

# 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. Final Decree of Divorce
9. Notice of Current Address
10. Affidavit for Prove-Up of Agreed Divorce With Children

Note: You may not need all of the forms listed or you may need additional forms. Get more information at [www.TexasLawHelp.org](http://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)

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.** Click on the step to expand it with more information.

### 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, *or*
- is a temporary order, *or*
- is a family violence protective order, *or*
- you want to change the order.

### Have you read the Frequently Asked Questions and related Articles?

These instructions are part of this TexasLawHelp.org Toolkit: **I need a divorce. We have minor children. A final custody and support order is already in place.** (<https://texaslawhelp.org/family-divorce-children/divorce/toolkit/divorce-i-need-divorce-we-have-minor-children-final-custody-and-support-order-already-place>) [1] Before getting started, it's important to read the **Frequently Asked Questions** and **Articles** included in the Toolkit.

**Do you need help finding the right instructions?** Use our **Ask a Question** (<https://texaslawhelp.org/ask-question>) [2] tool to chat with a lawyer or law student online.

**WARNING!** *These instructions provide general information and are not a substitute for the advice and help of a lawyer.*

**You can print these instructions to use as a checklist.**

**To print out both instructions and forms, click here** (<http://www.harriscountylibrary.org/divorce-set-c-agreed>) [3].

### ☐ **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)** (<https://texaslawhelp.org/article/faqs-filing-divorce-with-children-with-final-court-order>) [4], for additional information.

### ☐ **Step 2: Fill out the starting forms.**

Fill out this **starting form**:

[Click here to chat.](#)

- **Original Petition for Divorce (Set C)** ([https://texaslawhelp.org/sites/default/files/fm-divc-100\\_div\\_kids\\_priororder\\_petition\\_english\\_-\\_petitioner\\_1.pdf](https://texaslawhelp.org/sites/default/files/fm-divc-100_div_kids_priororder_petition_english_-_petitioner_1.pdf)) [5] (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** ([https://texaslawhelp.org/sites/default/files/pr-gen-116\\_civil\\_case\\_information\\_sheet.pdf](https://texaslawhelp.org/sites/default/files/pr-gen-116_civil_case_information_sheet.pdf)) [6] (NOTE: the [Texas Supreme Court](https://www.txcourts.gov/media/1442977/189163.pdf) has repealed the rule requiring the civil case information sheet (<https://www.txcourts.gov/media/1442977/189163.pdf>) [7], 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** ([https://texaslawhelp.org/sites/default/files/fp\\_osp\\_302\\_ex\\_out\\_of\\_state\\_party\\_dec\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fp_osp_302_ex_out_of_state_party_dec_final_0.pdf)) [8] (required **only** if you or your spouse lives outside of Texas)
- **Statement of Inability to Afford Payment of Court Costs** ([https://texaslawhelp.org/sites/default/files/tx-pr-pay-112\\_scot\\_statement\\_of\\_inability\\_to\\_pay\\_court\\_costs.pdf](https://texaslawhelp.org/sites/default/files/tx-pr-pay-112_scot_statement_of_inability_to_pay_court_costs.pdf)) [9] (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** (<https://texaslawhelp.org/article/court-fees-fee-waivers>) [10].

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.

- To file your forms online, go to **E-File Texas** (<https://efile.txcourts.gov/ofswab>) [11] 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 for your divorce. [Click here to chat.](#)

**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)** (<https://texaslawhelp.org/form/respondents-original-answer-divorce-set-c>) [12] form or a **blank Waiver of Service Only (Set C)** ([https://texaslawhelp.org/sites/default/files/fm\\_divc\\_103\\_div\\_kids\\_priororder\\_waiver\\_english\\_respondent.pdf](https://texaslawhelp.org/sites/default/files/fm_divc_103_div_kids_priororder_waiver_english_respondent.pdf)) [13] 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)** (<https://texaslawhelp.org/checklist/instructions-forms-default-divorce-when-there-already-final-court-order-custody-and-support-your>) [14].

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.

☐ **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)** (<https://texaslawhelp.org/form/final-decree-divorce-divorce-set-c>) [15]

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.

[Click here to chat.](#)

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** (<https://texaslawhelp.org/article/dividing-retirement-benefits-upon-divorce-fact-sheet>) [16].

Also complete the **Information on Suit Affecting the Family Relationship** ([https://texaslawhelp.org/sites/default/files/vs\\_165\\_rev\\_07-2017.pdf](https://texaslawhelp.org/sites/default/files/vs_165_rev_07-2017.pdf)) [17] 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 Finder** (<https://texaslawhelp.org/legal-help/legal-help-finder>) [18] to search for a lawyer referral service, legal aid office or self-help center in your area.
- Check our **Legal Clinic Calendar** (<https://texaslawhelp.org/legal-clinic-calendar>) [19] for free legal clinics in your area.
- Use **Ask a Question** (<https://texaslawhelp.org/ask-question>) [2] 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.

