

Question

The wife admitted she has no evidence to support her claims and relied solely on her own testimony. In family law cases, especially those involving serious allegations (e.g., drug use, family violence), Texas courts often require corroborating evidence to support claims (see *In re J.F.C.*, 96 S.W.3d 256, 264 (Tex. 2002)). The absence of corroborating evidence, combined with her lack of credibility, makes it unlikely the court will find in her favor on these allegations.

Answer (Texas)

Short response

In Texas family law cases involving serious allegations such as drug use or family violence, courts require clear and convincing evidence, and uncorroborated testimony—especially from a party found not credible—is generally insufficient to meet this standard. Therefore, if the wife admits she has no evidence beyond her own testimony and lacks credibility, it is highly unlikely the court will rule in her favor on these allegations.

Summary

Texas courts apply a heightened evidentiary standard—clear and convincing evidence—when adjudicating serious family law allegations, including those involving drug use or family violence. The case law consistently holds that self-serving, uncorroborated testimony, particularly from a party whose credibility is in question, will not satisfy this burden, and courts are entitled to disregard such testimony when making their findings.

The authorities provided demonstrate that Texas appellate courts require specific, corroborative evidence linking the alleged conduct to the harm or risk at issue. Where a party relies solely on their own assertions without supporting evidence, and the factfinder does not find them credible, the courts have repeatedly found the evidence legally and factually insufficient to support serious allegations. As a result, in the scenario described, the absence of corroborating evidence and credibility issues make it very unlikely that the court will find in the wife's favor.

Background and Relevant Law

Case Law

Texas family law, particularly in cases involving allegations of parental misconduct such as drug use or family violence, is governed by a clear and convincing evidence standard. This standard is codified in the Texas Family Code and interpreted by the courts to require a degree of proof that

produces a firm belief or conviction in the mind of the factfinder regarding the truth of the allegations.

The appellate courts have repeatedly emphasized that this standard is higher than the preponderance of the evidence and is designed to protect the fundamental interests at stake in family law proceedings. The courts have also clarified the distinction between legal and factual sufficiency of the evidence under this standard, with both requiring that the evidence be capable of producing a firm belief or conviction in the truth of the allegations, but differing in the lens through which the evidence is reviewed.

Key authorities provided include:

- [**In re A.M., 07-24-00402-CV \(Tex. App. Jul 14, 2025\)**](#): The court criticized conclusory and vague testimony regarding family violence and drug use, finding the evidence insufficient where it lacked detail, corroboration, and a clear connection to the alleged harm or endangerment. The court cited prior cases where evidence was found factually insufficient when only bare assertions or uncorroborated past violence were presented.
- [**T. D. v. Tex. Dep't of Fam. & Protective Serv., 683 S.W.3d 901 \(Tex. App. 2024\)**](#): This case reiterates the clear and convincing evidence standard and explains that the factfinder is the sole judge of witness credibility. The court specifically noted that the trial court may give no weight to a party's self-serving statement, especially when unsupported by other evidence.
- [**K. J. v. Tex. Dep't of Family & Protective Servs., NO. 03-18-00556-CV \(Tex. App. Dec 28, 2018\)**](#): The court contrasted a party's self-serving denial of drug use with objective, corroborating evidence (such as test results), finding the latter sufficient and the former inadequate. This underscores the necessity of corroborative evidence in serious allegations.
- [**B. L. M. v. J. H. III M., NO. 03-14-00050-CV \(Tex. App. Jul 17, 2014\)**](#): The court explained that the factfinder may discount a party's uncorroborated testimony, especially when the party is found not credible, and that such testimony alone is insufficient to meet the clear and convincing standard.

Supplementary authorities reinforce these principles:

- [**In re Interest of C.V.L., 591 S.W.3d 734 \(Tex. App. 2019\)**](#): The court emphasized the need for concrete, corroborative evidence of endangering conditions or a course of conduct, and that incredible or uncorroborated testimony may be disregarded.
- [**In re Interest of D.M., 452 S.W.3d 462 \(Tex. App. 2014\)**](#): The court held that conjecture or lack of corroborating evidence cannot substitute for proof, and that the burden is on the party making the allegation to present clear and convincing evidence.

Analysis

The scenario presented involves a wife who admits she has no evidence to support her claims of serious misconduct (such as drug use or family violence) and relies solely on her own testimony. The question is whether, under Texas law, this is sufficient to meet the evidentiary burden required for the court to find in her favor.

The clear and convincing evidence standard, as articulated in the authorities above, requires more than mere assertions or self-serving testimony. The factfinder must be able to form a firm belief or conviction in the truth of the allegations, and this is generally not possible where the only evidence is the testimony of the party making the allegation, especially if that party is found not credible.

