

(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.*

In the \_\_\_\_\_  
*Court Number*

And

District Court  County Court of:

Respondent: \_\_\_\_\_  
*Print first, middle and last name of other spouse.*

\_\_\_\_\_ County, Texas

**AND IN THE INTEREST OF:** *(List children of this marriage who are under 18):*

- 1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_
- 4. \_\_\_\_\_ 5. \_\_\_\_\_ 6. \_\_\_\_\_

**Final Decree of Divorce**

A hearing took place today, and the following people were present. There was no jury as neither the husband nor wife asked for one.

**1. Appearances**

***Petitioner***

The Petitioner's name is: \_\_\_\_\_  
*First Middle Last*

The Petitioner represented him/herself and is the *(check one)*:  Husband.  Wife.

*(Check one box.)*

- The Petitioner **was present**, representing him/herself, and has agreed to the terms of this Decree of Divorce.
- The Petitioner **was not present** but has signed below, agreeing to the terms of this Decree.

***Respondent***

The Respondent's name is: \_\_\_\_\_  
*First Middle Last*

The Respondent is the *(check one)*:  Husband.  Wife.

*(Check one box.)*

- The Respondent **was present**, representing him/herself, and agrees to the terms in this Decree.
- The Respondent **was not present** but was served, filed an Answer, or signed a Waiver of Citation, and:

*(Check all that apply.)*

- has signed below, agreeing to the terms in this Decree.
- agreed in the Waiver that the judge can finalize the divorce, without giving the Respondent notice of this hearing.
- has defaulted. The Petitioner has filed a Certificate of Last Known Address and an Affidavit of Non-Military Status. The Petitioner has also arranged for a court reporter to record the hearing.

## 2. Record

(Check one box.)

- A Court reporter recorded today's hearing.
- A Court reporter did not record today's hearing because the Husband, Wife, and judge agreed not to make a record.
- A Statement of the Evidence was signed by the Court.

## 3. Jurisdiction

The Court heard evidence and finds that it has jurisdiction over this case and the parties, that the residency and notice requirements have been met, and the *Petition* meets all legal requirements.

The Court finds that::

(Check one box.)

- the *Petition* was filed more than 60 days ago.
- Petitioner has an active Protective Order under Title 4 of the Texas Family Code, or an active magistrate's order for emergency protection under Article 17.292 of the Texas Code of Criminal Procedure against the Respondent because the Respondent committed family violence during the marriage.
- Respondent has a final conviction or has received deferred adjudication for a crime involving family violence against the Petitioner or a member of Petitioner's household.

## 4. Children

**Remember:** If you have a disabled child or an adult disabled child, talk to a lawyer before you finish your divorce. You or your spouse may be entitled to child support even after the child becomes an adult.

### A. Children of the Marriage

The Court finds that the Husband and Wife are the parents of the children listed below, and that there are no other children of this marriage expected or entitled to receive support.

(List all adopted and biological children of this marriage who are under 18.)

	Child's name	Sex	Date of Birth	State where child lives now
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____
6	_____	_____	_____	_____

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

### B. Pregnancy

The Court finds that the Wife is **not** pregnant.

**Remember:** You cannot finish your divorce while the wife is pregnant.

**C. Children Born during the Marriage, but the Husband is Not the Father**

(Check one box.)

- The Court finds that the Wife **did not** have children with another man while married to the Husband.
- The Court finds that the children named below were born during the marriage, but are UUnot the Husband's children.

The Court further finds that paternity of each child **has been** established:

(Check one box.)

- A court order has determined the father of each of child named below. A copy of the order is attached to and made part of this Final Decree of Divorce for all purposes.
- An *Acknowledgement of Paternity* signed by the genetic father and a *Denial of Paternity* signed by the Husband has been filed with the bureau of vital statistics for each child named below. A copy of this document, or documents, is attached to and is made part of this Final Decree of Divorce for all purposes.

(List all children born during the marriage, who are not the adopted or biological children of the husband.)  
(Paternity of each child must already have been established.)

	Child's name	Age	Date of Birth	Sex
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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

**5. Divorce**

IT IS ORDERED that the Petitioner and the Respondent are divorced on the grounds of insupportability.

**6. Parenting Plan**

The Court FINDS that the orders found in the attached Parenting Plan Exhibits are in the best interest of the children, and makes the following orders regarding custody, visitation, child support, and health insurance, as included in this section and the attached Parenting Plan Exhibits.

