

INITIAL JURISDICTION**Can be exercised by the child's HOME STATE:**

- **Home State** = The child has lived in the state with a parent or person acting as a parent (PAAP) for 6 months or the child is less than 6 months old but has lived in this state since birth.
- State does not lose Home State designation if: (1) suit is filed within 6 months of child leaving and (2) at least one parent or PAAP still resides in the state.

Tex. Fam. Code 159.102(7), 201**Can be exercised If there is NO HOME STATE or home state DECLINES jurisdiction and:**

- The child and at least one parent have a significant connection with this state; and
- Substantial evidence related to the child exists in this state.

Tex. Fam. Code 159.201**DECLINING JURISDICTION****Invenient Forum**

- A court may decline jurisdiction at any time if it determines it is an inconvenient forum and another forum is more appropriate under the circumstances of the case.
- The Court must allow evidence of:
 - Domestic Violence;
 - Length of time child has resided out of state;
 - Financial circumstances of parties;
 - Nature and location of evidence;
 - Etc. (See 152.206)

Tex. Fam. Code 152.206**Reason of Conduct**

- If the court determines it has jurisdiction due to unjustifiable conduct, the court shall decline jurisdiction unless:
 - The parents have agreed to jurisdiction;
 - A court of the state otherwise having jurisdiction has declined due to this state being a more appropriate forum; or
 - No court of any other state would have jurisdiction under 159.201-203.

Tex. Fam. Code 159.207**EMERGENCY JURISDICTION**

A court has temporary emergency jurisdiction if: the child has been abandoned or the child, sibling or parent has been abused or threatened with abuse.

- If there is no previous custody order & a suit is not filed in a court with jurisdiction, an emergency order will last until there is an order by court with jurisdiction, and if not, it may become final.
- If there's been a previous custody order or suit is filed in a state with jurisdiction, the temp. order must specify a time for the person to obtain an order from the state with jurisdiction and courts must immediately communicate.

Tex. Fam. Code 152.204**JURISDICTION TO MODIFY**

A court has continuing exclusive jurisdiction to modify until:

- It determines the neither child, a parent or PAAP have a significant connection with the state and substantial evidence no longer exists in the state; or
- The court or a court of another state determines the child, the parents and PAAPs no longer reside in the state.
- Thereafter, the court of the other state may exercise jurisdiction if it would qualify for initial jurisdiction.

Tex. Fam. Code 159.202, 203