

In the interest of *(List children)*:

- 1 Name: _____
- 2 Name: _____
- 3 Name: _____
- 4 Name: _____

§
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§
§

Cause No:

In the _____ District County Court of:

_____ County, Texas

ORDER IN SUIT TO MODIFY THE PARENT-CHILD RELATIONSHIP

Today, this case came before the Court for a hearing.

ORDER TO BE MODIFIED:

The order to be modified, or changed, is called

It will be referred to throughout this order as the prior order.

The judge rendered or announced the prior order on

_____ [date].

1. APPEARANCES [CHECK all that apply.]

1a. Information about the Petitioner:

The **Petitioner's** name is

[PRINT Petitioner's full name]

The **Petitioner** appeared in person, representing him/herself without an attorney.

1b. Guardian Ad litem

Also appearing was _____, appointed by the Court
as guardian ad litem.

1c. Attorney Ad litem

Also appearing was _____, appointed by the Court
as attorney ad litem.

1d. Information about Respondent A:

The **Respondent A's** name is _____.
[PRINT Respondent A's full name]

The **Respondent A:** [Check only ONE.]

- Appeared in person, and has agreed to the terms of this Order.
[Respondent is present when the case is called by the judge and has signed this Order.]

- Signed a Waiver of Service, which waived service of process, and entered a general appearance that has been on file with the court. [Respondent signed the Waiver and agreed that the judge could finalize the case without asking for his/her side of the facts.]

- Filed a written answer or a general denial, but **has agreed** to the terms of this Order, as evidenced by his/her signature below.
[Respondent "answered" the case by filing a written response, a letter, an answer or a general denial, but has signed this Order.]

- Filed a written answer or a general denial, and has **not agreed** to the terms of this Order, but was given legal notice of this final hearing, and failed to appear.
[Respondent "answered" the case by filing a written response, a letter, or a general denial, but has not signed this Order. Petitioner set the hearing and sent Respondent 45 days notice of the final hearing, but Respondent failed to appear for the final hearing. Notice should be sent by certified mail, return receipt requested as well as by regular mail. If you check this box you should also request that the court reporter make a record for you, and file an Affidavit of Non-Military Status, along with a Certificate of Last Known Address.]

- Though duly served with citation and process in this cause, failed to appear in person or by written answer, and has defaulted.
[Respondent was told about the case by a process server, or by legal notice, but did not file a written response and has not been present before the court in this case. If you check this box, you will also need to file a Certificate of Last Known Address and an Affidavit of Non-Military Status. You should request that the court reporter make a record for you. If the Respondent was served by publication, you are required to have an attorney ad litem represent the Respondent. See an attorney for additional information.]

Check this box if there is no Respondent B, and skip to the next page.

1e. Information about Respondent B:

The **Respondent B's** name is _____.
[PRINT Respondent B's full name]

The **Respondent B:** [Check only ONE]

- Appeared in person, and has agreed to the terms of this Order. [Respondent is present when the case is called by the judge and has signed this Order.]
- Signed a Waiver of Service, which waived service of process, and entered a general appearance that has been on file with the court.
[Respondent signed the Waiver and agreed that the judge could finalize the case without asking for his/her side of the facts.]
- Filed a written answer or a general denial, but **has agreed** to the terms of this Order, as evidenced by his/her signature below.
[Respondent "answered" the case by filing a written response, a letter, an answer or a general denial, but has signed this Order.]
- Filed a written answer or a general denial, and has **not agreed** to the terms of this Order, but was given legal notice of this final hearing, and failed to appear.
[Respondent "answered" the case by filing a written response, a letter, or a general denial, but has not signed this Order. Petitioner set the hearing and sent Respondent 45 days notice of the final hearing, but Respondent failed to appear for the final hearing. Notice should be sent by certified mail, return receipt requested as well as by regular mail. If you check this box you should also request that the court reporter make a record for you, and file an Affidavit of Non-Military Status, along with a Certificate of Last Known Address.]
- Though duly served with citation and process in this cause, failed to appear in person or by written answer, and has defaulted.
[Respondent was told about the case by a process server, or by legal notice, but did not file a written response and has not been present before the court in this case. If you check this box, you will also need to file a Certificate of Last Known Address and an Affidavit of Non-Military Status. You should request that the court reporter make a record for you. If the Respondent was served by publication, you are required to have an attorney ad litem represent the Respondent. See an attorney for additional information.]

Check this box if there is no Respondent C, and skip to the next page.