[Click here to chat.](#)

**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)** (<https://texaslawhelp.org/article/how-set-contested-hearing-family-law-case>) [20]. 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)**  
([https://texaslawhelp.org/sites/default/files/fm\\_divc\\_test\\_div\\_kids\\_priororder\\_testimony\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_divc_test_div_kids_priororder_testimony_final_0.pdf)) [21]

Read the article **TIPS for the Courtroom** (<https://texaslawhelp.org/article/tips-courtroom>) [22] 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** ([https://texaslawhelp.org/sites/default/files/vs\\_165\\_rev\\_07-2017.pdf](https://texaslawhelp.org/sites/default/files/vs_165_rev_07-2017.pdf)) [17] 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). [Click here to chat.](#)

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** ([https://texaslawhelp.org/sites/default/files/vs\\_165\\_rev\\_07-2017.pdf](https://texaslawhelp.org/sites/default/files/vs_165_rev_07-2017.pdf)) [17] 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** (<http://www.sos.state.tx.us/elections/pamphlets/largepamp.shtml>) [23].)
  - Contact the **U.S. State Department** (<https://travel.state.gov/content/passports/en/passports.html>) [24] 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.

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**Links**

[1] <https://texaslawhelp.org/family-divorce-children/divorce/toolkit/divorce-i-need-divorce-we-have-minor-children-final-custody-and-support-order-already-place>

[2] <https://texaslawhelp.org/ask-question>

[3] <http://www.harriscountylibrary.org/divorce-set-c-agreed>

[4] <https://texaslawhelp.org/article/faqs-filing-divorce-with-children-with-final-court-order>

[5] [https://texaslawhelp.org/sites/default/files/fm-divc-100\\_div\\_kids\\_priororder\\_petition\\_english\\_petitioner\\_1.pdf](https://texaslawhelp.org/sites/default/files/fm-divc-100_div_kids_priororder_petition_english_petitioner_1.pdf)

[Click here to chat.](#)

- [6] [https://texaslawhelp.org/sites/default/files/pr-gen-116\\_civil\\_case\\_information\\_sheet.pdf](https://texaslawhelp.org/sites/default/files/pr-gen-116_civil_case_information_sheet.pdf)
- [7] <https://www.txcourts.gov/media/1442977/189163.pdf>
- [8] [https://texaslawhelp.org/sites/default/files/fp\\_osp\\_302\\_ex\\_out\\_of\\_state\\_party\\_dec\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fp_osp_302_ex_out_of_state_party_dec_final_0.pdf)
- [9] [https://texaslawhelp.org/sites/default/files/tx-pr-pay-112\\_scot\\_statement\\_of\\_inability\\_to\\_pay\\_court\\_costs.pdf](https://texaslawhelp.org/sites/default/files/tx-pr-pay-112_scot_statement_of_inability_to_pay_court_costs.pdf)
- [10] <https://texaslawhelp.org/article/court-fees-fee-waivers>
- [11] <https://efile.txcourts.gov/ofswb>
- [12] <https://texaslawhelp.org/form/respondents-original-answer-divorce-set-c>
- [13] [https://texaslawhelp.org/sites/default/files/fm\\_divc\\_103\\_div\\_kids\\_priororder\\_waiver\\_english\\_respondent.pdf](https://texaslawhelp.org/sites/default/files/fm_divc_103_div_kids_priororder_waiver_english_respondent.pdf)
- [14] <https://texaslawhelp.org/checklist/instructions-forms-default-divorce-when-there-already-final-court-order-custody-and-support-your>
- [15] <https://texaslawhelp.org/form/final-decree-divorce-divorce-set-c>
- [16] <https://texaslawhelp.org/article/dividing-retirement-benefits-upon-divorce-fact-sheet>
- [17] [https://texaslawhelp.org/sites/default/files/vs\\_165\\_rev\\_07-2017.pdf](https://texaslawhelp.org/sites/default/files/vs_165_rev_07-2017.pdf)
- [18] <https://texaslawhelp.org/legal-help/legal-help-finder>
- [19] <https://texaslawhelp.org/legal-clinic-calendar>
- [20] <https://texaslawhelp.org/article/how-set-contested-hearing-family-law-case>
- [21] [https://texaslawhelp.org/sites/default/files/fm\\_divc\\_test\\_div\\_kids\\_priororder\\_testimony\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_divc_test_div_kids_priororder_testimony_final_0.pdf)
- [22] <https://texaslawhelp.org/article/tips-courtroom>
- [23] <http://www.sos.state.tx.us/elections/pamphlets/largepamp.shtml>
- [24] <https://travel.state.gov/content/passports/en/passports.html>



