

Re: Randall County Court at Law No. 2

Pertaining to default or non-appearance divorce matters:

- a. Of course, there must to be proper service.
- b. **Notice of final hearing to non-appearing party:**
 - (1) Every effort should be made to notify the non-appearing party of the final hearing date and time. At a minimum, there must be evidence of such notice sent by regular U.S. Mail and Certified Mail, at the non-appearing party's last known address or addresses. (Additionally, if feasible, actual notice should be accomplished, such as by telephone.)
 - (2) Such non-appearing party should be given at least 45 days written notice (in compliance with T.R.C.P. 245 & 21a) of the final hearing date, place, and time, if a written response or a previous appearance has been made. If no written response or previous appearance has been made, such non-appearing party should be given at least one week's written notice (in the manner stated herewith) of the final hearing date, place, and time.
 - (3) **Exception – if there are no children involved, and no property to speak of to be divided, nor other significant issues, and no written response or previous appearance has been made, such notice of final hearing (assuming proper service) is unnecessary.**
- c. As previously stated, if **child support** is requested, there must be documentary or reliable evidence such as income tax returns, check stubs, or other such evidence to support a child support request; unless minimum wage child support is requested. If such evidence is not available, there must be testimony substantiating reasonable efforts to obtain same.
- d. Also, if **property issues** are involved, necessary and sufficient documentary or other reliable evidence must be introduced or presented in connection with the relief requested. (See form 7 for further information on this subject.)