

Agreed Modification Forms

Use these Instructions & Forms if:

- you want to change an existing custody, visitation, child support or medical support order, **and**
- the existing order is a Texas order, **and**
- everyone agrees to the change and will sign the necessary court forms.

This packet includes:

1. Instructions for an AGREED Modification
2. Petition to Modify the Parent-Child Relationship
3. Declaration in Support of Changing Custody within One Year of Order
4. Exhibit: Out-of-State Party Declaration
5. Statement of Inability to Afford Payment of Court Costs
6. Waiver of Service Only (Specific Waiver)
7. Respondent's Original Answer
8. Order Modifying the Parent-Child Relationship
9. Child Support Order
10. Medical Support Order
11. Conservatorship Order: Parents Appointed Conservators
12. Conservatorship Order: Non-Parent(s) Appointed Managing Conservator
13. Standard Possession Order
14. Notice of Current Address

Note: You may not need all of the forms listed **or** you may need additional forms. Read the instructions for more information. Talk to a lawyer if you have questions.

Instructions for an Agreed Modification

These instructions explain the steps to change an existing custody, visitation, child support or medical support order when everyone agrees. **Each step includes a link to the form or forms needed for that step.**

Have you read the Frequently Asked Questions and related Articles?

These instructions are part of this TexasLawHelp.org toolkit: [I need to change a child custody, visitation or support order](#). Before getting started, it's important to read the **Frequently Asked Questions and Articles** included in the Toolkit.

WARNING! *These instructions provide general information, not legal advice. It's a good idea to talk with a lawyer about your particular situation.*

Step 1: Fill out your court forms.

Fill out the following **starting forms**:

- [Petition to Modify the Parent-Child Relationship](#)

This form (called the *Petition*) asks the judge to change the current order. *(The Articles and Frequently Asked Questions included in this toolkit will help you understand your options. Talk to a lawyer if you have questions or need advice.)*

Write the cause number and court number on the first page of the *Petition* just as it is written on the order you want to change. (Write these numbers at the top of any document you file in your modification case.)

Print your answers using blue or black ink. Do not leave blanks.

Who is the petitioner? You are the petitioner – the person asking the court to change the current court order. This is true even if you are listed as the respondent in the current order.

Who must be listed as a respondent? Any person listed as a party in the current order must be listed as a respondent. If the Office of the Attorney General Child Support Division is listed as a party in the current order you must also list it as a respondent.

Note: The *Petition* asks for your address. Each respondent will get a copy of your *Petition*. If you are concerned about a respondent knowing your address, call the Texas Advocacy Project Hope Line at 1-800-374-HOPE (4673) for free advice.

Fill out these additional **starting forms** and attach them to your *Petition* if required for your case:

- [Declaration in Support of Changing Custody within One Year of Order](#) (required **only** if you are asking to change custody within one year of the current order) Read this short article to learn more: [Changing Custody within One Year of the Current Order](#)
- [Exhibit: Out-of-State Party Declaration](#) (required **only** if you or a respondent lives outside of Texas)

Fill out these additional **starting forms** for all cases:

- [Civil Case Information Sheet](#)
- [Information on Suit Affecting the Family Relationship](#)

Fill out this additional **starting form** if you cannot afford to pay the filing fee for your case. Call the district clerk's office in the county where your child lives to learn the filing fee for your modification case.

- [Statement of Inability to Afford Payment of Court Costs](#)

Fill out the following **ending forms**:

- [Order Modifying the Parent-Child Relationship](#)

Fill out this order form completely (*except for the judge's signature*). When it's time to finish your case, you will ask a judge to sign this *Order Modifying the Parent Child Relationship* form with one or more of the specific order forms below attached.

If **child support** will be changed fill out and attach this order form:

- [Child Support Order](#)

If **medical support** will be changed fill out and attach this order form:

- [Medical Support Order](#)

If **custody** will be changed fill out and attach **one** of these order forms:

- [Conservatorship Order: Parents Appointed Conservators](#)
- [Conservatorship Order: Non-Parent\(s\) Appointed Managing Conservator](#)

If **possession (visitation)** will be changed fill out and attach **one** of these possession order forms or use one of the sample modified possession order forms included with this article: **Visitation & Possession Orders**. Or hire a lawyer to help you write a possession order for that meets the specific needs of your family.

- [Standard Possession Order](#)
- [Supervised Possession Order](#)
- [Modified Possession Order \(Non-Parent is Managing Conservator\)](#)

Use this form if a **non-parent** will be the managing conservator of the children.

- Find other sample *Modified Possession Orders* here: **Visitation & Possession Orders**

Fill out the following additional **ending form** if child support will be ordered, changed or stopped.

- [Income Withholding Order for Support](#).

Step 2: Have your forms reviewed (if possible).

Although not required, it's a good idea to have a family law lawyer review your completed forms. Family law lawyers specialize in cases involving families, such as modification cases.

You can hire a lawyer *just* to review your forms. Hiring a lawyer for a limited purpose is called “**limited scope representation.**” You can then finish your case yourself. Use our **Legal Help Finder** to search for a lawyer referral organization in your county.

If you have a low income, you may be able to have your forms reviewed for free at a legal clinic. Use our **Legal Clinic Calendar** to search for free legal clinics in your area.

Step 3: Make copies of your starting forms.

Make enough copies of your completed *Petition to Modify the Parent-Child Relationship* to have one copy for you and one copy for each respondent.

Make copies of your completed *Statement of Inability to Afford Payment of Court Costs* **only** if you are asking the court to waive court costs.

You do not need copies of the *Civil Case Information Sheet* or the *Information on Suit Affecting the Family Relationship*.

Step 4: File your Petition and other starting forms with the clerk.

File (turn-in) your completed *Petition* and other starting forms with the court in the county where the current order was made.

- To file your forms online, go to [E-File Texas](#) and follow the instructions.
- To file your forms in person, take your *Petition* and additional starting forms (and copies) to the district clerk's office in the county where the current order was made.

At the clerk's office:

- Turn in your *Petition* and other starting forms (and copies).
- Pay the filing fee (or file your completed *Statement of Inability to Afford Payment of Court Costs* if you cannot afford the fee).
- Ask the clerk if there are local rules or procedures you need to know about for your case.
- The clerk will “file-stamp” your copies with the date and time. The clerk will keep the original and give you back your copies. There should be a copy for you and a copy for each respondent.

Note: If the child has lived in **another Texas county** for at least 6 months, you have the option of asking the court to transfer the case to the child's new home county. You must file a *Motion to Transfer* at the same time you file your *Petition*. File your *Petition* and *Motion to Transfer* with the court in the county where the current order was made. Talk to a lawyer about whether a transfer makes sense for your case.

Note: If the child has lived in **another state** for at least the past 6 months, it is important to talk with a lawyer about where to file your case.

Step 5: Ask the other parent (and any other respondent) to fill out & sign court forms.

Give the other parent:

- a **file-stamped** copy of your *Petition to Modify the Parent-Child Relationship*, **and**
- a **blank** *Respondent's Original Answer* form OR a **blank** *Waiver of Service Only* form, **and**
- a **completed** *Order Modifying the Parent-Child Relationship* form with **completed** order forms regarding the issues you want changed attached.

WARNING! Do not hand-deliver any papers to the other parent if there has been violence during your relationship, especially if a judge has signed a Protective Order ordering you or the other parent to stay away. You can have the other parent served instead. If you decide to have the other parent served, use these instructions: [Instructions & Forms for a Default Modification](#).

Ask the other parent to complete these 3 steps:

1. **FILL OUT and SIGN** the *Respondent's Original Answer* form - **OR** - the *Waiver of Service Only* form.

The other parent can fill out and sign **either** form. The *Waiver of Service Only* form must be signed in front of a notary. If the other parent plans to sign the *Waiver of Service Only* form, tell the other parent to sign it **in front of a notary** at least one day **after** you filed the *Petition*. Otherwise the other parent will have to redo it. The *Respondent's Original Answer* form does not have to be signed in front of a notary.

Note: If the other parent will not fill out and sign a *Respondent's Original Answer* form or *Waiver of Service Only* form, you must have the other parent served by a constable, sheriff or private process server. Use these instructions instead: [Instructions & Forms for a Default Modification](#).

2. **SIGN** the completed *Order Modifying the Parent-Child Relationship* form with completed order forms regarding the issues you want changed attached.

The *Order Modifying the Parent-Child Relationship* form must be completely filled out and the specific order forms regarding the issues you want changed must be attached when the other parent signs the order. You **CANNOT** make changes to the order forms after the order has been signed by a respondent, unless the respondent initials each change.

3. **RETURN** the signed forms to you.

You should also:

- sign the *Order in Suit Affecting the Parent-Child Relationship* form, **and**
- make a copy of the *Respondent's Original Answer* form or *Waiver of Service Only* form that was filled out and signed by the other parent.

IMPORTANT: If anyone else was named as a respondent in your *Petition to Modify the Parent-Child Relationship*, you must follow these same steps for each respondent.

IMPORTANT: If the other parent or other respondent **will not** sign an *Answer* or *Waiver of Service Only* form, you must have him or her served. Get instructions here: [Instructions & Forms for a Default Modification](#).

If the other parent or other respondent signs and files an *Answer* or *Waiver of Service Only* form but **will not** sign the *Order Modifying the Parent-Child Relationship* form, your case is contested. To finish a contested case, you must set a contested final hearing. You must give each respondent at least 45 days' notice of the final hearing. Read this article to learn more: [How to Set a Contested Final Hearing](#). It's always best to have a lawyer if your case is contested.

Step 6: Go to court to finish your case.

If the other parent and anyone else named as a respondent has filled out and signed a *Respondent's Original Answer* form **or** *Waiver of Service Only* form **AND** signed your completed *Order Modifying the Parent-Child Relationship* form, you can go to court to finish your agreed modification case.

