

CAUSE NO. _____

**IN THE INTEREST OF
MINOR CHILDREN:**

_____	,	§	_____	IN THE
_____	,	§	_____	COURT OF
_____	,	§	_____	COUNTY, TEXAS
[Print the children's names.]		§		

Petition to Determine Parentage

1. DISCOVERY

Discovery should use Level 2 guidelines of Rule 190 of the Texas Rules of Civil Procedure. [Discovery is a procedure that can be used by parties in a lawsuit to find out information about the other party.]

2. PETITIONER [YOU]

I am the Petitioner. I am asking the Court to name the children's parents.

My name is _____.
[PRINT your full name]

I am: [CHECK one.]

- the mother.
- a man asking the court to name me the children's father.
- the mother's [mother/father/sister/brother/aunt/uncle/niece/nephew]. The mother is deceased.
- an adult asking the Court to determine my parentage. My birthday is: _____. I have no legal father.
- an intended parent. The gestational agreement named me the children's mother/father.

3. JURISDICTION [CHECK ONE]

- No court has jurisdiction of the children. They have never been part of any other case.
- The children in this case were included in a case before a different court, but this court has jurisdiction, now. The case has been transferred to this Court.
- I do not believe any other court has jurisdiction over this case. I will ask the Bureau of Vital Statistics to tell me if the children have been part of another case before a different court.
- This Court made prior orders about another child born to these same parents. This case should be filed in the same docket number as the prior case.

4. REQUIRED INFORMATION [CHECK ONE.]

- At least one of the parties is not a Texas resident. The information required by Section 152.209, Texas Family Code is attached in Exhibit A. [Complete and attach Exhibit 152.209, Required Information.]
- All parties are Texas residents.

5. CHILDREN

The following children are part of this suit.

	<u>Child's name</u>	<u>Sex</u>	<u>Date of Birth</u>	<u>Place of Birth</u>	<u>Current Address</u>
1	_____	_____	_____	_____	_____
2	_____	_____	_____	_____	_____
3	_____	_____	_____	_____	_____

This petition is filed before the birth of a child who is due to be born on [date] _____.

- The children named in this case have no legal father. No one is presumed to be the father. The mother was not married during the time the children were born or conceived. No one signed an Acknowledgment of Paternity. No Court has named anyone the father of these children.
- The children named in this case have an acknowledged father. Some one signed an Acknowledgment of Paternity. But the Acknowledgment is not valid, or should be set aside because of fraud, duress, or material mistake of fact.
- The mother was married when the children were born or conceived. But the presumed parents did not live together or have sexual intercourse with each other during the time of conception. The presumed father never openly treated the children as his own.

6. RESPONDENTS—

The names and addresses of each party whose rights, privileges, duties, or powers may be affected by this motion are listed on the following pages.

RESPONDENT A:

A. Mother:

The mother is [PRINT mother's first and last names.]_____.

Legal Notice to the Mother.

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the mother right now because she may sign a Waiver of Service. [You are saying that the mother may sign a paper, in front of a notary, agreeing that you have given her a FILE-STAMPED copy of this Original Petition to Determine Parentage, and she does not want to have a sheriff, constable, or private process server give her another copy of this Original Petition to Determine Parentage.]

If the mother does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition to Determine Parentage to the mother at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the mother by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the mother at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the mother by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Citation by publication or other substituted service is necessary for the reasons stated in the attached affidavit. [ATTACH Affidavit for Citation by Publication or Substituted Service.]

RESPONDENT B:

B. Alleged Father:

The alleged father is [PRINT alleged father's first and last names.] _____.

Legal Notice to the Alleged Father.

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the alleged father right now because he may sign a Waiver of Service. [You are saying that the alleged father may sign a paper, in front of a notary, agreeing that you have given him a FILE-STAMPED copy of this Original Petition to Determine Parentage, and he does not want to have a sheriff, constable, or private process server give him another copy of this Original Petition to Determine Parentage.]

If the alleged father does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition to Determine Parentage to the alleged father at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the alleged father by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the alleged father at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the alleged father by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Citation by publication or other substituted service is necessary for the reasons stated in the attached affidavit. [ATTACH Affidavit for Citation by Publication or Substituted Service.]

RESPONDENT C:

C. Presumed/ Acknowledged/Adjudicated Father:

The presumed/acknowledged/adjudicated father is _____.
[PRINT presumed/acknowledged/adjudicated father's first and last names.]

Legal Notice to the Presumed/Acknowledged/Adjudicated Father.

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the presumed/acknowledged/adjudicated father right now because he may sign a Waiver of Service. [You are saying that the presumed/acknowledged/adjudicated father may sign a paper, in front of a notary, agreeing that you have given him a FILE-STAMPED copy of this Original Petition to Determine Parentage, and he does not want to have a sheriff, constable, or private process server give him another copy of this Original Petition to Determine Parentage.]

If the presumed/acknowledged/adjudicated father does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition to Determine Parentage to the presumed/acknowledged/adjudicated father at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the presumed/acknowledged/adjudicated father by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the presumed/acknowledged/adjudicated father at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the presumed/acknowledged/adjudicated father by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Citation by publication or other substituted service is necessary for the reasons stated in the attached affidavit. [ATTACH Affidavit for Citation by Publication or Substituted Service.]

RESPONDENT D:

D. Paternity Registrant:

[PRINT paternity registrant's first and last names.] _____ registered with the Paternity Registry, asking to be notified in a case involving the child in this suit.

Legal Notice to the Paternity Registrant.

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the Paternity Registrant right now because he may sign a Waiver of Service. [You are saying that the Paternity Registrant may sign a paper, in front of a notary, agreeing that you have given him a FILE-STAMPED copy of this Original Petition to Determine Parentage, and he does not want to have a sheriff, constable, or private process server give him another copy of this Original Petition to Determine Parentage.]

