

Agreed Divorce Forms SET C

(Texas Divorce, Children with Final Court Order in place for Custody & Support, Opposite-Sex Spouses)

Use these instructions & forms if:

- You have a Texas divorce, you and your spouse agree about all the issues and will both sign the necessary court forms, you and your spouse have children together who are under 18 or still in high school, and you already have a court order in place for custody and support of your children.

This packet includes:

1. Instructions for an AGREED Divorce with Children
2. Original Petition for Divorce
3. Civil Case Information Sheet
4. Information on Suit Affecting the Parent-Child Relationship
5. Statement of Inability to Afford Payment of Court Costs
6. Waiver of Service
7. Respondent's Original Answer
8. Required Initial Disclosures in Dissolution of Marriage
9. Final Decree of Divorce
10. Notice of Current Address
11. Sample Testimony for Divorce with Prior Final Order Regarding Children

Note: You may not need all of the forms listed or you may need additional forms. Get more information at www.TexasLawHelp.org. Talk to a lawyer if you have questions.

Instructions & Forms for an Agreed Divorce (When there is Already a Final Court Order for Custody and Support of Your Children)

Warning: *The information and forms in this guide are not a substitute for the advice and help of a lawyer.*

These instructions explain the basic steps in an **agreed** divorce when there is already a final court order for custody and support of your children in place and you do not want to change that order. Each step includes a link to the form or forms needed for that step.

Use these instructions if:

- you and your spouse agree about all the issues and will both sign the necessary court forms, and
- there is a final court order for custody and support of your children in place, and
- you do not want to change that order.

Do not use these instructions if the order for custody and support of your children:

- does not include all the children you and your spouse have together,
- is a temporary order,
- is a family violence protective order, or
- you want to change the order.
- **Checklist Steps**

Step 1: Determine where to file your divorce.

It's important to file for divorce in the correct county. If you file in the wrong county, your case will be dismissed.

You can file for divorce in the county where you live or in the county where your spouse lives as long as you or your spouse meets these **residency requirements**:

- You can file for divorce in the county where you live as long as:
 - you have lived in that county for at least the last 90 days, and
 - you have lived in Texas for at least the last 6 months.
- Or, you can file for divorce in the county where your spouse lives as long as:
 - your spouse has lived in that county for at least the last 90 days, and
 - your spouse has lived in Texas for at least the last 6 months.

If neither you nor your spouse meet the residency requirements, talk with a lawyer.

Read the **Frequently Asked Questions**, [FAQs: Filing a Divorce with Children with Final Court Order](#), for additional information.

Step 2: Fill out the starting forms.

Fill out this **starting form**:

- **Original Petition for Divorce (Set C)** (called the Petition for short)

You will file (turn in) the Petition at the courthouse to start your divorce case. The Petition tells the judge and your spouse that you want a divorce and states what you want the judge to order in the Final Decree of Divorce. The **Frequently Asked Questions** and related **Articles** included with these instructions will help you understand your options.

When you fill out the Petition:

- Print your answers neatly in blue or black ink. Do not leave blanks.
- You are the “petitioner” and your spouse is the “respondent.”
- Talk to a lawyer if you have questions or need help.

Note: The Petition asks for your address. Your spouse will get a copy of the Petition. If you are concerned about your spouse knowing your address, call the Family Violence Legal Line at 800-374-4673 for free advice.

Do you have a copy of the order for custody and support of your children? You will need a file-stamped copy of the final court order for custody and support of your children. If you already have a copy, make sure it includes the judge’s signature. If you need a copy, get it from the district clerk’s office in the county where the order was made.

Are you filing your divorce in the county where the order for custody and support of your children was made? If yes, use the same cause number and court number for your divorce. Find the cause number and court number for the order regarding your children at the top of the first page of the order. Write the same cause number and court number at the top of the first page of your Petition.

Note: If you are filing your divorce in a different county, the clerk will give you a new cause number and court number.

Fill out these additional **starting forms** if required for your case:

- [Civil Case Information Sheet](#) (NOTE: the [Texas Supreme Court has repealed the rule requiring the civil case information sheet](#), so you may not need this form. If you are filing paper documents in person at the clerk's office, you should complete it and bring it anyway, however.).

- [Exhibit: Out-of-State Party Declaration](#) (required **only** if you or your spouse lives outside of Texas)
- [Statement of Inability to Afford Payment of Court Costs](#) (use **only** if you cannot afford to pay the filing fee for your case) Call the clerk's office to learn the filing fee for your case. Learn more here: [Court Fees and Fee Waivers](#).

Make two copies of these completed starting forms:

- Original Petition for Divorce
- Exhibit: Out-of-State Party Declaration (**only** if you or your spouse lives outside of Texas)
- Statement of Inability to Afford Payment of Court Costs (**only** if you are asking the court to waive court costs)

Step 3: File (turn in) your starting forms.

File (turn in) your completed Petition and other starting forms with the court.

You need to find out if your county has [standing orders](#). If it does, you will need to attach a copy of the standing orders to your petition.

- To file your forms online, go to [E-File Texas](#) and follow the instructions.
- To file your divorce forms in person, take your Original Petition for Divorce and additional starting forms (and copies) to the district clerk's office in the county you have determined is the correct county to file your divorce.

At the clerk's office:

- Turn in your Petition and other starting forms (and copies).
- Pay the filing fee (or file your completed Statement of Inability to Afford Payment of Court Costs if you cannot afford the fee). You can call the clerk's office ahead of time to learn the filing fee for your case.
- Ask the clerk if there is a local standing order that you need to follow or attach to any of your documents.
- Ask the clerk if there are local rules or procedures you need to know about for your divorce.
- If you are filing for divorce in the county where the order for custody and support of your children was made, ask the clerk to file your divorce case in the same court and under the same cause number. If you are filing for divorce in a different county, the clerk will write your "Cause Number" and "Court Number" at the top of the first page of your Petition. (Write these numbers at the top of any document you file in your divorce case.)
- The clerk will "**file stamp**" your copies with the date and time. The clerk will keep the original and give you back your copies. One copy is for you and one copy is for your spouse.

Step 4: Ask your spouse to sign an Answer or Waiver of Service form.

Give your spouse:

- a **file-stamped** copy of your Original Petition for Divorce, **and**
- a **blank** [Respondent's Original Answer \(Set C\)](#) form or a **blank** [Waiver of Service Only \(Set C\)](#) form.

WARNING! Do not hand-deliver any papers to your spouse if there has been violence during your relationship, especially if a judge has signed a Protective Order ordering you or your spouse to stay away from the other. You can have your spouse served instead. If you decide to have your spouse served, use these instructions instead: **Instructions & Forms for a Default Divorce (When There is Already a Final Court Order for Custody and Support of Your Children) in the checklist directly below this one.**

Ask your spouse to:

- **fill out and sign** the Respondent's Original Answer form - **OR** - the Waiver of Service Only form.

Your spouse can fill out and sign **either** form.

The Waiver of Service Only form must be signed in front of a notary. If your spouse plans to sign the Waiver of Service Only form, tell your spouse to sign it in front of a notary at least one day **after** you filed the Petition. Otherwise your spouse will have to redo it.

The Respondent's Original Answer form does not have to be signed in front of a notary.

- **return** the signed form to you.

Tip: If your divorce is agreed, your spouse must also sign a **completed** Final Decree of Divorce form. It may save you time to fill out the Final Decree of Divorce form now and send it to your spouse with the Answer or Waiver of Service form. Read **Step 5** for information about filling out the Final Decree of Divorce.

WARNING! Effective January 1, 2021, once a party to a family law case (like a divorce) files an answer, both sides will be obligated to exchange certain information and documents within 30 days. The form is here: [Required Initial Disclosures in Divorces, Annulments, and Suits to Declare Marriage Void](#).

Step 5: Fill out the Final Decree of Divorce and other ending forms.

Fill out the following Final Decree of Divorce form:

- [Final Decree of Divorce \(Set C\)](#)

You will ask the judge to sign the Final Decree of Divorce form when it's time to finish your divorce. When signed by the judge, the Final Decree of Divorce ends your marriage and makes orders about your property and debt. It may include other orders depending on your case.

The Final Decree of Divorce form must be completely filled out (except for the judge's signature) **before** you go to court. You and your spouse may want to fill out the Final Decree of Divorce form together.

When you fill out the Final Decree of Divorce:

- Print your answers neatly in blue or black ink. Do not leave blanks.
- You are the petitioner and your spouse is the respondent.
- Talk to a lawyer if you have questions or need help.

Note: You **MUST** attach a file-stamped copy of the order for custody and support of your children to the Final Decree of Divorce. Make sure your copy of the order includes the judge's signature. If you need a new copy of the order, get it from the district clerk's office in the county where the order was made.

Note about retirement benefits: If you are dividing retirement benefits (other than an IRA), you must also complete a form called a Qualified Domestic Relations Order (QDRO). TexasLawHelp.org does not provide QDRO forms. You may contact the employer or retirement plan administrator to see if they have a sample QDRO form. If not, you should hire a lawyer to draft the QDRO form. If you use the employer or plan administrator's form, you should still have a lawyer review it to make sure you are not giving up important benefits. You should have the QDRO prepared *before* you go to court, so the judge can sign it when you finish your divorce. Learn more here: [Dividing Retirement Benefits Upon Divorce](#).

Also complete the [Information on Suit Affecting the Family Relationship](#) form (also known as the "Austin" form), which must be printed on one page (front and back).

Step 6: Have your Final Decree of Divorce form reviewed (if possible).

Some counties require this document to be reviewed by an attorney, while others do not. You should speak with the district clerk's office in your county regarding local requirements. Even if it's not required, it's a good idea to have a family law lawyer review your completed *Final Decree of Divorce* form. Family law lawyers specialize in cases involving families, such as divorce cases.

You can hire a family law lawyer **just** to review your forms. This is called "limited scope representation." You may also be able to talk with a lawyer for free at a legal clinic. If you need help finding a lawyer, you can:

- Use our [Legal Help Directory](#) to search for a lawyer referral service, legal aid office or self-help center in your area.
- Check our [Legal Events and Clinics](#) page for free legal clinics in your area.
- Use [Ask a Question](#) to chat online with a lawyer or law student.

Step 7: Ask your spouse to sign the Final Decree of Divorce form.

Ask your spouse to:

- **review and sign** your completed Final Decree of Divorce form, **and**
- **return** the signed Final Decree of Divorce form to you.

Note: Make sure the Final Decree of Divorce form is completely filled out **before** your spouse signs it. You CANNOT make changes to the Decree once it has been signed by your spouse, unless your spouse initials each change.

You will also:

- sign the Final Decree of Divorce form, and
- keep the signed Final Decree of Divorce form until it is time to finish your case.

Note: If your spouse filed an answer or waiver of service only form but will not sign the Final Decree of Divorce form, your divorce is contested. To finish a contested divorce, you must set a contested final hearing. You must give your spouse at least 45 days' notice of the final hearing. Read this article to learn more: [How to Set a Contested Final Hearing \(Family Law\)](#). It's always best to have a lawyer if your case is contested.

Step 8: Wait the 60-day waiting period.

