000-2001)  
President, Political Action Committee (2001-2002)  
Member, State Bar Task Force on Reorganization of the Office of General Counsel (1994)  
Member, Austin Bar Association  
Member, Williamson County Bar Association

## LEGAL PROFILE & HONORS

Forty-one years' experience in the practice of law in Austin, Texas

Practice includes primarily family law, including collaborative divorce, civil litigation, mediation and arbitration.

Listed in *The Best Lawyers in America*, Family Law Section, 1987-present

Named by *Texas Monthly Magazine* as: "Texas Super Lawyers®"(2003 - present), one of the "Top 50 Central/West Texas Region" (2004 and 2007), and one of the "Top 100 Lawyers in Texas" (2007).

Named "Lawyer of the Year in Central Texas" by Best Lawyers®, 2009

Listed in *Austin Monthly*, The Best Lawyers in Austin - Family Law, 2002

Received the Outstanding Fundraiser Award given by the Association of Fundraising Professionals, Austin Chapter, 2008

Received President and Chair's Courage and Integrity Award given by Planned Parenthood Federation of America, 2004

Received Good Guys and Gals Award given by the National Women's Political Caucus, Texas Chapter, 2004

"AV" rating, Martindale-Hubbell Legal Directory

Finalist, 1<sup>st</sup> annual "Ethics in Business Awards": Individual (Samaritan Counseling Center and St. Edwards University)

## LEGAL SEMINARS AND WRITINGS

Author and speaker, 1995 Advanced Family Law Drafting Course

Author and speaker, 1997 Advanced Family Law Course

Author and speaker, 1998 Advanced Family Law Courses (August and December)

Author, 1999 Advanced Family Law Course

Author and speaker, 2000 Ultimate Trial Notebook for Family Law

Planning Committee, 2003 Family Law on the Front Lines

Speaker, 2003 Advanced Family Law Course - *Characterization and Tracing*

Author and speaker, 2004 Advanced Family Law Course - *Professionalism in Family Law*

Speaker, 2004 1<sup>st</sup> Annual Collaborative Law Seminar

Author and speaker, 2004 Ultimate Trial Notebook - *Pretrial and Scheduling Orders*

Speaker, 2004 University of Texas Family Law on the Front Lines - *Collaborative Law*

Author and speaker, 2005 University of Texas Family Law on the Front Lines - *Impaired Clients: Ethical Issues and Advocacy*

Author and speaker, 2005 Associate Judge's Training - The Hague Convention

Author and speaker, 2005 State Bar of Texas' Advanced Family Law Course - *Ethics & the Enhancement of the Attorney-Client Relationship*

Speaker, 2006 Paralegal Association of the Permian Basin - *Ethics*

Speaker, Texas Academy of Family Law Specialists' Trial Institute, 2006 (Reno, Nevada)

Moderator, Judges' Panel for 2006 Marriage Dissolution Institute

Course Director - Family Law, State Bar of Texas 2006 Annual Meeting (Austin)

Course Director - Ultimate Trial Notebook, 2006 (New Orleans, Louisiana)

Speaker/Panelist, 2007 State Bar of Texas' Family Law on the Front Lines, *Representing the Difficult Client* (Galveston)

Workshop Moderator, 2007 State Bar of Texas' Advanced Family Law Course, Advanced Collaborative Law (San Antonio)

Speaker, 2007 State Bar of Texas' Advanced Family Law Course, *The Not So Easy To Identify Executive Employment Benefits* (San Antonio)

Author and speaker, 2008 State Bar of Texas' Advanced Family Law Course - *The Professional Practice: Yourself, Your Office, and Your Relationships with Others*

Speaker, 2008 State Bar of Texas' Advanced Family Law Course - *Collaborative Family Law Track*

Speaker, 2009 Collaborative Law Institute of Texas Boot Camp

Speaker, 2009 International Academy of Matrimonial Lawyers Annual Meeting, USA and Canadian Chapters, *The Path to Yearning for Zion/FLDS*

Speaker, 2009 University of Texas School of Law and Texas Family Law Foundation's 10<sup>th</sup> Biennial Family Law Legislative Update

Various seminars for the Paralegal Division of the State Bar of Texas, State Bar of Texas, Travis County Bar Association, and Volunteer Legal Services of Central Texas