- Call the clerk's office to learn when and where the court hears uncontested cases.
- Bring these papers with you to the courthouse on the day you plan to finish your case.
 - ✓ a file-stamped copy of your *Petition to Modify the Parent-Child Relationship*
 - ✓ the *Answer or Waiver of Service Only* form signed by each Respondent
 - ✓ a completed *Order Modifying the Parent-Child Relationship* **signed by you and each Respondent**
 - ✓ a completed *Income Withholding Order for Support* if child support will be changed or stopped
- Read the article [Tips for the Courtroom](#) for more information about going to Court.
- When you get to the courthouse, go to the clerk's office. Ask if you need the court file or docket sheet (list of what has been filed in your case).
- When you get to the courtroom, tell the clerk you are there and give the clerk your paperwork. Sit down until the judge calls your case.
- When the judge calls your case, walk to the front of the courtroom and stand in front of the judge's bench. The judge will have you raise your right hand and swear to tell the truth. Be prepared to quickly tell the judge, what orders you are asking the judge to change and why the change or changes you are asking for would be in your child's best interest. It's a good idea to write down everything you want to say so you can read it to the judge if you get nervous.
- The judge will listen to what you say and review your papers. If everything is in order the judge will sign your *Order Modifying the Parent-Child Relationship*.

Step 7: File the signed order or orders with the clerk.

After the judge signs your *Order Modifying the Parent-Child Relationship*, go back to the clerk's office.

- File (turn in) the signed *Order Modifying the Parent-Child Relationship* and any other orders signed by the judge. **Your modification case is NOT final until you do so.**
- Get a certified copy of your *Order Modifying the Parent-Child Relationship* and any other orders signed by the judge from the clerk while you are there. The clerk may charge a fee for the certified copies.
- If child support was ordered, ask the clerk what you need to do to set up a child support account. If child support was changed or terminated, ask the clerk to send a copy of the income withholding order for support to the employer of the person who is or was ordered to pay child support.

Step 8: After your case is finished.

Send a file-stamped copy of the *Order Modifying the Parent-Child Relationship* to each respondent.

Follow these additional steps if they apply:

- If you were ordered to pay child support and/or cash medical support, learn about payment options here: [Texas Attorney General - Child Support Payment Options](#). If you have any questions, call the Office of the Attorney General Child Support Division at 1-800-252-8014. DO NOT send child support payments directly to the other parent.
- If the other parent was ordered to pay child support and/or medical support to you and doesn't pay, you can contact the [Texas Attorney General Child Support Division](#) for help enforcing your order.

<p>Cause Number: _____</p> <p><i>(Fill in the cause number and court information exactly as it is written on the order you want to change.)</i></p>	
<p>In the Interest of the following Minor Child(ren): <i>(Print the full name of each child.)</i></p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p>	<p>In the: <i>(Check one.)</i></p> <p><input type="checkbox"/> _____ District Court</p> <p><input type="checkbox"/> County Court at Law # _____</p> <p>_____ County, Texas</p>

Petition to Modify the Parent-Child Relationship

My full name is: _____.

I am the **Petitioner**, the person asking the Court to change the current court order.

My driver's license was issued in (state) _____. The last three numbers of my driver's license number are: _____. **or** I do not have a driver's license.

The last three numbers of my social security number are: _____. **or** I do not have a social security number.

1. Discovery Level

The discovery level in this case, if needed, is Level 2.

2. Jurisdiction of the Court

The current court order about the child/ren was made by this Court or transferred to this Court. This Court has continuing exclusive jurisdiction over this case.

3. Child/ren

This case is about the following child/ren:

	Child's full name	Date of Birth	County and State where child lives now
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

4. Request to Change Current Order

I ask the Court to change the current order about the child/ren.

The title of the current order is: _____.

(Note: You will usually find the title of the current order on the 1st page of the order under the case information box.)

The date the current order was signed by the Court is: (date) _____.

5. Standing *Read the law about "Standing" here: Texas Family Code 156.002, 102.003, 102.004 & 102.006.*

The law allows me to file this case because I am: (Check all that apply.)

- the child/ren's Mother.
- the child/ren's Father.
- listed as a party in the current order and I am affected by the current order.
- a person who has had actual care, control and possession of the child/ren for at least 6 months ending not more than 90 days before the date this Petition is filed with the Court. I am not a foster parent.
- a person who lived with the child/ren and the child/ren's parent, guardian or managing conservator for at least 6 months ending not more than 90 days before the date this Petition is filed with the Court, and the parent, guardian or managing conservator is now dead.
- the grandparent, great-grandparent, sister, brother, aunt, uncle, niece or nephew of the child/ren and:
(Check the box below that applies to your case.)
 - both parents are dead.
 - both parents, the surviving parent or managing conservator agree to me filing this case.
 - the child/ren's present circumstances will significantly impair (*harm*) the child/ren's physical health or emotional development.
- other: _____.

6. Are You Asking to Change Custody within One Year?

Read the law about changing custody within one year here: Texas Family Code 156.102.

(Check one.)

- I **am not** asking to change primary custody.
- I **am** asking to change primary custody but it has been **more than** one year since the custody order was made by the Court.
- I **am** asking to change primary custody and it has been **less than** one year since the custody order was made by the Court. I understand I must fill out and attach a *Declaration in Support of Changing Primary Custody within One Year* form to this Petition. The facts set out in my *Declaration* will show that: (Check one.)
 - I am the person with the exclusive right to designate the primary residence of the child/ren.
 - the person with the exclusive right to designate the primary residence of the child/ren has agreed to change primary custody of the child/ren.
 - the person with the exclusive right to designate the primary residence of the child/ren has voluntarily given up primary care and possession of the child/ren for at least 6 months. This was not due to military deployment.
 - the child/ren's present environment may endanger (*harm*) the child/ren's physical health or significantly harm the child/ren's emotional development.

9. Legal Reason for Changing the Current Order

(Read the law about when the Court can change an order here: Texas Family Code, Chapter 156.)

The law allows the Court to change the current order because the changes will be in the child/ren's best interest and: (Check all that apply.)

- the Respondent(s) agree to the changes.
- the circumstances of the child/ren, a conservator, or other party affected by the current order have materially and substantially changed since the Court made the current order.
- the child is at least 12 years of age and will tell to the Court in chambers that she or he prefers that I have the exclusive right to determine his or her residence.
- the conservator who has the exclusive right to designate the primary residence of the child/ren has voluntarily given up primary care and possession of the child/ren for at least 6 months. This was not because the conservator is in the military and has been deployed.
- it has been at least 3 years since the current child support order was made by the Court and the current monthly child support amount differs by at least 20% or \$100 from the monthly child support amount that would be ordered using the Texas Family Code Child Support Guidelines.

10. Conservatorship (Custody) (Check one.)

- I do **not** want to change conservatorship (custody). (**Skip to section 11.**)
- I ask the Court to change conservatorship (custody) as follows: (Check **a, b, c, d, e or f.**)
 - a. Mother and Father should be **Joint Managing Conservators** of the child/ren and:
(If you checked **a**, check **a-1, a-2, or a-3.**)
 - a-1. Father should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one.)
 - anywhere. this county. this county or county adjacent to this county.
 - Texas. other: _____.
 - a-2. Mother should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one.)
 - anywhere. this county. this county or county adjacent to this county.
 - Texas. other: _____.
 - a-3. Neither parent should have the exclusive right to designate the primary residence of the children but both parents should be ordered not to remove the children's primary residence from the following specific geographic area: (Check one.)
 - this school district: _____ this county.
 - this county or county adjacent to this county. other: _____.
 - b. Mother should be **Sole Managing Conservator** of the child/ren.
 - c. Father should be **Sole Managing Conservator** of the child/ren.
 - d. _____ should be the **Nonparent Sole Managing Conservator** of the child/ren.
 - e. _____ and _____ should be the **Nonparent Joint Managing Conservators** of the child/ren.
 - f. Other: (Describe.) _____

11. Geographic Restriction (Check one only if applicable.)

- I ask the Court to restrict where the child/ren’s primary residence can be located. The child/ren should not be moved out of: _____.
- I ask the Court to change the geographic restriction on where the child/ren’s primary residence can be located. The new geographic restriction should be: _____.
- I ask the Court to lift the geographic restriction on where the child/ren’s primary residence can be located. There should be no geographic restriction.

12. Child/ren’s Passports (Check only if applicable.)

- I ask the Court to order that I have the exclusive right to apply for and renew passports for the child/ren.

13. Possession and Access (Visitation) (Check one.)

- I do **not** want to change possession and access (visitation). (**Skip to section 14.**)
- I ask the Court to change possession and access (visitation) as follows: (Check **a, b, c or d.**)
 - a. Father should have standard visitation. (See Texas Family Code Chapter 153, Subchapter F.)
 - b. Mother should have standard visitation. (See Texas Family Code Chapter 153, Subchapter F.)
 - c. Standard visitation would be unworkable. Possession and access to the children should be as follows:

 - d. I am concerned about the safety of the children with: Father Mother
 Therefore, I ask that: (If you checked **d**, check all that apply below.)
 - d-1. exchanges of the children be supervised, or in the alternative, be in a public place
 - d-2. that parent’s possession of the children be limited to day visits
 - d-3. that parent’s possession of the children be supervised
 - d-4. that parent have no right to possession or access to the children
 - d-5. that parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the children.
 - d-6. that parent’s possession and access to the children be restricted as follows:

(Check only if applicable.)

- I am concerned that the other parent may take the child/ren to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child/ren.

14. Child Support (Check one.)

- I do **not** want to change current child support. (**Skip to section 15.**)
- I ask the Court to change current child support as follows: (Check all that apply.)
 - Father** should be ordered to pay: (Check one.) more child support. less child support.
 - Mother** should be ordered to pay: (Check one.) more child support. less child support.
 - Other:** (Describe.) _____

15. Medical Support (Check one.)

- I do **not** want to change medical support. (**Skip to section 16.**)
- I ask the Court to change the current medical support order as follows: (Check all that apply.)
 - Father** should be ordered to: (Check one.)
 - provide health insurance for the child/ren through his employment or another source.
 - pay cash medical support to reimburse the cost of the child/ren’s health insurance.
 - Mother** should be ordered to: (Check one.)
 - provide health insurance for the child/ren through her employment or another source.
 - pay cash medical support to reimburse the cost of the child/ren’s health insurance.
 - Other:** (Describe) _____

16. Children’s Health Insurance

The child/ren: (Check all that apply.)

- do not have health insurance.
- have **private health insurance.**
 - Name of insurance company: _____
 - Policy number: _____ Cost of premium: \$ _____
 - Name of person who pays for insurance: _____
 - The insurance policy is is not available through the parent’s work.
- have health insurance through **Medicaid.**
- have health insurance through **C.H.I.P.** Cost of premium (if any): \$ _____

If the children **do not** have private health insurance also complete the following:

- Private health insurance is is not available to Father at a reasonable cost.
- Private health insurance is is not available to Mother at a reasonable cost.