In almost all cases, you must wait at least 60 days before you can finish your divorce.

When counting the 60 days, find the day you filed your Original Petition for Divorce on a calendar, and then count out 60 more days (including weekends and holidays). If the 60th day falls on a weekend or holiday, go to the next business day. **Note:** When counting the 60 day waiting period, don't count the day you filed your Original Petition for Divorce. Day 1 is the next day.

There are **only** two exceptions to the 60-day waiting period.

1. If your spouse has been convicted of or received deferred adjudication for a crime involving family violence against you or a member of your household, the 60-day waiting period is waived.

2. If you have an active protective order or an active magistrate's order for emergency protection against your spouse because of family violence during your marriage, the 60-day waiting period is waived.

Note: You can always wait longer than 60 days, but your divorce cannot be finished in fewer than 60 days unless one of these exceptions applies.

Step 9: Get ready for court.

Call the clerk's office to learn when and where the court hears uncontested cases.

Print and read through the sample testimony (found below). You must read this testimony to the judge when you go to court to finish your divorce. Make sure everything in the sample testimony is true for you. If not, talk to a lawyer. Remember, everything you say in court must be true and correct. You can be charged with a crime for lying in court.

- [Sample Testimony Divorce with Children \(Set C\)](#)

Read the article [Tips for the Courtroom](#) for more information about going to Court.

Step 10: Go to court to finish your divorce.

Bring these papers with you to the courthouse on the day you plan to finish your case:

- File-stamped copy of your Original Petition for Divorce;
- Waiver of Service or Answer form filled out and signed by your spouse (and 1 copy);
- Final Decree of Divorce form completely filled out and **signed by both you and your spouse** with a file-stamped copy of the final order for custody and support of your children attached;
- Sample Testimony;
- Your completed [Information on Suit Affecting the Family Relationship](#) form (also known as the "Austin" form), which must be printed on one sheet of paper (front and back); and
- Any additional documents needed for your specific case, such as a Qualified Domestic Relations Order (QDRO) **signed by both you and your spouse** if you are dividing a retirement account.

When you get to the courthouse, go to the clerk's office.

- File the Respondent's Original Answer **or** Waiver of Service Only form that was filled out and signed by your spouse. Ask the clerk to file stamp your copy. Bring your file-stamped copy with you to court.
- Ask if you need the court file or docket sheet (list of what has been filed in your case).

When you get to the courtroom tell the clerk you are there and give the clerk your paperwork. Sit down until the judge calls your case.

When the judge calls your case, walk to the front of the courtroom and stand in front of the judge's bench. The judge will have you raise your right hand and swear to tell the truth. The judge may ask you questions or may ask you to read your testimony. Have your sample testimony ready. The judge will listen to what you say and review your papers. If everything is in order the judge will sign your Final Decree of Divorce.

Step 11: File (turn in) the signed Final Decree of Divorce.

After the judge signs your Final Decree of Divorce, go back to the clerk's office.

- File (turn in) the Final Decree of Divorce and any other orders signed by the judge. **Your divorce is NOT final until you do so.**
- File your completed [Information on Suit Affecting the Family Relationship](#) form (also known as the "Austin" form), which must be printed on one sheet of paper (front and back).
- Get a certified copy of your Final Decree of Divorce and any other orders signed by the judge from the clerk while you are there. The clerk may charge a fee for the certified copies.

Step 12: After your divorce is finished.

Send a file-stamped copy of your *Final Decree of Divorce* and any other orders signed by the judge to your spouse.

Follow these additional steps if they apply:

- If your name was changed, take a certified copy of your *Final Decree of Divorce* to the following agencies:
 - Your local Social Security Administration (SSA) office to change your social security card.
 - Your local Department of Public Safety (DPS) office to change your driver's license or state identification card.
 - Your County Voter Registrar to change your voter registration card. (For more information, contact the [Texas Secretary of State](#).)
 - Contact the [U.S. State Department](#) to change your name on your passport.
- Transfer car titles. If a vehicle (not already in your name alone) is awarded to you, give a certified copy of the *Final Decree of Divorce* to your county tax office and apply for title. The vehicle identification number (VIN) must be listed in your *Final Decree of Divorce*.

- File deeds to transfer title to real property (house or land) at the property records office in the county where the property is located.
- If the judge signed a QDRO dividing a retirement account, send a certified copy of the QDRO to the administrator of the retirement plan by certified mail return receipt requested.
If this isn't done, you won't get your share of the retirement funds.
- Revise your will, insurance policies and all financial account beneficiary designations as needed.

Cause Number: _____
(The Clerk's office will fill in the Cause Number and Court Number when you file this form.)

In the Matter of the Marriage of

Petitioner: _____
Print first, middle and last name of the spouse filing for divorce.

In the _____
(Court Number)

- ☐ District Court
☐ County Court at Law

And

Respondent: _____ County,
Print first, middle and last name of other spouse. Texas

Original Petition for Divorce

Print your answers.

My name is: _____
First Middle Last

I am the **Petitioner**, the person asking for a divorce.

The last three numbers of my driver's license number are: _____. My driver's license was issued in (State) _____.

or ☐ I do not have a driver's license number.

The last three numbers of my social security number are: _____.

or ☐ I do not have a social security number.

My spouse's name is: _____
First Middle Last

My spouse is the **Respondent**.

1. Discovery Level

The discovery level in this case, if needed, is: (Check one box.)

- ☐ Level 1. Check here if you and your spouse have less than \$250,000 in property.
☐ Level 2. All other couples check here.

2. Legal Notice (Check one box.)

- ☐ I think my spouse will sign a Waiver of Service (or Answer). Do not send a sheriff, constable, or process server to serve my spouse with a copy of this Petition for Divorce at this time.
☐ I will have a sheriff, constable, process server or clerk serve my spouse with this Petition for Divorce here:

Street Address City State Zip

If this is a work address, name of business: _____

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to my spouse by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a Statement of Inability to Afford Payment of Court Costs if I am unable to pay the fee) and **arrange for service**.

- ☐ I cannot find my spouse. I ask that my spouse be served by publication. I understand I must file an Affidavit for Citation by Publication and hire a lawyer to serve as attorney ad litem for my spouse.

3. Jurisdiction

3A. County Residence Requirement

(Check all boxes that apply.)

- ☐ I have lived in this county for the last 90 days.
- ☐ My spouse has lived in this county for the last 90 days.
- ☐ I am serving in the armed forces or other government service outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- ☐ I have accompanied my spouse who is serving in the armed forces or other government service outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.

Note: You cannot file for divorce in Texas until you or your spouse has lived in the county where you are asking for a divorce for at least the last 90 days and in Texas for at least the last six months.

There are special rules for military families and others who are absent from the state due to government service. Get more information at www.TexasLawHelp.org.

3B. Texas Residence Requirement

(Check all boxes that apply.)

- ☐ I have lived in Texas for the last six months.
- ☐ My spouse has lived in Texas for the last six months.
- ☐ I am serving in the armed forces or other government service outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.
- ☐ I have accompanied my spouse who is serving in the armed forces or other government service outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.

3C. Personal Jurisdiction over Spouse

(Check one box.)

- ☐ My spouse lives in Texas.
- ☐ My spouse does not live in Texas.

(If your spouse does not live in Texas, check any boxes that apply below.)

- ☐ My spouse agrees that a Texas court can make orders in this divorce, including orders dividing our property and debts. My spouse will file a Waiver of Service (or Answer).
- ☐ Texas is the last state where we lived together as a married couple. This Petition for Divorce is filed less than two years after we separated.

4. Dates of Marriage and Separation

My spouse and I got married on or about: _____
Month Day Year

We stopped living together as spouses on or about: _____
Month Day Year

5. Grounds for Divorce

I ask the Court to grant me a divorce. The marriage has become insupportable due to discord or conflict of personalities that destroys the legitimate ends of the marital relationship and prevents any reasonable expectation of reconciliation.

6. Children Together

My spouse and I **do** have children together who are under the age of 18 or still in high school. All of our children who are under the age of 18 or still in high school are listed below. However, there is a final court order for custody (conservatorship), visitation, child support and medical support of all the children listed below and I am not asking to change that order at this time.

The order was made in _____ County and _____ State.
The cause number for the order is _____.

I understand I must attach a file-stamped copy of the order to my Final Decree of Divorce.

	Child's name	Age	Date of Birth	Sex
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Note: Do not use this form if you have a court order about your children but:

- 1) the order does not include all the children you and your spouse have together, or
- 2) the order is a temporary order, or
- 3) you are asking the court to make changes to the order.

If one of these situations applies, you must ask a lawyer to draft the appropriate form for your case.

7. Is Either Spouse Pregnant?

(Check one box.)

- ☐ The wife in this marriage **is not** pregnant.
- ☐ The wife in this marriage **is** pregnant. I understand that I cannot finish the divorce until after the child is born.

(If the wife is pregnant, also check one box below.)

- ☐ The husband **is** the father of this child. I ask the court to include orders for custody, visitation, child support and medical support for the child in the Final Decree of Divorce.
- ☐ The husband **is not** the father of this child. I understand that paternity of the child must be established before I can finish my divorce. (Get information about establishing paternity at www.TexasLawHelp.org.)

8. Did the Wife have a Child with Another Partner while Married to the Husband?

(Check one box. Fill in the requested information, if applicable.)

- ☐ The wife **did not** have a child with another man while married to the husband.
- ☐ The wife **did** have a child with another man while married to the husband. All of the children born during the marriage that are not the husband's adopted or biological children are named below:

	Child's name	Age	Date of Birth	Sex
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

(If the wife had a child or children with another man during the marriage, check one box below.)

- ☐ Paternity of the child(ren) named above **has not** been established. I understand that paternity of the child(ren) must be established before I can finish my divorce. (Get information about establishing paternity at www.TexasLawHelp.org.)

- ☐ Paternity of the child(ren) named above **has** been established:

(Check one box.)

- ☐ A court order has established that another man is the biological father and/or the Husband is not the biological father of the child(ren) listed above. I understand I must attach a file-stamped copy of the court order to my Final Decree of Divorce.
- ☐ An Acknowledgement of Paternity was signed by the biological father and a Denial of Paternity was signed by the Husband for the child(ren) listed above. I understand I must attach a copy of these documents to my Final Decree of Divorce.

9. Protective Order Statement

(Check the appropriate boxes below. Fill in the required information.)

Note: You **must** provide information about any protective order or pending application for protective order involving you and your spouse or a child of either you or your spouse.

This includes information about any:

- (1) family violence protective order,
- (2) sexual assault, sexual abuse, trafficking or stalking protective order, and
- (3) emergency protective order issued after an arrest.

You **must also** attach to this petition a copy of any protective order (even if it's expired) in which one spouse or child of either spouse was the applicant or victim and the other spouse was the respondent or defendant.

If your divorce petition does not accurately reflect whether there is a protective order against either spouse, the Court may require you to file an amended petition.

9A. No Protective Order

- ☐ I **do not** have a protective order against my spouse, and I have not asked for one.
- ☐ My spouse **does not** have a protective order against me, and has not asked for one.

