

IN THE MATTER OF THE MARRIAGE OF

Petitioner (Print first, middle and last name of person who filed for divorce.)

and

Respondent (Print first, middle and last name of other spouse.)

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Cause No:

[Empty box for Cause No.]

In the (check one):

□ District Court □ County Court of:

(court number)

County, Texas

Petition for Divorce

Print Answers

I. PARTIES

Petitioner

1. My name is: First Middle Last

Respondent

2. My spouse's name is: First Middle Last

II. DISCOVERY

The discovery level in this case is:

(Check one box.)

- Level 1. (Check here if you and your spouse do not have children under 18 or a disabled child of any age, the wife is not pregnant, and you have less than \$50,000 in property.)
Level 2. (All other couples)

III. JURISDICTION

You can not file this form until you or your spouse has lived in the county where you are asking for a divorce for at least 90 days, and in Texas for at least six months.

- 1. My spouse has I have My spouse and I have -- lived in this county for the last 90 days.
2. My spouse has I have My spouse and I have --- lived in Texas for the last six months.

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

Do Not use this form if: you have minor children and do not have court orders pertaining to their custody and support, or if you do have court orders and want to change them.

Children you and your spouse have together

My spouse and I:

- 1. do do not have adopted or biological children under the age of 18.
- do do not have court orders pertaining to the children’s custody and support.
- do do not want to change those court orders.
- 2. do do not have a disabled child over 18.*

(*Talk to an attorney if you have a disabled child before filing this form. You or your spouse may be entitled to receive child support, even after the disabled child becomes an adult.)

3. The children who have court orders pertaining to their custody and support. are:

| Child’s name | Age | Date of Birth | Sex | Cause Number and County for court order (You will need to attach a copy of this order to the Final Decree of Divorce.) |
|--------------|-----|---------------|-----|---|
| a. _____ | | | | |
| b. _____ | | | | |
| c. _____ | | | | |
| d. _____ | | | | |
| e. _____ | | | | |
| f. _____ | | | | |

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

Pregnancy

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

Children born during the marriage, but husband is not the father Check one.

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

All of the 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. | | | |

If more than 4 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

| Year | Make | Model | Vehicle Identification No. [VIN] |
|------|------|-------|----------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

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:

First Middle Last

VIII. PROTECTIVE ORDER

(*Check one*)

- 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*):

Court Case # County Date Court that made the order:

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

(*Check one*)

- 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: _____

X. Prayer

I ask the Court to grant me a divorce because 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. I ask the Court to grant me a divorce because my spouse and I do not get along and do not plan to live together ever again. I also ask the Court to make the other orders I have asked for in this Petition and any other orders I am entitled to.

| | |
|---------------------------|--------------|
| _____ | (____) |
| Petitioner's Name (print) | Phone number |
| → _____ | _____ |
| Petitioner's Signature | Date |
| Mailing address: _____ | |
| _____ | |