

Cause Number _____

IN THE MATTER OF THE MARRIAGE OF

Petitioner: _____ In the _____ District Court County Court
At Law of
And
Respondent: _____ County, Texas

AND IN THE INTEREST OF:

- 1. _____ 2. _____ 3. _____
- 4. _____ 5. _____ 6. _____

Original Petition for Divorce

1. Parties

Petitioner

My name is: _____
First Middle Last

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

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.

Respondent

My spouse's name is: _____
First Middle Last

2. Discovery. The discovery level in this case is Level 2.

3. Jurisdiction

State and County of Residence (check all that apply)

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

Out-of-State Respondent

My spouse does not live in Texas, **and** (check all that apply)

My spouse agrees that a Texas court can make orders dividing our property and orders for custody and support of our children.

Texas is the last state where we lived together as a married couple. This petition is filed less than two years after we separated.

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- The children live in Texas because of my spouse's actions.
- My spouse has lived in Texas with the children.
- My spouse has lived in Texas and provided prenatal expenses or support for the children.
- My spouse had sexual intercourse in Texas, and the children may have been conceived by that act of intercourse.
- Our child was born in Texas and my spouse registered with the paternity registry maintained by the bureau of vital statistics or signed an acknowledgment of paternity.
- My spouse will be personally served with citation within the State of Texas.

4. Protective Order Statement

- There is no protective order between the parties and no application for one is pending.
- A protective order is presently in effect or an application for protective order is pending at this time in _____ County, _____, Cause No. _____.

Name of County

State

Case number

A true and correct copy of the protective order

- is attached to this Original Petition will be filed before any hearing in this case.
- if issued, will be filed with the court before any hearings in this case.

5. Marriage and Grounds for Divorce

Petitioner and Respondent were married on or about _____, and ceased to live together as husband and wife on or about _____.

- Common-Law Marriage: Petitioner and Respondent agreed to be married on or about _____, and thereafter we lived together in Texas as husband and wife and we represented to others that we were married, thus creating a common-law marriage. We separated on or about _____.

The marriage has become insupportable due to discord or conflict of personalities that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.

6. Children

- No minor children.**

My spouse and I do **not** have any biological or adopted children together who are under the age of 18, or any who are 18 years old or older who are still in high school.

My spouse and I do **not** have any disabled children of any age.

The wife has **not** had a child by another man since the date of marriage.

The wife is **not** pregnant.

Children of the marriage

The following children now under eighteen years old were born to or adopted by the parties:

	<u>Name</u>	<u>Age</u>	<u>Sex</u>	<u>Birth date</u>	<u>Birthplace</u>
1.	_____				
2.	_____				
3.	_____				
4.	_____				
5.	_____				
6.	_____				

Children born during marriage but husband is NOT the father

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

All children born during the marriage that are NOT the husband's adopted or biological children are listed below.

	<u>Name</u>	<u>Age</u>	<u>Sex</u>	<u>Birth date</u>	<u>Birthplace</u>
1.	_____				
2.	_____				
3.	_____				

Paternity of children listed above **has not** been established. I understand that paternity must be established before I can finish my divorce.

Paternity of children listed above **has** been established.

A court order has determined the father of each child named above. I understand that I must attach a file-stamped copy of the order to my Final Decree of Divorce.

An Acknowledgment of Paternity signed by the genetic father **and** a Denial of Paternity signed by Husband herein has been filed with the Bureau of Vital Statistics for each child listed above. I understand that I must attach a copy of these documents to my Final Decree of Divorce.

A. Disabled child

My spouse and I do not have any disabled children.

_____, a child of this marriage named above, requires continuous care and personal supervision because of a disability and will not be capable of self-support. The Court is requested to order that payments for the support of this child be continued after the child's eighteenth birthday and extended for an indefinite period.

B. Pregnancy.

The wife in this marriage **is not** pregnant

The wife in this marriage **is pregnant and**

The husband **is** the father. The husband **is not** the father.

