

Default Divorce Forms SET D

(Texas Divorce, No Children, Same-Sex Spouses)

Use these instructions & forms if:

- you and your spouse do not have minor children together, and you don't think your spouse will participate in the divorce process

This packet includes:

1. Instructions for a DEFAULT Divorce without 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. Final Decree of Divorce
7. Certificate of Last Known Mailing Address
8. Military Status Affidavit
9. Notice of Current Address
10. Affidavit for Prove-Up of Default Divorce Without 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 a Default Divorce without Children

These instructions explain the basic steps in a **default** divorce without children. Each step includes a link to the form or forms needed for that step. Click on the step to expand it with more information.

“**Default**” means you have your spouse served with the initial divorce papers and your spouse does not file an answer with the court. If your spouse is served and **defaults** (does not file an answer with the court), you can finish your divorce without your spouse.

Use these instructions if:

- you don't think your spouse will participate in the divorce process - *and* -
- you and your spouse do not have any minor children together.

Have you read the Frequently Asked Questions and related Articles?

These instructions are part of this TexasLawHelp.org toolkit: [I need a divorce. We do not have minor children](#). Before getting started, it's important to read the **Frequently Asked Questions** and **Articles** included in the Toolkit.

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](#) (for opposite-sex couples) or [here](#) (for same-sex couples).

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 and you will lose your filing fee.

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

- 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 without Children](#), for additional information.

Step 2: Fill out the starting forms.

Fill out an Original Petition for Divorce form.

- Use this version if you have an opposite-sex marriage: [Original Petition for Divorce \(Set A\)](#)
- Use this version if you have a same-sex marriage: [Original Petition for Divorce \(Set D\)](#)

The Petition asks the judge to give you a divorce. The Petition also tells your spouse what orders you want the judge to make.

When you fill out the Petition:

- Print your answers using 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.

Fill out these additional starting forms:

- [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.).
- [Information on Suit Affecting the Family Relationship](#)

Fill out this additional starting form if you can't afford to pay the filing fee for your case. You can call the clerk's office ahead of time to learn the filing fee for your divorce case. Learn more here: [Court Fees and Fee Waivers](#).

- [Statement of Inability to Afford Payment of Court Costs](#)

Make copies:

- Make 2 copies of your completed Original Petition for Divorce.
- Make 2 copies of the Statement of Inability to Afford Payment of Court Costs if you are asking the court to waive court costs.
- You do not need copies of the Civil Case Information Sheet or the Information on Suit Affecting the Family Relationship.

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 the Petition 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).
- Tell the clerk you want to have your spouse served **in person**. This means a sheriff, constable or private process server will deliver the initial divorce papers to your spouse in person. (**Remember:** If your spouse will agree to sign the necessary court forms, you do not need

to have your spouse served. Follow these instructions instead: **Instructions & Forms for an Agreed Divorce without Children in the checklist directly above.**

- Pay the filing fee and issuance 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.
- 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 one copy back to you.
- The clerk will print a form called a "citation." The citation tells your spouse that you have filed for divorce. The citation also tells your spouse that unless he or she files an answer with the court you will be able to finish your divorce by default (without your spouse). The clerk will attach the other copy of your Petition to the citation. The citation with a copy of your Petition attached are the "**initial divorce papers**" that must be served on your spouse by a constable, sheriff or private process server. **Read Step 4 for instructions.**

Step 4: Have your spouse served.

You must have your spouse served with the initial divorce papers.

To have your spouse served **in person**:

- send the initial court papers to a constable, sheriff or private process server **in the county where your spouse lives or works**,
- include the service fee (call first to learn the fee) or a file-stamped copy of your Statement of Inability to Afford Payment of Court Costs,
- also include a self-addressed and stamped envelope.

The constable, sheriff or private process server will:

- give the initial divorce papers to your spouse,
- complete a Return of Service form that says when and where your spouse was served,
- send the completed Return of Service to you or the court.

The completed Return of Service is proof your spouse was served. Your spouse will NOT have to sign anything.

