**CAUSE NO.\_\_\_\_\_\_\_\_\_\_\_\_**

|  |  |  |
| --- | --- | --- |
| **IN THE MATTER OF**  **THE MARRIAGE OF**  **{{uppercase firstName}} {{upper lastName}}**  **AND**  **{{upper opposingPartyFirstName}} {{upper opposingPartyLastName }}**  **AND IN THE INTEREST OF {{length children}} MINOR CHILDREN : {{#each children}} {{upper name}} {{#unless @last}}, {{/unless}}{{/each}}** | **§**  **§**  **§**  **§**  **§**  **§**  **§**  **§**  **§**  **§**  **§** | **IN THE \_\_\_\_\_\_\_\_\_\_\_\_ COURT**  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **\_\_\_\_\_\_\_\_\_\_, COUNTY** |

**ORIGINAL PETITION FOR DIVORCE**

1. **Discovery Level**Discovery in this case is intended to be conducted under Level \_\_\_\_\_\_\_ of Rule 190 of the Texas Rules of Civil Procedure.
2. **Objection to Assignment of Case to Associate Judge**Petitioner objects to the assignment of this matter to an associate judge for a trial on the merits or presiding at a jury trial.
3. **Parties**    
   This suit is brought by {{firstName}} {{lastName}}, Petitioner. The last three digits of the Social Security Number of {{firstName}} {{lastName}} are {{ssn3}}. The last three digits of the driver’s license number of {{firstName}} {{lastName}} are {{dl3}}. {{opposingPartyFirstName}} {{opposingPartyLastName}} is the Respondent  
   .
4. **Domicile**Petitioner has been a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period {{#gt (length children) 0 }} with the child{{#gt (length children) 1}}ren{{/gt}}{{/gt}}.
5. **Service**{{#if waiver}} No service is needed, a waiver is expected. {{else}} Respondent currently resides in {{opposingPartyCounty}} County, {{opposingPartyState}}. They may be served with process at their place of work, {{opposingPartyWorkPlace}} {{opposingPartyWorkAddress}}, or wherever he may be found. Service is requested at this time. {{/if}}{{#if dvroStatus}}
6. **Protective Order Statement**   
   A protective order under Title 4 of the Texas Family Code is in effect, and no application for a protective order is pending with regard to the parties to this suit. The protective order was issued in {{dvroCounty}} county, case number {{dvroCaseNumber}}{{else}} No protective order under Title 4 of the Texas Family Code is in effect, and no application for a protective order is pending with regard to the parties to this suit. {{/if}}
7. **Dates of Marriage and Separation**    
   The parties were married on or about {{dateMarried}} and ceased living together as spouses on {{ dateSeparated}}.
8. **Grounds for Divorce**The marriage has become insupportable because of discord or conflict of personalities between Petitioner and Respondent that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.
9. **Children of the Marriage**   
   {{#gt (length children) 0 }} Petitioner and Respondent are parents of the following child/ children of this marriage who are not under the continuing jurisdiction of any other court: {{#each children}}

Name: {{name}}

Sex: {{gender}}

Birth Date: {{birthDate}}

Social Security Number: {{ssn3}}

{{/each}}

{{#if custodyExisting}}There are existing custody orders in effect governing the children.{{/if}} {{else}} There are no children under 18 of the marriage, and none are expected. {{/gt}} {{#if nameMaidenRestore}}

1. **Name Change**   
   Petitioner desires to be restored to her former name{{#if nameMaidenRestore}} of {{nameMaiden}}.{{/if}}{{/if}}
2. **Division of Community Property**    
   The parties will come to an agreement on the division of community property, if parties are unable to reach such an agreement, Petitioner requests the Court divide the estate of Petitioner and Respondent in a matter that the Court deems just and right, as provided by law. {{#if requestDisproportionate}} Petitioner should be awarded a disproportionate share of the parties’ estate for the following reasons, including but not limited to:   
   a. fault in the breakup of the marriage   
   b. adultery; and   
   c. mental cruelty {{/if}}{{#if propertySeparate}}
3. **Separate Property**Petitioner owns certain separate property that is not half of the community estate of the parties, and Petitioner requests the Court to confirm that separate property as Petitioner’s separate property and estate. {{/if}} {{#if requestSupport}} {{#isnt requestSupport "No, I'm not seeking spousal support"}}
4. **Request for Spousal Maintenance**{{#is requestSupport "Yes, we've been married over 10 years, and I earn less than my spouse"}} Petitioner requests the Court order Petitioner be paid post divorce maintenance for a reasonable period in accordance with Chapter 8 of the Texas Family Code because the parties have been married for more than 10 years and there is a disparity in earning potential. {{/is}}{{#is requestSupport "Yes, my spouse was convicted of domestic abuse or a family offense in the last two years"}} Petitioner requests the Court order Petitioner be paid post divorce maintenance for a reasonable period in accordance with Chapter 8 of the Texas Family Code because the Respondent was convicted of domestic violence within the past two years. {{/is}}{{#is requestSupport "Yes, my spouse has agreed to provide spousal support"}} Petitioner requests the Court order Petitioner be paid post divorce maintenance for a reasonable period in accordance with Chapter 8 of the Texas Family Code in accordance with an agreement of both parties. {{/is}}{{/isnt}}{{/if}}{{#if requestAttorneyFees}}
5. **Request for Attorney's Fees, Expenses, Costs, and Interest**   
   It was necessary for Petitioner to secure the services of Marble Law Firm, licensed attorneys, to assist in the drafting and the filing of this Petition pro se. As part of the just and right division of the community estate, Respondent should be ordered to pay reasonable attorney's fees, expenses, and costs through trial and appeal, and a judgment should be rendered in favor of Petitioner and against Respondent and be ordered paid directly to Petitioner. Petitioner requests post-judgment interest as allowed by law. {{/if}}
6. **Prayer**   
   Petitioner prays that the Court issue citation and notice as required by law. Petitioner prays that, on final hearing, the Court grant this divorce and grant all relief sought in this petition. Petitioner prays for all relief, both general and specific, either at law or in equity, to which \{{gender}} may show \{{gender}} to be justly entitled.

Respectfully submitted,

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

Petitioner