9B. Pending Protective Order

- ☐ I **have** filed paperwork at the courthouse asking for a protective order against my spouse, but a judge has not decided if I should get it. I asked for a protective order on _____
Date Filed
in _____ County, _____. The cause number is _____.
County State Cause Number
If I get a protective order, I will file a copy of it before any hearings in this divorce.

- ☐ My spouse **has** filed paperwork asking for a protective order against me, but a judge has not decided if my spouse will get it. My spouse asked for a protective order on _____
Date Filed
in _____ County, _____. The cause number is _____.
County State Cause Number
If my spouse gets a protective order, I will file a copy of it before any hearings in this divorce.

9C. Protective Order in Place

- ☐ I **do have** a protective order against my spouse. I got the protective order in _____
County, _____ on _____.
County State Date Ordered
The cause number for the protective order is _____.
Cause Number
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.
- ☐ My spouse **does have** a protective order against me. The protective order was made in _____
County, _____ on _____.
County State Date Ordered
The cause number for the protective order is _____.
Cause Number
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this divorce.

10. Waiver of Waiting Period Based on Family Violence (Check only if applicable.)

- ☐ I ask the Court to waive the 60-day waiting period for divorce because: (Check one box.)
 - ☐ My spouse has been convicted of or received deferred adjudication for a crime involving family violence against me or a member of my household.

- ☐ I have an active protective order or an active magistrate's order for emergency protection against my spouse because of family violence during our marriage. The order includes a finding that my spouse committed family violence.

11. Property and Debt

Note: It is important to talk with lawyer if you or your spouse has a house, land, business, retirement funds, other valuable property or debt. Getting advice from a lawyer now can save you time and money in the long run. You **SHOULD NOT** use these forms if there are complicated property issues.

About community property: Texas is a community property state. This means that any new property that either spouse gets from the minute they are married until the minute the judge grants the divorce is probably community property, even if the property is only in one spouse's name.

About separate property: Property owned by a spouse before the marriage is that spouse's separate property. In addition, if either spouse receives a gift, an inheritance, or a recovery for personal injuries that occurred during the marriage (not including a recovery for lost wages or medical expenses); it is that spouse's separate property. There are exceptions to these general rules. If you have questions talk to a lawyer.

About retirement: Retirement funds (such as 401k, pension, profit sharing, stock option plans and IRAs) earned by either spouse during the marriage are usually considered to be community property that can be divided by the court. This is true even if you or your spouse has not yet retired. If you want the Court to divide retirement funds (other than an IRA), you will need to have the Court sign an additional form, usually called a "Qualified Domestic Relations Order" (QDRO), to make the division effective. You should have the QDRO prepared before you go to court, so the judge can sign it when you finish your divorce. A QDRO form is not included with this divorce set. You may be able to get a sample QDRO form from the employer or retirement fund administrator. If not, you should hire a lawyer to draft the QDRO form. If you use the employer or retirement fund administrator's QDRO form, you should still have a lawyer review it to make sure you are not giving up important benefits. **Note:** If you and your spouse plan to keep your own retirement funds or do not have retirement funds, you do not need a QDRO.

About debt: A creditor's right to collect a debt is not affected by a divorce decree. So, if the Court orders your spouse to pay a debt (such as a mortgage) that is in both of your names, but your spouse doesn't pay it, the creditor can still seek payment from you. Ask a lawyer how to protect yourself in this situation.

11A. Community Property and Debt

If my spouse and I can agree about how to divide the property and debts we got during our marriage, I ask the Court to approve our agreement. If we cannot agree, I ask the Court to divide our community property and debts according to Texas law.

11B. Separate Property

I own the following separate property. I owned this property before I was married, or I received this property as a gift or inheritance during my marriage or I received this property as recovery for personal injuries that occurred during the marriage (not including any recovery for lost wages or medical expenses). I ask the Court to confirm this property as my separate property.

(Fill in all lines. If you have no property to list in a particular category, write "none.")

House or land located _____
Street Address City State Zip

Cars, trucks, motorcycles or other vehicles

Year Make Model Vehicle Identification No. [VIN]-

Other money or personal property I owned before I was married, received as a gift or inheritance during my marriage or property I purchased during my marriage with separate property funds: _____

Money I received as recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses: _____

12. Name Change

(Check one box.)

Note: You cannot use this form to change your name to anything other than a name you used before you got married.

- ☐ I am NOT asking the Court to change my name.
- ☐ I ask the Court to change my name back to a name I used before my marriage. I am not asking the court to change my name to avoid criminal prosecution or creditors. I ask that my name be changed to:

First Middle Last

13. Request for Judgment

I ask the Court to grant my divorce. I also ask the Court to make the other orders I have asked for in this Petition and any other orders to which I am entitled.

_____ Petitioner's Name		_____ Date	
→ _____ Petitioner's Signature		_____ Phone	
_____ Mailing Address		_____ City	_____ State
_____ Email Address:		_____ Fax (if any)	_____ Zip

I understand that I must notify the Court and my spouse's attorney (or my spouse if my spouse does not have an attorney) in writing if my mailing address or email address changes during these divorce proceedings. If I don't, any notices about this case including the dates and times of hearings will be sent to me at the mailing address or email address above.

Note: For a referral to a lawyer, call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service at 800-252-9690.

For information about free and low-cost legal help in your county go to www.TexasLawHelp.org or call the Legal Aid office serving your area:

Legal Aid of Northwest Texas, 888-529-5277 (serves Dallas–Fort Worth area and the Panhandle)

Lone Star Legal Aid, 800-733-8394 (serves the Houston area and East Texas)

Texas Rio Grande Legal Aid, 888-988-9996 (serves Austin–San Antonio area, El Paso area and South Texas)

If you have been the victim of family violence, or if at any time you feel unsafe, get help by calling the:

National Domestic Violence Hotline, 800-799-SAFE (7233) or

Texas Family Violence Legal Line, 800-374-HOPE (4673) or

Advocates for Victims of Crime (AVOICE), 888-343-4414.

CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): _____ COURT (FOR CLERK USE ONLY): _____

STYLED _____
(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing. This sheet, approved by the Texas Judicial Council, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:
Name: _____ Address: _____ City/State/Zip: _____ Signature: _____	Email: _____ Telephone: _____ Fax: _____ State Bar No: _____	Plaintiff(s)/Petitioner(s): _____ _____ Defendant(s)/Respondent(s): _____ _____ _____ _____ [Attach additional page as necessary to list all parties]	☐ Attorney for Plaintiff/Petitioner ☐ Pro Se Plaintiff/Petitioner ☐ Title IV-D Agency ☐ Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
2. Indicate case type, or identify the most important issue in the case (select only 1):				
Civil			Family Law	
Contract <i>Debt/Contract</i> ☐ Consumer/DTPA ☐ Debt/Contract ☐ Fraud/Misrepresentation ☐ Other Debt/Contract: _____ <i>Foreclosure</i> ☐ Home Equity—Expedited ☐ Other Foreclosure ☐ Franchise ☐ Insurance ☐ Landlord/Tenant ☐ Non-Competition ☐ Partnership ☐ Other Contract: _____	Injury or Damage ☐ Assault/Battery ☐ Construction ☐ Defamation <i>Malpractice</i> ☐ Accounting ☐ Legal ☐ Medical ☐ Other Professional Liability: _____ ☐ Motor Vehicle Accident ☐ Premises <i>Product Liability</i> ☐ Asbestos/Silica ☐ Other Product Liability List Product: _____ ☐ Other Injury or Damage: _____	Real Property ☐ Eminent Domain/Condemnation ☐ Partition ☐ Quiet Title ☐ Trespass to Try Title ☐ Other Property: _____ Related to Criminal Matters ☐ Expunction ☐ Judgment Nisi ☐ Non-Disclosure ☐ Seizure/Forfeiture ☐ Writ of Habeas Corpus—Pre-indictment ☐ Other: _____	Marriage Relationship ☐ Annulment ☐ Declare Marriage Void <i>Divorce</i> ☐ With Children ☐ No Children Other Family Law ☐ Enforce Foreign Judgment ☐ Habeas Corpus ☐ Name Change ☐ Protective Order ☐ Removal of Disabilities of Minority ☐ Other: _____	Post-judgment Actions (non-Title IV-D) ☐ Enforcement ☐ Modification—Custody ☐ Modification—Other Title IV-D ☐ Enforcement/Modification ☐ Paternity ☐ Reciprocals (UIFSA) ☐ Support Order Parent-Child Relationship ☐ Adoption/Adoption with Termination ☐ Child Protection ☐ Child Support ☐ Custody or Visitation ☐ Gestational Parenting ☐ Grandparent Access ☐ Parentage/Paternity ☐ Termination of Parental Rights ☐ Other Parent-Child: _____
Employment ☐ Discrimination ☐ Retaliation ☐ Termination ☐ Workers' Compensation ☐ Other Employment: _____	Other Civil ☐ Administrative Appeal ☐ Antitrust/Unfair Competition ☐ Code Violations ☐ Foreign Judgment ☐ Intellectual Property ☐ Lawyer Discipline ☐ Perpetuate Testimony ☐ Securities/Stock ☐ Tortious Interference ☐ Other: _____			
Tax	Probate & Mental Health			
☐ Tax Appraisal ☐ Tax Delinquency ☐ Other Tax	<i>Probate/Wills/Intestate Administration</i> ☐ Dependent Administration ☐ Independent Administration ☐ Other Estate Proceedings ☐ Guardianship—Adult ☐ Guardianship—Minor ☐ Mental Health ☐ Other: _____			
3. Indicate procedure or remedy, if applicable (may select more than 1):				
☐ Appeal from Municipal or Justice Court ☐ Arbitration-related ☐ Attachment ☐ Bill of Review ☐ Certiorari ☐ Class Action	☐ Declaratory Judgment ☐ Garnishment ☐ Interpleader ☐ License ☐ Mandamus ☐ Post-judgment	☐ Prejudgment Remedy ☐ Protective Order ☐ Receiver ☐ Sequestration ☐ Temporary Restraining Order/Injunction ☐ Turnover		

INFORMATION ON SUIT AFFECTING THE FAMILY RELATIONSHIP (EXCLUDING ADOPTIONS)

SECTION I GENERAL INFORMATION (REQUIRED)

STATE FILE NUMBER _____

1a. COUNTY _____ 1b. COURT NO. _____
1c. CAUSE NO. _____ 1d. DATE OF ORDER (mm/dd/yyyy) _____

2. TYPE OF ORDER (CHECK ALL THAT APPLY):

☐ DIVORCE/ANNULMENT WITH CHILDREN (Sec. 1,2 AND 3) ☐ DIVORCE/ANNULMENT WITHOUT CHILDREN (Sec 1 AND 2)

☐ ESTABLISHMENT OF COURT OF CONTINUING JURISDICTION (SEC 1 AND 3)
(Court Order Establishing Paternity, Conservatorship, Child Support or Termination of Parental Rights)

☐ CHANGE IN THE NAME OF THE CHILD (SEC 1 AND 3)
(PROVIDE PRIOR AND NEW NAME OF CHILD IN SECTION 3)

☐ TRANSFER OF COURT OR CONTINUING JURISDICTION (SEC1,3 AND INFORMATION BELOW)