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.*

And

**Respondent:** \_\_\_\_\_  
*Print first, middle and last name of other spouse.*

In the \_\_\_\_\_  
*(Court Number)*

☐ District Court  
☐ County Court at Law

\_\_\_\_\_ County, 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 \$50,000 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](http://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 the Wife 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](http://www.TexasLawHelp.org).)

## 8. Did the Wife have a Child with Another Man 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](http://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 requested 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/or (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.

**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.

**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

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

(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. 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*

\_\_\_\_\_  
*Zip*

\_\_\_\_\_  
*Email Address:*

\_\_\_\_\_  
*Fax #  
(if any)*

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 1-800-252-9690.

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

**Legal Aid of Northwest Texas** 1-888-529-5277 (serves Dallas / Ft. Worth area & Northwest Texas)

**Lone Star Legal Aid** 1-800-733-8394 (serves Houston area & East Texas)

**Texas Rio Grande Legal Aid** 1-888-988-9996 (serves Austin / San Antonio area, El Paso area & 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** at 1-800-799-SAFE (7233) or

**Texas Family Violence Legal Line** at 1-800-374-HOPE (4673) or

**Advocates for Victims of Crime (AVOICE):** at 1-888-343-4414.





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

## SECTION 3 (IF APPLICABLE) CHILDREN AFFECTED BY THIS SUIT

CHILD 1	19a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	19b. DATE OF BIRTH (mm/dd/yyyy)	19c. SEX	19d. BIRTHPLACE (CITY, COUNTY AND STATE)
	19e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		
CHILD 2	20a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	20b. DATE OF BIRTH (mm/dd/yyyy)	20c. SEX	20d. BIRTHPLACE (CITY, COUNTY AND STATE)
	20e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		
CHILD 3	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		

☐ 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](mailto: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**



Cause Number: \_\_\_\_\_  
(The Clerk's office will fill in the Cause Number when you file this form)

Plaintiff: \_\_\_\_\_  
(Print first and last name of the person filing the lawsuit.)

And

Defendant: \_\_\_\_\_  
(Print first and last name of the person being sued.)

In the (check one):  
\_\_\_\_\_  
Court District Court  
Number County Court / County Court at Law  
Justice Court

\_\_\_\_\_  
County Texas

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

**1. Your Information**

My full legal name is: \_\_\_\_\_ My date of birth is: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
First Middle Last Month/Day/Year

My address is: (Home) \_\_\_\_\_  
(Mailing) \_\_\_\_\_

My phone number: \_\_\_\_\_ My email: \_\_\_\_\_

About my **dependents**: "The people who depend on me financially are listed below.

	Name	Age	Relationship to Me
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____

**2. Are you represented by Legal Aid?**

☐ 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.

**-or-**

☐ I asked a legal-aid provider to represent me, and the provider determined that I am financially eligible for representation, but the provider could not take my case. I have attached documentation from legal aid stating this.

**or-**

☐ I am not represented by legal aid. I did not apply for representation by legal aid.

**3. Do you receive public benefits?**

☐ I do not receive needs-based public benefits. - or -

☐ I receive these **public benefits/government entitlements** that are based on indigency:

(Check ALL boxes that apply and attach proof to this form, such as a copy of an eligibility form or check.)

- ☐ Food stamps/SNAP ☐ TANF ☐ Medicaid ☐ CHIP ☐ SSI ☐ WIC ☐ AABD  
☐ Public Housing or Section 8 Housing ☐ Low-Income Energy Assistance ☐ Emergency Assistance  
☐ Telephone Lifeline ☐ Community Care via DADS ☐ LIS in Medicare ("Extra Help")  
☐ Needs-based VA Pension ☐ Child Care Assistance under Child Care and Development Block Grant  
☐ County Assistance, County Health Care, or General Assistance (GA)  
☐ Other: \_\_\_\_\_

#### 4. What is your monthly income and income sources?

"I get this monthly income:

\$ \_\_\_\_\_ in monthly wages. I work as a \_\_\_\_\_ for \_\_\_\_\_.  
Your job title Your employer

\$ \_\_\_\_\_ in monthly unemployment. I have been unemployed since (date) \_\_\_\_\_.

\$ \_\_\_\_\_ in public benefits per month.

