

WARNING: By signing this form you give up all of your legal rights in this case.

DO NOT sign it if you want to know what will be ordered in your case. You may want to file an *Answer* instead.

If you file an Answer, your spouse must let you know when there is a hearing on your case but does not waive your legal rights. Find an Answer form in the family law section of www.TexasLawHelp.org.

Print court information exactly as it appears on your Petition.

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 (check one.):

_____ ☐ District Court ☐ County Court of:
(court number)

County, Texas

Waiver of Service – Divorce (No Children)

Instructions to Petitioner:

Give your spouse this Waiver of Service and a file stamped copy of your Petition for Divorce.

Do not ask your spouse to sign the Waiver until **after** you have filed your Petition for Divorce in the clerk's office. If the Waiver is signed before the Petition is filed it is void and must be redone.

The Waiver must be signed in front of a notary.

After your spouse signs the Waiver make sure it gets filed in the court clerk's office. Keep a copy for your records.

Instructions to Respondent:

Read the Warning at the top of this form. Talk to a lawyer if you don't understand it.

If you decide you want to use this form:

- Make sure your spouse has already filed a Petition for Divorce. Do not sign this Waiver until at least the next day after the Petition is filed. If you sign it before then, it must be redone. The official court stamp on your copy of the Petition for Divorce will tell you when it was filed.
- Fill out the Waiver completely. You must include your address.
- **Sign the Waiver in front of a notary. If you sign it beforehand, you will need to redo it.**
- File the original signed waiver with in the court clerk's office and give a copy to your spouse.

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

"I am the Respondent in this case.

"My name is: _____
First Middle Last

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

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

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

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

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

Or ☐ I do not have a social security number.

"I have been given a copy of the *Petition for Divorce* filed in this case. I have read the *Petition for Divorce* and understand what it says.

"I understand that I have the right to be given a copy of the Petition and official notice of this case by a constable, sheriff or other official process server. This process is called *issuance and service of citation*. I do not want to be given official notice. I give up my right to *issuance and service of citation* in this case.

"I also give up my right to be notified of any and all hearings in this case. I give up my right to tell the judge my side of the case.

"If I am in the military, I waive all rights, privileges, and exemptions I may have under the Servicemembers Civil Relief Act, including having a lawyer appointed to represent me in this case.

"I understand that I must let the Court and my spouse (or my spouse's attorney) know in writing if my mailing address or phone number changes during this case. If I don't then any notices about this case will be sent to me at the address on this form.

"I understand that by signing this form I am entering an appearance and am not required to go to Court to tell the judge my side of the case. I agree that a Judge or Associate Judge in the county and state where this case is filed may make decisions about my divorce, even if the divorce should have been filed in another county. I do not want a court reporter to make a record of the testimony in this case.

"I agree that the judge may make decisions about my divorce without further notice to me."

(Check only one):

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

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

First Middle Last

Do not sign until you are in front of a Notary



Respondent's signature

Notary fills out below

State of Texas, County of _____
(Print the name of county where this affidavit is notarized.)

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

by _____
(Print the first and last names of the Respondent who is signing this affidavit.)

I, the Notary Public, whose signature appears below, certify that I am not an attorney in this case.

(Notary's seal here)



Notary's signature