If the Return of Service is sent to you, file it at the clerk's office. The Return of Service must be on file for at least 10 days before you can finish your case, not counting the day it is filed or the day you go to court to finish your case.

NOTE: Getting your spouse served in person is best. However, there are other ways to get someone served. To learn about more, read: [How to Serve the Initial Divorce Papers](#). If you have questions, you can use **Ask a Question** to chat with a lawyer or law student online.

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

Fill out a Final Decree of Divorce form (called Decree for short).

- Use this form if you have an opposite-sex marriage: [Final Decree of Divorce \(Set A\)](#)
- Use this form if you have a same-sex marriage: [Final Decree of Divorce \(Set D\)](#)

You will ask the judge to sign this form when it's time to finish your case. Fill it out completely (except for the judge's signature).

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 - Fact Sheet](#).

☐ **Step 6: Have the 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: Wait the required waiting periods.**

Wait the waiting periods that apply to your case.

- **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.

- **20 + day waiting period** – From the day your spouse is served, your spouse must have at least 20 days plus the next Monday at 10 a.m. to file an *Answer*. Find the day your spouse was served on a calendar, count out 20 more days, then go to the next Monday. This is the last day of your spouse's answer period. However, if your spouse files an answer any time before you finish your divorce it will still count. The 20 + day waiting period may or may not fall within the 60-day waiting period.
- **10 + day waiting period** – The constable, sheriff, private process server should have completed a *Return of Service* form stating when your spouse was served. The *Return of Service* form must be on file with the court for at least 10 days before you can finish your case. **Important:** When counting the 10 day waiting period, do not count the day the *Return of Service* is filed with the court and do not count the day you go to court to finish your case.

Step 8: Determine if your divorce can be finished by default.

Call the clerk's office to find out if your spouse filed an answer.

If your spouse filed an answer, you CANNOT finish your divorce by default.

- If your spouse filed an answer and will now agree to sign your completed Final Decree of Divorce, you can finish your case by agreement.
- If your spouse filed an answer and will **not** agree to sign your completed Final Decree of Divorce, your case 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 \(Family Law\)](#). **Remember:** It's always best to have a lawyer if your case is contested.

If your spouse has NOT filed an answer, you CAN finish your divorce by default as long as all of the following are true.

- Your spouse was successfully served by a constable, sheriff or private process server.
- A Return of Service form (stating when and where your spouse was served) has been on file with the clerk's office for at least 10 days (not counting the day it was filed or the day you go to court).
- The 20 + day waiting period for your spouse to file an answer has passed.
- The 60-day waiting period has passed.
- If your spouse was [served by publication](#), you hired a lawyer to be the "attorney ad litem" for your spouse, and the lawyer was not able to find your spouse.
- Your spouse has not filed an answer and does not file an answer before you finish your divorce. (**Remember**, your spouse can file an answer up until the time you finish your divorce, even if the 20 + day waiting period has already passed.)

If you **CAN** finish your divorce by default, fill out these additional forms and make 1 copy of each form:

- [Certificate of Last Known Mailing Address](#)
- [Military Status Declaration](#) (If your case is filed in Harris County, fill out a [Military Status Affidavit](#) instead. Sign it in front of a notary.)

Step 9: Go to court to finish your divorce.

If your spouse does not file an answer and the waiting periods have passed you can go to court to finish your divorce by default.

- Call the clerk's office to learn when and where the court hears uncontested cases.
- Call the clerk's office again the day before you plan to go to court to make sure that your spouse has not filed an answer. If your spouse has filed an answer, you will not be able to finish your case by default. Go back to **Step 8**.