C. Court orders involving children (check one box)

- There are no court orders in effect now for any of the children listed above.
 There is a court order in effect for all of the above named children the following children

_____ County/State where order was made _____

Date of order _____ Cause number _____

Name of order _____

This order is temporary final

D. Custody, visitation, and child support

I will try to make an agreement with my spouse about custody, visitation, and support for our children. If we cannot make an agreement by the time of the hearing, I ask the court to make the following orders:

1. Custody

- Petitioner and Respondent should be appointed Joint Managing Conservators of the child/ren and _____ will have the right to establish the child/ren's primary residence.
 _____ to be appointed the Sole Managing Conservator of the child/ren and _____ to be appointed Possessory Conservator of the child/ren.

2. Support

- Petitioner Respondent should be ordered to make payments for the support of the children in the manner specified by the Court.

E. Children's health and dental insurance

1 Private health insurance IS in effect.

Name of insurance company _____

Policy number _____ Cost of premium \$ _____

Name of person who pays for the insurance _____

This insurance policy is is not available through the parent's work

2 Private health insurance is NOT in effect.

The children do do not receive medical insurance through CHIPS or Medicaid.

Cost of premium (if any) \$ _____

Health insurance is is not available at reasonable cost to the parent who pays child support.

(continued on next page)

3 Private dental insurance IS in effect.

Name of insurance company _____

Policy number _____ Cost of premium \$ _____

Name of person who pays for the insurance _____

This insurance policy is is not available through the parent's work

4 Private dental insurance is NOT in effect.

The children do do not receive dental insurance through CHIPS or Medicaid.

Cost of premium (if any) \$ _____

Health insurance is is not available at reasonable cost to the parent who pays child support.

F. Children's property

The children do not own any property.

The children own the following property:

G. Family information

I will fill out and file the Family Information form when I file the Final Decree of Divorce, as required by section 105.006 of the Texas Family Code.

Potential harm. I believe my children or I will be harassed, abused, seriously harmed, or injured if I am required to give my spouse the information checked below for myself and the children.

home address mailing address employer work address,
 home phone # work phone # social security # driver's license #.

I ask the Court to Order that I not have to give this information or notice of changes in this information to my spouse.

Identity theft. I ask the Court to seal and keep confidential this information, any attachment to the Final Decree, and any Orders to Withhold Earnings that the court might issue, that disclose the Social Security and driver's license numbers, current address, and telephone numbers of parties or children in order to protect parties and children from exposure to identity theft. Such information will be provided to parties and the court but should not be made part of files to which the public has access.

H. Out of state parent information

The information required by Texas Family Code § 152.209 (check one box)

Is not required because both parents reside in Texas.

Is submitted in an attached affidavit.

Is not provided because the health, safety, or liberty of a party or child would be jeopardized by disclosure of identifying information.

Separate property to be confirmed by the Court

I request that the following items be confirmed as Petitioner's separate property as they were owned before the marriage or acquired during marriage by inheritance, gift to Petitioner only, or represents the proceeds, other than lost wages, of a personal injury lawsuit:

<u>Item #</u>	<u>Description</u>	<u>Value</u>

I request that the following items be confirmed as Respondent's separate property as they were owned before the marriage or acquired during marriage by inheritance, gift to Respondent only, or represents the proceeds, other than lost wages, of a personal injury lawsuit:

<u>Item #</u>	<u>Description</u>	<u>Value</u>

8. Spousal Maintenance

- Spousal maintenance is not requested.
- Agreement anticipated.** Petitioner believes the parties will reach an agreement concerning spousal support and asks the Court to approve that agreement when presented to the Court or, absent agreement, award spousal maintenance according to Texas law.
- The parties have entered into a Marital Settlement Agreement regarding maintenance, a copy of which is attached and incorporated by reference.
- Petitioner requests that this court award spousal maintenance according to Texas law.