If the Paternity Registrant does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition to Determine Parentage to the Paternity Registrant at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the Paternity Registrant by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the Paternity Registrant at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the Paternity Registrant by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Citation by publication or other substituted service is necessary for the reasons stated in the attached affidavit. [ATTACH Affidavit for Citation by Publication or Substituted Service.]

RESPONDENT E:

E. Court Ordered Relationships: [CHECK one.]

- There are no court-ordered relationships affecting the children in this case.
- _____ is the children's _____
[PRINT first and last name.] [PRINT court-ordered relationship.]

Legal Notice to a Person with a Court-Ordered Relationship.

No Service of Process Needed At This Time: Please do not have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the Respondent E right now because s/he may sign a Waiver of Service. [You are saying that the Respondent E may sign a paper, in front of a notary, agreeing that you have given him or her a FILE-STAMPED copy of this Original Petition to Determine Parentage, and s/he does not want to have a sheriff, constable, or private process server give him or her another copy of this Original Petition to Determine Parentage.]

If the Respondent E does not sign a Waiver of Service, I will ask a sheriff or constable to give a copy of this Original Petition to Determine Parentage to the Paternity Registrant at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the Respondent E by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Service of Process is requested: Please have a sheriff or constable give a copy of this Original Petition to Determine Parentage to the Respondent E at this address:

[PRINT street address, city, state, and zip code where a copy of this petition can be delivered to the Respondent E by law enforcement.]

[If this is a work address, list the business name.] _____.

OR

Citation by publication or other substituted service is necessary for the reasons stated in the attached affidavit. [ATTACH Affidavit for Citation by Publication or Substituted Service.]

10. PURPOSE OF SUIT

The purpose of this suit is to establish the parent-child relationship between _____ and the children in this suit.

[PRINT first and last names of alleged father]

[CHECK if appropriate]:

- Petitioner also wants to exclude [PRINT the first and last names of the presumed, acknowledged, alleged, or adjudicated fathers] _____ as fathers of the children.

11. CONSERVATORSHIP

The children's best interest will be served by naming Petitioner: [CHECK only one.]

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence, (Home-Parent),
- Joint Managing Conservator, noncustodial parent, (Co-Parent)
- Sole Managing Conservator, (Home-Parent)
- Possessory Conservator, (Co-Parent)

and naming **Respondent A:** [CHECK only one.]

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence, (Home-Parent).
- Joint Managing Conservator, noncustodial parent, (Co-Parent).
- Sole Managing Conservator, (Home-Parent).
- Possessory Conservator (Co-Parent).

and naming **Respondent B:** [CHECK only one.]

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence, (Home-Parent).
- Joint Managing Conservator, noncustodial parent, (Co-Parent).
- Sole Managing Conservator, (Home-Parent).
- Possessory Conservator (Co-Parent).

and naming **Respondent C:** [CHECK only one.]

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence, (Home-Parent).
- Joint Managing Conservator, noncustodial parent, (Co-Parent).
- Sole Managing Conservator, (Home-Parent).
- Possessory Conservator (Co-Parent).

and naming **Respondent D:** [CHECK only one.]

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence, (Home-Parent).
- Joint Managing Conservator, noncustodial parent, (Co-Parent).
- Sole Managing Conservator, (Home-Parent).
- Possessory Conservator (Co-Parent).

and naming **Respondent E:** [CHECK only one.]

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence, (Home-Parent).
- Joint Managing Conservator, noncustodial parent, (Co-Parent).
- Sole Managing Conservator, (Home-Parent).
- Possessory Conservator (Co-Parent).

And Petitioner asks the Court to make the above appointments. Petitioner also asks that orders be made for visitation with the children, and that the parental rights and duties of the conservators be divided.

12. SUPPORT

Petitioner asks that appropriate child support orders be made, including retroactive (back) child support.

Petitioner asks that [PRINT first and last names of the person.] _____
_____ be ordered to pay a fair portion of all prenatal and postnatal health-care expenses of the mother and the children.

13. AD LITEMS [CHECK all that apply.]

- Petitioner asks the Court to appoint an ad litem to represent the interests of the children..
- Petitioner asks the Court to appoint an attorney ad litem to represent the interests of _____, who is an incapacitated person entitled to citation.
- One or more people entitled to citation must be cited by publication, and Petitioner asks the Court to appoint an attorney ad litem for any party so cited who may default or fail to appear.

14. NAME CHANGE OF CHILDREN

Good cause exists to change the name of the child known as [PRINT child's current full name] _____, and Petitioner requests that the child's name be changed to: _____.
[PRINT child's new full name]

15. GENETIC TESTING

[CHECK all that apply.]

- Before filing this suit, the parties completed genetic testing
- I ask the Court to order genetic testing as soon as all necessary parties are before the Court..
- Genetic testing is not requested.

16. TEMPORARY ORDERS

[CHECK all that apply.]

- I am not asking for temporary orders.
- After notice and hearing, I ask the Court to temporarily [CHECK all that apply]:
 - order _____ to pay child support.
 - name _____ Sole Managing Conservator.
 - name _____ Joint Managing Conservator with the right to establish the child's primary residence (Home-Parent).
 - divide the parental rights and duties.
 - order visitation for the parties and the child.

17. PRAYER

I pray that citation and notice issue as the law requires.

I pray for an order determining parentage, and for orders establishing custody, visitation and child support.

I pray for general relief.

Petitioner, pro se [Sign your name.]

[PRINT your name and information.]:

Name: _____ Telephone: _____

Mailing Address: _____