- 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.
 - Use this form if you have an opposite-sex marriage: [Sample Testimony Divorce without Children \(Set A\)](#)
 - Use this form if you have a same-sex marriage: [Sample Testimony Divorce without Children \(Set D\)](#)
- Read the article [Tips for the Courtroom](#) for more information about going to Court.
- 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.
 - file-stamped copy of the Return of Service form showing when and where your spouse was served.
 - Final Decree of Divorce form completely filled out and signed by you.
 - Certificate of Last Known Mailing Address form and 1 copy.
 - Military Status Declaration (or Military Status Affidavit) and 1 copy.
 - Sample Testimony
 - Any additional documents needed for your specific case, such as a Qualified Domestic Relations Order (QDRO) if you are dividing a retirement account.
- When you get to the courthouse, go to the clerk's office.
 - Ask the clerk if you need the court file or docket sheet (list of what has been filed in your case).
 - Ask the clerk to check one more time to see if your spouse has filed an answer. If your spouse (or the OAG) has filed an answer, you will not be able to finish your case by default. Go back to **Step 8**.

- File the Certificate of Last Known Mailing Address and the Military Status Declaration (or Military Status Affidavit). Ask the clerk to file stamp your copy of each form. Bring a file-stamped copy of each form with you to court.
- 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.

If you would like to appear virtually, you may need to file a motion for use of emergency procedures. Read [Virtual Court](#).

NOTE: Some judges may allow the use of an **affidavit** to satisfy the prove-up requirements in a divorce, but it is more likely to see this in agreed divorces. If you'd like to see if the judge will accept an affidavit in place of short testimony you should contact the court coordinator (remembering that they cannot give you legal advice). Some judges may not accept prove-up affidavits. Additionally, some judges will only accept prove-up affidavits for divorces with no children.

TexasLawHelp offers a [general affidavit form](#) and a [guided general affidavit form](#). If you need to find and draft legal documents because you cannot hire an attorney (after trying), you can review this [presentation on finding and formatting forms from the Harris County Law Library](#). An affidavit must be sworn in front of a notary. Everything in the affidavit must be true and correct. You can be charged with a crime for lying to the court. See [Texas Penal Code 37](#).

Step 10: 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.**

- 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.
- If your name was changed, get at least 3 certified copies of your Final Decree of Divorce to take to the agencies listed in **Step 11**. The clerk may charge a fee for the certified copies.

□ **Step 11: 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 divorce decree.
- 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.

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

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

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 \$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 posting or publication. I understand I must file an Affidavit for Citation by Posting or Affidavit for Citation by Publication depending on my case. If my spouse and I have property, I understand I must also hire a lawyer to serve as attorney ad litem for my spouse.

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. No Minor Children

My spouse and I **do not** have any biological children together who are under 18 or still in high school.

My spouse and I **did not** jointly adopt any children who are under 18 or still in high school.

7. Is either spouse pregnant or expecting a child?

(Check one box.)

- No. Neither spouse is pregnant and no children are expected.
- Yes. I am pregnant or expecting a child.

Note: Talk to a lawyer familiar with LGTBQ family law issues if you or your spouse is pregnant or expecting a child.

(If you are pregnant or expecting a child, check one box below.)

- The other spouse **is** the legal parent 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 other spouse **is not** the legal parent of this child, nor do I wish them to be.
- Yes. My spouse is pregnant or expecting a child.

(If your spouse is pregnant or expecting a child, check one box below.)

- I **am** or want to be the legal parent 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.
- I am **not** the legal parent of this child, nor do I wish to be.

8. Has either spouse given birth during this marriage to a child who is now under 18 or still in high school?

(Check one box.)

- No. Neither spouse has given birth during this marriage to a child who is now under 18 or still in high school.
- Yes. **Petitioner** gave birth to the following child(ren) during this marriage, but **Respondent** is not the legal parent of the child(ren):

	Child's name	Sex	Date of Birth
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____

- Yes. **Respondent** gave birth to the following child(ren) during this marriage, but **Petitioner** is not the legal parent of the child(ren):

	Child's name	Sex	Date of Birth
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____

Note: Parentage of a child born during the marriage may need to be established before you can finish your divorce. Talk to a lawyer familiar with LGTBQ+ family law issues if either spouse gave birth to a child during the marriage.

9. Protective Order Statement (Check the appropriate boxes. 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 an LGBT family 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 located _____
Street Address City State Zip

Land located at: _____
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.)