## **ALTERNATIVE DISPUTE RESOLUTION & COLLABORATIVE TRAINING & EXPERIENCE**

LBJ School of Public Affairs Advanced Mediation Training (1997)

Advanced Family Law Mediation Training (1997)

Dispute Resolution Center of Austin Mediation Training:

Basic 40-hour course, 2004

Family Law course, 2004

Travis County Bar Association Settlement Week Mediator Training

Appointed by Travis County District Judges as court-appointed mediator

Volunteer mediator, Travis County Settlement Weeks (1989-1997)

Volunteer mediator, Williamson County Settlement Week (1999 - present)

Collaborative Divorce Training:

Basic: 2000, 2002, 2003

Intermediate: 2000

Advanced: 2004

Multi-Disciplinary: 2006

American Academy of Matrimony Lawyers Arbitration Training (2000)



**KELLY AUSLEY-FLORES**  
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## **EDUCATION**

Texas Tech University, B.B.A. in 1987, cum laude  
Texas Tech School of Law, J.D., 1995, cum laude

## **PROFESSIONAL ASSOCIATIONS AND HONORS**

Board Certified by Texas Board of Legal Specialization, Family Law, since 2000  
Fellow, American Academy of Matrimonial Lawyers  
Member, Texas Academy of Family Law Specialists  
Named Texas Super Lawyers® - Rising Stars® Edition (Texas Monthly, 2004 and 2005)  
Member, Collaborative Law Institute of Texas  
Member, International Academy of Collaborative Professionals  
Member, State Bar of Texas (Family Law Section)  
Member, College of the State Bar of Texas  
Member, Austin Bar Association (Family Law Section)  
Member, Texas Bar Foundation, 2004-2009  
Member, Pro Bono College of the State Bar of Texas, 1999-2009  
Recipient, 1998 and 1999 Pro Bono Award, Volunteer Legal Services of Central Texas

## **CAREER PROFILE**

Practiced family law with Ausley, Algert, Robertson & Flores, L.L.P. since August, 1995 and became a partner in December, 2001.  
Trained in Collaborative Law and trained as a family law mediator.  
Volunteer, Volunteer Legal Services of Central Texas since 1996 as a mentor and lawyer.  
Volunteer, Texas Advocacy Project previously Women's Advocacy Project since 2004 as a lawyer.  
Obtained certification as a specialist in the area of family law through the Texas Board of Legal Specialization (December, 2000).

## **PERSONAL**

Born February 23, 1965, in Lubbock, Texas and raised in Austin.  
Married to Joe Flores - two children.  
Member, First United Methodist Church, Austin.

## **AUTHOR and LECTURER**

“Closing the File,” Advanced Family Law Seminar - Boot Camp, State Bar of Texas, August 17, 2003.

“Post Trial Basics & Closing the File,” Advanced Family Law Seminar - Boot Camp, State Bar of Texas, August 8, 2004.

“Effective Use of ADR in Family Law Cases,” 2005 Poverty Law Conference, Texas Lawyers Care, March 30 - April 1, 2005.

“Closing the Friendly and Unfriendly File,” Advanced Family Law Drafting Course, State Bar of Texas, December 8-9, 2005.

“Traveling Light: Collaborative Law Without Paralegals or Assistants,” Collaborative Law Spring Conference 2008, State Bar of Texas, February 28-29, 2008.

“Collaborative Law,” Alternative Dispute Resolution Course, University of Texas Law School, Professor Cynthia Bryant, March 6<sup>th</sup>, 2008.

“Child Support (What Do Judges Do in Various Counties) Above & Below the Guidelines, the High Income Earners (Death of the Obligor),” Marriage Dissolution Institute, State Bar of Texas and Family Law Section, April 17-18, 2008.

“Closing the File,” Summer School - State Bar College, State Bar of Texas, July 17-19, 2008.

“Closing Documents Other than QDROs,” Advanced Family Law Drafting Course, State Bar of Texas, December 4-5, 2008.

## **LECTURER**

“Trends in Family Law,” 2009 Statewide Assistant Attorneys General Conference, Austin, Texas, July 10, 2009.