17. Protective Order Statement

Note: You **must** provide information about any protective order or pending application for protective order involving a party in this case or a child of a party. This includes information about any: 1) family violence protective order, (2) sexual assault, sexual abuse, trafficking or stalking protective order and/or (3) emergency protective order issued after an arrest.

A "party" includes you (the Petitioner) and anyone listed as a Respondent in this Petition.

You **must also** attach to this Petition a copy of any protective order (even if it's expired) in which one party or a child of a party was the applicant or victim and another party was the respondent or defendant.

(Check the appropriate boxes. Fill in the requested information, if applicable.)

17A. No Protective Order

- I do not have a protective order and I have not asked for one.
- No one has a protective order against me or asked for one.

17B. Pending Protective Order

- I filed paperwork at the courthouse asking for a protective order, but a judge has not decided if I should get it. I asked for a protective order against _____.
I asked for a protective order on _____ in _____ County, _____ State.
Date Filed County State
The cause number of the protective order case is _____.
If I get a protective order, I will file a copy of it before any hearings in this case.
- The Respondent filed paperwork asking for a protective order, but a judge has not decided if the Respondent will get it. The Respondent asked for a protective order on _____ in _____ County, _____ State.
Date Filed County State
The Respondent asked for a protective order against _____.
The cause number of the protective order case is _____.
If the Respondent gets a protective order, I will file a copy of it before any hearings in this case.

17C. Protective Order in Place

- I have a protective order. The protective order is against _____.
I got the protective order on _____ in _____ County, _____ State.
Date of Order County State
The cause number for the protective order is _____.
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this case.
- A Respondent in this case has a protective order.
The protective order is against _____.
The protective order was made on _____ in _____ County, _____ State.
Date of Order County State
The cause number for the protective order is _____.
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this case.

Note: If the child/ren have ever received Medicaid or TANF, you MUST send a copy of this Petition to the Office of the Attorney General Child Support Division. You MUST also sign the "Certificate of Service" on the next page.

18. Public Benefits

The child/ren: (Check all that apply.)

- have Medicaid now **or** had in the past.
 get TANF (Temporary Assistance for Needy Families) now **or** got it in the past.

19. Children's Property

(Check one. If the children have never had any property of significant value, check the first box.)

- There has been no significant change to the child/ren's property.
 The following changes have occurred to the child/ren's property since the Court signed the current orders: _____

20. Family Information (Check only if applicable.)

- I believe the child/ren or I will be harassed, abused, seriously harmed, or injured if I am required to give the Respondent(s) the information checked below for myself and the children:

(Check the boxes below to tell the judge which information you want to be kept confidential.)

- 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 the Respondents. I also ask the Court to keep this information confidential.

21. Request for Judgment

I ask that citation and notice be issued as required by law. I ask the Court to make the orders I have asked for in this Petition and any other orders to which I am entitled. I ask for general relief.

Respectfully submitted,

Petitioner's Signature () Phone number

→ _____
Petitioner's Printed Name Date

Petitioner's Mailing Address: _____
city state zip

Petitioner's Email Address: _____

Petitioner's Fax # (if available): _____

I understand that I must notify the Court and each Respondent's attorney (or the Respondent if the Respondent does not have an attorney) in writing if my mailing address or email address changes during these proceedings. If I don't, any notices about this case will be sent to me at the mailing address or email address on this form.

22. Certificate of Service on the Attorney General

I will deliver a copy of this *Petition to Modify the Parent-Child Relationship* to the Office of the Attorney General Child Support Division* as follows:

If I file this document electronically, I will deliver it through the electronic file manager if possible. If not possible, I will deliver it in person, by mail, by commercial delivery service, by fax, or by email.

If I file a paper copy of this document, I will deliver it in person, by mail, by commercial delivery service, by fax, or by email.

Note: You **must** fill out and sign this Certificate of Service if your child/ren get Medicaid or TANF now or got it in the past. It tells the court that you will give a copy of this completed form to the Office of the Attorney General as required by the law. Bring proof of delivery with you to Court.

→

Petitioner's Signature

Date

* Get contact information for the Office of the Attorney General Child Support Office in the county where this case will be filed at https://www.texasattorneygeneral.gov/apps/cs_locations/.

Important: If the Office of the Attorney General (OAG) is listed as a party on your current order, you must (1) list the OAG as a respondent in this *Petition to Modify the Parent-Child Relationship* and (2) arrange for the OAG to be served by a constable, sheriff or private process server.

Get contact information for the Office of the Attorney General Child Support Division on your current order.

Note: For a referral to a lawyer call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690.

For information about free and low-cost legal help in your county go to www.TexasLawHelp.org or call the Legal Aid office serving your area:

Legal Aid of Northwest Texas 1-888-529-5277 (serves Dallas / Ft. Worth area & Northwest Texas)

Lone Star Legal Aid 1-800-733-8394 (serves Houston area & East Texas)

Texas Rio Grande Legal Aid 1-888-988-9996 (serves Austin / San Antonio area, El Paso area & South Texas)

If you have been the victim of family violence, or if at any time you feel unsafe, get help by calling the:

National Domestic Violence Hotline at 1-800-799-SAFE (7233) or

Texas Advocacy Project Hope Line at 1-800-374-HOPE (4673) or

Advocates for Victims of Crime (AVOICE) at 1-888-343-4414.

Cause Number: _____ <i>(Fill in the cause number and other court information exactly as it is written on the order you want to change.)</i>	
In the Interest of the following Minor Child(ren): <i>(Print the full name of each child.)</i> 1 _____ 2 _____ 3 _____ 4 _____ 5. _____	In the: <i>(Check one.)</i> <input type="checkbox"/> _____ District Court <input type="checkbox"/> County Court at Law # _____ _____ County, Texas

Declaration in Support of Changing Primary Custody within One Year

1. I am filing this Declaration in Support of Changing Primary Custody within One Year in place of an affidavit as allowed by Section 132.001 of the Texas Civil Practices and Remedies Code.
2. I declare **under penalty of perjury** that the statements made in this Declaration in Support of Changing Primary Custody within One Year are true and correct.
3. My name is: _____
First Middle Last
My date of birth is: _____ / _____ / _____
Month Day Year
My address is: _____
Street Address City State Zip Country
My email address is: _____
4. I am 18 years of age or older and I am fully competent to make this declaration. I have personal knowledge of the facts in this declaration. The facts stated in this declaration are true and correct.
5. I am the Petitioner in this case.
6. I am asking the Court to change the person who has the right to designate the primary residence of the child/ren. It has been less than one year since the Court made the current order regarding conservatorship (custody) of the child/ren.

2nd Child's Name: _____

Check here if this child has always lived with the 1st child and skip to next question.

Present Address: _____

Child now lives with Mother Father Other: (explain) _____

When did this child start living at this address? (Month, day, year) _____

(You must list every address for the last **5 years**. Start with the most recent.)

1st past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

2nd past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

3rd past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

4th past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

3rd Child's Name: _____

Check here if this child has always lived with the 1st child and skip to next question.

Present Address: _____

Child now lives with Mother Father Other: (explain) _____

When did this child start living at this address? (Month, day, year) _____

(You must list every address for the last **5 years**. Start with the most recent.)

1st past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

2nd past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

3rd past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

4th past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

Who did the child live with? Mother Father Other: (explain) _____

What is the present address of that person or persons? _____

If there are more than 3 children, make a copy of this page for each child and attach it to this form.

3. Other Court Cases

Have you taken part in any other court case about any of these children, in Texas or in any other state or country? Yes No

Do you know of any other court case that could affect this case, including custody, visitation, child support, civil or criminal cases for domestic violence, protective orders, termination of parental rights, adoptions and enforcement cases? Yes No

If you answered Yes for either of the above questions, complete the following:

County, State and Country of Court Case	Case #	Type of case
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Warning: You must tell the court if you later find out about a court case about these children, in Texas or in any other state or country.

4. Other People Who Claim Custody or Visitation

“Do you know of any other person who has physical possession of the children or claims the right to legal or physical custody or visitation with the children? Yes No

If **Yes**, complete the following for each person.

Name: _____

Address: _____

Relationship to child: _____

Name: _____

Address: _____

Relationship to child: _____”

Declaration in lieu of Notarized Statement – Texas Civil Practice and Remedies Code, Section 132.001.

My name is: _____
First Middle Last

My date of birth is: _____
Month Day Year

My address is: _____
Street Address City State Zip Code Country

I declare under penalty of perjury that all information in this Out-of-State Party Declaration is true and correct.

Formally signed in _____ County, _____ State,
County State

on this date: _____
Month Day Year

Your Signature

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA



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

Plaintiff: _____
(Print first and last name of the person filing the lawsuit.)

And

In the _____ (check one):
Court _____
Number _____
 District Court
 County Court / County Court at Law
 Justice Court

Defendant: _____
(Print first and last name of the person being sued.)

_____ Texas
County _____

Statement of Inability to Afford Payment of Court Costs or an Appeal Bond

1. Your Information

My full legal name is: _____ My date of birth is: ____/____/____
First Middle Last Month/Day/Year

My address is: (Home) _____
(Mailing) _____

My phone number: _____ My email: _____

About my **dependents**: "The people who depend on me financially are listed below."

<i>Name</i>	<i>Age</i>	<i>Relationship to Me</i>
1 _____	_____	_____
2 _____	_____	_____
3 _____	_____	_____
4 _____	_____	_____
5 _____	_____	_____
6 _____	_____	_____

2. Are you represented by Legal Aid?

I am being represented in this case for free by an attorney who works for a legal aid provider or who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as 'Exhibit: Legal Aid Certificate.

-or-

I asked a legal-aid provider to represent me, and the provider determined that I am financially eligible for representation, but the provider could not take my case. I have attached documentation from legal aid stating this.

or-

I am not represented by legal aid. I did not apply for representation by legal aid.

3. Do you receive public benefits?

I do not receive needs-based public benefits. - or -

I receive these **public benefits/government entitlements** that are based on indigency:

(Check ALL boxes that apply and attach proof to this form, such as a copy of an eligibility form or check.)