TRANSFER TO: COUNTY _____ COURT NO. _____ STATE COURT ID# _____

3a. NAME OF ATTORNEY FOR PETITIONER	3b. TELEPHONE NUMBER (including area code)
3c. CURRENT MAILING ADDRESS (STREET AND NUMBER OR P.O BOX, CITY, STATE, ZIP)	

SECTION 2 (IF APPLICABLE) REPORT OF DIVORCE OR ANNULMENT OF MARRIAGE

PETITIONER	4. NAME (FIRST MIDDLE LAST SUFFIX)		5. MAIDEN LAST NAME (NAME BEFORE 1 ST MARRIAGE)	
	6. PLACE OF BIRTH (CITY AND STATE OR FOREIGN COUNTRY)		7. RACE	8. DATE OF BIRTH (mm/dd/yyyy)
	9. USUAL RESIDENCE		10. USUAL RESIDENCE	
RESPONDENT	11. NAME (FIRST MIDDLE LAST SUFFIX)		12. MAIDEN LAST NAME (NAME BEFORE 1 ST MARRIAGE)	
	13. PLACE OF BIRTH (CITY AND STATE OR FOREIGN COUNTRY)		14. RACE	15. DATE OF BIRTH (mm/dd/yyyy)
	16. USUAL RESIDENCE (STREET AND NUMBER CITY, STATE, ZIP)		17. USUAL RESIDENCE (STREET AND NUMBER CITY, STATE, ZIP)	
18. NUMBER OF MINOR CHILDREN		19. DATE OF MARRIAGE (mm/dd/yyyy)		20. PLACE OF MARRIAGE (CITY AND STATE OR FOREIGN COUNTRY)

SECTION 3 (IF APPLICABLE) CHILDREN AFFECTED BY THIS SUIT

CHILD 1	21a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)			
	21b. DATE OF BIRTH (mm/dd/yyyy)	21c. SEX	21d. BIRTHPLACE (CITY, COUNTY AND STATE)	
	21e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE			
CHILD 2	22a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)			
	22b. DATE OF BIRTH (mm/dd/yyyy)	22c. SEX	22d. BIRTHPLACE (CITY, COUNTY AND STATE)	
	22e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE			
CHILD 3	23a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)			
	23b. DATE OF BIRTH (mm/dd/yyyy)	23c. SEX	23d. BIRTHPLACE (CITY, COUNTY AND STATE)	
	23e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE			

☐ ADDITIONAL CHILDREN LISTED ON BACK OF THE FORM.

I CERTIFY THAT THE ABOVE ORDER WAS GRANTED ON THE DATE AND PLACE AS STATED.

SIGNATURE OF THE CLERK OF THE COURT

WARNING: This is a governmental document. Texas Penal Code, Section 37.10, specifies penalties for making false entries or providing false information in this document. VS-165 REV 07/2017

ADDITIONAL CHILDREN AFFECTED BY THIS SUIT FROM SECTION 3 (IF APPLICABLE)

CHILD 4	23a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	23b. DATE OF BIRTH (mm/dd/yyyy)	23c. SEX	23d. BIRTHPLACE (CITY, COUNTY AND STATE)
	23e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		
CHILD 5	24a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	24b. DATE OF BIRTH (mm/dd/yyyy)	24c. SEX	24d. BIRTHPLACE (CITY, COUNTY AND STATE)
	24e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		
CHILD 6	25a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	25b. DATE OF BIRTH (mm/dd/yyyy)	25c. SEX	25d. BIRTHPLACE (CITY, COUNTY AND STATE)
	25e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		

Instructions for Completing the Suit Affecting Parent Child Relationship Form**GENERAL REQUIREMENT:**

All divorces/annulments (with or without children) and all suits affecting the parent-child relationship must be reported through the clerk of the court to the State Vital Statistics Unit (VSU).

Consolidated reporting by petitioners, attorneys, and the courts is designed to make mandatory reporting more efficient, timely, and improve the quality of reporting. However, this reporting system is only as good or timely as you make it; therefore, your attention in completing and filing this report is critical.

Legal basis for this reporting is contained in Health and Safety Code §194.002 and Texas Family Code §§108.001-.002 and 108.004.

For information concerning reporting or questions about this form, contact field services at fieldservices@dshs.texas.gov or by phone at 512-776-3010.

The VSU-165 form must be printed double-sided (one sheet not two).

For information on the court of continuing jurisdiction of a child, contact VSU at (888) 963-7111 ext. 2529. Inquiries should be addressed to VSU, 1100 West 49th Street, Austin, Texas, 78756-3191; inquiries may also be faxed to (512) 776-7164 .

SECTION 1 GENERAL INFORMATION (REQUIRED)

This section must be completed for each report filed.

- 1a – d. Enter the required information to identify the court proceeding.
- 2. Check the type of suit being reported. This determines also which sections of the form must be completed. If more than one type of order applies, check all that apply. Transfers from one jurisdiction to another must be reported in this section (if court number is unknown, specify "unknown").
- 3a – c. Complete the attorney information to assist in questions or follow up. If case was pro se, please enter the information of the person completing this form.

SECTION 2 (IF APPLICABLE) REPORT OF DIVORCE OR ANNULMENT OF MARRIAGE

All divorces/annulments must be reported, even if there were no minor children. All information is required.

- 4-9. Report the Petitioner's information including maiden name (if applicable).
- 10-15. Report the Respondent's information, including maiden name (if applicable).
- 16. Report the number of minor children affected by this divorce; if none, record "0." This number must correspond to the listing of children in Section 3.
- 17-18. Enter the date and place of the marriage being dissolved.

SECTION 3 (IF APPLICABLE) CHILDREN AFFECTED BY THIS SUIT

Every child affected by the suit being reported must be listed, and all items concerning that child must be completed. If more than three children are affected, check the "additional children listed on back of form" box, and continue to list the additional children. If more than 6 children complete section 3 on another form, label it "continuation" and attached the continuation form to the original form.

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA

**AVISO: ESTE DOCUMENTO CONTIENE INFORMACIÓN
CONFIDENCIAL**

Statement of Inability to Afford Payment of Court Costs or an Appeal Bond

Declaración sobre Incapacidad de Pago de Costas de Tribunal o de una Fianza de Apelación

Cause Number
Número de Caso

The Clerk's office will fill in the Cause Number when you file this form.

El Secretario del Tribunal anotará el Número de Caso cuando usted presente este formulario.

v.

Copy information listed at the top left of
the petition here.

Copie aquí la información ubicada en la
parte superior izquierda del escrito de la
demanda.

Copy information listed at the top right of the petition here.

Copie aquí la información ubicada en la parte superior derecha del escrito de la
demanda.

Court Number
Número del Tribunal

_____, Texas
County
Condado

- ☐ District Court
Tribunal de Distrito
- ☐ County Court
Tribunal del Condado
- ☐ County Court at Law
Tribunal Estatutario
- ☐ Justice Court
Juzgado de Paz
- ☐ Probate Court
Juzgado Sucesorio

1. Your Information / Su Información

- My full legal name is / Mi nombre legal completo es

First Middle Last / Nombre de Pila Segundo Nombre Apellido

- My date of birth is / Mi fecha de nacimiento es

Month Day Year / Mes Día Año

- My address is / Mi dirección es

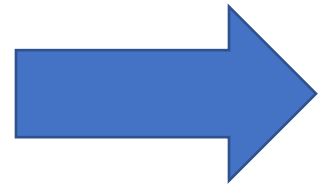
Home / Domicilio _____

Mailing / Dirección Postal _____

- My phone number / Mi número telefónico _____

- My email I check often / Mi correo electrónico que reviso con frecuencia

Go to next page



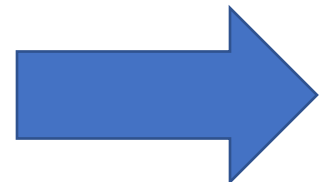
Pase a la siguiente página

2. About My Dependents / Mis Dependientes

“The people who depend on me financially are listed below.” **Use initials only for children under 18.** If needed, attach a separate piece of paper to list more dependents.

“Las personas a continuación dependen económicamente de mí.” **Use iniciales para los menores de 18 años** y, si es necesario, anexe una hoja por separado para enumerar a todos sus dependientes.

Name Nombre	Age Edad	Relationship to me Parentesco Conmigo



3. Are you represented by Legal Aid? ¿Está siendo representado por alguna entidad de asistencia legal?

Check only one box. Seleccione solo una casilla.

I am being represented in this case for free by an attorney who works for a legal aid provider or who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as "Exhibit: Legal Aid Certificate."

Me está representando gratuitamente un abogado que trabaja para una entidad de asistencia legal o que recibió mi caso de una entidad de asistencia legal. El certificado que la entidad de asistencia legal me entregó lo adjunto bajo el título, "Anexo: Certificado de Asistencia Legal."

or / o

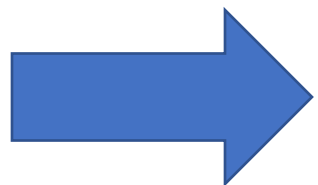
I asked legal aid to represent me. Legal aid told me that I am financially eligible for help, but they could not take my case. I have attached a document from legal aid stating this.

Pedí ayuda de la organizacion de asistencia legal para que me representara. La organizacion de asistencia legal me dijo que soy financieramente elegible para recibir ayuda, pero no pudieron aceptar mi caso. He adjuntado un documento de la organizacion de asistencia legal en el que se indica esto.

or / o

I did not apply for legal aid.

No solicité asistencia legal.



4. Public Benefits / Beneficios de Asistencia Pública

- Do you or any of your dependents receive public benefits?

¿Recibe usted o sus dependientes beneficios de asistencia pública?

Yes / Si

No / No

- If you answered yes, check all that apply and attach proof to this form, such as a copy of an eligibility form or check.

Si respondió con un Sí, marque todas las casillas que apliquen y adjunte a este formulario comprobantes, tales como una copia de la carta autorizando que reciba estos beneficios o una copia del cheque que recibe.

Food stamps/SNAP
Cupones de comida/SNAP

TANF

Medicaid

CHIP

SSI/SSDI

WIC

Lifeline

Public Housing or Section 8 Housing
Asistencia de Vivienda / Programa de
Vivienda bajo Sección 8

Low-Income Home Energy
Assistance
Asistencia con Energía
Eléctrica

Community Care via HHS
Ayuda Comunitaria bajo HHS

LIS in Medicare ("Extra Help")
Subsidio Adicional de Medicare
bajo el Programa LIS

Needs-based VA Pension
Pensión para Veteranos de Guerra en
función a necesidades

Child Care Assistance under
Child Care and Development
Block Grant
Asistencia con Guardería bajo
el Programa CCDBG

County Assistance, County Health
Care, or General Assistance (GA)
Asistencia del Condado, Asistencia
Médica del Condado, o Asistencia
General (GA)

Other / Otros beneficios

Other / Otros beneficios



5. What are your monthly income sources? ¿Cuáles son sus fuentes de ingresos mensuales?

➤ My take-home pay is \$_____ in monthly wages.

Mi pago neto es \$_____ en sueldo mensual.

