

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

F. H. and L. L. v. Texas Department of Family and Protective Services

No. 03-22-00231-CV · No. No. 03-22-00231-CV · Decided May 26, 2022

SUMMARY

The Texas Court of Appeals, Third District, granted an extension of time for appellants F. H. and L. L. to file their briefs in an accelerated appeal concerning termination of parental rights. The court ordered counsel to file the briefs by June 7, 2022, and warned that failure to comply could result in a contempt proceeding.

CASE DETAILS

COURT	Texas Court of Appeals, Third District, at Austin
WRITING FOR THE COURT	Per Curiam; Chief Justice Byrne; Justice Kelly; Justice Smith
JURISDICTION	Texas
DECIDED	May 26, 2022
DOCKET	No. 03-22-00231-CV
DISPOSITION	other
PROCEDURAL POSTURE	Appellants filed notices of appeal from a suit for termination of parental rights and sought an extension of time to file their appellate briefs.
PRECEDENTIAL VALUE	Published
PARTIES	F. H., L. L. v. Texas Department of Family and Protective Services

TOPICS

appellate procedure

termination of parental rights

family law procedure

contempt

PRACTICE AREAS

Family law

Appellate procedure

QUESTIONS PRESENTED

1. Whether to grant an extension of time for appellants to file their appellate briefs in an accelerated parental-rights termination appeal.

HOLDINGS

1. The court granted the motion for extension and ordered counsel for both appellants to file their briefs no later than June 7, 2022.

KEY QUOTATIONS

“If the briefs are not filed by that date, counsel may be required to show cause why they should not be held in contempt of court.”

FACTUAL BACKGROUND

The opinion concerns appeals arising from a suit for termination of parental rights. The appellate record was complete on May 1, 2022, and the appellants' briefs were initially due on May 23, 2022. Counsel for F. H. requested an extension on May 20, 2022.

PROCEDURAL HISTORY

The case originated in the 425th Judicial District Court of Williamson County, cause number 21-0063-CPS425, before Judge Betsy F. Lambeth. F. H. filed a notice of appeal on April 22, 2022, and L. L. filed a notice of appeal on May 3, 2022. After the appellate record became complete on May 1, 2022, counsel for F. H. moved for an extension of time to file the brief. The court granted the motion and ordered counsel to file both appellants' briefs by June 7, 2022.

DISPOSITION

other

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-22-00231-CV F. H. and L. L., Appellants v. Texas Department of Family and Protective Services, Appellee FROM THE 425TH JUDICIAL DISTRICT COURT OF WILLIAMSON COUNTY NO. 21-0063-CPS425, THE HONORABLE BETSY F. LAMBETH, JUDGE PRESIDING ORDER PER CURIAM Appellants F.H. and L.L. filed their notices of appeal on April 22, 2022, and May 3, 2022, respectively.

The appellate record was complete on May 1, 2022, making appellants' briefs due on May 23, 2022. On May 20, 2022, counsel for F.H. filed a motion for extension of time to file F.H.'s brief. 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) (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 counselors Lisa Marie Mims and Kenneth Best to file appellants' briefs no later than June 7, 2022. If the briefs are not filed by that date, counsel may be required to show cause why they should not be held in contempt of court.

It is ordered on May 26, 2022. Before Chief Justice Byrne, Justices Kelly and Smith 2