In [**In re A.M., 07-24-00402-CV \(Tex. App. Jul 14, 2025\)**](#), the court found the evidence insufficient where the testimony regarding family violence and drug use was vague, lacked detail, and was not corroborated by other evidence. The court specifically noted the absence of specifics about who committed the violence, when it occurred, or how it related to the case, and found that such conclusory testimony could not support a finding of endangerment or misconduct. The court cited prior cases, such as **In re B.P.**, where evidence was found factually insufficient when only bare assertions or uncorroborated past violence were presented.

Similarly, in [**T. D. v. Tex. Dep't of Fam. & Protective Serv., 683 S.W.3d 901 \(Tex. App. 2024\)**](#), the court reiterated that the factfinder is the sole judge of witness credibility and may give no weight to a party's self-serving statement. The court explained that evidence is factually insufficient if, in light of the entire record, the disputed evidence is so significant that the factfinder could not have formed a firm belief or conviction that the finding was true. This means that, where the only evidence is the testimony of a party whose credibility is in question, the court is entitled to disregard that testimony and find the evidence insufficient.

In [**K. J. v. Tex. Dep't of Family & Protective Servs., NO. 03-18-00556-CV \(Tex. App. Dec 28, 2018\)**](#), the court contrasted the party's self-serving denial of drug use with objective, corroborating evidence (such as test results), finding the latter sufficient and the former inadequate. This case underscores the necessity of corroborative evidence in serious allegations and demonstrates that courts will not credit uncorroborated testimony, especially when contradicted by other evidence or when the party lacks credibility.

[**B. L. M. v. J. H. III M., NO. 03-14-00050-CV \(Tex. App. Jul 17, 2014\)**](#) further supports this principle, explaining that the factfinder may discount a party's uncorroborated testimony, especially when the party is found not credible, and that such testimony alone is insufficient to meet the clear and convincing standard.

The supplementary authorities reinforce these points. [**In re Interest of C.V.L., 591 S.W.3d 734 \(Tex. App. 2019\)**](#) emphasizes the need for

concrete, corroborative evidence of endangering conditions or a course of conduct, and that incredible or uncorroborated testimony may be disregarded. [In re Interest of D.M., 452 S.W.3d 462 \(Tex. App. 2014\)](#) holds that conjecture or lack of corroborating evidence cannot substitute for proof, and that the burden is on the party making the allegation to present clear and convincing evidence.

Taken together, these authorities establish a consistent rule: in Texas family law cases involving serious allegations, the courts require more than the uncorroborated testimony of the party making the allegation. The evidence must be sufficient to produce a firm belief or conviction in the mind of the factfinder, and this is generally not possible where the only evidence is the testimony of a party whose credibility is in question.

Exceptions and Caveats

While the authorities are clear that uncorroborated, self-serving testimony is generally insufficient to meet the clear and convincing evidence standard in serious family law allegations, there are some important caveats.

First, the factfinder (usually the trial court) is the sole judge of witness credibility and may, in some circumstances, choose to credit a party's testimony even if it is uncorroborated. However, the appellate courts have made clear that this is unlikely in cases involving serious allegations such as drug use or family violence, where the consequences are significant and the standard of proof is heightened.

Second, the courts have emphasized that all evidence must be considered in light of the entire record, and that the factfinder is entitled to resolve disputed facts in favor of its finding if a reasonable factfinder could do so. However, where the only evidence is the testimony of a party whose credibility is in question, and there is no corroborating evidence, the courts have consistently found the evidence insufficient.

Finally, while the authorities provided do not address every possible scenario, they are consistent in their application of the clear and convincing evidence standard and the requirement for corroborative evidence in serious family law allegations.

Conclusion

In summary, Texas courts require clear and convincing evidence to support serious family law allegations such as drug use or family violence. The authorities provided consistently hold that uncorroborated, self-serving testimony—especially from a party whose credibility is in question—is insufficient to meet this standard. The factfinder is entitled to disregard such testimony, and the absence of corroborating evidence makes it highly unlikely that the court will find in favor of the party making the allegation. Therefore, in the scenario described, where the wife admits she has no evidence beyond her own testimony and lacks credibility, it is very unlikely that the court will rule in her favor on these allegations.