**Note! You must include a Parenting Plan with this Decree of Divorce, as required by Texas Family Code, Section 153.603. Complete and attach the following Parenting Plan Exhibits to this Decree of Divorce.**

**Parenting Plan Exhibits**

The following Exhibits are attached to this Decree of Divorce and are made a part of this Decree for all purposes.

Exhibit: Conservatorship (Custody) Order

Exhibit: Rights and Duties Order

Exhibit: Possession and Access (Visitation) Order

Exhibit: Child Support Order

Exhibit: Medical Support Order

Exhibit: Family Information

## 7. Property And Debts

**Note:** Additional forms are needed to divide retirement benefits and to transfer title to real estate.

If you plan to divide retirement benefits or you jointly own a house or land with your spouse, do NOT use this form without first talking to a lawyer.

You can hire a lawyer just to give you advice and/or draft the documents you need for a flat fee. Call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service at 1(800) 252-9690 for help finding a lawyer.

Texas is a community property state. This means that any new property or debt that either party obtains from the minute they are married until the minute the judge grants the divorce is community property, even if the property or debt is only in one spouse's name.

All community property and debt should be included in the Final Decree of Divorce. There are a few exceptions to the law of community property. If either party receives a gift, an inheritance, or money from a lawsuit that does not compensate for lost wages, it is separate property. It is a good idea to confirm separate property obtained during the marriage as that individual's separate property in the Final Decree of Divorce. More information about community and separate property can be found in the Texas Family Code, chapters 3,4, and 5.

The Court makes the following orders regarding the parties' community and separate property:

### ***Husband's Property***

#### **Husband's Separate Property**

The Court confirms that the Husband owns the following property as his separate property:

1. **House** located \_\_\_\_\_  
*Street Address* *City* *State* *Zip*

- Husband owned this house before marriage.  
 Husband received this house as a gift or inheritance.

2. **Land** located at: \_\_\_\_\_  
*Street Address* *City* *State* *Zip*

- Husband owned this land before marriage.  
 Husband received this land as a gift or inheritance.

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

Husband owned these vehicles before marriage or received them as a gift or inheritance during the marriage:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

#### **4. Other Money or Property**

Husband owned the following money or property *before* the marriage or inherited or received it as a gift during the marriage.

\_\_\_\_\_  
Husband received the following money from a lawsuit during the marriage. This money was not compensation for lost wages.

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

**Husband's Community Property**

The Court ORDERS that the Husband is awarded (*gets*) the following Community Property, and the Wife is divested of (*doesn't get*) any interest, title or claim she may have to the property listed below.

Wife IS ORDERED to sign any deeds or documents needed to transfer any property listed below to the Husband. Husband is responsible for preparing the documents.

1. All property in Husband's care, custody or control, or in Husband's name, that this Order does not give to the Wife.

2. House or land located at:

\_\_\_\_\_ *Street Address* \_\_\_\_\_ *City* \_\_\_\_\_ *State* \_\_\_\_\_ *Zip*

Legal Description: \_\_\_\_\_

3. Other real property located at:

\_\_\_\_\_ *Street Address* \_\_\_\_\_ *City* \_\_\_\_\_ *State* \_\_\_\_\_ *Zip*

Legal Description: \_\_\_\_\_

*(Check ALL that apply.)*

- 4.  All of the Husband's employment benefits, including retirement, pension, 401(k), profit-sharing, and stock option plans that are in his name alone, along with all individual retirement accounts, such as IRAs that are in his name alone. *(Note: If you want to divide retirement or employment benefits do NOT use this form. You will need additional forms. Talk to an attorney.)*
- 5.  All cash and money in any bank or other financial institution listed in Husband's name ALONE.
- 6.  Any insurance policy that covers the Husband's life.
- 7.  The Husband's cars, trucks, motorcycles or other vehicles listed below

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

8.  The Husband will also keep the property listed below: \_\_\_\_\_

**Husband's Debts**

*(Check all that apply.)*

The Husband shall pay the debts listed below:

- 1.  All taxes, bills, liens, and other charges, present and future, for all personal and real property that are in the Husband's name alone or that this Order gives to the Husband alone, unless this Order requires otherwise.
- 2.  Any debt Husband incurred after separation. Date of separation: \_\_\_\_\_  
*Month Day Year*
- 3.  The balance due on any loan or mortgage for the real property that this Order gives to the Husband alone.
- 4.  The balance due on any loan for any vehicles that this Order gives to the Husband alone.
- 5.  All other debts listed below, which are not in Husband's name alone, such as credit cards, student loans, medical bills, income taxes: \_\_\_\_\_

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

**Wife's Property**

**Wife's Separate Property**

The Court confirms that Wife owns the following property as her separate property:

1. **House** located \_\_\_\_\_  
Street Address City State Zip

- Wife owned this house before marriage.
- Wife received this house as a gift or inheritance.