➤ I work as a _____ (your job title) for _____ (your employer).

Yo trabajo como _____ (título de su puesto) para
_____ (compañía o jefe).

These are my other income sources. Estas son mis otras fuentes de ingresos.

➤ \$_____ in unemployment / en beneficios de desempleo.

I have been unemployed since _____ (date).

He estado desempleado desde _____ (indique fecha).

➤ \$_____ in public benefits / en beneficios de Asistencia Pública.

➤ \$_____ from people in my household other than my spouse / de ingresos de otras personas en mi hogar que no son de mi cónyuge.

➤ \$_____ from retirement or pension / de jubilación o pensión.

➤ \$_____ from tips or bonus / de propinas o bonos.

➤ \$_____ from disability / de discapacidad.

➤ \$_____ from worker's comp / de compensación al trabajador.



- \$_____ from social security / de seguro social.
- \$_____ from military housing / de vivienda militar.
- \$_____ from dividends, interest, or royalties / de dividendos, intereses, o regalías.
- \$_____ from child or spousal support / de manutención de menores o manutención conyugal recibida.
- Answer only if your spouse is not your opponent. Responda tan sólo si su ccónyuge no es parte contraria en esta causa legal.

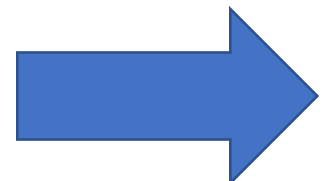
\$_____ from my spouse's income / de ingresos de mi cónyuge.

- \$_____ from other jobs/sources of income / de otros trabajos/fuentes de ingresos.

Describe / describa:

Total Monthly Income
Ingresos Mensuales Totales

\$



6. What is the value of your assets or property? ¿Cuál es el valor de sus bienes o propiedades?	
My property includes: Mis bienes incluyen:	Value / Valor The value is the amount the item would sell for less the amount you still owe on it, if anything. El valor de sus bienes es la cantidad por la que la propiedad o pertenencia se vendería, menos el monto que aún se adeuda, si lo hubiera.
➤ Cash Dinero en efectivo	\$
➤ Bank accounts, other financial assets Cuentas bancarias, otros bienes financieros	
	\$
	\$
	\$
➤ Cars and boats (make and year) Automóviles, lanchas (modelo y año)	
	\$
	\$
	\$
➤ Other property like jewelry, stocks, land, a second house. (Do not list your homestead.) Otros bienes como joyas, acciones, terrenos, una segunda casa. (No indique su hogar familiar.)	
	\$
	\$
	\$
Total Value of Property Valor Total de Sus Bienes	\$



7. What are your monthly expenses that are not deducted from your paycheck? ¿Cuáles son sus gastos mensuales que no son descontados de su cheque de sueldo?

My monthly expenses are: Mis gastos mensuales son:	Amount Cantidad
➤ Rent/house payments; maintenance Alquiler/hipoteca; mantenimiento de casa	\$
➤ Food and household supplies Alimentos y artículos para el hogar	\$
➤ Utilities and telephone Luz, gas, agua y teléfono	\$
➤ Clothing and laundry Ropa y lavado de ropa	\$
➤ Medical and dental expenses Gastos médicos y dentales	\$
➤ Insurance (life, health, auto, etc.) Seguros (de vida, médico, de automóvil etc.)	\$
➤ School and childcare Escuelas y guarderías	\$
➤ Transportation, auto repair, gas Transportación, reparaciones de auto-móviles, gasolina	\$
➤ Child/Spousal support Manutención a Menores/Manutención Conyugal	\$
➤ Debt payments to (list): Pagos por deudas hechas a (indíquelos):	
	\$
	\$
➤ Wages withheld by court order Sueldo retenido por orden judicial	\$
➤ Other expenses (list): Otros gastos (indíquelos):	
	\$
	\$
Total Monthly Expenses Gastos Totales Mensuales	\$



8. Are there debts or other facts explaining your financial situation? ¿Hay deudas u otros factores que expliquen su situación económica?

My debts include (list debt and amount owed):

Mis deudas incluyen (indique deuda y la cantidad que debe):

	\$
	\$
	\$
	\$
	\$

If you want the court to consider other facts, such as unusual medical expenses, family emergencies, etc., attach another page to this form labeled "Exhibit: Additional Supporting Facts."

Si usted desea que el tribunal considere otros factores, tales como gastos médicos excepcionales, emergencias familiares, etc., adjunte al formulario otra hoja con esta información y bajo el título, "Anexo: Información Adicional de Apoyo."

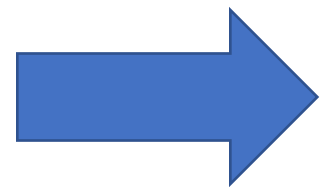
9. Ability to Pay Court Costs. Declaración sobre su Habilidad de Pagar Costas de Tribunal

Check only one box. Seleccione tan solo una casilla.

I cannot afford to pay court costs. No puedo pagar las costas de tribunal.

I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision, and I cannot afford to pay court costs.

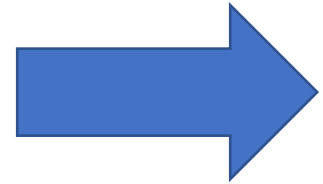
No puedo aportar una fianza de apelación ni pagar un depósito en efectivo para apelar la decisión judicial de un magistrado, y no puedo pagar costas de tribunal.



10. Declaration/Affidavit. Declaración Escrita Bajo Juramento.

Fill out only one box. If you fill out the Declaration (Option 1), you will not need to sign the form in front of a notary public. If you do not want to list your address for privacy or safety concerns, take the form and photo identification, and fill out the Affidavit box (Option 2) in front of a notary public.

Llene tan solo una opción. Si usted llena la Declaración (Opción 1), no necesitará firmar el formulario ante un notario. Si usted no quiere que aparezca su domicilio en el documento para conservar su privacidad o por motivos de su seguridad, lleve el formulario y una identificación con fotografía y llene la sección de la Declaración Escrita Bajo Juramento (Opción 2) ante un Notario.



Option 1 / Opción 1

Declaration: I declare under penalty of perjury that the foregoing is true and correct.

Declaración: Yo declaro bajo pena de perjurio que la información a continuación es correcta y verdadera.

➤ My name is / Mi nombre es

➤ My date of birth is / Mi fecha de nacimiento es

____/____/____

➤ My address is / Mi domicilio es

Street, city, zip, country

Calle y número, ciudad, estado, código postal, país

➤
Signature
Firma

➤
Date (month, day, year)
Fecha (mes, día, año)

➤
County, state
Condado, estado



Option 2 / Opción 2

Affidavit: I swear under penalty of perjury that the foregoing is true and correct.

Declaración Escrita Bajo Juramento: Yo juro bajo pena de perjurio, que lo que precede es correcto y verdadero.

You fill out this section. Do not sign until you are in front of a notary.

Usted llena esta sección. No firme hasta que esté en frente de un notary public.

➤ _____
Your printed name
Su nombre en letra de molde

➤ _____
Your signature
Su firma

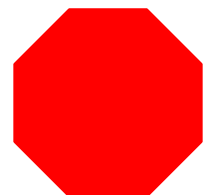
The notary fills out this section.

El Notario llena esta sección.

➤ _____
Subscribed before me this day of
Juramentado y suscrito ante mí el día de hoy del mes de

_____, 20____

NOTARY
NOTARIO



Cause Number: _____

Print court information exactly as it appears on the Original Petition for Divorce.

In the Matter of the Marriage of

Petitioner: _____

Print first, middle and last name of the spouse filing for divorce.

And

Respondent: _____

Print first, middle and last name of other spouse.

In the _____

(Court Number)

☐ District Court

☐ County Court at Law

_____ County, Texas

Respondent's Waiver of Service Only (Specific Waiver)

WARNING to Respondent: Without the advice and help of a lawyer, you may be putting yourself, your property and your money at risk. For a referral to a lawyer or free Legal Aid office, call the State Bar of Texas Lawyer Referral Information Service at 800-252-9690.

If you are a victim of domestic violence, or if at any time you feel unsafe, you can get confidential help from the National Domestic Violence Hotline at 800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 800-374-4673.

INSTRUCTIONS to Respondent: If you decide to use this form:

- Do not sign it until **at least one day after** the Original Petition for Divorce has been filed (turned in to the court). If you sign this form before then, you will have to redo it. Your spouse should have given you a copy of the Original Petition for Divorce. The official court stamp on your copy will tell you when it was filed.
- Fill out this form completely. You **MUST** include your mailing address.
- **Sign this form in front of a notary.** Do not sign until you are standing in front of the notary.
- File (turn in) the original signed form to the court where your spouse filed the Original Petition for Divorce. Keep a copy for your records and give a copy to your spouse.
- Get additional information about divorce at www.TexasLawHelp.org.

The person who signed this affidavit appeared, in person, before me, the undersigned notary, and stated under oath:

"I am the Respondent in this case.

"My name is: _____
First Middle Last

"My mailing address is: _____
Mailing Address City State Zip

"My phone number is: (_____) _____ - _____.

"My email address is: _____.

"My fax number (if available) is: _____.

"The last three numbers of my driver's license number are: ____ ____ _____. My driver's license was issued in (State): _____.

Or ☐ I do not have a driver's license number.

"The last three numbers of my social security number are: ____ ____ ____.

Or ☐ I do not have a social security number.

"I have been given a copy of the Original Petition for Divorce filed in this case. I have read the Original Petition for Divorce and understand what it says. I do not give up my right to review a different Petition for Divorce if it gets changed (amended).

"I understand that I have the right to be given a copy of the Original Petition for Divorce by a constable, sheriff or other official process server (legal notice). I do not want to be given legal notice. I give up my right to legal notice.

"I ask that the Court not enter any orders in this case unless the order is signed by me or unless I have received prior written notice of the date, time, and place of hearing.

"If I reach an agreement and sign a Final Decree of Divorce, the court can enter the Decree without me being present and without giving me notice. If I sign an agreed Final Decree of Divorce, I do not want a court reporter to make a record of the testimony.

"I understand that by signing this form I am entering an appearance in this case. I agree that a Judge or Associate Judge in the county and state where this case is filed may make decisions about my divorce, even if the divorce should have been filed in another county.

"I understand that I must let the Court and my spouse's attorney (or my spouse if s/he is not represented by an attorney) know in writing if my mailing address or email address changes during this case. If I don't, then I understand that any notices about this case will be sent to me at the mailing address or email address on this form.

Military Status (Check one box.)

☐ I am not in the military.

☐ I am in the military. I agree to the provisions stated above and I waive only the rights, privileges, and exemptions I have under the Servicemember's Civil Relief Act that are contrary to those provisions.

Name Change (Check one box.)

☐ I am NOT asking the court to change my name.

☐ I ask the Court to change my name back to a name I used before my marriage. I am not asking the court to change my name to avoid criminal prosecution or creditors."

First

Middle

Last

Signature of Respondent (Do NOT sign until you are in front of a notary.)

Date

Notary fills out below.