“How to Study for and Pass the Board Certification Exam,” Advanced Family Law Course, State Bar of Texas, August 10, 2005.

“Closing Out Your File,” Williamson County Family Law Seminar, October 29, 2004.

“Post Trial Basics & Closing a File,” State Bar Convention - Boot Camp, June 25, 2004.

“Creative Discovery,” Family Law Essentials, Family Law Council, Nacogdoches, Texas, June 4, 2004.

## CURRICULUM VITAE

ROY W. MOORE

### Education:

1971 J.D. South Texas College of Law  
1960 BBA Southern Methodist University

### Board of Legal Specialization

1977 Certified as a Specialist in Family Law by the State Bar of Texas - Recertified as a Specialist in Family Law in 1982, 1987, 1992, 1997, 2002, and 2007

Licensed to practice in all courts in Texas

### Employment:

2007 to present Roy W. Moore Attorney at Law; primarily family law  
1999-2007 Partner, Moore & Moore, L.L.P.; primarily family law  
1985-1999 Partner, Gray & Moore, L.L.P.; primarily family law  
1972-1985 Self-employed attorney; primarily family law  
1960-71 Self-employed, Rancher, Farmer, Navasota, TX.

### Legal Organizations:

1972-present American Bar Association  
Member: Family Law Section

State of Texas Bar Association  
Member: Family Law Section  
Past Chairman: Grievance Committee 4B

Houston Bar Association  
Member: Family Law Section

1978-1985 Gulf Coast Family Law Specialists  
Past Secretary/Treasurer

Houston Family Law Forum, Past President

1979-present Texas Academy of Family Law Specialists  
Past Member of Board of Directors

1985-2007 Fellow in the American Academy of Matrimonial Lawyers  
Texas Family Law Council (term expired 2007)

1996-2000 American Family Law Inns of Court, Executive Committee and Treasurer

Professional Activities:

Publications:

1985 "Assault and Battery - Husband and Wife," Family Advocate, Vol. 7 #4, a publication of the American Bar Association.

1988 "Domestic Torts," Seminar Notebook, State Bar of Texas, Advanced Family Law Institute

1990 "Torts," Seminar Notebook, State Bar of Texas, Advanced Family Law Institute

1992 "Attorneys Fees: Special Provisions and Tips on How to Get Paid" Seminar Notebook, State Bar of Texas, Advanced Family Law Drafting Course

Speaker:

1978 State Bar of Texas Advanced Family Law Course, "Attorneys Fees"

1982 State Bar of Texas Institute on Divorce, "Process of Drafting and Filing a Divorce Petition"

1985 Women's Institute, Houston, Texas, "Divorce Tips"

1987 Greenspoint Area Chapter of Professional Secretaries International, "Changes in Family Law in Texas"

1988 State Bar of Texas Advanced Family Law Course, "Domestic Torts"

1989 State Bar of Texas Family Law for the Experienced Non-Specialist, Texas Code of Professional Responsibility, "Ethics"

1990 State Bar of Texas Advanced Family Law Course, "Torts"

1991 Texas Academy of Family Law Specialists, Trial Institute Series, "The Direct and Cross Examination of a Reimbursement Expert"

1992 State Bar of Texas, Advanced Family Law Drafting Course, "Attorneys Fees: Special Provisions and Tips on How to Get Paid"

1996 American Family Law Inns of Court presentation regarding bills of exception; Team Leader

1996 South Texas College of Law CLE Program, Panelist, "Common Pitfalls in Property"

1997 American Society of Appraisers, International Appraisal Conference, Panelist and Speaker, "Appraisal Issues: Trusts and Estate Family Law, Tax and Litigation"

1997 Speaker, Family Law Art & Advocacy Course, "Cross-Examination re. Attorney's Fees"

1998 Panel Speaker, Advanced Family Law Seminar, "Tax Impact of Property Division: Seeing the Land Mines Before You Step on Them"

1999 Panel Speaker, Advanced Family Law Seminar, "Economics of Running a Law Firm"

2000 Panel Speaker, South Texas College of Law Family Law Conference, "Ethics Jeopardy"

Listed in:

1987-88 ed. The Best Lawyers in America as one of the best family lawyers in Texas

1989-90 ed.

1991-92 ed.

1993-94 ed.

1995-96 ed.