1f. Information about Respondent C:

The Respondent C's name is _____.
[PRINT Respondent C's full name]

The Respondent C: [Check only ONE]

- Appeared in person, and has agreed to the terms of this Order. [Respondent is present when the case is called by the judge and has signed this Order.]
- Signed a Waiver of Service, which waived service of process, and entered a general appearance that has been on file with the court.
[Respondent signed the Waiver and agreed that the judge could finalize the case without asking for his/her side of the facts.]
- Filed a written answer or a general denial, but **has agreed** to the terms of this Order, as evidenced by his/her signature below.
[Respondent "answered" the case by filing a written response, a letter, an answer or a general denial, but has signed this Order.]
- Filed a written answer or a general denial, and has **not agreed** to the terms of this Order, but was given legal notice of this final hearing, and failed to appear.
[Respondent "answered" the case by filing a written response, a letter, or a general denial, but has not signed this Order. Petitioner set the hearing and sent Respondent 45 days notice of the final hearing, but Respondent failed to appear for the final hearing. Notice should be sent by certified mail, return receipt requested as well as by regular mail. If you check this box you should also request that the court reporter make a record for you, and file an Affidavit of Non-Military Status, along with a Certificate of Last Known Address.]
- Though duly served with citation and process in this cause, failed to appear in person or by written answer, and has defaulted.
[Respondent was told about the case by a process server, or by legal notice, but did not file a written response and has not been present before the court in this case. If you check this box, you will also need to file a Certificate of Last Known Address and an Affidavit of Non-Military Status. You should request that the court reporter make a record for you. If the Respondent was served by publication, you are required to have an attorney ad litem represent the Respondent. See an attorney for additional information.]

2. CONSENT BY PERSON WITH RIGHT TO DESIGNATE PRIMARY RESIDENCE

_____, who has the exclusive right to designate the primary residence of the children, has consented to the terms of this order as evidenced by his/her signature below.

OR

_____, who has the exclusive right to designate the primary residence of the children, has not consented to the terms of this order.

OR

no one in this case has the exclusive right to designate the primary residence of the children.

3. JURISDICTION

The Court finds that it has jurisdiction of this case and all of the parties. All persons entitled to citation were properly cited.

4. JURY

A jury was waived, and all questions of fact and of law were submitted to the Court. [You asked the judge to decide your case, instead of a jury.]

OR

A jury was selected, questions of fact were submitted to the jury, and a verdict was returned and filed.

5. RECORD [Check only ONE]

A record of testimony was waived by the parties with the consent of the Court. [A court reporter did not type what was said. You should request that a record be made if a respondent was served, but he or she did not file a written response and is not present before the court in this case.]

A record of testimony was made. [A court reporter typed what was said.]

6. CHILDREN

The following children are the subject of this case.

	<u>Child's name</u>	<u>Sex</u>	<u>Date of Birth</u>	<u>Place of Birth</u>	<u>Current Address</u>
1	_____	_____	_____	_____	_____
2	_____	_____	_____	_____	_____
3	_____	_____	_____	_____	_____
4	_____	_____	_____	_____	_____
5	_____	_____	_____	_____	_____
6	_____	_____	_____	_____	_____

7. FINDINGS [CHECK only one.]

- The Court finds that the petition to modify should be denied. IT IS ORDERED that all relief requested in the petition to modify is DENIED.
- The Court finds that the material allegations in the petition to modify are true and that the requested modification is in the best interest of the children. IT IS ORDERED that the requested modification is GRANTED.
- The Court finds that the parties have entered into an agreement regarding the requested modification and that the agreement is in the best interest of the children. IT IS ORDERED that the agreed modification is GRANTED.

8. MODIFICATIONS (CHANGES) REQUESTED

8a. MANAGING CONSERVATORSHIP (Custody) [CHECK one.]

- The Court finds that the orders concerning conservatorship are not modified. [If you choose this box, skip to the next section.]
- The Court finds that the orders set out in Exhibit Conservatorship (Custody) Order, attached and incorporated into this order for all purposes, are in the best interest of the children. This order modifies the prior order. [If you choose this box, complete Exhibit Conservatorship (Custody) Order, and attach to this Order.]

8b. RIGHTS AND DUTIES [CHECK one.]

- The Court finds that the orders concerning rights and duties are not modified. [If you choose this box, skip to the next section.]
- The Court finds that the orders set out in Exhibit Rights and Duties Order, attached and incorporated into this order for all purposes, are in the best interest of the children. This order modifies the prior order. [If you choose this box, complete Exhibit Rights and Duties Order, and attach to this Order.]

8c. POSSESSION AND ACCESS (VISITATION) [CHECK one.]

- The Court finds that the orders concerning possession or access (visitation) are not modified. [If you choose this box, skip to the next section.]
- The Court finds that the orders set out in Exhibit Possession and Access (Visitation) Order, attached and incorporated into this order for all purposes, are in the best interest of the children. This order modifies the prior order. [If you choose this box, complete Exhibit Possession and Access (Visitation) Order, and attach to this Order.]

8d. CHILD SUPPORT [CHECK one.]

- The Court finds that the orders concerning child support are not modified. [If you choose this box, skip to the next section.]
- The Court finds that the orders set out in Exhibit Child Support Order, attached and incorporated into this order for all purposes, are in the best interest of the children. This order modifies the prior order. [If you choose this box, complete Exhibit Child Support Order, and attach to this Order.]