State of _____
(Print name of state where this Affidavit is notarized)

County of _____
(Print the name of the county where this Affidavit is notarized)

Sworn to and subscribed before me, the undersigned notary, on this date:

at _____ a.m./p.m.
time circle one

_____/_____/_____
Month day year

by _____
(Print name of person who is signing this Affidavit. NOT the notary's name.)

[Notary Stamps Here]

Notary's Signature

Cause Number: _____

(Print court information exactly as it appears on the Original Petition for Divorce)

In the Matter of the Marriage of

Petitioner: _____

Print first, middle and last name of the spouse filing for divorce.

And

Respondent: _____

Print first, middle and last name of other spouse.

In the _____

(Court Number)

☐ District Court

☐ County Court at Law

_____, Texas

Respondent's Original Answer

WARNING to Respondent: Without the advice and help of a lawyer, you may be putting yourself, your property and your money at risk. For a referral to a lawyer or free Legal Aid office call the State Bar of Texas Lawyer Referral Information Service at 800-252-9690. If you are a victim of family violence, or if at any time you feel unsafe, you can get confidential help from the National Domestic Violence Hotline at 800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 800-374-4673.

WARNING to Out-of-State Respondent: Filing an Answer with the Court enters your appearance in this case. Talk to an attorney before filing an Answer, if you 1) **do not live in Texas** and 2) do not want a Texas Court to have the power to make orders that would impose a personal obligation on you. Such orders could include orders dividing your property and debts and (if requested by your spouse) ordering you to pay spousal maintenance, court costs and attorney's fees. If you file an Answer (or any other pleading) before filing a Special Appearance, you will give up your right to argue that Texas can't make such orders because you live out-of-state. Ask a Texas attorney to help you determine if Texas has personal jurisdiction over you.

INSTRUCTIONS to Respondent: If you decide to use this form:

- Do not sign it until **at least one day after** the Original Petition for Divorce has been filed (turned in to the court). Your spouse should have given you a copy of the Original Petition for Divorce. The official court stamp on your copy will tell you when it was filed.
- Fill out this form completely. You must include your address.
- File (turn in) the original signed form to the court where your spouse filed the Original Petition for Divorce. Keep a copy for your records and give a copy to your spouse.
- Get additional information about divorce at www.TexasLawHelp.org.

Print your answers. **If you are NOT the Respondent, DO NOT** complete this form.

My name is: _____
First Middle Last

I am the **Respondent** in this divorce case.

The last three numbers of my driver's license number are: ____ ____ _____. My driver's license was issued in (State) _____.

or ☐ I do not have a driver's license number.

The last three numbers of my social security number are: ____ ____ _____.
or ☐ I do not have a social security number

1. General Denial

I enter a general denial. I want to be notified of all hearings in this case.

However, if my spouse and I reach an agreement and I sign a *Final Decree of Divorce*, I agree that the Judge can finalize this case without my getting notice of the hearing and without my coming to Court.

2. Contact Information

My mailing address is: _____
Mailing Address City State Zip

My email address is: _____.

My phone number is: (_____) _____ - _____.

I understand that I must notify the Court and my spouse's attorney or my spouse (if my spouse does not have an attorney) in writing if my mailing address or email address changes during these divorce proceedings.

I understand that, unless I notify the Court, my spouse's attorney or my spouse (if my spouse does not have an attorney) in writing of changes to my mailing address and email address, all information about this case, including the date and time of hearings, will be sent to me at the mailing address or email address on this form.

3. Separate Property

I own the following separate property. I owned this property before I was married or I received this property as a gift or inheritance during my marriage or I received this property as recovery for personal injuries sustained during my marriage (not including any recovery for loss of earning capacity during my marriage). I ask the Court to confirm this property as my separate property in my Final Decree of Divorce.

1. House or land located at: _____
Street address city state zip

2. Cars, trucks, motorcycles, mobile homes or other vehicles

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

3. Other property I owned before I was married or received as a gift or inheritance during my marriage (describe): _____

4. Money I received as recovery for personal injuries sustained during my marriage (not including any recovery for loss of earning capacity during my marriage) (describe): _____

(Check one.)

- | PRINT | First | Middle | Last |
|-------|-------|--------|------|
|-------|-------|--------|------|

5. Request for Judgment

Date _____

Phone Number

City _____ State _____ Zip _____

Fax # (if available)

→

Date _____

DO NOT FILE THIS DOCUMENT WITH THE COURT.

Cause Number: _____

Fill in cause number and exactly as assigned when the original petition was filed.

In the Matter of the Marriage of

Petitioner: _____

Print first, middle and last name of the spouse filing for divorce.

And

Respondent: _____

Print first, middle and last name of other spouse

In the _____

(Court Number)

- ☐ District Court
☐ County Court at Law

County,
Texas

And in the interest of the following child(ren)

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | 6. _____ |

Required Initial Disclosures in Dissolution of Marriage

Parties to suits for divorce, annulment, or to declare marriage void must give the other party this information, as required by Texas Rule of Civil Procedure 194.2.

Keep a completed copy of this form for yourself. Attach the documents (like bank statements) that are required. You can attach additional pages on separate sheets of paper if you need more space for listing information.

You must give this information to your spouse no later than 30 days after either party files an answer, waiver of service, or counter-petition with the court clerk. You and the other party may agree in writing to waive the initial disclosures. Forms to waive initial disclosures by Rule 11 Agreement are available at TexasLawHelp.org.

If a question does not apply to your case, write "N/A," "none," or leave it blank. For example, if you have no property to list in a particular category, write "none."

1. Correct names and addresses of parties to the lawsuit.

See Texas Rule of Civil Procedure 194.2(b)(1).

Petitioner: _____

First	Middle	Last	

Street Address	City	State	Zip
_____		_____	
Phone	Email		
_____	_____		

Respondent: _____

First	Middle	Last	

Street Address	City	State	Zip
_____		_____	
Phone	Email		
_____	_____		

List the full names and dates of birth of the child(ren).

DO NOT FILE THIS DOCUMENT WITH THE COURT.

Child's name	Date of Birth	Place of Birth	State where child lives now
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. Potential parties to the lawsuit.

See Texas Rule of Civil Procedure 194.2(b)(2).

You must provide the names, addresses, and telephone numbers of any potential parties.

Check any that apply. If none apply skip to next section.

☐ The Office of the Attorney General—Child Support Division (OAG). The local field office address and phone number are: _____

☐ The Texas Department of Family and Protective Services. The office address and phone number are: _____

☐ Other: _____

3. Legal theories and factual bases of claims or defenses.

See Texas Rule of Civil Procedure 194.2(b)(3).

The pleadings in this case contain the legal theories and general factual bases for claims, or defenses.

4. Amount and any method of calculating economic damages.

See Texas Rule of Civil Procedure 194.2(b)(4).

At the time of this initial required disclosure, economic damages have not been pled for as part of this family law case. No response to this request is needed at this time. If an amended petition or counterpetition is filed that alleges economic damages, a response to this request will be made within 30 days of the filing of the amended petition or counterpetition.

DO NOT FILE THIS DOCUMENT WITH THE COURT.

5. Persons with Knowledge of Relevant Facts (Potential Witnesses)

See Texas Rule of Civil Procedure 194.2(b)(5).

You also need to give the other side the names, phone numbers, and addresses of potential witnesses—that is, people with knowledge of relevant facts. What is each person's connection with the case? The list should include all potential witnesses regardless of who they would be testifying for. Attach another sheet of paper if you need more room.

IF this case is contested, this list could include family members, neighbors, teachers, doctors, counselors, employers, and financial advisors, among others.

Name	Address	Phone number	Connection to case

6. Documents, electronic items, or tangible things.

See Texas Rule of Civil Procedure 194.2(b)(6).

The following is a list of documents, electronically stored information, and tangible things that have been identified that may be used to support a claim or defense in this case. This Response will be supplemented, as needed, as responsive items are identified

Describe documents, electronically stored information, and tangible things that you have in your possession, custody, or control, and may use to support your claims or defenses. The list of documents, electronic items, or tangible things should include all items in your possession that you might want admitted as evidence in your case.

No.	Item/Name of Item or Document	Type of Item (Document, electronic info, or tangible item)	Location of document or item	Brief Description of document or item
1				
2				
3				
4				
5				

If not producing copies of all the documents; access to electronically stored information; and tangible things, a reasonable time and method for the production of these items is:

DO NOT FILE THIS DOCUMENT WITH THE COURT.

7. Indemnity and insuring agreements

See Texas Rule of Civil Procedure 194.2(b)(7).

Produce the originals or copies of any indemnity and insuring agreements described in Rule 192.3(f).

(Check one).

- ☐ At the time of this initial response no indemnity and insuring agreements have been identified. This Response will be amended, as needed.
- ☐ Any indemnity and insuring agreements that have been identified are attached. This Response will be amended, as needed.

8. Settlement agreements.

See Texas Rule of Civil Procedure 194.2(b)(8).

Produce the originals or copies of any settlement agreements described in Rule 192.3(g) of the Texas Rules of Civil Procedure. Rule 192.3(g) provides in part as follows: Settlement Agreements. A party may obtain discovery of the existence and contents of any relevant portions of a settlement agreement.

(Check one).

- ☐ The Parties have not entered into any active settlement agreements that would resolve, or partially resolve, the disputed issues in this case. This Response will be amended, as needed.
- ☐ Any active settlement agreements that would resolve, or partially resolve, the disputed issues in this case are attached. This Response will be amended, as needed

9. Witness statements

See Texas Rule of Civil Procedure 194.2(b)(9).

Produce the originals or copies of any witness statements described in rule 192.3(h) of the Texas Rules of Civil Procedure.

(Check one).

- ☐ Attached to this response are copies of any witness statements that have been made by any of the individuals identified in the fifth response above. This Response will be amended, as needed, as qualifying witness statements are discovered or obtained in this case.
- ☐ No witness statements are available at this time. This Response will be amended, as needed, as qualifying witness statements are discovered or obtained in this case.

DO NOT FILE THIS DOCUMENT WITH THE COURT.

10. Medical records or bills.

See Texas Rule of Civil Procedure 194.2(b)(10).

Produce copies of all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills.

At the time of this initial response, this family law case does not allege physical or mental injury, and therefore is not requesting damages resulting from any physical or mental injury. Therefore no response to this request is needed at this time. This Response will be amended, as needed.

11. Medical records or bills from 3rd party authorizations.

See Texas Rule of Civil Procedure 194.2(b)(11).

Produce copies of all medical records and bills that you have obtained by using an authorization that the other party gave you.

At the time of this initial response, this family law case does not allege physical or mental injury, and therefore is not requesting damages resulting from any physical or mental injury. No response to this request is needed at this time. This Response will be amended, as needed.

12. Responsible 3rd parties.

See Texas Rule of Civil Procedure 194.2(b)(12).

State the name, address, and telephone number of any person who may be designated as a responsible third party.

At the time of this initial response no responsible third parties have been identified. This Response will be amended, as needed.

Required Initial Disclosures for Family Law Cases

See Texas Rule of Civil Procedure 194.2(c).

1. Information Related to Real Property

See Texas Rule of Civil Procedure 194.2(c)(1)(A)

You need to gather documents related to real property. Give your spouse:

- All deed and lien information on any real property owned, and
- All lease information on any real property leased.