Legal Authorities

[B. L. M. v. J. H. III M., NO. 03-14-00050-CV \(Tex. App. Jul 17, 2014\)](#)

Texas Court of Appeals

Extract

Evidence is clear and convincing if it 'will produce in the mind of the trier of fact a firm belief or conviction as to the truth of the allegations sought to be established.' Id. § 101.007. Due process demands this heightened standard because of the fundamental interests at issue. In re J.F.C., 96 S.W.3d 256, 263 (Tex. 2002). ... In evaluating the legal sufficiency of the evidence in a case involving termination of parental rights, we determine whether the evidence is such that a factfinder could reasonably form a firm belief or conviction that the challenged ground for termination was established. In re J.P.B., 180 S.W.3d 570, 573 (Tex. 2005) (citing In re J.F.C., 96 S.W.3d at 264-66). ... We resolve any disputed facts in favor of the finding if a reasonable factfinder could have done so and disregard all evidence that a reasonable factfinder could have disbelieved. ... However, we must consider undisputed evidence even if it is contrary to the finding. ... In reviewing the factual sufficiency of the evidence, we must give due consideration to evidence that the factfinder could reasonably have found to be clear and convincing. In re J.F.C., 96 S.W.3d at 266. ... 'If, in light of the entire record, the disputed evidence that a reasonable factfinder could not have credited in favor of the finding is so significant that a factfinder could not reasonably have formed a firm belief or conviction, then the evidence is factually insufficient.' Id. ... The trial court was entitled to credit this evidence and to discount Beth's version of events. ... Through her denial of culpability in response to questioning, Beth provided the only evidence concerning the circumstances of her arrest, but the trial court expressly found Beth not credible.

Summary

The opinion reiterates the clear-and-convincing standard from In re J.F.C. and explains sufficiency review that discounts evidence a factfinder could disbelieve. It notes the court may discount a party's uncorroborated testimony when credibility is lacking and highlights that Beth's denials were the only evidence on key points, with the trial court expressly finding her not credible. This supports arguing that uncorroborated, self-serving testimony, especially from a witness deemed not credible, is insufficient to meet the required standard on serious allegations.

[In re Interest of D.M., 452 S.W.3d 462 \(Tex. App. 2014\)](#)

Texas Court of Appeals

Extract

See Tex. Fam. Code Ann. § 161.001(2) (trial court's best-interest finding must be supported by clear and convincing evidence in the record); *In re E.N.C.*, 384 S.W.3d at 808 (holding that lack of evidence cannot 'contradict a finding as if it were evidence supporting a finding'). ... It was the Department's burden, however, to present such evidence. See *In re E.N.C.*, 384 S.W.3d at 810 ('The Department is required to support its allegations against a parent by clear and convincing evidence; conjecture is not enough.').

Summary

The passages emphasize that serious family-law determinations must be supported by evidence in the record and that conjecture or lack of corroborating evidence cannot substitute for proof. This aligns with the proposition that mere testimony without corroboration—particularly for serious allegations like drug use or violence—will not satisfy the required evidentiary standard and undermines credibility-based assertions.

[In re A.M., 07-24-00402-CV \(Tex. App. Jul 14, 2025\)](#)

Texas Court of Appeals

Extract

Regarding family violence, Tucker confirmed that violence between Father and Mother was one of the initial reasons for removal... Tucker was then asked, 'Were there any incidences [sic] of violence or destruction of property?' The witness answered 'Yes.' The record provides no detail about who committed the violence, when it was committed, where it was committed, any circumstances, or how the testimony relates to the police reports filed throughout the case." ... "See *In re B.P.*, No. 07-14-00037-CV, 2014 Tex.App. LEXIS 8127, at *15-20 (Tex. App.-Amarillo July 25, 2014, pet. denied) (mem. op.) (finding evidence factually insufficient where only evidence was that father committed past violence against mother)." ... "The drug use evidence is equally deficient... the record lacks details about any connection to the child during any drug use. The Department made no effort to discuss the circumstances that might have endangered the child. See *In re C.V.L.*, 591 S.W.3d 734, 751 (Tex. App.-Dallas 2019, pet. denied) ('The party seeking termination [due to parent drug use] must still present clear and convincing evidence of the child's actual physical surroundings or conditions that were created by the endangering conduct...').

Summary

The court criticized conclusory testimony lacking specifics and highlighted the need for detailed, corroborating evidence linking allegations to endangerment. It cited cases finding evidence insufficient where only bare

assertions or uncorroborated past violence existed. This supports the proposition that mere testimony without corroboration is unlikely to carry the burden in serious family-law allegations.