- 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. 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

Note: You cannot use this form to change your name to anything other than a name that you previously used.

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 available) _____

Warning: Your spouse will get a copy of this form. If you are concerned about your spouse learning your address, call the Hope Line at 800-374-4673(HOPE) for free advice before filing this form with the court.

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 information about LGBTQ civil rights go to www.lambdalegal.org or call the Lambda Legal Help Desk at 214-219-8585.

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, at-888-529-5277 (serves Dallas–Fort Worth area and Northwest Texas)

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

Texas Rio Grande Legal Aid, at 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, at 800-799-SAFE (7233) or

Texas Advocacy Project, at 800-374-HOPE (4673) or

Crime Victims, at 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: Name: _____ Email: _____ Address: _____ Telephone: _____ City/State/Zip: _____ Fax: _____ Signature: _____ State Bar No: _____	Names of parties in case: Plaintiff(s)/Petitioner(s): _____ Defendant(s)/Respondent(s): _____ _____ _____ _____ _____	Person or entity completing sheet is: <input type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> <i>Pro Se</i> Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____
--	--	---

[Attach additional page as necessary to list all parties]

2. Indicate case type, or identify the most important issue in the case (select only 1):				
Civil			Family Law	
Contract	Injury or Damage	Real Property	Marriage Relationship	Post-judgment Actions (non-Title IV-D)
<input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____ <input type="checkbox"/> Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: _____	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <i>Malpractice</i> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <i>Product Liability</i> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____ Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <i>Divorce</i> <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____
Employment	Other Civil			
<input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____	<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property	<input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____		
Tax	Probate & Mental Health			
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	<i>Probate/Wills/Intestate Administration</i> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings		<input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____	

3. Indicate procedure or remedy, if applicable (may select more than 1):		
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> 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	STREET NAME & NUMBER	CITY	STATE
RESPONDENT	10. NAME (FIRST MIDDLE LAST SUFFIX)		11. MAIDEN LAST NAME (NAME BEFORE 1 ST 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 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

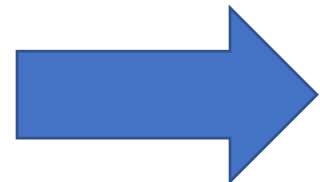
Home / Domicilio _____

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 am not represented by legal aid.

No me está representando ninguna entidad de 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 / *Sí*

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).

➤ \$_____ is my total **monthly** income / son mis ingresos totales **al mes**.

These are my income sources. Estas son mis 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.

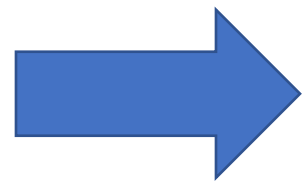
➤ \$_____ from social security / de seguro social.



- \$ _____ 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:

Go to next page



Pase a la siguiente página

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
	<p>The value is the amount the item would sell for less the amount you still owe on it, if anything.</p> <p>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.</p>
➤ 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	\$ 0



**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 automóviles, 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	\$ 0



**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 duedas 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.

Go to next page



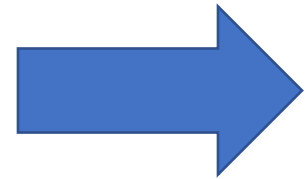
Pase a la siguiente página

10. Declaration/Affidavit. Declaración Escrita Bajo Juramento.

Fill out **only one** box. If you fill out the Declaration, 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 in front of a notary public.

Llene tan **solo una** opción. Si usted llena la Declaración, 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 ante un Notario.

Go to next page



Pase a la siguiente página

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

Go to next page



Pase a la siguiente página

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.
Usted llena esta sección.

➤ _____
Your printed name
Su nombre en letra de molde

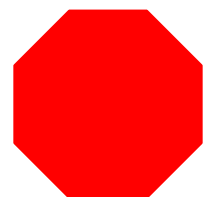
➤ _____
Your signature
Su firma

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: _____

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 spouse asked for a jury.