1997-98 ed.

1999-00 ed.

2000-01 ed.

2001-02 ed.

2003-04 ed.

2004-05 ed.

2005-06 ed.



ROY L. MOORE

**EDUCATION:**

South Texas College of Law (J.D., 1990)  
Southern Methodist University (B.S. – Engineering, 1985)

**LICENSED TO PRACTICE IN THE FOLLOWING COURTS:**

All State Courts in Texas  
United States District Court, Southern District of Texas

**EMPLOYMENT:**

Associate Judge, 245<sup>th</sup> District Court, Harris County, Texas (March 2007 – present)  
Partner, Moore & Moore, L.L.P. (8/1/99 – 3/1/2007)  
Adjunct Professor, South Texas College of Law (Fall 2003 - present)  
Of Counsel, Gray & Moore, L.L.P. (1998 – 7/31/99)  
Law Offices of Roy L. Moore (1992-1998)  
Partner, Moore & Ziek (1991-1992)  
Roy L. Moore – Attorney at Law (1990-1991)

**LEGAL ORGANIZATIONS:**

Board Certified Family Law, Texas Board of Legal Specialization  
Gulf Coast Family Law Specialists, Board Member 2002 - 2003  
State of Texas Bar Association, Member: Family Law Section  
Texas Academy of Family Law Specialists  
Houston Bar Association, Family Law Section, Board Member 2003 - 2006  
Burta Rhodes Raborn Family Law Inns of Court  
College of the State Bar

**SPEECHES AND PAPERS:**

Houston Family Law Trial Institute Faculty  
South Texas College of Law, May 2009

South Texas College of Law Family Law Conference  
“Fine Tuning Your Case for the Judge,” March 2009

South Texas College of Law Grandparent and Kinship Care Seminar  
“The Practical Approach to and Mechanics of Pursuing Conservatorship,” November 2008

South Texas College of Law Family Law Conference  
“Forms, Checklists and What to Bring at Entry,” March 2008

University of Texas – The Definitive Short Court on Parent-Child Relationships  
“Presenting Your Temporary Order to the Court,” November 2007

National Institute for Trial Advocacy  
“Trial Skills for Juvenile and Family Courts,” November 2007

South Texas College of Law Family Law Conference  
“Getting Information from Your Client and Presenting It to the Court,” February 2007

2006 HBA Family Law Institute  
"Prosecuting & Defending the Child Support Enforcement Case," March 2006

South Texas College of Law Family Law Conference  
"Parenting Plans and Parenting Coordinators," February 2006

2004 HBA Family Law Institute  
"Child Support: They Owe It, Now Go and Get it," April 2004

Burta Rhoads Raborn Family Law Inn of Court  
"Uniform Parentage Act," October 2003

South Texas College of Law Family Law Conference  
"The Initial Interview: Forms and Checklists," February 2002

South Texas College of Law Family Law Conference  
"Winning Strategies and Tactics for Temporary Hearings: Property, Support, Custody and Extraordinary Relief," February 2001

3<sup>rd</sup> Annual Family Law Institute – South Texas College of Law  
"Advocacy with Time Constraints or "I have a ten hour hearing and the Judge has one hour,"  
March, 2000

South Texas College of Law Family Law Conference  
"Checklists and Forms You've Got to Have, including a Discussion of How to Keep your Clients Informed as to Court Requirements and Ongoing Ethical Obligations," February 2000

9<sup>th</sup> Annual South Texas College of Law Family Law Conference  
"Unusually Obtained Evidence," February 1999

7<sup>th</sup> Annual South Texas College of Law Family Law Conference  
"Recognizing Reimbursement When You See It," April 1997

## **CHANGES IN SAPCR ISSUES AND TRENDS FOR THE FUTURE**

Standing (TFC § 11.03 in 1975 vs. TFC § 102.003 - 102.007 in 2009)

Support (TFC § 14.05 in 1975 vs. Chapter 154 in 2009)

Possession of and Access to Child (TFC § 14.03 vs. TFC Chapter 153 Subchapter F. in 2009)

Liability of Parents for Conduct of Child (TFC §33.02 of \$5,000 vs. TFC §41.002 of \$25,000)

Conservatorship - Then and Now

Trends for the Future