- Food stamps/SNAP TANF Medicaid CHIP SSI WIC AABD
- Public Housing or Section 8 Housing Low-Income Energy Assistance Emergency Assistance
- Telephone Lifeline Community Care via DADS LIS in Medicare ("Extra Help")
- Needs-based VA Pension Child Care Assistance under Child Care and Development Block Grant
- County Assistance, County Health Care, or General Assistance (GA)
- Other: _____

4. What is your monthly income and income sources?

"I get this monthly income:

\$ _____ in monthly wages. I work as a _____ for _____.
Your job title Your employer

\$ _____ in monthly unemployment. I have been unemployed since (date) _____.

\$ _____ in public benefits per month.

\$ _____ from other people in my household each month: (List only if other members contribute to your household income.)

\$ _____ from Retirement/Pension Tips, bonuses Disability Worker's Comp
 Social Security Military Housing Dividends, interest, royalties
 Child/spousal support
 My spouse's income or income from another member of my household (If available)

\$ _____ from other jobs/sources of income. (Describe) _____

\$ _____ is my **total monthly** income.

5. What is the value of your property?

"My property includes:	Value*
Cash	\$ _____
Bank accounts, other financial assets	\$ _____
_____	\$ _____
_____	\$ _____
Vehicles (cars, boats) <small>(make and year)</small>	\$ _____
_____	\$ _____
_____	\$ _____
Other property (like jewelry, stocks, land, another house, etc.)	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total value of property	→ \$ _____

6. What are your monthly expenses?

"My monthly expenses are:	Amount
Rent/house payments/maintenance	\$ _____
Food and household supplies	\$ _____
Utilities and telephone	\$ _____
Clothing and laundry	\$ _____
Medical and dental expenses	\$ _____
Insurance (life, health, auto, etc.)	\$ _____
School and child care	\$ _____
Transportation, auto repair, gas	\$ _____
Child / spousal support	\$ _____
Wages withheld by court order	\$ _____
Debt payments paid to: <small>(List)</small>	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Monthly Expenses	→ \$ _____

*The value is the amount the item would sell for less the amount you still owe on it, if anything.

7. Are there debts or other facts explaining your financial situation?

"My **debts** include: (List debt and amount owed) _____

(If you want the court to consider other facts, such as unusual medical expenses, family emergencies, etc., attach another page to this form labeled "Exhibit: Additional Supporting Facts.") Check here if you attach another page.


8. Declaration

I declare under penalty of perjury that the foregoing is true and correct. I further swear:

- I cannot afford to pay court costs.
- I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision.

My name is _____ . My date of birth is : ____ / ____ / ____.

My address is _____
Street City State Zip Code Country

 _____ signed on ____ / ____ / ____ in _____ County, _____
Signature Month/Day/Year county name State

WARNING to Respondent: Without the advice and help of an attorney, you may be putting yourself and your children at risk. For help finding an attorney, call the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690. If you or your children are a victim of family violence, or if at any time you feel unsafe, call the National Domestic Violence Hotline at 1-800-799-7233 or the Texas Family Violence Legal Line at 1-800-374-4673.

Cause Number: _____
 Fill in Cause number and court information exactly as it is written on the Petition.

In the Interest of the following Minor Child(ren):

(Print the full name of each child.)

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

In the _____
 Court Number

- District Court
- County Court at Law

of _____ County, Texas

Waiver of Service Only (Specific Waiver)

INSTRUCTIONS to Respondent:

Talk to an attorney about your legal rights. If you decide to use this form:

- Fill it out completely. You **MUST** include a mailing address and email address.
- Do not sign it until **at least one day after** the *Petition to Modify the Parent-Child Relationship* is filed (turned in to the court). The official court stamp on your copy of the *Petition* will tell you when it was filed. If you sign this form before then, you will have to redo it.
- **Sign it in front of a notary.** Do not sign until you are standing in front of the notary.
- Give the original signed form back to the Petitioner or file it (turn it in to the court) where the *Petition* was filed. Keep a copy for your records.
- To finish this case by agreement, you, the Petitioner and any other Respondents named in the *Petition* may complete and sign the *Order Modifying the Parent-Child Relationship* form. The Petitioner (or you) may then take the agreed *Order* to Court for the Judge's signature.
- If you are not able to reach an agreement, the Petitioner must give you notice of any hearings in the case.

The person who signed this affidavit appeared, in person, before me, the undersigned notary, and stated under oath:

"I am the Respondent in this case.

"My name is: _____
 PRINT First Middle Last

"My mailing address is: _____
 PRINT Mailing Address City State Zip

"My email address is _____.

"My phone number is: (_____) _____-_____.

"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.

"I have been given a copy of the *Petition to Modify the Parent-Child Relationship* filed in this case. I have read the *Petition to Modify the Parent-Child Relationship* and understand what it says. I do not give up my right to review a different *Petition to Modify the Parent-Child Relationship* if it gets changed (amended).

"I understand that I have the right to be given a copy of the *Petition to Modify the Parent-Child Relationship* and official notice of this case by a constable, sheriff or other official process server (legal notice). I give up my right to legal notice.

"I ask that the Court **not** enter any orders if they are not signed by me or if I have not received prior written notice of the date, time and place of hearing.

"If I reach an agreement and sign an order in this case, the Court can enter the order without giving me notice and without my being present. If I reach an agreement and sign an order in this case, I do not want a court reporter to make a record of the testimony.

"I understand that I must give written notice to the Court, the Petitioner and any other Respondents named in the *Petition to Modify the Parent-Child Relationship* if my mailing address or email address changes during this case. I understand that if the Petitioner or a Respondent is represented by an attorney I must give written notice to the attorney. If I don't, then I understand that any notices about this case will be sent to me on the mailing address or email address on this form.

Military Status

(Check only one.)

I am not in the military."

I am in the military. I agree to the provisions stated above and I waive only the rights, privileges, and exemptions I have under the Servicemembers Civil Relief Act that are contrary to those provisions."



Signature of Respondent *(Do not sign until you are in front of notary.)*

Date

Notary fills out below.

State of _____ County of _____
(Name of state where this affidavit is notarized) (Name of county where this affidavit is notarized)

Sworn to and subscribed before me, the undersigned notary, on this date: _____ / _____ /20____
Month day year

at _____ a.m./p.m.
time circle one

by _____
(Print name of person who is signing this Affidavit. NOT the notary's name.)

[Notary Stamps Here]



Notary's Signature

<p>Cause Number: _____</p> <p><i>(Write in the cause number and other case information exactly as it appears in the case information box on the Petition.)</i></p>	
<p>In the Interest of the following Minor Child(ren): <i>(Print the full name of each child.)</i></p> <p>1 _____</p> <p>2 _____</p> <p>3 _____</p> <p>4 _____</p> <p>5. _____</p>	<p>In the: <i>(Check one.)</i></p> <p><input type="checkbox"/> _____ District Court</p> <p><input type="checkbox"/> County Court at Law # _____</p> <p>_____ County, Texas</p>

Respondent's Original Answer – Modification Case

(Print your answers.)

My name is: _____
First
Middle
Last

I am a Respondent in this Suit to Modify the Parent-Child Relationship.

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.

1. General Denial

I enter a general denial. I want to be notified of all hearings in this case.

However, if the Petitioner and I reach an agreement and I sign an agreed Order Modifying the Parent-Child Relationship, I agree that the Judge can finalize this case without my getting notice of the hearing and without my coming to Court.

2. Contact Information

My mailing address is: _____
Print
Mailing Address
City
State
Zip

My email address is: _____

My phone number is: (_____) _____ - _____.

I understand I *must* notify the Court and Petitioner's attorney (or Petitioner if Petitioner does not have an attorney), the other Respondents' attorneys (or the Respondent if she or he does not have an attorney), in writing, if my mailing address or email address changes during this case.

I understand that, unless I provide notice of changes in my mailing address and email address, all information about this case, including the date and time of hearings, will be sent to me at the mailing address or email address on this form.

<p>Cause Number: _____</p> <p><i>(Write the cause number and other case information exactly as it appears on the Petition.)</i></p>	
<p>In the Interest of the following Minor Child(ren): <i>(Print the full name of each child.)</i></p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p>	<p>In the: <i>(Check one.)</i></p> <p><input type="checkbox"/> _____ District Court</p> <p><input type="checkbox"/> County Court at Law # _____</p> <p>_____ County, Texas</p>

Order Modifying the Parent-Child Relationship

A hearing took place on *(date)*: _____. A jury was waived as no one requested as jury.

1. Appearances

Petitioner

Petitioner's full name is: _____.

(Check one.)

- Petitioner **was present**, representing him/herself, and announced ready for trial.
- Petitioner **was present**, representing him/herself, and agreed to the terms of this Order
- Petitioner **was not present** but has signed on page 6 agreeing to the terms of this Order.

Respondent A

Respondent A's full name is: _____.

(Check one.)

- Respondent A **was present**, representing him/herself, and announced ready for trial.
- Respondent A **was present**, representing him/herself, and agreed to the terms of this Order.
- Respondent A was **not present**, but filed an Answer or Waiver of Service and has signed on page 6 agreeing to the terms of this Order.
- Respondent A was **not present**, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- Respondent A was **not present**, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.

Respondent B *Check this box if there is no Respondent B, and skip to section 2.*

Respondent B's full name is: _____.

(Check one.)

- Respondent B **was present**, representing him/herself, and announced ready for trial.
- Respondent B **was present**, representing him/herself, and agreed to the terms of this Order.
- Respondent B was **not present**, but filed an Answer or Waiver of Service and has signed on page 6 agreeing to the terms of this Order.
- Respondent B was **not present**, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- Respondent B was **not present**, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.

Respondent C Check this box if there is no Respondent C, and skip to section 2.

Respondent C's full name is: _____.

(Check one.)

- Respondent C **was present**, representing him/herself, and announced ready for trial.
- Respondent C **was present**, representing him/herself, and agreed to the terms of this Order.
- Respondent C was **not present**, but filed an Answer or Waiver of Service and has signed on page 6 agreeing to the terms of this Order.
- Respondent C was **not present**, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- Respondent C was **not present**, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.

Respondent D Check this box if there is no Respondent D, and skip to section 2.

Respondent D's full name is: _____.

(Check one.)

