

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

A. K. v. Texas Department of Family and Protective Services

No. 03-13-00099-CV · No. 03-13-00099-CV · Decided March 28, 2013

SUMMARY

The Texas Court of Appeals, Third District, granted appellant A. K.'s motion for an extension of time to file her brief in an appeal arising from a suit to terminate parental rights. The court ordered the brief filed by April 17, 2013, and warned that counsel could be required to show cause why she should not be held in contempt if the deadline was missed.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Per Curiam; Chief Justice Jones; Justice Goodwin; Justice Field
JURISDICTION	Texas
DECIDED	March 28, 2013
DOCKET	03-13-00099-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellant moved for an extension of time to file her brief in an accelerated appeal from a suit for termination of parental rights.
PRECEDENTIAL VALUE	published
PARTIES	A. K. v. Texas Department of Family and Protective Services

TOPICS

family law procedure termination of parental rights appellate procedure parental rights contempt

PRACTICE AREAS

family law appellate procedure parental rights

QUESTIONS PRESENTED

1. Whether appellant's motion for an extension of time to file her appellate brief should be granted in light of the accelerated schedule for termination-of-parental-rights appeals.

HOLDINGS

1. The court granted appellant's motion for an extension and ordered counsel to file appellant's brief no later than April 17, 2013.

FACTUAL BACKGROUND

The appeal arose from a suit for termination of parental rights. The appellate record was completed on March 8, 2013, and appellant's brief was consequently due on March 28, 2013. Counsel requested an extension one day before the deadline.

PROCEDURAL HISTORY

A. K. filed her notice of appeal on February 12, 2013. After the appellate record was completed on March 8, 2013, her brief was due March 28, 2013. Counsel moved for an extension on March 27, and the court granted the motion, extending the deadline to April 17, 2013.

DISPOSITION

other

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-13-00099-CV A. K., Appellant v. Texas Department of Family and Protective Services, Appellee FROM THE 395TH DISTRICT COURT OF WILLIAMSON COUNTY, NO. 12-0197 -F395, THE HONORABLE MICHAEL JERGENS, JUDGE PRESIDING ORDER PER CURIAM Appellant A.K. filed her notice of appeal on February 12, 2013.

The appellate record was complete March 8, 2013, making appellant's brief due March 28, 2013. On March 27, 2013, counsel for appellant filed a motion for extension of time to file appellant's brief. Recent amendments to the rules of judicial administration accelerate the final disposition of appeals from suits for termination of parental rights. See Tex. R. Jud.

Admin. 6.2(a), available at <http://www.supreme.courts.state.tx.us/MiscDocket/12/12903200.pdf> (providing 180 days for court's final disposition). The accelerated schedule constrains this Court's leeway in granting extensions.

In this instance, we will grant the motion and order counsel to file appellant's brief no later than April 17, 2013. If the brief is not filed by that date, counsel may be required to show cause why she should not be held in contempt of court. It is ordered on March 28, 2013.

Before Chief Justice Jones, Justices Goodwin and Field