1. Appearances

The **Petitioner's** name is: _____
First Middle Last

(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 on the last page of this Decree agreeing to the terms of this Decree.

The **Respondent's** name is: _____
First Middle Last

(Check one box.)

- The Respondent **was present**, self-represented, and announced ready for trial.
- The Respondent **was present**, 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 on the last page of this Decree agreeing to the terms of this Decree.
- The Respondent was **not present** but filed a Global Waiver 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 (The Court fills out this section.)

- A court reporter recorded today's hearing.
- A court reporter did not record today's hearing because the parties 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 the Petition for Divorce meets all legal requirements.

The Court further 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 on next page.)**
 - 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. 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.

5. Divorce

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

6. 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 during this lawsuit, while the divorce was pending, or during the two years prior to the filing of this lawsuit.

Or

- There **has** been family violence during this lawsuit, while the divorce was pending, or during the two years prior to the filing of this lawsuit.

7. Children

7A. No Children Together

The Court finds that Petitioner and Respondent **do not** have any biological children together who are under 18 or still in high school. The Court further finds that Petitioner and Respondent **did not** jointly adopt any children who are under 18 or still in high school.

7B. Neither spouse is pregnant or expecting a child.

The Court finds that neither spouse is pregnant or expecting a child.

7C. Has either spouse given birth during this marriage to a child who is now under 18 or still in high school? (Check one box.)

- No. The Court finds that neither spouse has given birth during this marriage to a child who is now under 18 or still in high school.
- Yes. The Court finds that **Petitioner** gave birth to the following child(ren) during this marriage but **Respondent** is not the legal parent of the child(ren):

	Child's name	Sex	Date of Birth
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

(Check only if true.)

- The Court further finds that a court order has established that another person is the legal parent of the child(ren) listed above. A copy of the court order is attached to this Decree as Exhibit ____.
- Yes. The Court finds that **Respondent** gave birth to the following child(ren) during this marriage but **Petitioner** is not the legal parent of the child(ren):

	Child's name	Sex	Date of Birth
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

(Check only if true.)

- The Court further finds that a court order has established that another person is the legal parent of the child(ren) listed above. A copy of the court order is attached to this Decree as Exhibit ____.

Note: Parentage of a child born during the marriage may need to be established before you can finish your divorce. Talk to a family law lawyer who practices LGBTQIA+ law if **either spouse gave birth to a child during the marriage.**

8. Property and Debt (Fill in all lines. If there is no property to declare in a category, write "none".)

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

8A. Petitioner's Separate Property

The Court confirms that the Petitioner owns the following property as separate property:

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

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

2. **Cars, trucks, motorcycles, or other vehicles** Petitioner 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 Petitioner's Separate Property**

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

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

8B. Petitioner's Community Property

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

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

- 2. House or land located at: _____

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 Petitioner's name alone.
- 4. Any insurance policy that covers Petitioner's life.
- 5. Petitioner's cars, trucks, motorcycles, or other vehicles listed below:

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

- 6. Petitioner will also keep the following property: _____

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 Respondent's name alone.
4. Any insurance policy that covers Respondent's life.
5. Respondent's cars, trucks, motorcycles or other vehicles listed below:

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

6. Respondent will also keep the following property: _____

8E. Retirement Funds in Petitioner'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 Petitioner's name.

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

- 8E(1)** Petitioner is awarded **100%** of all retirement funds in Petitioner'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 Petitioner's name alone, along with 100% of any individual retirement accounts (IRAs), annuities, and variable annuity life insurance in Petitioner's name alone.

- 8E(2)** The following retirement funds in Petitioner's name are divided between Petitioner and Respondent:

(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 Petitioner and **50%** to Respondent and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- is awarded _____% to Petitioner and _____% to Respondent and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

is awarded \$ _____ to Respondent and the remainder to Petitioner and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

other: _____

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

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

8F(1) Respondent is awarded **100%** of all retirement funds in Respondent'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 Respondent's name alone, along with 100% of any individual retirement accounts (IRAs), annuities, and variable annuity life insurance in Respondent's name alone.