- Respondent D **was present**, representing him/herself, and announced ready for trial.
- Respondent D **was present**, representing him/herself, and agreed to the terms of this Order.
- Respondent D was **not present**, but filed an Answer or Waiver of Service and has signed on page 6 agreeing to the terms of this Order.
- Respondent D was **not present**, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- Respondent D was **not present**, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.

2. Jurisdiction

The Court finds that it has jurisdiction of this case and of all the parties and that no other court has continuing, exclusive jurisdiction of this case.

All persons entitled to citation were properly cited.

3. Record *(The Court fills out this section.)*

- A Court reporter recorded today's hearing.
- A Court reporter did not record today's hearing because the parties agreed not to make a record.

4. Children

This case is about the following child/ren:

	Child's name	Sex	Date of Birth	Home State	Social Security #
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____

5. Findings

The Court finds that the material allegations in the *Petition to Modify the Parent-Child Relationship* are true and that the modifications made by this *Order* are in the best interest of the children.

6. Orders

The Court ORDERS that the order or orders listed below (called the “prior orders” throughout this document) are modified (changed) as set out below.

	Title of Order or Orders Modified	Date Order Signed by Court
1.	_____	____ / ____ / ____
2.	_____	____ / ____ / ____

6A. Conservatorship (Custody) *(Check one.)*

- Conservatorship (custody) **is not** modified.
- Conservatorship (custody) **is** modified as ORDERED in the attached:
(Check one box and attach the appropriate Conservatorship Order.)
 - “*Conservatorship Order: Parents Appointed Conservators*” which is fully incorporated into this Order for all purposes.
 - “*Conservatorship Order: Non-Parent(s) Appointed Conservator*” which is fully incorporated into this Order for all purposes.

6B. Possession and Access (Visitation) *(Check one.)*

- Possession and access to the child/ren (visitation) **is not** modified.
- Possession and access to the child/ren (visitation) **is** modified as ORDERED in the attached:
(Check one and attach the appropriate Possession Order.)
 - “*Standard Possession Order*” which is fully incorporated into this Order for all purposes.
 - “*Modified Possession Order*” which is fully incorporated into this Order for all purposes.
 - “*Supervised Possession Order*” which is fully incorporated into this Order for all purposes.

6C. Child Support *(Check one. Attach the Child Support Order if applicable.)*

- Child support **is not** modified.
- Child support **is** modified as ORDERED in the attached “*Child Support Order*” which is fully incorporated into this Order for all purposes.

6D. Medical Support *(Check one. Attach the Medical Support Order if applicable.)*

- Medical support **is not** modified.
- Medical support **is** modified as ORDERED in the attached “*Medical Support Order*” which is fully incorporated into this Order for all purposes.

6E. Other Orders *(Check and complete only if applicable.)*

- The Court also ORDERS that: _____

_____.

7. Information Regarding Parties See Texas Family Code Sections 105.006 & 105.007

7A. Disclosure of Mother's Information (Check one.)

- The Court ORDERS Mother to disclose the following information and changes in that information to the other conservators, the Court and the State Case Registry. (Fill in Mother's information.)

Name: _____

Home Address: _____

Mailing Address: _____

Home phone #: _____ Work phone #: _____

FULL Social Security #: ____-____-____

Driver's License #: _____ Issuing state: _____

Employer: _____

Work address: _____

- The Court finds that disclosure of Mother's information to the other conservators is likely to cause Mother or the children harassment, abuse, serious harm or injury or subject Mother or the children to family violence. The Court ORDERS that Mother's address and other identifying information not be disclosed. The Court further ORDERS that Mother is **not** required to give her address or other identifying information to the other conservators or notify the other conservators or the Court of changes in that information. The Court ORDERS Mother to provide her mailing address and changes in her mailing address to the State Case Registry, Contract Services Section, MC046S, P.O. Box 12017, Austin, Texas 78711-2017.

7B. Disclosure of Father's Information (Check one.)

- The Court ORDERS Father to disclose the following information and changes in that information to the other conservators, the Court and the State Case Registry. (Fill in Father's information.)

Name: _____

Home Address: _____

Mailing Address: _____

Home phone #: _____ Work phone #: _____

FULL Social Security #: ____-____-____

Driver's License #: _____ Issuing state: _____

Employer: _____

Work address: _____

- The Court finds that disclosure of Father's information to the other conservators is likely to cause Father or the children harassment, abuse, serious harm or injury or subject Father or the children to family violence. The Court ORDERS that Father's address and other identifying information **not** be disclosed. The Court further ORDERS that Father is **not** required to give his address or other identifying information to the other conservators or notify the other conservators or the Court of changes in that information. The Court ORDERS Father to provide his mailing address and changes in his mailing address to the State Case Registry, Contract Services Section, MC046S, P.O. Box 12017, Austin, Texas 78711-2017.

7C. Disclosure of Nonparent Conservator's Information (Check one.)

- There is no Nonparent Managing Conservator.
- Information regarding the Nonparent Managing Conservator(s) is included in the attached "Conservatorship Order (Non-Parent Appointed Conservator).

8. Required Notice

This section is not applicable if and to the extent it conflicts with the Court's Order regarding disclosure of information in section 7 above.

EACH PERSON WHO IS A PARTY TO THIS ORDER IS ORDERED TO NOTIFY EVERY OTHER PARTY, THE COURT, AND THE STATE CHILD SUPPORT REGISTRY OF ANY CHANGE IN THE PARTY'S:

- CURRENT RESIDENCE ADDRESS,
- MAILING ADDRESS,
- HOME TELEPHONE NUMBER,
- NAME OF EMPLOYER,
- ADDRESS OF EMPLOYMENT,
- DRIVER'S LICENSE NUMBER, AND
- WORK TELEPHONE NUMBER.

THE PARTY IS ORDERED TO GIVE NOTICE OF AN INTENDED CHANGE IN ANY OF THE REQUIRED INFORMATION TO THE OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY ON OR BEFORE THE 60TH DAY BEFORE THE INTENDED CHANGE. IF THE PARTY DOES NOT KNOW OR COULD NOT HAVE KNOWN OF THE CHANGE IN SUFFICIENT TIME TO GIVE NOTICE OF THE CHANGE TO PROVIDE 60-DAYS NOTICE, THE PARTY IS ORDERED TO GIVE NOTICE OF THE CHANGE ON OR BEFORE THE 5TH DAY AFTER THE DATE THAT THE PARTY KNOWS OF THE CHANGE. THE DUTY TO FURNISH THIS INFORMATION TO EVERY OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY CONTINUES AS LONG AS ANY PERSON, BY VIRTUE OF THIS ORDER, IS UNDER AN OBLIGATION TO PAY CHILD SUPPORT OR ENTITLED TO POSSESSION OF OR ACCESS TO A CHILD.

FAILURE BY A PARTY TO OBEY THE ORDER OF THIS COURT TO PROVIDE EVERY OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY WITH THE CHANGE IN THE REQUIRED INFORMATION MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

Notice shall be given to **every other party** by delivering a copy of the notice to each party by registered or certified mail, return receipt requested.

Notice shall be given to the **Court** by delivering a copy of the notice either in person to the clerk of the Court or by registered or certified mail addressed to the clerk.

Notice shall be given to the **State Case Registry** by mailing a copy of the notice to the State Case Registry, Contract Services Section, MC046S, P.O. Box 12017, Austin, Texas 78711-2017.

9. Notice to Peace Officer

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER.

A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY.

ANY PERSON WHO KNOWINGLY PRESENTS FOR LAW ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000.

10. Warnings to Parties

FAILURE TO OBEY A COURT ORDER FOR CHILD SUPPORT OR FOR POSSESSION OF OR ACCESS TO A CHILD MAY RESULT IN FURTHER LITIGATION TO ENFORCE THIS ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHABLE BY

CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS.

FAILURE OF A PARTY TO MAKE A CHILD SUPPORT PAYMENT TO THE PLACE AND IN THE MANNER REQUIRED BY A COURT ORDER MAY RESULT IN THE PARTY'S NOT RECEIVING CREDIT FOR MAKING THE PAYMENT.

FAILURE OF A PARTY TO PAY CHILD SUPPORT DOES NOT JUSTIFY DENYING THAT PARTY COURT-ORDERED POSSESSION OF OR ACCESS TO A CHILD. REFUSAL BY A PARTY TO ALLOW POSSESSION OF OR ACCESS TO A CHILD DOES NOT JUSTIFY FAILURE TO PAY COURT-ORDERED CHILD SUPPORT TO THAT PARTY.

11. Notice Regarding Modifying (Changing) a Child Support Order

THE COURT MAY MODIFY AN ORDER THAT PROVIDES FOR THE SUPPORT OF A CHILD, IF:

- (1) THE CIRCUMSTANCES OF THE CHILD OR A PERSON AFFECTED BY THE ORDER HAVE MATERIALLY OR SUBSTANTIALLY CHANGED; OR
- (2) IT HAS BEEN THREE YEARS SINCE THE ORDER WAS RENDERED OR LAST MODIFIED AND THE MONTHLY AMOUNT OF THE CHILD SUPPORT AWARD UNDER THE ORDER DIFFERS BY EITHER 20 PERCENT OR \$100 FROM THE AMOUNT THAT WOULD BE AWARDED IN ACCORDANCE WITH THE CHILD SUPPORT GUIDELINES.

12. Court Costs

All court costs shall be paid by the person who incurred the costs to the extent the party is required to pay such costs. A party who filed an *Affidavit of Indigency or Declaration of Indigency* that was not successfully contested is not required to pay court costs.

13. Other Orders

The court has the right to make other orders, if needed, to clarify or enforce this order.

14. Final Orders

Any orders requested that do not appear above are denied. Any part of the prior orders regarding the child/ren not specifically modified by this order shall remain in full force and effect.

THIS IS A FINAL ORDER.

SIGNED ON: _____.

JUDGE PRESIDING

BY SIGNING BELOW, I AGREE TO THE FORM AND SUBSTANCE OF THIS ORDER:

_____ <i>Petitioner's Signature</i>	_____ <i>Date Signed</i>
_____ <i>Respondent A's Signature</i>	_____ <i>Date Signed</i>
_____ <i>Respondent B's Signature</i>	_____ <i>Date Signed</i>
_____ <i>Respondent C's Signature</i>	_____ <i>Date Signed</i>
_____ <i>Respondent D's Signature</i>	_____ <i>Date Signed</i>

The orders marked on page 3 are a part of this modification order and should be attached.