[K. J. v. Tex. Dep't of Family & Protective Servs., NO. 03-18-00556-CV \(Tex. App. Dec 28, 2018\)](#)

Texas Court of Appeals

Extract

‘The distinction between legal and factual sufficiency when the burden of proof is clear and convincing evidence may be a fine one in some cases, but there is a distinction in how the evidence is reviewed.’ In re J.F.C., 96 S.W.3d 256, 266 (Tex. 2002). When reviewing the legal sufficiency of the evidence in a parental-rights-termination case, we consider all the evidence in the light most favorable to the trial court's finding and determine whether a reasonable fact-finder could have formed a firm belief or conviction that its finding was true. ... Here, the Department presented evidence that: ... We acknowledge that K.J. presented testimony contradicting some of the evidence summarized above. For example, K.J. testified that she had not used cocaine despite the test results. ... Nevertheless, considering all the evidence in the light most favorable to the trial court's finding, we determine that the trial court could have reasonably formed a firm belief or conviction that K.J. endangered the children... We therefore conclude that legally sufficient evidence supports the trial court's finding under subsection (E). In addition, viewing all of the evidence in a neutral light, we determine that the trial court have reasonably formed a firm belief or conviction that K.J. endangered the children. Therefore, we conclude that factually sufficient evidence supports the trial court's finding under subsection (E).

Summary

The opinion relies on In re J.F.C. to emphasize that clear-and-convincing evidence must allow a reasonable fact-finder to form a firm belief or conviction. The court contrasts K.J.'s self-serving testimony (denying cocaine use) with corroborating objective evidence (test results) and finds the latter sufficient, underscoring that mere uncorroborated testimony is inadequate when serious allegations are at issue. This supports the proposition that courts look for corroborating evidence beyond a party's testimony and that absence of such corroboration, coupled with credibility concerns, undermines the claim.

[T. D. v. Tex. Dep't of Fam. & Protective Serv., 683 S.W.3d 901 \(Tex. App. 2024\)](#)

Texas Court of Appeals

Extract

The Department must prove both elements by clear and convincing evidence. See Tex. Fam. Code § 161.206(a); *In re J.F.C.*, 96 S.W.3d 256, 263 (Tex. 2002). "Clear and convincing evidence" means the measure or degree of proof that will produce in the mind of the trier of fact a firm belief or conviction as to the truth of the allegations sought to be established.' ... 'Evidence is factually insufficient if, in light of the entire record, the disputed evidence a reasonable factfinder could not have credited in favor of a finding is so significant that the factfinder could not have formed a firm belief or conviction that the finding was true.' *Id.* When reviewing the evidence, we must 'provide due deference to the decisions of the factfinder, who, having full opportunity to observe witness testimony first-hand, is the sole arbiter when assessing the credibility and demeanor of witnesses.' *In re A.B.*, 437 S.W.3d 498, 503 (Tex. 2014). ... the trial court as factfinder had a right to give no weight to Mother's self-serving statement

Summary

The opinion reiterates the clear-and-convincing standard from *In re J.F.C.* and explains factual sufficiency—requiring evidence that can produce a firm belief or conviction. It emphasizes deference to credibility determinations and expressly states the factfinder may give no weight to a party's self-serving statement. Together, these support the argument that uncorroborated, self-serving testimony—especially on serious allegations like drug use or violence—is unlikely to satisfy the evidentiary burden without corroboration, particularly where credibility is lacking.

[*In re Interest of C.V.L.*, 591 S.W.3d 734 \(Tex. App. 2019\)](#)

Texas Court of Appeals

Extract

We 'consider all the evidence, not just that which favors the verdict,' and we assume the fact-finder resolved disputed facts in favor of its finding if a reasonable fact-finder could do so. ... We disregard all evidence that a reasonable fact-finder could have disbelieved or found to have been incredible." ... "When reviewing the factual sufficiency of the evidence supporting a termination finding, an appellate court asks whether, in light of the entire record, the evidence is such that a fact-finder could reasonably form a firm conviction about the truth of the State's allegations against the parent." ... "If the disputed evidence is so significant that a fact-finder could not reasonably have formed a firm belief or conviction, then the evidence is factually insufficient." ... "The party seeking termination must still present clear and convincing evidence of the child's actual physical surroundings or conditions that were created by the endangering conduct to satisfy the requirements of subsection (D) and must show a continuing course of conduct to satisfy the requirements of subsection (E).

Summary

The passages emphasize that courts evaluate all evidence, may disregard incredible testimony, and require clear and convincing proof sufficient to form a firm belief or conviction. They also stress the need for concrete, corroborative evidence of endangering conditions or a course of conduct. Where a party relies only on their own testimony without corroboration, and credibility is lacking, the evidence may be deemed legally/factually insufficient.

This memo was compiled by Vincent AI based on vLex materials available as of December 12, 2025. [View full answer on vLex](#)