

Fill out pages 1-7 with instructions and print pages 8-14 for court.

CAUSE NO. _____
[To be completed by the District Clerk]

IN THE MATTER OF THE MARRIAGE OF § IN THE DISTRICT COURT
§
§ OF _____ COUNTY, TEXAS
Petitioner [Your Name] § [Print name of County in which you are filing this Petition.]
AND §
§ _____ JUDICIAL DISTRICT
Respondent [Your Spouse's Name] § [To be completed by the District Clerk]

ORIGINAL PETITION FOR DIVORCE

1. PARTIES: [You and your spouse]

My name is _____.
[PRINT your full name.]

I am the Petitioner, the person who is asking the Court to give me a divorce

Instructions

Petitioner [You] –

My name is _____.
[PRINT your full name.]

My address is _____.
[Street Address City State Zip]

I live in _____ County, _____.
[County] [State]

I was born on _____ and I am _____ years old.
[Month, Day, Year] EX: 01/12/1985 [Age]

My social security number is _____.
[Enter numbers only] [If available]

My driver's license number is _____ and it was issued in the state of _____.

The name on my birth certificate is _____.

Respondent [Your Spouse] --

My spouse's name is _____.
[PRINT your husband or wife's full name]

My spouse's address is _____.
[Street Address City State Zip]

My spouse lives in _____ County, _____.
[County] [State]

My spouse was born on _____ and is _____ years old.
[Month, day, year] EX: 01/12/1985 [Age]

My spouse's security number is _____ . [If available]
[Enter numbers only]

My spouse's driver's license number is _____.

My spouse's driver's license was issued in the state of _____.

The name on my spouse's birth certificate is: _____.

2. DISCOVERY [Discovery is a procedure used by parties in a lawsuit to find out information about the other party.]

Check only ONE]

I would like discovery to be under Level 1 of Rule 190 of the Texas Rules of Civil Procedure because:

A. My spouse and I do not have any children who are younger than 18 years or any disabled children who are 18 years or older. The wife is not pregnant. [NOTE: if you and your spouse DO have children together, who are younger than 18 years or any disabled children who are 18 years or older, you CANNOT use this Petition to begin your divorce.]

AND

B. Everything my spouse and I bought while we were married and that we still own does **not total more than \$50,000.**

OR

I would like discovery to be under Level 2 of Rule 190 of the Texas Rules of Civil Procedure because everything my spouse and I bought while we were married and that we still own **does total more than \$50,000.**

3. DOMICILE ["Domicile" means where you live. Check all that apply. If you cannot truthfully check either box, do not use these forms.]

I have lived in Texas for the past six months and in _____ County, Texas, for the past 90 days.

AND / OR

My spouse has lived in Texas for the past six months and in _____ County, Texas, for the past 90 days.

4. SERVICE OF PROCESS [Check only ONE.]

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition for Divorce to my spouse right now because my spouse may sign a Waiver of Service.

[You are saying that your spouse may sign a paper called a 'Waiver' in front of a notary, agreeing that you have given him or her a FILE-STAMPED copy of this Original Petition for Divorce, and s/he does not want to have a sheriff, constable, or private process server give him or her another copy of this Original Petition for Divorce.]

If my spouse does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition for Divorce to my spouse at this address:

[PRINT street address, city, state, and zip code of where a copy of this petition can be delivered to your spouse by law enforcement.]

[If this is a work address, PRINT the business name.]

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition for Divorce to my spouse at this address:

[PRINT street address, city, state, and zip code of where a copy of this petition can be delivered to your spouse by law enforcement.]

[If this is a work address, PRINT the business name.]

5. DATES OF MARRIAGE AND SEPARATION

My spouse and I were married on or about _____.

[EX: 12/25/2006]

[PRINT month, day, & year.]

We stopped living together as husband and wife on or about _____.

[EX: 12/25/2006]

[PRINT month, day & year you were separated.]

6. GROUNDS FOR DIVORCE: INSUPPORTABILITY

The ground for divorce is insupportability. My spouse and I do not get along with each other as husband and wife. We do not intend to live together as husband and wife ever again.

7. CHILDREN OF THE MARRIAGE [Check only ONE.]

No minor children of the marriage. My spouse and I do not have any biological or adopted children who are younger than 18 years old. We do not have any disabled children who are 18 years or older. We do not have any children who are 18 years or older that we have been court-ordered to support. [We do not have any children together who are in need of child support or medical support.]

Children of the marriage, with a prior, final court order. The following minor children were born during the marriage, but are under the continuing, exclusive jurisdiction of the _____ Judicial District in Cause No: _____, of _____ County, Texas: [PRINT full name of child[en]].