Child Support Order

The Court **ORDERS** that this *Child Support Order* is fully incorporated into the Order to which it is attached.

1. Order to Pay Child Support

The Court **ORDERS** _____ (**Obligor**) to pay
(Print the name of the parent who will **pay** child support.)

child support to _____ (**Obligee**) for the
(Print the name of the parent who will **receive** child support.)

child/ren, _____,
(Print the name of **each child** for whom child support will be paid.)

in the amount and manner described below until one of the following **events that terminate child support** occurs for each child.

2. Events that Terminate Child Support (See Texas Family Code Sections 154.006 and 154.002.)

The obligation to pay child support for a child terminates (ends) when:

- The child turns 18, unless when the child turns 18 he or she is enrolled and complying with attendance requirements in a secondary school program leading toward a high school diploma or enrolled in courses for joint high school and junior college credit then child support terminates at the end of the month in which the child graduates. **-or-**
- The child marries, dies, or is emancipated by court order. **-or-**
- The child begins active duty in the United States armed forces. **-or-**
- A court terminates the parent-child relationship between the man ordered to pay child support and the child based on genetic testing that determines the man is not the child's father. **-or-**
- The person ordered to pay child support and the person ordered to receive child support marry or remarry each other, unless a nonparent or agency has been appointed conservator of the child.

3. Obligor and Obligee

The Court **ORDERS** that the parent ordered to pay child support above is the **Obligor** and will be referred to as the "**Obligor**" throughout this section.

The Court **ORDERS** that the parent ordered to receive child support above is the **Obligee** and will be referred to as the "**Obligee**" throughout this section.

4. Termination of Obligee's Obligation to pay current child support (if applicable)

If the *Obligee* was the parent ordered to pay child support in the prior order, the Court **ORDERS** that the *Obligee's* obligation to pay current child support terminates (ends) on the date the Court signs this Order.

This Order does not change *Obligee's* obligation to pay any past due child support or arrearage judgment.

5. Child Support Amount(s) Ordered

If only one child will receive support, check box **5A** and fill in the child support amount and start date.

If more than one child will receive support, check box **5B** and fill in the child support amounts and start date.

5A. For a Single Child

Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on _____. A like payment is due on the 1st day of each month after that **until** child support terminates for the child.

Month / Day / Year

5B. For Multiple Children

Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on _____. A like payment is due on the 1st day of each month after that **until** child support terminates for one child.

Month / Day / Year

After child support terminates for one child, Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on the 1st day of the 1st month after child support terminates for one child. A like payment is due on the 1st day of each month after that **until** child support terminates for a second child.

After child support terminates for two children, Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on the 1st day of the 1st month after child support terminates for a second child. A like payment is due on the 1st day of each month after that **until** child support terminates for a third child.

After child support terminates for three children, Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on the 1st day of the 1st month after child support terminates for a third child. A like payment is due on the 1st day of each month after that **until** child support terminates for a fourth child.

After child support terminates for four children, Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on the 1st day of the 1st month after child support terminates for a fourth child. A like payment is due on the 1st day of each month after that **until** child support terminates for a fifth child.

After child support terminates for five children, Obligor is **ORDERED** to pay \$_____ child support per month. The 1st payment is due on the 1st day of the 1st month after child support terminates for a fifth child. A like payment is due on the 1st day of each month after that **until** child support terminates for a sixth child.

Warning! Do **not** pay child support directly to the other parent. Send all child support payments to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265**. If you pay child support directly to the other parent, you won't get credit and you may have to pay again!

6. Place of Payment

The Court ORDERS Obligor to send all child support payments to the **Texas Child Support State Disbursement Unit, PO Box 659791, San Antonio, TX 78265**, for distribution according to law.

The Court ORDERS Obligor to include the following information with each payment:

- Name of parent ordered to *pay* child support, **and**
- Name of parent ordered to *receive* child support, **and**
- Cause Number and County of Decree or Order, **and**
- Attorney General Case Number, if applicable.

Payments should be made out to the Texas State Disbursement Unit or TXSDU.

7. No Credit for Informal Payments

IT IS ORDERED that money paid by Obligor directly to Obligee or spent while in possession of the child/ren does **NOT** count as child support and shall be deemed in addition to and not instead of the support ordered in this order.

8. Child Support Account / Fees

Each parent is ORDERED to:

- Fill out any forms necessary to set up a child support account, **and**
- Take the forms to the local Domestic Relations Office or county child support liaison within 5 days after the judge orders child support, **and**
- Pay when due all fees charged to that parent by the state disbursement unit and any other agency authorized by law to a charge a fee for the collection and distribution of child support.

9. Guideline or Non-Guideline Support

The Court finds that the child support ordered above is:

Guideline Support: The amount of child support is approximately the amount recommended by the Texas Family Code Child Support Guidelines. *See Texas Family Code, Chapter 154, Subchapter C.*

Non-Guideline Support: The amount of child support differs significantly from the amount recommended by the Texas Family Code Child Support Guidelines.

(If the amount ordered is not based on the guidelines, you must also provide the following information.)

The net monthly income/resources of the Obligor is \$ _____.

The net monthly income/resources of the Obligee is \$ _____.

Guideline child support would be _____ % of Obligor's net monthly resources, which is \$ _____ per month.

The **actual** monthly child support amount ordered is \$ _____, which is _____ % of Obligor's net monthly income/resources.

Guideline child support would be unjust or inappropriate under the circumstances because:

10. Income Withholding

IT IS ORDERED that any employer of Obligor is ordered to withhold child support from Obligor's disposable earnings. If an income withholding for support order is served on Obligor's employer, the employer shall withhold child support payments from Obligor's pay, and send it to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265**, where the payments shall be recorded, and forwarded to Obligee. All child support withheld and paid in accordance with this order shall be credited against Obligor's child support obligation.

If the employer withholds less than 100% of the child support ordered, Obligor is ORDERED to send the balance owed to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265.**

If an income withholding for support order is not served on the employer, or if Obligor's is self-employed or unemployed, Obligor's is ORDERED to send all child support payments to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265.**

IT IS ORDERED that the Clerk of this Court shall cause a certified copy of the income withholding for support order to be delivered to any employer of Obligor, if asked to do so by Obligor, Obligee, a prosecuting attorney, the title IV-D agency, a friend of the Court, or a domestic relations office.

11. Suspension of Income Withholding

Check here if all parties agree not to have the employer withhold child support payments at this time.

The parties agree, and the Court ORDERS that an income withholding for support order shall not be served on the employer **unless:**

- 1) child support payments are more than 30 days late, **or**
- 2) the past due amount is the same or more than the monthly child support amount, **or**
- 3) another violation of this child support order occurs, **or**
- 4) the Office of the Attorney General Child Support Division is providing services to Obligee.

Obligor is ORDERED to send all child support payments to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265,** where the payment will be recorded, and forwarded to Obligee.

12. Change of Employment

Obligor is ORDERED to notify this Court and Obligee by U.S. certified mail, return receipt requested, of any change of address and of any termination of employment. This notice shall be given no later than **7 days** after the change of address or the termination of employment. This notice or a subsequent notice shall also provide the current address of Obligor and the name and address of Obligor's current employer, whenever that information becomes available.

13. Child Support After Death

IT IS ORDERED that the provisions for child support in this decree shall be an obligation of Obligor's estate and shall not terminate on his/her death. Payments received for the benefit of the child/ren, including payments from the Social Security Administration, Department of Veterans Affairs, or other governmental agency or life insurance proceeds, annuity payments, trust distributions, or retirement survivor benefits, shall be a credit against this obligation. Any remaining balance of the child support is an obligation of Obligor's estate.

14. Life Insurance Policy *Check box below if the person ordered to pay child support should also be ordered to maintain a life insurance policy for as long as child support is ordered.*

As additional child support, the person paying child support under this order is ORDERED to obtain and maintain a life insurance policy on his or her life for as long as child support is ordered. The value of the policy shall be at least as much as the total child support obligation. The person receiving child support under this order must be named as the primary beneficiary for the benefit of the children.

NOTICE REGARDING MODIFYING (CHANGING) THIS CHILD SUPPORT ORDER

THE COURT MAY MODIFY THIS ORDER THAT PROVIDES FOR THE SUPPORT OF A CHILD, IF:

- (1) THE CIRCUMSTANCES OF THE CHILD OR A PERSON AFFECTED BY THE ORDER HAVE MATERIALLY OR SUBSTANTIALLY CHANGED; OR
- (2) IT HAS BEEN THREE YEARS SINCE THE ORDER WAS RENDERED OR LAST MODIFIED AND THE MONTHLY AMOUNT OF THE CHILD SUPPORT AWARD UNDER THE ORDER DIFFERS BY EITHER 20 PERCENT OR \$100 FROM THE AMOUNT THAT WOULD BE AWARDED IN ACCORDANCE WITH THE CHILD SUPPORT GUIDELINES.

Medical Support Order

The Court **ORDERS** that this *Medical Support Order* is fully incorporated into the Order to which it is attached.

1. Duty to Provide Medical Support

As additional child support, the Court **ORDERS** the parents to provide medical support as set out in this order for each child the subject of this suit until one of the following **events that terminate medical support** occurs for the child.

2. Events that Terminate Medical Support

The obligation to provide medical support for a child terminates (ends) when:

- The child turns 18, unless when the child turns 18 he or she is enrolled and complying with attendance requirements in a secondary school program leading toward a high school diploma or enrolled in courses for joint high school and junior college credit then child support terminates at the end of the month in which the child graduates. **-or-**
- The child marries, dies, or is emancipated by court order. **-or-**
- The child begins active duty in the United States armed forces. **-or-**
- A court terminates the parent-child relationship between the man ordered to pay child support and the child based on genetic testing that determines the man is not the child's father. **-or-**
- The person ordered to pay child support and the person ordered to receive child support marry or remarry each other, unless a nonparent or agency has been appointed conservator of the child.

3. Court Findings about Health Insurance

The Court finds that private health insurance for the children: *(Check one.)*

is available at a reasonable cost to the person ordered to pay child support through: *(Check one.)*

Father's work, membership in a union, trade association, or other organization, or other source available to Father.

