

What is sole managing conservatorship, and how does a parent get it?

Key facts

- Texas law presumes joint managing conservatorship is in a child's best interest, a presumption removed by a finding of family violence between the parents (Texas Family Code Section 153.131, checked 2026-09-22).
- A sole managing conservator holds 11 exclusive rights unless limited by the court, including deciding the child's residence, consenting to invasive medical treatment, and making education decisions (Texas Family Code Section 153.132, checked 2026-09-22).
- A court may not appoint joint managing conservators if credible evidence shows a history or pattern of family violence, child abuse or neglect by a parent (Texas Family Code Section 153.004, checked 2026-09-22).
- Filing fees for a Texas custody case (a SAPCR) are set by each county's district clerk, not the state, and a fee waiver is available for people who cannot pay (Texas Law Help, checked 2026-09-22).
- A parent who is not managing conservator still keeps rights at all times, including access to medical and school records and the right to attend school activities (Texas Family Code Section 153.073, checked 2026-09-22).
- Changing who decides a child's primary residence within one year of the current order generally requires the custodial parent's agreement, a safety risk, or six months of care by someone else (Texas Law Help, checked 2026-09-22).
- Only Texas uses "managing conservator." Other states use legal custody, parental responsibility or the allocation of parental responsibilities for the same authority (California Courts Self-Help Guide; The 2026 Florida Statutes, Section 61.13; Illinois Compiled Statutes 750 ILCS 5/602.5, checked 2026-09-22).

Checklist: understanding or pursuing sole managing conservatorship

- ☐ Confirmed which state's law applies to the custody case
- ☐ Reviewed whether joint conservatorship or custody is presumed in that state
- ☐ Identified any history of family violence, abuse or neglect that could affect the presumption
- ☐ Located the current custody order, if one exists, and read the exact rights it grants
- ☐ Identified the county or court where a SAPCR or custody case would be filed
- ☐ Asked the district clerk about filing, issuance and service fees, or the fee waiver process
- ☐ Noted the one-year rule and its exceptions before seeking to change the child's primary residence
- ☐ Talked to a family law attorney if the other parent objects or safety is a concern