	<u>Child's Name</u>	<u>Age</u>	<u>Sex</u>	<u>Date of Birth</u>	[EX: 12/25/2006]
1	_____	_____	_____	_____	_____
2	_____	_____	_____	_____	_____
3	_____	_____	_____	_____	_____
4	_____	_____	_____	_____	_____
5	_____	_____	_____	_____	_____
6	_____	_____	_____	_____	_____

All issues regarding conservatorship, support, and possession and access were resolved in a final order in that cause and no changes will be made to those orders in this suit for divorce.

8. PREGNANCY [NOTE: If the wife is pregnant, you CANNOT file for divorce using this form.] [Check only ONE.]

- The wife is not pregnant.
- The wife is pregnant, but the husband is not the biological father of this child.

[Complete this section **ONLY** if the wife had children with someone, other than the husband, while married to the husband.]

- The husband is **NOT** the biological father of these children born during the marriage:

	<u>Child's name</u>	<u>Age</u>	<u>Sex</u>	<u>Date of Birth</u>	[Enter mm/dd/yyyy]
1	_____				
2	_____				
3	_____				
4	_____				
5	_____				
6	_____				

- Additional children are listed in Exhibit A. [Attach Exhibit A, if needed.]

9. PROTECTIVE ORDER STATEMENT [Check only ONE] [If you've been abused by your spouse, you may be able to get a court to order your spouse to stop abusing you and to stay away from you and/or your children. This court order is called a protective order. Call 1-800-374-HOPE for more information.]

- I do not currently have a Protective Order in effect against my spouse and my spouse does not currently have a Protective Order in effect against me. I have not filed an application for a Protective Order against my spouse in any Court and my spouse has not filed an application for a Protective Order against me in any Court.

OR

- There is a current Protective Order in effect. The Protective Order was issued by the _____ Court, in _____ County, Texas, in Cause No. _____ and was signed on [date] _____.

EX: 12/25/2006

I have attached a copy of the Protective Order to this Original Petition for Divorce. [Attach a copy of the protective order.]

10. DIVISION OF COMMUNITY PROPERTY

[NOTE: Community consists of the property, other than separate property, acquired by either party during the marriage.]

My spouse and I will try to reach an agreement on how our community property and debts are divided. But if we cannot agree, I would like the Court to decide who gets the items that my spouse and I bought while we were married. I would also like for the Court to decide who pays the debts that my spouse and I owe. I would like the Court to make these decisions in a way that the Court believes is fair and according to the laws of Texas.

11. SEPARATE PROPERTY

[Complete this Section ONLY if you are asking the judge to confirm items that you own as your separate property. Separate Property is anything that you owned before you were married, or any gifts or inheritance that you received while you were married, or money you received from a lawsuit that was not to compensate for lost wages. Attach an additional page if needed to list your separate property.]

I want the Court to confirm the following as my separate property:

Before I married my spouse, I owned: **[CHECK what you owned.]**

A house located at _____

[PRINT the address and/or the legal description of the property.]

Land located at _____

[PRINT the address and/or the legal description of the property.]

Personal property including _____

[Describe personal property such as cars, jewelry, stocks, etc, that you owned before your marriage. If describing a car, state the year, make, model, and Vehicle Identification Number [VIN].]

Other separate property including: **[Describe]** _____

While I was married to my spouse, I received **[CHECK what you received.]**

- An inheritance.
- A gift that was given to me only.
- Money from a lawsuit for something other than lost wages.

12. ADDITIONAL PROVISIONS

I would also like the Court to: [Check ONLY those which apply to you.]

Change of Name: [NOTE: You cannot ask the judge to change your spouse's name if your spouse doesn't want to have his/her name changed.]

I would like my name changed back to: _____.
[PRINT first, middle, & last name of a name used before your marriage.]

My spouse would like to have his/her name changed back to: _____.
[PRINT first, middle, & last name of a name used before your marriage.]

13. PRAYER

I am asking that my spouse be given a copy of this Original Petition for Divorce in a way that is according to the law. I am also asking that the Court give me a divorce, everything else that I have asked for in this Original Petition for Divorce, and any other relief to which I am entitled.

Respectfully submitted,

Petitioner, Pro Se [Sign your name on the line.]

[PRINT your name and information.]

Name: _____

Telephone: _____

Mailing _____

Address: _____
[City, State, Zip]

CAUSE NO. _____

IN THE MATTER OF THE MARRIAGE OF § IN THE DISTRICT COURT
§

Petitioner § OF _____ COUNTY, TEXAS
AND §

Respondent § _____ JUDICIAL DISTRICT

ORIGINAL PETITION FOR DIVORCE

1. PARTIES:

My name is _____.

