

**284<sup>th</sup> DISTRICT COURT'S  
STANDING ORDER REGARDING PARTITION LAWSUITS**

No party to a lawsuit has requested this Order. Rather, this Order is a Standing Order of the 284<sup>th</sup> District Court that applies in every suit requesting partition.

It is ORDERED that, by no later than 30 days after the first defending party appears in a partition suit, the party or parties seeking partition shall file with the Court and serve on the parties an Abstract of Title containing the following items:

1. From the Montgomery County Clerk's Online Services or a licensed title company, a printout of the Grantor/Grantee index for every party who has or may have an interest in the tract and a printout listing all of the transactions involving the tract by its legal description;
2. An affidavit stating:
  - a. The status of occupancy of the property;
  - b. The fact that, other than persons named in the lawsuit as being potential or actual claimants of an interest in the property, there are no known persons who may be claimants of an interest in the property; and
  - c. The fact that there are no known persons who may be possible adverse possessors of the property, other than any who have been named in the lawsuit.
3. As applicable:
  - a. The deed or deeds from a common source from which the parties in the lawsuit claim their ownership; and/or
  - b. Evidence of the inheritance of the property at issue in the parties named in the lawsuit, *e.g.*, copies of probate proceedings or affidavits of heirship; and
4. Five years of the *ad valorem* tax history of the property from each tax collector collecting *ad valorem* taxes on the property.
5. A description of the ownership interest of each party claimed to have an ownership interest in the property.

For any party or parties appearing after the Abstract of Title is first filed and served, it is ORDERED that the party or parties seeking partition shall immediately serve the Abstract of Title all newly appearing party/parties and must file and serve a Certificate of Service showing compliance with this requirement.

Signed September 7, 2021.

  
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KRISTIN BAYS, PRESIDING JUDGE OF THE  
284<sup>TH</sup> DISTRICT COURT