

Information & Instructions: Affidavit for citation by publication

PREVIEW

1. The affidavit for citation through publication is used if, after due diligence, the Respondent cannot be located. It allows the divorce to proceed without personal service; service is instead accomplished by publication.
2. Rule 244 of the Rules of Civil Procedure requires the appointment of a Guardian Ad Litem when citation by publication is used. A statement of evidence is also required.
3. If the Respondent files an answer after citation by publication then there is no need for an attorney Ad Litem.
4. For statutory authority applicable to the above see Texas Family Code Section 3:52.

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Form: Affidavit for citation by publication

NO: [Cause Number]

IN THE MATTER OF THE MARRIAGE OF § IN THE DISTRICT COURT
 [Petitioner Name], Petitioner §
 v. §
 [Respondent Name], Respondent §
 §
 AND IN THE INTEREST OF: § [SUIT COUNTY] COUNTY, TEXAS
 [CHILD NAME] §

__ TH JUDICIAL DISTRICT

THIS DOCUMENT

AFFIDAVIT FOR CITATION BY PUBLICATION

On [Date of Affidavit], [Petitioner Name], personally appeared BEFORE ME, the undersigned authority after being duly sworn affirmed the truth as follows:

"My name is [Petitioner Name]. I am of sound mind and capable of making this affidavit.
"I am personally acquainted with the facts herein stated.

"I am the Movant in the above-entitled and numbered cause." **THANK YOU**

"I have diligently attempted to locate Respondent as shown:

1. [Facts Showing Due Diligence]

"I do not know the residence address of [Respondent Name], who is a party to such cause. I have exercised due diligence to locate this party and have not been able to do so."

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SIGNED on [Date of Affidavit]

PREVIEW

[Petitioner Name], Movant

State of Texas

County of _____

Subscribed and sworn to before me by _____ on _____.

Notary Public, State of Texas

PLEASE DO NOT COPY
Notary's typed or printed name

My commission expires: _____

[or Notary's Stamp]

THIS DOCUMENT

THANK YOU

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