You will need information that goes back for the past two years, unless you have been married less than two years. If you have been married less than two years, you give your spouse documents going back to the date you got married.

This can include things like deeds, closing documents, and mortgage statements. And you need to include documents related to property you owned before the marriage or inherited.

If you do not have access to the accounts, and your name is on the account, you need to make a good faith effort to get the documents. For example, you can reach out to the title company, landlord, or lender.

Property Address/Location	Closing Documents attached (Y/N)	Mortgage Statements attached (Y/N)	Home Equity LOC documents attached (Y/N)	Date of Purchase	Lease documents attached? (Y/N)

2. Information Related to Pensions and Retirement (including SEP/IRA, IRA's, 401k accounts, profit-sharing or other employee benefit plan)

See Texas Rule of Civil Procedure 194.2(c)(1)(B).

If you do not have access to the accounts and your name is on the account, make all efforts to get the documents. You will need information that goes back for the past two years, unless you have been married less than two years. If you have been married less than two years, you give your spouse documents going back to the date you got married.

DO NOT FILE THIS DOCUMENT WITH THE COURT.

Company name/Financial Institution Name	Last four digits of Account No.	Description of documents	Current Balance/Date

3. Insurance Policies: Life, Homeowners, Automobile and Health

See Texas Rule of Civil Procedure 194.2(c)(1)(C).

If you do not have access to the accounts and your name is on the account, make all efforts to get the documents. You will need information that goes back for the past two years, unless you have been married less than two years. If you have been married less than two years, you give your spouse documents going back to the date you got married. . If your name is on an account, you have “constructive possession” of the documents and you must diligently try to get copies.

Insurance company name	Type of coverage	Last four digits of policy number	Declaration Page attached to this form? (Y/N)	Invoices for premiums attached to this form?	Name of person who pays

DO NOT FILE THIS DOCUMENT WITH THE COURT.

4. Information Related to Bank Accounts

See Texas Rule of Civil Procedure 194.2(c)(1)(D).

If you do not have access to the accounts and your name is on the account, make all efforts to get the documents. You will need information that goes back for the past two years, unless you have been married less than two years. If you have been married less than two years, you give your spouse documents going back to the date you got married.

Name of Bank, Federal Credit Union, Savings and Loans, Brokerage Firms	Last four digits of account number	Description of documents	Current Balance/Date

5. Health Insurance Policies available for child(ren) and spouses

See Texas Rule of Civil Procedure 194.2(c)(2)(A)

In a suit in which child or spousal support is at issue, a party must, without awaiting a discovery request, provide to the other party: (A) information regarding all policies, statements, and the summary description of benefits for any medical and health insurance coverage that is or would be available for the child or the spouse).

If you do not have access to the accounts and your name is on the account, make all efforts to get the documents. You will need information that goes back for the past two years, unless you have been married less than two years. If you have been married less than two years, you give your spouse documents going back to the date you got married.

Insurance company name	Last four digits of policy no.	Type of Coverage	Declaration Page/Premium invoices attached? (Y/N)	Name of person who pays

DO NOT FILE THIS DOCUMENT WITH THE COURT.

6. Federal Income Tax Information

See Texas Rule of Civil Procedure 194.2(c)(2)(B).

If child support, spousal support, or both are part of this case: Attach two years of returns (if you do not have possession of the return, log into www.irs.gov and request a copy of the transcript AND the return)

Have you attached it? Y/N (circle one)

Attach IRS Form W-2's, IRA Form 1099's and Schedule K-1 for the previous two years

Have you attached it? Y/N (circle one)

7. Payroll Information

See Texas Rule of Civil Procedure 194.2(c)(2)(C).

If child support, spousal support, or both are part of this case: Produce complete copies of your **two** most recent payroll check stubs (log into your employee account, request from your human resources department, request from company office manager/bookkeeper).

Have you attached it? Y/N (circle one)

Signature.

I have completed the required disclosures and I have served them on my spouse.

Your signature: _____

Your printed name: _____

Certificate of Service

I certify that a copy of the Required Disclosures and attached documents were served on my spouse, _____ (name of your spouse) on _____ (date), by (Check all that apply):

- ☐ electronic file manager (e-filing)
 - ☐ email
 - ☐ first class (regular) U.S. Mail
 - ☐ certified U.S. Mail
 - ☐ registered U.S. Mail _____ (date).
 - ☐ by fax, to _____ (number).
 - ☐ personal delivery by (me/my agent) (circle one).
 - ☐ commercial courier delivery service (such as Federal Express).
 - ☐ giving a copy to my spouse's lawyer, _____ (lawyer's name)
- via one of the above methods.

Your signature

Cause Number: _____

In the Matter of the Marriage of:

Petitioner: _____
Print first, middle and last name of the spouse filing for divorce.

And

In the _____
(Court Number)

- ☐ District Court
☐ County Court at Law

Respondent: _____
Print first, middle and last name of other spouse.

_____ County, Texas

Final Decree of Divorce

A hearing took place on _____.
Date

There was no jury. Neither spouse asked for a jury.

1. Appearances

Petitioner

The Petitioner's name is: _____
First Middle Last

The Petitioner is the: (Check one box.) ☐ Husband. ☐ Wife.

(Check one box.)

- ☐ The Petitioner **was present**, self-represented, and announced ready for trial.
- ☐ The Petitioner **was present**, self-represented, and agreed to the terms of this Final Decree of Divorce (called "Decree" throughout this document).
- ☐ The Petitioner **was not present** but has signed this Decree, agreeing to its terms.

Respondent

The Respondent's name is: _____
First Middle Last

The Respondent is the: (Check one box.) ☐ Husband ☐ Wife

(Check one box.)

- ☐ The Respondent **was present**, representing self-represented, and announced ready for trial.
- ☐ The Respondent **was present**, representing self-represented, and agreed to the terms of this Decree.
- ☐ The Respondent **was not present** but filed an Answer or Waiver of Service and has signed this Decree, agreeing to its terms.
- ☐ The Respondent **was not present** but filed a Global Waiver of Service that waived Respondent's right to notice of this hearing and did not otherwise appear.
- ☐ The Respondent **was not present** but was served and has defaulted. The Petitioner has filed a Certificate of Last Known Address and a Military Status Affidavit.

2. Record

- ☐ A court reporter recorded today's hearing.
- ☐ A court reporter did not record today's hearing because the spouses and judge agreed not to make a record.
- ☐ A Statement of the Evidence was signed by the Court.

3. Jurisdiction

The Court heard evidence and finds that it has jurisdiction over this case and the parties, that the residency and notice requirements have been met, and that the *Petition for Divorce* meets all legal requirements.

The Court finds that: **(Check one box.)**

- ☐ it has been at least 60 days since the Petition for Divorce was filed.
- ☐ the 60-day waiting period is not required because: **(Check one box.)**
 - ☐ Petitioner has an active Protective Order under Title 4 of the Texas Family Code, or an active magistrate's order for emergency protection under Article 17.292 of the Texas Code of Criminal Procedure against Respondent because Respondent committed family violence during the marriage.
 - ☐ Respondent has a final conviction or has received deferred adjudication for a crime involving family violence against Petitioner or a member of Petitioner's household.

4. Family Violence Statement

It has been represented to the Court that: **(Check ONLY the option that applies to the situation.)**

- ☐ . There has been no pattern of child neglect or family violence by any party to this case within two years preceding the filing of this case or during the pendency of this case.

Or

- ☐ There **has** been family violence **(Check all that apply.):**
 - ☐ while the divorce was pending
 - ☐ during the two years prior to the filing of this lawsuit.

5. Dates of Marriage and Separation **(Check ONLY the option that applies to the situation.):**

- ☐ The date of marriage was on or about: _____
Month Day Year
- ☐ This was an informal (common law) marriage.

6. Divorce

IT IS ORDERED that the Petitioner and the Respondent are divorced.

7. Children

7A.Children with Separate Final Court Order

The Court finds that the Husband and Wife are the parents of the child(ren) listed below who are under 18 years of age or still in high school.

	Child's name	Sex	Date of Birth	State where child lives now
1.				
2.				
3.				
4.				
5.				
6.				

The Court finds that a separate final court order for conservatorship (custody) and support of the child(ren) was made in _____ County _____ state
in cause number: _____.

A copy of the order is attached to this Final Decree of Divorce as Exhibit A.

The Court further finds that the court that made the attached order has continuing, exclusive jurisdiction over the child(ren). No changes are made to the attached order in this Final Decree of Divorce.

7B.Wife Not Pregnant

The Court finds that the Wife **is not** pregnant.

7C.Did the Wife have a Child with Another Partner while Married to the Husband?

(Check one box.)

- ☐ The Court finds that the Wife **did not** have any children with another partner while married to the Husband.
- ☐ The Court finds that the Wife **did** have a child(ren) with another partner while married to the Husband. All of the children born during the marriage that are not the husband's adopted or biological children are named below:

List all children born during the marriage who are not the biological or adopted children of the husband.

	Child's name	Sex	Date of Birth
1			
2			
3			
4			
5			
6			

The Court further finds that paternity of each child listed above **has** been established,
(Check one box. Attach copy of court order or Acknowledgement and Denial of Paternity for each child.)

- ☐ A court order has established that another man is the biological father and/or the Husband is not the biological father of the child(ren) listed here:

_____.

☐ An Acknowledgement of Paternity was signed by the biological father and a Denial of Paternity was signed by the Husband for the child(ren) listed here:

8. Property and Debt

Note: It is important to talk with a lawyer if you or your spouse has a house, land, business, retirement funds, other valuable property, or debt. Having a lawyer draft the final paperwork can save you time and money in the long run. Do not use these forms if there are complicated property issues or if you are dividing real estate.

8A. Husband's Separate Property

1. **House or Land** located at:

Street Address	City	State	Zip
----------------	------	-------	-----

2. **Cars, trucks, motorcycles or other vehicles** Husband owned these vehicles before marriage, or received them as a gift or inheritance during the marriage:

Husband owned the following money or property before the marriage, or inherited or received the money or property as a gift during the marriage:

1. All property in Husband's care, custody or control, or in Husband's name, that this Decree does not give to the Wife.

2. House or land located at: _____

Street Address	City	State	Zip

Legal Description:

Note: The legal description is on the deed you received when you became an owner of the house or land. It is also available at the county clerk's office in the county where the house or land is located. Do NOT use the legal description listed on your property tax bill because it is usually incomplete. IT IS VERY IMPORTANT THAT THIS INFORMATION IS CORRECT. If you are not absolutely sure, talk to a lawyer.

3. All cash and money in any bank or other financial institution listed in Husband's name alone.
4. Any insurance policy that covers Husband's life.
5. Husband's cars, trucks, motorcycles, or other vehicles listed below:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

6. Husband will also keep the following property: _____

8C. Wife's Separate Property

The Court confirms that Wife owns the following property as her separate property:

1. **House or Land** located at: _____
Street Address City State Zip

- ☐ Wife owned this property before marriage.
☐ Wife received this property as a gift or inheritance.