2. **Land** located at: \_\_\_\_\_  
Street Address City State Zip

- Wife owned this land before marriage.
- Wife received this land as a gift or inheritance.

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

Wife owned these vehicles before the marriage or received them as a gift or inheritance during the marriage:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

4. **Other Money or Property**

Wife owned the following money or property *before* the marriage or inherited or received it as a gift during the marriage.

\_\_\_\_\_

Wife received the following money from a lawsuit during the marriage. This money was not compensation for lost wages.

\_\_\_\_\_

**Wife's Community Property**

The Court ORDERS that Wife is awarded (*gets*) the following Community Property, and Husband is divested of (*doesn't get*) any interest, title, or claim he may have to the property listed below.

Husband IS ORDERED to sign any deeds or documents needed to transfer any property listed below to the Wife. Wife is responsible for preparing the documents.

1. All property in Wife's care, custody, or control, or in Wife's name, that this Order does not give to the Husband.

2. House or land located at: \_\_\_\_\_  
Street Address City State Zip

Legal Description: \_\_\_\_\_  
\_\_\_\_\_

3. Other real property located at: \_\_\_\_\_  
Street Address City State Zip

Legal Description: \_\_\_\_\_  
\_\_\_\_\_

**Wife's Community Property (continued)**

(Check all that apply.)

- 4.  All of the Wife's employment benefits, including retirement, pension, 401(k), profit-sharing, and stock option plans that are in her name alone, along with all individual retirement accounts, such as IRAs that are in her name alone. (Note: If you want to divide retirement or employment benefits do NOT use this form. You will need additional forms. Talk to an attorney.)
- 5.  All of the Wife's cash and money in any bank or other financial institution that is listed in her name ALONE.
- 6.  Any insurance policy that covers the Wife's life.
- 7.  The Wife's cars, trucks, motorcycles or other vehicles listed below:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- 8.  The Wife will also keep the property listed below: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Wife's Debts**

(Check all that apply.)

The Wife shall pay the debts listed below:

- 1.  All taxes, bills, liens, and other charges, present and future, for all personal and real property that are in the Wife's name alone or that this Order gives to the Wife alone, unless this Order requires otherwise.
- 2.  Any debt Wife incurred after separation. Date of separation: \_\_\_\_\_  
*Month Day Year*
- 3.  The balance due on any loan or mortgage for the real property that this Order gives to the Wife alone.
- 4.  The balance due on any loan for any vehicles that this Order gives to the Wife alone.
- 5.  All other debts listed below, which are not in Wife's name alone, such as credit cards, student loans, medical bills, income taxes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**8. Name Change**

The Court ORDERS the name of the:

(Check all boxes that apply.)

- Husband changed back to a name used before marriage, as it appears below.

\_\_\_\_\_

*First Middle Last*

- Wife changed back to a name used before marriage, as it appears below.

\_\_\_\_\_

*First Middle Last*

## 9. Court Costs

The Husband will pay for his court costs; the Wife will pay for her court costs.

## 10. Other Orders

The court has the right to make other orders, if needed, to clarify or enforce the orders above.

Any orders requested that do not appear above are denied.

\_\_\_\_\_

*Date of Judgment*

\_\_\_\_\_

*Judge's signature*

### Approved as to Form and Substance:

By signing below, the Petitioner agrees to the form and substance of this decree.

By signing below, the Respondent agrees to the form and substance of this decree.

\_\_\_\_\_ ( ) \_\_\_\_\_  
*Petitioner's Name (print)* *Phone number*

\_\_\_\_\_ ( ) \_\_\_\_\_  
*Respondent's Name (print)* *Phone number*

→ \_\_\_\_\_  
*Petitioner's Signature* *Date*

→ \_\_\_\_\_  
*Respondent's Signature* *Date*

*Mailing Address:* \_\_\_\_\_  
\_\_\_\_\_

*Mailing Address* \_\_\_\_\_  
\_\_\_\_\_