I am the Petitioner, the person who is asking the Court to give me a divorce

Petitioner

My name is _____.

My address is _____.

I live in _____ County, _____.

I was born on _____ and I am _____ years old.

My social security number is _____.

My driver's license number is _____ and it was issued in the state of _____.

The name on my birth certificate is _____.

Respondent

My spouse's name is _____.

My spouse's address is _____.

My spouse lives in _____ County, _____.

My spouse was born on _____ and is _____ years old.

My spouse's security number is _____.

My spouse's driver's license number is _____.

My spouse's driver's license was issued in the state of _____.

The name on my spouse's birth certificate is: _____.

2. DISCOVERY

I would like discovery to be under Level 1 of Rule 190 of the Texas Rules of Civil Procedure because:

A. My spouse and I do not have any children who are younger than 18 years or any disabled children who are 18 years or older. The wife is not pregnant.

AND

B. Everything my spouse and I bought while we were married and that we still own does **not total more than \$50,000.**

OR

I would like discovery to be under Level 2 of Rule 190 of the Texas Rules of Civil Procedure because everything my spouse and I bought while we were married and that we still own **does total more than \$50,000.**

3. DOMICILE

I have lived in Texas for the past six months and in _____ County, Texas, for the past 90 days.

AND / OR

My spouse has lived in Texas for the past six months and in _____ County, Texas, for the past 90 days.

4. SERVICE OF PROCESS

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition for Divorce to my spouse right now because my spouse may sign a Waiver of Service.

If my spouse does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition for Divorce to my spouse at this address:

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition for Divorce to my spouse at this address:

5. DATES OF MARRIAGE AND SEPARATION

My spouse and I were married on or about _____.

We stopped living together as husband and wife on or about _____.

6. GROUNDS FOR DIVORCE: INSUPPORTABILITY

The ground for divorce is insupportability. My spouse and I do not get along with each other as husband and wife. We do not intend to live together as husband and wife ever again.

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No minor children of the marriage. My spouse and I do not have any biological or adopted children who are younger than 18 years old. We do not have any disabled children who are 18 years or older. We do not have any children who are 18 years or older that we have been court-ordered to support.

Children of the marriage, with a prior, final court order. The following minor children were born during the marriage, but are under the continuing, exclusive jurisdiction of the _____ Judicial District in Cause No: _____, of _____ County, Texas:

	<u>Child's Name</u>	<u>Age</u>	<u>Sex</u>	<u>Date of Birth</u>
1	_____			
2	_____			
3	_____			
4	_____			
5	_____			
6	_____			

All issues regarding conservatorship, support, and possession and access were resolved in a final order in that cause and no changes will be made to those orders in this suit for divorce.

8. PREGNANCY

- The wife is not pregnant.
- The wife is pregnant, but the husband is not the biological father of this child.
- The husband is **NOT** the biological father of these children born during the marriage:

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

- Additional children are listed in Exhibit A.
-

9. PROTECTIVE ORDER STATEMENT

- I do not currently have a Protective Order in effect against my spouse and my spouse does not currently have a Protective Order in effect against me. I have not filed an application for a Protective Order against my spouse in any Court and my spouse has not filed an application for a Protective Order against me in any Court.

OR

- There is a current Protective Order in effect. The Protective Order was issued by the _____ Court, in _____ County, Texas, in Cause No. _____ and was signed on _____.

I have attached a copy of the Protective Order to this Original Petition for Divorce.

10. DIVISION OF COMMUNITY PROPERTY

My spouse and I will try to reach an agreement on how our community property and debts are divided. But if we cannot agree, I would like the Court to decide who gets the items that my spouse and I bought while we were married. I would also like for the Court to decide who pays the debts that my spouse and I owe. I would like the Court to make these decisions in a way that the Court believes is fair and according to the laws of Texas.

11. SEPARATE PROPERTY

I want the Court to confirm the following as my separate property:

Before I married my spouse, I owned:

A house located at _____

Land located at _____

Personal property including _____

Other separate property including: _____

While I was married to my spouse, I received

- An inheritance.
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12. ADDITIONAL PROVISIONS

I would also like the Court to:

Change of Name:

I would like my name changed back to: _____.

My spouse would like to have his/her name changed back to:
_____.

13. PRAYER

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Respectfully submitted,

Petitioner, Pro Se

Name: _____

Telephone: _____

Mailing _____

Address: _____