2. **Cars, trucks, motorcycles or other vehicles** Wife owned these vehicles *before* marriage or received them as a gift or inheritance during the marriage:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

3. **Other Money or Property Confirmed as Wife's Separate Property**

Wife owned the following money or personal property before the marriage, or inherited or received the money or property as a gift during the marriage: _____

Wife received the following money recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses: _____

8D. Wife's Community Property

The Court ORDERS that the Wife is awarded the following property as her sole and separate property and Husband is divested of (loses) all right, title, interest and claim in and to that property. Husband is ORDERED to sign any deeds or documents needed to transfer any property listed below to the Wife. Wife is responsible for preparing the documents.

1. All property in Wife's care, custody or control, or in Wife's name, that this Decree does not give to the Husband.

2. House or land located at: _____
Street Address City State Zip

Legal Description: _____

Note: The legal description is on the deed you received when you became an owner of the house or land. It is also available at the county clerk's office in the county where the house or land is located. Do NOT use the legal description listed on your property tax bill because it is usually incomplete. IT IS VERY IMPORTANT THAT THIS INFORMATION IS CORRECT. If you are not absolutely sure, talk to a lawyer.

3. All cash and money in any bank or other financial institution listed in Wife's name alone.
4. Any insurance policy that covers Wife's life.
5. Wife's cars, trucks, motorcycles or other vehicles listed below:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

6. Wife will also keep the following property: _____

8E. Retirement Funds in Husband's Name

(For example: pension, retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans, as well as individual retirement accounts (IRAs), annuities, and variable annuity life insurance benefits.)

The Court makes the following orders regarding retirement funds in Husband's name.

(Check 8E(1) or 8E(2).)

- 8E(1) ☐ Husband is awarded **100%** of all retirement funds in Husband's name alone, including but not limited to all rights to any pension, retirement, military retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans in Husband's name alone, along with 100% of any individual retirement accounts (IRAs), annuities, and variable annuity life insurance in Husband's name alone.

- 8E(2) ☐ The following retirement funds in Husband's name are divided between Husband and Wife:
(It is very important to list the exact name and account number of any retirement fund being divided by the Court.)

<u>Formal Name of Retirement Fund</u>	<u>Account Number</u>
_____	_____
_____	_____
_____	_____

The Court **ORDERS** that the portion of each retirement fund listed above accrued between the date of the marriage ____/____/____ and the date this Final Decree of Divorce is signed by the Court: (Check one.)

- ☐ is awarded **50%** to Husband and **50%** to Wife and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- ☐ is awarded ____% to Husband and ____% to Wife and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- ☐ is awarded \$ _____ to Wife and the remainder to Husband and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- ☐ other: _____

The Court **ORDERS** that Husband is awarded all retirement funds in Husband's name alone that are not specifically awarded to Wife above.

The Court checks this box, if applicable.

- ☐ A **Qualified Domestic Relations Order** was signed by the Court on the same day this Final Decree of Divorce was signed by the Court.

8F. Retirement Funds in Wife's Name

(For example: pension, retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans, as well as individual retirement accounts (IRAs), annuities and variable annuity life insurance benefits.)

The Court makes the following orders regarding retirement funds in Wife's name.

(Check 7F(1) or 7F(2).)

- 8F(1)** ☐ Wife is awarded **100%** of all retirement funds in Wife's name alone, including all rights to any pension, retirement, military retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans in Wife's name alone, along with 100% of any individual retirement accounts (IRAs), annuities, and variable annuity life insurance in Wife's name alone.

- 8F(2)** ☐ The following retirement funds in Wife's name are divided between Husband and Wife:
(It is very important to list the exact name and account number of any retirement fund being divided by the Court.)

Formal Name of Retirement Fund

Account Number

The Court **ORDERS** that the portion of each retirement fund listed above accrued between the date of the marriage ____/____/____ and the date this Final Decree of Divorce is signed by the Court: (Check one.)

- ☐ is awarded **50%** to Wife and **50%** to Husband and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- ☐ is awarded ____% to Wife and ____% to Husband and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- ☐ is awarded \$ _____ to Husband and the remainder to Wife and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

☐ other: _____

The Court **ORDERS** that Wife is awarded all retirement funds in Wife's name alone that are not specifically awarded to Husband above.

The Court checks this box, if applicable.

☐ A **Qualified Domestic Relations Order** was signed by the Court on the same day this Final Decree of Divorce was signed by the Court.

8G. Debts to Husband

The Court **ORDERS** Husband to pay the debts listed below:

1. All debts, taxes, bills, liens, and other charges, past, present and future, that are in Husband's name alone unless this Decree requires otherwise.
2. Any debt Husband incurred after separation. Date of separation: _____.
Month Day Year
3. The balance due on any loan or mortgage for the real property (house or land) that this Decree gives to Husband alone.
4. The balance due on any loan for any vehicles that this Decree gives to Husband alone.
5. All other debts listed below, which are not in Husband's name alone: (such as credit cards, student loans, medical bills, income taxes) _____

8H. Debts to Wife

The Court **ORDERS** Wife to pay the debts listed below:

1. All debts, taxes, bills, liens, and other charges, present and future, that are in Wife's name alone unless this Decree requires otherwise.
2. Any debt Wife incurred after separation. Date of separation: _____.
Month Day Year
3. The balance due on any loan or mortgage for the real property that this Decree gives to Wife alone.
4. The balance due on any loan for any vehicles that this Decree gives to Wife alone.
5. All other debts listed below, which are not in Wife's name alone: (such as credit cards, student loans, medical bills, income taxes) _____

9. Muniment of Title

This Decree shall serve as a muniment of title to transfer ownership of all property awarded to any party in this Final Decree of Divorce. (A “muniment of title” creates an official record of ownership transfer.)

10. Name Change

The Court ORDERS the name of the: (Check all boxes that apply.)

☐ Husband changed back to a name used before marriage, as it appears below.

First Middle Last

☐ Wife changed back to a name used before marriage, as it appears below.

First Middle Last

11. Court Costs

The costs of court shall be paid by the spouse who incurred them to the extent the party is required to pay such costs. A spouse who filed a “Statement of Inability to Afford Payment of Court Costs or an Appeal Bond” that was not successfully contested is not required to pay court costs.

12. Other Orders

The court has the right to make other orders, if needed, to clarify or enforce the orders above.

13. Final Orders

Any orders requested that do not appear above are denied. This Decree is a final judgment that disposes of all claims and all parties and is appealable.

Date of Judgment

Judge's Signature

Judge's Printed Name

By signing below, the Petitioner agrees to the form and substance of this Final Decree of Divorce.

By signing below, the Respondent agrees to the form and substance of this Final Decree of Divorce.

Petitioner's Signature

()

Phone number

Respondent's Signature

()

Phone number

Petitioner's Name (print)

Date

Respondent's Name (print)

Date

Mailing Address: _____

Email: _____

Fax: _____
(if available) _____

Mailing Address: _____

Email: _____

Fax#: _____
(if available) _____

Cause Number: _____

(Print court information exactly as it appears on the Original Petition for Divorce)

IN THE MATTER OF THE MARRIAGE OF

Petitioner: _____
Print first, middle and last name of the spouse filing for divorce.

And

Respondent: _____
Print first, middle and last name of other spouse.

In the _____
(Court Number)

☐ District Court
☐ County Court at Law

_____ County, Texas

Notice of Current Address

I, _____, am a party in this case.
Print your full name

My address has changed. I ask that the Court's records be updated accordingly.

My current address is:

Print new address. *City* *State*

Respectfully submitted,

Your signature

PRINT your name and information.):

Name: _____

Telephone: _____

Email: _____

Fax number
(if available) _____

Mailing
Address: _____

Certificate of Service

I will give a copy of this document to the other party's attorney or the party (if the party does not have an attorney) on the same day this document is filed with (turned in to) the Court as follows:

If I file this document electronically, I will send a copy of it to the party or the party's attorney through the electronic file manager if possible. If not possible, I will give a copy to the party or the party's attorney in person, by mail, by commercial delivery service, by fax, or by email.

If I file a paper copy of this document, I will give a copy of it to the other party or the other party's attorney in person, by mail, by commercial delivery service, by fax, or by email.



Your Signature

Date

Important: You may use this script to “prove up” an agreed or default divorce IF you already have a final court order for custody and support of your children AND you are not asking the court to change that order. Complete the script. Check the boxes that apply to your situation (this will help you read the right testimony). Read it carefully. Practice it before you go to court. When you read it in court you will be under oath. Making a false statement under oath is illegal (Texas Penal Code 37.02). Do not read any part of this script in court that is not true and correct, or that does not apply to your situation. Have a copy of your Final Decree with you when you read this script.

Sample Testimony for Divorce with Prior Final Order Regarding Children

Your Honor, my name is _____.
(State your full name)

I filed this suit for divorce from my spouse _____.
(State your spouse's full name)

At the time I filed for divorce, I had lived in Texas for at least the last six (6) months, and in _____ County for at least ninety (90) days.

I am asking for a divorce because our marriage has become unworkable and there is no reasonable expectation that we will get back together.

My spouse and I have

- ☐ a child who is under 18 or still in high school.
☐ children who are under 18 or still in high school.

There is already a final court order for custody and support of our ☐ child ☐ children.

I am not asking to change that order at this time.

The order was made in _____ County of the State of _____.
Fill in the name of the county. Fill in the name of the state.

The cause number for the order is _____.

I have attached a copy of the order to my Final Decree of Divorce as an Exhibit.

If Wife is testifying: Check and read only the option that applies:

☐ I am not expecting a child now **and** I did not have children with anyone else during this marriage.

☐ I am not expecting a child now. But, I did have ☐ a child ☐ children with someone else during this marriage.

Paternity of ☐ that child ☐ those children has been established by court order or properly filed Acknowledgment and Denial of Paternity.

A copy of that court order or Acknowledgment and Denial of Paternity is attached to my proposed Decree of Divorce.

DO NOT FILE THIS DOCUMENT WITH THE COURT.

If Husband is testifying. Check and read only the option that applies.

- ☐ My wife is not expecting a child now **and** did not have children with anyone else during this marriage.
- ☐ My wife is not expecting a child now. She did have ☐ a child ☐ children with someone else during this marriage.
Paternity of ☐ that child ☐ those children has been established by court order or properly filed Acknowledgment and Denial of paternity.
A copy of that court order or Acknowledgment and Denial of Paternity is attached to my proposed Decree of Divorce.

I ask that our property and debts be divided as set out in the Decree of Divorce I have presented to the Court.

Explain how you want the court to divide the property. Before court, you should have filled in all the information about the property and debt division in Section 6 of the Final Decree of Divorce (When there is Already a Final Court Order for Custody and Support of Your Children).

I believe this division is fair to both me and my spouse.

Note: If this is a default, you must also tell the judge the value of the property awarded to you and your spouse and the reasons your proposed division of that property is fair.

If either spouse is asking for a name change –

I am (or my spouse is) requesting a name change to a name that was used before we were married: _____.
(State the name used before marriage)

I respectfully ask the court to grant this divorce.

That is all I have, your Honor.

Remember: You cannot finish your divorce while a spouse is pregnant. And, if the wife had children with another man while married to the husband, you cannot finish your divorce until paternity of those children has been established.