\$ \_\_\_\_\_ from other people in my household each month: (List only if other members contribute to your household income.)

\$ \_\_\_\_\_ from ☐ Retirement/Pension ☐ Tips, bonuses ☐ Disability ☐ Worker's Comp  
☐ Social Security ☐ Military Housing ☐ Dividends, interest, royalties  
☐ Child/spousal support  
☐ My spouse's income or income from another member of my household (If available)

\$ \_\_\_\_\_ from other jobs/sources of income. (Describe) \_\_\_\_\_

\$ \_\_\_\_\_ is my **total monthly** income.

#### 5. What is the value of your property?

"My **property** includes:

**Value\***

Cash \$ \_\_\_\_\_

Bank accounts, other financial assets \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Vehicles (cars, boats) (make and year)

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Other property (like jewelry, stocks, land, another house, etc.)

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**Total value of property** → \$ \_\_\_\_\_

#### 6. What are your monthly expenses?

"My **monthly expenses** are:

**Amount**

Rent/house payments/maintenance \$ \_\_\_\_\_

Food and household supplies \$ \_\_\_\_\_

Utilities and telephone \$ \_\_\_\_\_

Clothing and laundry \$ \_\_\_\_\_

Medical and dental expenses \$ \_\_\_\_\_

Insurance (life, health, auto, etc.) \$ \_\_\_\_\_

School and child care \$ \_\_\_\_\_

Transportation, auto repair, gas \$ \_\_\_\_\_

Child / spousal support \$ \_\_\_\_\_

Wages withheld by court order \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Debt payments paid to: (List) \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**Total Monthly Expenses** → \$ \_\_\_\_\_

\*The value is the amount the item would sell for less the amount you still owe on it, if anything.

#### 7. Are there debts or other facts explaining your financial situation?

"My **debts** include: (List debt and amount owed) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(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.") Check here if you attach another page. ☐

#### 8. Declaration

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

☐ I cannot afford to pay court costs.

☐ I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision.

My name is \_\_\_\_\_. My date of birth is : \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

My address is \_\_\_\_\_  
Street City State Zip Code Country

▶ \_\_\_\_\_ signed on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_  
Signature Month/Day/Year county name State

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

## 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 1-800-252-9690.

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 1-800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 1-800-374-4673.

***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](http://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

\_\_\_\_\_ County, 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 1-800-252-9690. 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 1-800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 1-800-374-4673.

***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](http://www.TexasLawHelp.org).

*Print your answers.*

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*): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



#### 4. Name Change

(Check one.)

- ☐ I am NOT asking the court to change my name.
- ☐ I ask the Court to change my name back to:

\_\_\_\_\_  
*PRINT First Middle Last*

This is a name I have used before. I am not asking the court to change my name to avoid criminal prosecution or to avoid payment of debt.

#### 5. Request for Judgment

I ask the Court for general relief.

_____ <i>Respondent's Signature</i>	_____ <i>Date</i>
_____ <i>Respondent's Printed Name</i>	_____ <i>Phone Number</i>
_____ <i>Mailing Address</i>	_____ <i>City State Zip</i>
_____ <i>Email Address</i>	_____ <i>Fax # (if available)</i>

#### 6. Certificate of Service

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

→ \_\_\_\_\_  
*Respondent's Signature*

\_\_\_\_\_  
*Date*

Cause Number: \_\_\_\_\_

**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

## Final Decree of Divorce

A hearing took place on \_\_\_\_\_  
*Date*

There was no jury. Neither the husband nor wife 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**, representing him/herself, and announced ready for trial.
- ☐ The Petitioner **was present**, representing him/herself, and agreed to the terms of this Final Decree of Divorce (called "Decree" throughout this document).
- ☐ The Petitioner **was not present** but has signed on page 9, agreeing to the terms of this Decree.

#### **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 him/herself, and announced ready for trial.
- ☐ The Respondent **was present**, representing him/herself, and agreed to the terms of this Decree.
- ☐ The Respondent **was not present** but filed an Answer or Waiver of Service and has signed on page 9 agreeing to the terms of this Decree.
- ☐ 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.

The Court fills out this box.

## 2. Record

- ☐ A Court reporter recorded today's hearing.
- ☐ A Court reporter did not record today's hearing because the Husband, Wife, 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. Divorce

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

## 5. Children

### 5A. 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, \_\_\_\_\_ in Cause # \_\_\_\_\_.  
*Name of County* *Name of State*

**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*.

### 5B. Wife Not Pregnant

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

### 5C. Did the Wife have a Child with Another Man while Married to the Husband?

(Check one box.)

