



**If your spouse does NOT live in Texas, complete and attach the Exhibit: Out-of-State Parent Affidavit, and check one:**

- 3.  My spouse agrees that this court can decide our divorce.
- 4.  My spouse and I have been separated for less than 2 years, and Texas was the last state where we lived together.

**IV. MARRIAGE and SEPARATION**

- 1. My spouse and I got married on: \_\_\_\_\_  
Month Day Year
- 2. We stopped living together as spouses on: \_\_\_\_\_  
Month Day Year

**V. CHILDREN**

**1. Pregnancy**

- a. The wife in this marriage:  is  is not pregnant. *(If pregnant, answer below.)*
- b. The husband:  is  is not the biological father of this child.

**Warning:** in many Texas counties, the court will not allow you to complete your divorce if the wife is pregnant, even if she is pregnant by someone who is not the husband.

**2. Children you and your spouse have together –**

*(List all natural and adopted children of this marriage who are under 18. If you have an adult disabled child, talk to a lawyer to see if child support is appropriate in your case.)*

	Child's name	Date of Birth	Place of Birth	State where child lives now
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____
d.	_____	_____	_____	_____
e.	_____	_____	_____	_____
f.	_____	_____	_____	_____

*(If more than 6 children, list them on another sheet and write Attachment A at the top. Then attach it to this form.)*

**3. Court Orders involving these children**

*(Check one box.)*

- There are **NO** court orders in effect now for any of the children listed above.
- There **IS** a court order in effect now for at least one of the children listed above. The order is final and I am not asking the court to make any changes to the order. *(Fill out below and talk to an attorney before you file this form.)*

Name of _____ Child: _____	Type of Order: _____
Cause #: _____	Court that made the order: _____
Date: _____	County/State: _____

**4. Children's Health Insurance**

The children  do  do not have private health insurance in effect.

**Private Health Insurance is in effect:** *(Complete, if the children have private health insurance.)*

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_

Cost of premium: \$\_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy  is  is not available through the parent's work.

**Private Health Insurance NOT in effect:** *(Complete, if the children do NOT have private health insurance.)*

The children  do  do not receive medical assistance through CHIPS or Medicaid.

Cost of premium (if any): \$\_\_\_\_\_

Health insurance  is  is not available to the person who pays child support at a reasonable cost.

**5. Custody, Visitation, and Child Support**

My spouse and I agree to try to make an agreement about custody, visitation, and support. If we cannot make an agreement, I want the court to make decisions on these issues that are best for our children.

**6. Family Information** *(Check one box.)*

I will fill out and file the *Family Information* form when I file the Final Decree of Divorce, as required by Texas Family Code Section 105.006.

I ask the Court for permission **not** to fill out the Family Information form because I believe that providing this information could put me and/or my child(ren) in danger.

**7. Children's property**

List any property, other than personal items, owned by the children of this marriage.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. Children born during the marriage, but husband is not the father**

*(Check one box.)*

The wife  did  did not have children with another man while married to the husband.

All children born during the marriage that are not the husband's children are named below:

	Child's name	Age	Date of Birth	Sex
a.	_____			
b.	_____			
c.	_____			
d.	_____			
e.	_____			
f.	_____			

*(If more than 6 children, list them on another sheet and write Attachment B at top. Then attach it to this form.)*

I ask the Court to find that the husband is not the legal father of the children listed above.

**VI. PROPERTY**

**Community Property**

My spouse and I will try to make an agreement about how to divide our community property and debts. If we cannot agree, I ask the Court to divide our property and debts according to Texas law.

**Separate Property**

List all property that you owned *before* you were married, including real estate, and all gifts, inheritance, or money damages you received from a lawsuit during your marriage, if the money was not compensation for lost wages.

1. **House** located at: \_\_\_\_\_  
street address city state  
zip

2. **Land** located at: \_\_\_\_\_  
street address city state zip

**3. Cars, trucks, motorcycles** or other vehicles

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle Identification No. [VIN]</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**4. Inheritance, gifts, or money from a lawsuit** (*not* for lost wages) given only to you (*describe*):

\_\_\_\_\_  
\_\_\_\_\_

5. **Other property** that you owned before you were married (*describe*):

\_\_\_\_\_  
\_\_\_\_\_

I ask the Court to confirm this property as my separate property in my *Final Decree of Divorce*.

**VII. NAME CHANGE**

I ask the Court to change my name back to the name I had before my marriage:

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

**VIII. PROTECTIVE ORDER**

(Check one box.)

- Neither my spouse nor I have a Protective Order against each other, and neither of us has asked for one.
- Either my spouse or I **do have** a Protective Order against each other. A copy of this order is attached to this petition.

(Attach a copy to this Petition and fill out below.)

Cause # \_\_\_\_\_  
 Date: \_\_\_\_\_  
 County: \_\_\_\_\_  
 State: \_\_\_\_\_

The Court that made the order :

District Court # \_\_\_\_\_  
 Justice Court # \_\_\_\_\_  
 County Court # \_\_\_\_\_  
 Other Court( *explain*) \_\_\_\_\_

**IX. NOTICE** [Your spouse has the legal right to be notified that you have filed for divorce.]

(Check one box.)

- I ask the court to send a process server to give a copy of this *Petition* to my spouse here:

\_\_\_\_\_  
*street address city state zip*

If this is a work address, name of business: \_\_\_\_\_

- Do **not** send a process server to give a copy of this *Petition* to my spouse. I believe my spouse may sign a *Waiver of Service* or voluntarily file an *Answer*. If not, I will ask a process server to give my spouse a copy of this *Petition* at this address:

\_\_\_\_\_  
*street address city state zip*

If this is a work address, name of business: \_\_\_\_\_