Mother's work, membership in a union, trade association, or other organization, or other source available to Mother.

is not available at a reasonable cost to either parent. The Court finds that the children are: *(Check one.)*

currently covered by **Medicaid**.

currently covered by **C.H.I.P.** at this cost: \$ _____.

not currently covered by **Medicaid** or **C.H.I.P.**

4. Orders Regarding Health Insurance and Cash Medical Support

Check box **4(A)**, **4(B)**, OR **4(C)** on the following pages and write in the appropriate names (and start date if cash medical support is ordered).

Note: The **Obligor** is the parent ordered to pay child support and the **Obligee** is the parent who will receive child support.

- Check box **4(A)** if the **Obligor** will provide and pay for health insurance for the children.
- Check box **4(B)** if the **Obligee** will provide health insurance for the children and the **Obligor** will pay cash medical support to reimburse the **Obligee** for the cost of the insurance.
- Check box **4(C)** if neither parent has access to private health insurance at a reasonable cost. **Obligee** will be ordered to apply for coverage under a government medical assistance program and **Obligor** will be ordered to pay cash medical support.

4(A). Obligor to Provide and Pay for Health Insurance

As additional child support, the Court ORDERS Obligor, _____,
(Print name of parent ordered to pay child support)

to get health insurance for the child/ren **within 15 days** of the date of this order through: (Check one.)

Obligor's work or membership in a union, trade association, or other organization.

another source available to Obligor.

The health insurance must cover basic healthcare services, including usual physician services, office visits, hospitalization, and laboratory, X-ray, and emergency services.

Obligor is ORDERED to pay, as additional child support, all costs of such health insurance, including but not limited to enrollment fees and premiums.

Obligor is ORDERED to keep such health insurance in full force and effect on each child, who is the subject of this suit, until one of the above **events that terminate medical support** occurs for the child.

Obligor is ORDERED to give Obligee the following **within 30 days** of the date of this order:

- o Obligor's social security number and the name and address of Obligor's employer, **and**
- o the name of the insurance carrier, the policy number, and proof the child/ren are covered, **and**
- o a copy of the insurance policy and list of benefits covered, **and**
- o insurance membership cards for the child/ren, **and**
- o any forms needed to use the health insurance, **and**
- o any forms needed to submit a claim.

Obligor is ORDERED to give Obligee the following **within 3 days** of receipt:

- o any insurance checks or other payments for medical expenses paid by Obligee **and**
- o any explanations of benefits relating to medical expenses paid or incurred by Obligee.

If health insurance benefits for the child/ren are changed in any way, Obligor is ORDERED to give Obligee information about the change and any new forms needed to use the insurance **within 15 days** of the change.

If health insurance benefits are cancelled, Obligor is ORDERED to get new health insurance for the children **within 15 days** of the date of cancellation. The new insurance must equal or exceed the prior level of coverage. The new health insurance must cover basic healthcare services, including usual physician services, office visits, hospitalization, and laboratory, X-ray, and emergency services.

If Obligor is eligible for dependent health coverage but fails to apply to obtain coverage for the child/ren, the insurer is ORDERED to enroll the child/ren on application of Obligee or others as authorized by law. See *Texas Insurance Code, Section 1504.051*

4(B). Oblige to Provide Health Insurance / Obligor to Reimburse Cost

As additional child support, the Court ORDERS **Oblige**, _____,
(Print name of parent who will receive child support)

to get health insurance for the child/ren **within 15 days** of the date of this order through: (Check one.)

- Oblige's work or membership in a union, trade association, or other organization.
 another source available to Oblige.

The health insurance must cover basic healthcare services, including usual physician services, office visits, hospitalization, and laboratory, X-ray, and emergency services.

Oblige is ORDERED to maintain such health insurance in full force and effect on each child until one of the above **events that terminate medical support** occurs for the child.

Oblige is ORDERED to give Obligor the following **within 30 days** of the date of this order:

- o Oblige's social security number and the name and address of Oblige's employer, **and**
- o the name of the insurance carrier, the policy number, and proof the child/ren are covered, **and**
- o the name of the insurance company and the policy number, **and**
- o a copy of the insurance policy and list of benefits covered, **and**
- o insurance membership cards for the child/ren, **and**
- o any forms needed to use the health insurance, **and**
- o any forms needed to submit a claim.

Oblige is ORDERED to give Obligor the following **within 3 days** of receipt:

- o any insurance checks or other payments for medical expenses paid by Obligor **and**
- o any explanations of benefits relating to medical expenses paid or incurred by Obligor.

If health insurance benefits for the child/ren are changed in any way, Oblige is ORDERED to give Obligor information about the change and any new forms needed to use the insurance **within 15 days** of the change. If the cost of health insurance benefits for the child/ren changes, Oblige is ORDERED to give Obligor information about the change **within 15 days** of the change.

If health insurance benefits are cancelled, Oblige is ORDERED to get new health insurance for the children **within 15 days** of the date of cancellation. The new insurance must equal or exceed the prior level of coverage. The new health insurance must cover basic healthcare services, including usual physician services, office visits, hospitalization, and laboratory, X-ray, and emergency services.

If Oblige is eligible for dependent health coverage but fails to apply to obtain coverage for the child/ren, the insurer is ORDERED to enroll the child/ren on application of Obligor or others as authorized by law. See Texas Insurance Code, Section 1504.051

As additional child support, the Court ORDERS **Obligor**, _____,
(Print name of parent ordered to pay child support)

to pay Oblige **cash medical support** of \$ _____ per month for **reimbursement** of health insurance premiums. The 1st payment is due on _____.
Month / Day / Year

due on the 1st day of each month after that until one of the above **events that terminate medical support** occurs for each child.

Obligor is ORDERED to send all cash medical support payments to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265** for distribution according to law.

The Court ORDERS that money paid by Obligor directly to Oblige or spent while in possession of the children does **NOT** count as cash medical support.

The Court ORDERS that the cash medical support provisions of this order shall be an obligation of the estate of Obligor and shall not terminate on his/her death.

Warning! Do **not** pay cash medical support directly to the other parent. Send all payments to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265**.

4(C). Obligee to Apply for Coverage under a Government Medical Assistance Program or Health Plan / Obligor to Pay Cash Medical Support

The Court ORDERS **Obligee**, _____, to apply on behalf of
(Print name of parent who will **receive** child support)

each child for coverage under a governmental medical assistance program or health plan (i.e. Medicaid or C.H.I.P) **within 15** days of the date this decree or order is signed by the Court. If the children are already covered under such a program or plan, the Court ORDERS Obligee to continue such coverage.

When such health coverage is obtained, Obligee is ORDERED to maintain the coverage in full force and effect on each child by paying all applicable fees required for the coverage, including but not limited to enrollment fees and premiums for as long as the children are eligible for such coverage.

Obligee is ORDERED to give the Office of the Attorney General Child Support Division a copy of the insurance policy and list of benefits covered **within 30 days** of the date of this order.

Obligee is ORDERED to give Obligor the following **within 30 days** of the date of this order:

- o the name of the insurance company and the policy number, **and**
- o a copy of the insurance policy and list of benefits covered, **and**
- o insurance membership cards for the child/ren, **and**
- o any forms needed to use the health insurance, **and**
- o any forms needed to submit a claim.

Obligee is ORDERED to give Obligor the following **within 3 days** of receipt:

- o any insurance checks or other payments for medical expenses paid by Obligor **and**
- o any explanations of benefits relating to medical expenses paid or incurred by Obligor.

If Obligee is eligible for dependent health coverage but fails to apply to obtain coverage for the child/ren, the insurer is ORDERED to enroll the child/ren on application of Obligor or others as authorized by law. *Texas Insurance Code, Section 1504.051*

As additional child support, the Court ORDERS **Obligor**, _____,
(Print name of parent ordered to **pay** child support)

to pay Obligee **cash medical support** of \$ _____ per month. The 1st payment is due on _____.
Month / Day / Year

one of the above **events that terminate medical support** occurs for each child.

The Court ORDERS Obligor to send all cash medical support payments to the **Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265** for distribution according to law.

Warning! Do not pay cash medical support directly to the other parent. Send all payments to the ***Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, TX 78265.***

The Court ORDERS that money paid by Obligor directly to Obligee or spent while in possession of the children does **NOT** count as cash medical support.

IT IS ORDERED that Obligor is allowed to **stop paying of cash medical support**, for the time Obligor is providing health insurance coverage for the children, **if**:

- a. health insurance for the children becomes available to Obligor at a reasonable cost; **and**
- b. Obligor enrolls the child/ren in the insurance plan and pays all costs of the insurance; **and**
- c. Obligor provides Obligee and the Texas Office of the Attorney General, Child Support Division the following information:
 - (1) proof that health insurance has been provided for the child/ren, **and**
 - (2) Obligor's social security number, **and**
 - (3) name and address of the Obligor's employer, **and**
 - (4) whether the employer is self-insured or has health insurance available, **and**

- (4i) if the employer is self-insured, a copy of the schedule of benefits, a membership card, claim forms, and any other information necessary to submit a claim, **or**
- (4ii) if the employer has health insurance available, the name of the health insurance carrier, the policy number, a copy of the policy and schedule of benefits, a health insurance membership card, claim forms, and any other information necessary to submit a claim.

Note: This provision regarding when the Obligor may stop paying cash medical support is part of section **4(C)**. It does **not** apply to any other section.

5. Expenses Not Covered by Insurance

Obligor and Obligee are each ORDERED to pay **50 percent** of all reasonable and necessary health-care expenses for the child/ren that are not covered by health insurance, unless:

4(A) above is checked and Obligor is not providing health insurance as ordered, then Obligor is liable for **100 percent** of all necessary medical expenses of the child/ren.

4(B) above is checked and Obligee is not providing health insurance as ordered, then Obligee is liable for **100 percent** of all necessary medical expenses of the child/ren.

If **4(C)** above is checked, Obligee is ORDERED to pay **50 percent** of all reasonable and necessary health-care expenses for the child/ren that are not reimbursed by health insurance or covered by the cash medical support paid by Obligor and Obligor is ORDERED to pay **50 percent** of the total unreimbursed health-care expenses that exceed the amount of cash medical support paid by Obligor. Obligor is liable for **100 percent** of all necessary medical expenses incurred for the child/ren in any month that Obligor neither pays cash medical support nor provides health insurance for the child/ren.