- ☐ The Court finds that the Wife **did not** have any children with another man while married to the Husband.
- ☐ The Court finds that the Wife **did** have a child/children 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:

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:

\_\_\_\_\_  
A copy of the court order is attached to this Decree as Exhibit \_\_\_\_.

- ☐ 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:

\_\_\_\_\_  
Each *Acknowledgment* and *Denial of Paternity* was filed with the Vital Statistics Unit. A copy of each *Acknowledgment* and *Denial of Paternity* is attached to this Decree as Exhibits \_\_\_\_\_.

The Court finds that the following is a just and right division of the parties' property and debt.

The Court confirms that the Husband owns the following property as his separate property:

- Husband received the following money recovery for personal injuries that occurred during the marriage that is not for lost wages or medical expenses:

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

- 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.

- [illegible]

- FM-DivC-201 *Final Decree of Divorce* [SET C] (Rev. 01-2016)  
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### **6C. Wife's Separate Property**

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

1. **House or Land located at:**
- |                       |             |              |            |
|-----------------------|-------------|--------------|------------|
| <i>Street Address</i> | <i>City</i> | <i>State</i> | <i>Zip</i> |
|-----------------------|-------------|--------------|------------|

- ☐ 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:

#### **6D. 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: \_\_\_\_\_

### 6E. 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 6E(1) or 6E(2).)

6E(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.

6E(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.)

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 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.

## 6F. 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 6F(1) or 6F(2).)

6F(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.

6F(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.



### **6G. 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)*

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### **6H. 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)*

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## 7. 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.*)

## 8. 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

## 9. 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 an *Affidavit of Indigency* that was not successfully contested is not required to pay court costs.

## 10. Other Orders

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

## 11. 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*

\_\_\_\_\_  
*Petitioner's Name (print)*

\_\_\_\_\_  
*Date*

*Mailing Address:*

*Email:*

*Fax#:*  
*(if available)*

\_\_\_\_\_  
*Respondent's Signature*

( )  
\_\_\_\_\_  
*Phone number*

\_\_\_\_\_  
*Respondent's Name (print)*

\_\_\_\_\_  
*Date*

*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*

Cause Number: \_\_\_\_\_  
Print court information exactly as it appears on the Original Petition for Divorce.

**In the Matter of the Marriage of**

In the \_\_\_\_\_  
(Court Number)

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

**Respondent:** \_\_\_\_\_  
Print first, middle and last name of other spouse.

\_\_\_\_\_  
County  
Texas

**And in the Interest of**

(List all children you and your spouse have together who are under 18 or still in high school.)

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

## Affidavit for Prove-Up of Agreed Divorce With Children

My name is \_\_\_\_\_. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I am presently married to \_\_\_\_\_.

Before the filing of this suit, I was a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period.

We were married on [date] \_\_\_\_\_, and we ceased to live together as spouses on or about [date] \_\_\_\_\_.

Our marriage has become insupportable because of a discord or conflict of personalities that destroys the legitimate ends of the marriage relationship.

There is no reasonable expectation of reconciliation.

There were [number] \_\_\_\_\_ children born or adopted during this marriage. Those children are: [list names and ages]

No other child is expected at this time.

There were no court-ordered conservatorships, guardianships, or other court-ordered relationships affecting these children before this divorce proceeding.

The children do not own any property.

My spouse and I are presenting an agreed final parenting plan to the court that is contained in our proposed final decree of divorce.

The agreed parenting plan is in the best interest of each child, and I ask the court to render an

order in accordance with the agreed parenting plan.

There has been no family violence or abuse within two years before or during this suit.

There is no bankruptcy proceeding affecting this suit.

My spouse and I have entered into an agreement concerning the division of our property and debts.

The terms of the agreement are just and right. The agreement is fair and equitable to both my spouse and me.

The Petitioner/Respondent (circle one) is requesting a name change to

\_\_\_\_\_.

I have submitted an agreed decree of divorce, which has been signed by my spouse and me.

I am asking the court to grant a divorce and approve all the agreements we have entered into.

**Verification** (The person filing the affidavit must sign in front of a notary below.)

I am the [Petitioner/Respondent]. I swear under oath that the facts stated in this Affidavit are true and correct.

\_\_\_\_\_  
Signature of Affiant

**ONLY sign in front of a notary!**

**Notary fills out below.**

State of \_\_\_\_\_  
(Print name of state where this petition is notarized)

County of \_\_\_\_\_  
(Print the name of the county where this Petition is notarized)

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

by \_\_\_\_\_  
(Print name of person who is signing this Petition. NOT the notary's name.)

[Notary Stamps Here]

 \_\_\_\_\_  
Notary's Signature