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web typically your child will not need to appear in court unless one of the parties has filed a motion to confer with child this type of motion is usually filed when one of the children is 12 or older and wants to express with the court whom they would like to reside with

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the child's wishes as to possession access or any other issue in the suit affecting the parent child relationship this motion can be filed by a party the amicus attorney or the attorney ad litem for the child or by the court's

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web feb 12 2013 i agree with attorney mcham texas family code states that if you're going to a jury trial the judge cannot confer with the child in her chambers it's a fact issue and while the judge can consider it in making a recommendation the jury can't jury trials especially in child custody cases are tricky things