8F(2) The following retirement funds in Respondent's name are divided between Petitioner and Respondent:

(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 Respondent and **50%** to Petitioner and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

- is awarded _____% to Petitioner and _____% to Respondent and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- is awarded \$ _____ to Petitioner and the remainder to Respondent and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.
- other: _____

The Court **ORDERS** that Respondent is awarded all retirement funds in Respondent's name alone that are not specifically awarded to Petitioner 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 Petitioner

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

1. All debts, taxes, bills, liens, and other charges, past, present and future, that are in Petitioner's name alone unless this Decree requires otherwise.
2. Any debt Petitioner 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 Petitioner alone.
4. The balance due on any loan for any vehicles that this Decree gives to Petitioner alone.
5. All other debts listed below, which are not in Petitioner's name alone: (such as credit cards, student loans, medical bills, income taxes) _____

8H. Debts to Respondent

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

1. All debts, taxes, bills, liens, and other charges, present and future, that are in Respondent's name alone unless this Decree requires otherwise.
2. Any debt Respondent 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 Respondent alone.
4. The balance due on any loan for any vehicles that this Decree gives to Respondent alone.

5. All other debts listed below, which are not in Respondent'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.)

- Petitioner changed back to a name used before marriage, as it appears below:

First Middle Last

- Respondent 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 an Affidavit of Indigency or Declaration of Indigency 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.

	_____	_____
Petitioner's Signature		Phone number
_____		_____
Petitioner's Name (print)		Date
Mailing Address:	_____	

Email:	_____	
Fax: (if available)	_____	

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

_____	_____	
Respondent's Signature	Phone number	
	_____	
_____	_____	
Respondent's Name (print)	Date	
Mailing Address:	_____	

Email:	_____	
Fax: (if available)	_____	

"I believe the Respondent may be in the military. Therefore, I contacted the following military locator services:

Military Locator Service Contacted	Results
<u>Air Force: 210-565-2660</u>	_____
<u>Navy: 866-827-5672</u>	_____
<u>Marines: 800-268-3710</u>	_____

I know that the Respondent is not now in the military because:

I do not know if the Respondent is in the military now.

Your Signature (Do not sign until you are in front of a notary.)

State of Texas

County of _____

SIGNED under oath before me on _____, 20_____, by

PRINT the first and last names of the person who signed this affidavit.

Notary Public, State of Texas

(Notary's seal must be included.)

Cause Number: _____

In the Matter of the Marriage of

Petitioner: _____
Print first, middle and last name of the spouse who filed 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 current address is:

PRINT your name and information.

Name: _____

Telephone: _____

Email: _____

Fax number
(if available) _____

Mailing Address: _____

Check only if applicable.

This is a new address and the purpose of this Notice is to update my address for the records of the Court and other parties.

Respectfully submitted,



Your Signature

Date

Your printed name

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

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

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

In the Matter of the Marriage of _____ In the _____
Print first, middle and last name of the spouse filing for divorce. (Court Number)

and

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

Affidavit for Prove-Up of Default Divorce Without 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 I filed this divorce 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 ceased to live together as spouses on or about [date] _____.

I filed this divorce at least 60 days ago, on _____ [date].

My spouse has been served.

The return of service has been on file for at least 10 days.

My spouse has not appeared at any hearings or filed any documents in this case.

We were married on or about [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 are no children born or adopted during this marriage.

No other child is expected at this time. I am not pregnant.

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

There is no bankruptcy proceeding affecting this suit.

The final decree of divorce, which is on file with this Court, includes a division of our property and debts.

The terms of the division in the decree are just and right. I believe the property division in the decree is fair and equitable to both my spouse and me.

I am requesting a name change to _____.

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

Verification (Party must sign in front of a notary below.)

I am the Petitioner. 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.

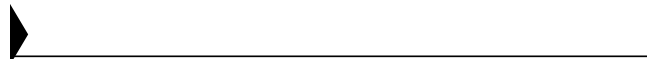
State of _____
(Print name of state where this petition is notarized)

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