

WARNING: Without the advice and help of an attorney, you may be putting yourself, your personal property, and your money at risk. To get a referral to an attorney, call the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690. If you are a victim of domestic violence, or if at any time you feel unsafe, you can get confidential help from the National Domestic Violence Hotline at 1-800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 1-800-374-4673.

(Print your answers in blue ink)

Cause Number: _____
(The Clerk's office will fill in the Cause Number when you file this form)

IN THE MATTER OF THE MARRIAGE OF

Petitioner: _____ In the (check one):
(Print first, middle, and last name of the spouse filing for divorce) _____ ☐ District Court ☐ County Court at Law of:
And _____ (Court Number)
Respondent: _____ County, Texas
(Print first, middle, and last name of other spouse) (County)

**Original Petition for Divorce
(Divorce Set 1 - Uncontested, No Minor Children, No Real Property)**

WARNING: Read all of the Instructions for Divorce Set 1 before filling out this form.

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 _____.
State

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. Legal Notice

(Check one box)

☐ I do not think my spouse will sign a Waiver of Service. I will have a sheriff, constable, process server, or the clerk serve my spouse with this Original Petition at this address:

Street Address City State Zip

If this is a work address, name of business: _____.

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to my spouse). I understand that I will need to **pay the fee** (or file an Affidavit of Indigency form to show the Court that I am unable to pay the fee) and **arrange for service**.

- ☐ I think my spouse will sign a Waiver of Service. Do not send a sheriff, constable, or process server to serve my spouse with this Original Petition.

If my spouse does not sign a Waiver of Service, I will ask a sheriff, constable, process server, or the clerk to serve my spouse with this Original Petition at this address:

Street Address *City* *State* *Zip*

If this is a work address, name of business: _____
Name of business

I will ask the clerk to issue the Citation of Service (the form necessary to provide legal notice to my spouse). I understand that I will need to **pay the fee** (or file an Affidavit of Indigency form to show the Court that I am unable to pay the fee) and **arrange for service**.

4. Jurisdiction

County of Residence: *(Check all boxes that apply)*

- ☐ I have lived in this county for the last 90 days.
- ☐ My spouse has lived in this county for the last 90 days.
- ☐ I am serving in the armed forces outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- ☐ I have accompanied my spouse who is serving in the armed forces outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- ☐ None of the above apply.

State of Residence: *(Check all boxes that apply)*

- ☐ I have lived in Texas for the last six months.
- ☐ My spouse has lived in Texas for the last six months.
- ☐ My spouse does not reside in Texas but Texas is the last state where we lived together as a married couple. This petition is filed less than two years after we separated.
- ☐ I am serving in the armed forces outside of Texas, but Texas is the home state of either my spouse or me and has been for at least six months.
- ☐ I have accompanied my spouse who is serving in the armed forces outside of Texas, but Texas is the home state of either my spouse or me and has been for at least six months.
- ☐ None of the above apply.

5. Protective Order Statement

(Select Option A, B, or C and check the appropriate box(es).)

A. No Protective Order –

- ☐ I **do not** have a Protective Order against my spouse and I have not asked for one.

AND

- ☐ My spouse **does not** have a Protective Order against me and has not asked for one.

B. Pending Protective Order –

- ☐ I **have** filed paperwork asking for a Protective Order against my spouse, but a judge has not decided if I should get it. I asked for a Protective Order on _____ in

Date Filed

_____, _____, _____. The cause number is _____.
County State Cause Number

If I get the Protective Order, I will file a copy of it before any hearings in this divorce.

- ☐ **My spouse has** filed paperwork asking to get a Protective Order against me, but a judge has not decided if my spouse will get it. My spouse asked for a Protective Order on

_____ in _____, _____. The cause
Date Filed County State
number is _____. If my spouse gets the Protective Order, I will file a
Cause Number
copy of it before any hearings in this divorce.

C. Protective Order in Place –

- ☐ I **do have** a Protective Order against my spouse. I got the Protective Order in _____,
County
_____ on _____. The cause number for the Protective Order
State Date Ordered
is _____. Either I have attached a copy of the Protective Order to this
Cause Number
Original Petition or I will file a copy of it with the court before any hearings in this divorce.

- ☐ My spouse **does have** a Protective Order against me. The Order was made in _____,
County
_____ on _____. The cause number for the Protective Order
State Date Ordered
is _____. Either I have attached a copy of the Protective Order to this
Cause Number
Original Petition or I will file a copy of it with the court before any hearings in this divorce.

6. Marriage and Grounds for Divorce

My spouse and I got married on or about: _____.
Month Day Year

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

7. Children

My spouse and I do not have any biological or adopted children together who are under the age of 18.

My spouse and I do not have any biological or adopted children together who are 18 years old or older and 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.

8. Property and Debts

Community Property

My spouse and I will try to make an agreement about how to divide the personal property and debts we acquired during our marriage. If we cannot agree, I ask the Court to divide our personal property and debts according to Texas law.

Separate Personal Property

I own the following separate personal property. I owned this personal property *before* I was married or I received this personal property as a gift or inheritance *during* my marriage.

1. Cars, trucks, motorcycles or other vehicles

I owned these vehicles *before* marriage:

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

I received these vehicles as a gift or inheritance:

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

2. Other Money or Personal Property

I owned the following money or personal property *before* my marriage:

I inherited or received as a gift the following money or personal property *during* my marriage:

I received the following money recovery for personal injuries that occurred during the marriage that is not for lost wages or medical expenses:

I ask the Court to confirm this personal property as my separate personal property in my Final Decree of Divorce.

9. Name Change

Note: You cannot use this form to change your name to anything other than a name that you used before you got married.

(Check only one)

☐ I am NOT asking the court to change my name.

☐ I ask the Court to change my name back to a name I had before my marriage. I am not asking the court to change my name to avoid criminal prosecution or creditors.

First

Middle

Last

10. Prayer

I ask the Court to grant me a divorce.

I also ask the Court to make the other orders I have asked for in this Original Petition for Divorce and any other orders to which I am entitled.

Petitioner's Name (Print)

Date

()

Petitioner's Signature

Phone Number

Petitioner's Mailing Address

City

State

Zip

I understand that I *must* let the Court and my spouse (or my spouse's attorney) know in writing if my mailing address or phone number changes during this case. If I don't, any notices about this case will be sent to me at the address on this form.