Reasonable and necessary health care expenses that must be paid by the parents if not covered by insurance include: copayments for office visits and prescription drugs, the yearly deductible, if any, medical, surgical, and prescription drug expenses, mental health-care services, dental and orthodontic expenses, **and** eye care and ophthalmological expenses. These reasonable and necessary health-care expenses do not include expenses for travel to and from the health-care provider or for nonprescription medication.

The parent who incurs a health-care expense on behalf of a child (called the “*incurring parent*”) is ORDERED to give the other parent (called the “*nonincurring parent*”) a copy of all forms, receipts, bills, statements, and explanations of benefits that show the portion of the expense not covered by insurance **within 30 days** of receipt. The nonincurring parent is ORDERED to pay his or her percentage of any uninsured expense **within 30 days** of receiving documentation of the expense by paying the health-care provider directly **or** reimbursing the incurring parent, if the nonincurring parent’s portion has already been paid.

6. Claims

Either parent may file claims and receive payments directly from the insurance carrier. Further, for the sole purpose of *Texas Insurance Code Sections 1204.251 and 1204.252*, the party who is not carrying the insurance policy is designated the managing conservator or possessory conservator of the children. Any reimbursement payments received from the health insurance carrier belongs to the parent who paid the expense. If the insurance carrier sends reimbursement to the parent who did not pay the expense, that parent is ORDERED to endorse the check and deliver it to the parent who paid the expense **within 3 days**.

7. Health Insurance Policy Requirements

Each parent is ORDERED to follow all requirements of any health insurance policy covering the child/ren to get maximum reimbursement and direct payment from the insurance company. This includes requirements for giving advance notice to the insurance company, getting second opinions, **and** using “preferred providers.” If a parent incurs health-care expenses for the child/ren using “out-of-network” health-care providers or services, or fails to follow the health insurance company procedures or requirements, that parent shall pay all such health-care expenses incurred unless: the expenses are emergency health-care expenses, the parents have a written agreement regarding such health-care expenses, **or** the Court makes a different order. Denial of a bill by an insurance carrier does not excuse the obligation of the parents to pay the expense.

Conservatorship Order: Parents Appointed Conservators

The Court **ORDERS** that this *Conservatorship Order: Parents Appointed Conservators* is fully incorporated into the Order to which it is attached.

1. Rights and Duties of Both Parents

The Court **ORDERS** that both parents *always* have the following rights: *Texas Family Code 153.073*

1. The right to receive information from the other parent or conservator about the child/ren's health, education, and welfare;
2. The right to talk or confer with the other parent, to the extent it is possible, about upcoming decisions concerning the child/ren's health, education, and welfare;
3. The right to have access to the child/ren's medical, dental, psychological, and educational records;
4. The right to talk or consult with the child/ren's doctors, dentists, and psychologists;
5. The right to talk or consult with school officials, including teachers, and school staff, about the child/ren's welfare and educational status and school activities;
6. The right to attend the child/ren's school activities;
7. The right to be designated as an emergency contact on their child/ren's records;
8. The right to give consent for emergency medical, dental, and surgical treatment if the child/ren's health or safety is in immediate danger; and
9. Each parent has the right to manage the child/ren's estate(s) if he or she created it for the child/ren or if that parent's family created it for the child/ren.

The Court **ORDERS** that each parent has the following rights and duties when the parent is in possession of the children: *Texas Family Code 153.074*

1. The duty to care for, control, protect, and reasonably discipline the child/ren;
2. The duty to support the child/ren, including providing them with food, clothing, and shelter, and medical and dental care that does not involve an invasive procedure;
3. The right to consent to non-invasive medical and dental care for the child/ren; and
4. The right to direct the child/ren's moral and religious training.

The Court **ORDERS** that each parent *always* has the following duties: *Texas Family Code 153.076*

1. The Court **ORDERS** that each parent has the duty to inform the other parent in a timely manner of significant information concerning the health, education, and welfare of the child/ren.
2. The Court **ORDERS** that each parent has the duty to inform the other parent if the parent resides with for at least thirty days, marries, or intends to marry a person who the parent knows is registered as a sex offender under chapter 62 of the Code of Criminal Procedure or is currently charged with an offense that would require the person to register as a sex offender under that chapter, if convicted.

The parent is ORDERED to give this notice as soon as practicable, but no later than the 40th day after the date the parent or conservator begins to reside with the person, or within 10 days of marrying the person. The notice must include a description of the offense that required the person to register as a sex offender or the offense that the person is charged with that may require the person to register as a sex offender.

WARNING: A PARENT/CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE PARENT/CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

3. The Court ORDERS that each parent has the duty to inform the other parent if the parent establishes a residence with a person who the parent knows is the subject of a final protective order sought by an individual other than the parent that is in effect on the date the residence with the person is established.

The parent is ORDERED to give this notice as soon as practicable but not later than the 30th day after the date the parent establishes residence with the person who is the subject of the final protective order.

WARNING: A PARENT/CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE PARENT/CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

4. The Court ORDERS that each parent has the duty to inform the other parent if the conservator resides with, or allows unsupervised access to a child by, a person who is the subject of a final protective order sought by the parent after the expiration of the 60-day period following the date the final protective order is issued.

The parent is ORDERED to give this notice as soon as practicable but not later than the 90th day after the date the protective order was issued.

WARNING: A PARENT/CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE PARENT/CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

5. The Court ORDERS that each parent of a child has the duty to inform the other parent of the child if the parent is the subject of a final protective order issued after the date of the order establishing conservatorship.

The parent is ORDERED to give this notice as soon as practicable but not later than the 30th day after the date the final protective order was issued.

WARNING: A PARENT/CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE PARENT/CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

Note: A person who is the subject of a final protective order is the person who the protective order is against.

2. Parents Appointed Conservators

If the parents will be joint managing conservators, check box **2A** below and fill in the requested information.

If one parent will be the sole managing conservator and the other will be the possessory conservator, skip **2A**. Go to the next page and check box **2B**. Fill in the information requested in box **2B**.

2A. Joint Managing Conservators

The Court **ORDERS** that the parents are appointed **Joint Managing Conservators** and:

(Check **2A(1)** or **2A(2)**.)

2A(1) One Parent Has the Exclusive Right to Decide Where the Child/ren Live.

The Court **ORDERS** that _____
Print the name of the parent who will decide where the child/ren live.

has the exclusive right to designate the primary residence of the child/ren and that she or he: (Check one.)

may designate the child/ren's residence anywhere.

must designate the child/ren's residence within the following geographic area:

(Check one box.)

the school attendance zone of: _____.

this county.

this county or county adjacent to this county.

Texas.

other: _____.

2A(2) Neither Parent Has the Exclusive Right to Decide Where the Child/ren Live.

The Court **ORDERS** that neither parent has the exclusive right to designate the primary residence of the children. However, both parents are **ORDERED** not to move the children's primary residence from the following geographic area: (Check one box.)

the school attendance zone of: _____.

this county.

other: _____.

The Court **ORDERS** that the parents, as **Joint Managing Conservators**, have the rights as marked below.

The mother exclusively	The father exclusively	The parents jointly	The parents independently	has/have the RIGHT to ...
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	consent to invasive medical, dental, and surgical treatment
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	consent to psychiatric or psychological treatment
<input type="checkbox"/>	<input type="checkbox"/>	No	No	receive child support and save or spend these funds for the child/ren's benefit
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	represent the child/ren in a legal action and make important legal decisions that affect the child/ren
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	consent to a child's marriage and to a child enlisting in the U.S. Armed Forces
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	make decisions concerning the child/ren's education
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	to the services and earnings of the child/ren
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	make decisions for a child about the child's estate if required by law (unless the child has a guardian or attorney ad litem or guardian of the estate)

The Court also **ORDERS** that the parents, as **Joint Managing Conservators**, have the duty as marked below.

The mother exclusively The father exclusively The parents jointly The parents independently

has/have the **DUTY** to ...
manage the child's estate to the extent the estate has been created by the parents' community or joint property.

2B. Sole Managing Conservator and Possessory Conservator

The Court **ORDERS** that _____ is
(Print the name of the parent appointed Sole Managing Conservator.)

appointed **Sole Managing Conservator** of the child/ren and that s/he has the following exclusive rights and duty:

1. the right to designate the primary residence of the child/ren without geographic restriction;
2. the right to consent to medical, dental, and surgical treatment for the child/ren involving invasive procedures;
3. the right to consent to psychiatric and psychological treatment of the child/ren;
4. the right to receive child support and to save or spend these funds for the benefit of the child/ren;
5. the right to represent the child/ren in legal action and to make other decisions of substantial legal significance concerning the child/ren;
6. the right to consent to marriage and to enlistment in the United States Armed Forces;
7. the right to make decisions concerning the child/ren's education;
8. the right to the services and earnings of the child/ren;
9. except when a guardian of the child/ren's estates or a guardian or attorney ad litem has been appointed for the child/ren, the right to act as an agent of the child/ren in relation to the child/ren's estates if the child/ren's action is required by a state, the United States, or a foreign government;
10. the duty to manage the estates of the child/ren to the extent the estates have been created by community property or the joint property of the parents.

The Court **ORDERS** that _____ is
(Print the name of the parent appointed Possessory Conservator.)

appointed **Possessory Conservator** of the child/ren.

3. Order Regarding Passports for the Children

The Court **ORDERS** that: *(Check one box.)*

- Mother has the exclusive right to apply for and renew passports for the child/ren.
- Father has the exclusive right to apply for and renew passports for the child/ren.
- Neither parent has the exclusive right to apply for or renew passports for the child/ren. A parent who applies for or renews a passport for the child/ren must obtain the written consent of the other parent.

Conservatorship Order: Non-Parent(s) Appointed Conservator

The Court **ORDERS** that this *Conservatorship Order: Non-Parent(s) Appointed Conservator* is fully incorporated into the Order to which it is attached.

1. Appointment of Conservators (Check only the boxes that apply to this case.)

Nonparent Appointed Sole Managing Conservator

The Court ORDERS that _____ is
Print Full Name of Nonparent Appointed Sole Managing Conservator
appointed Nonparent Sole Managing Conservator of the child/ren.

Nonparents Appointed Joint Managing Conservators

The Court ORDERS that _____ and
Print Full Name of 1st Nonparent Appointed Joint Managing Conservator
_____ are appointed
Print Full Name of 2nd Nonparent Appointed Joint Managing Conservator
Nonparent Joint Managing Conservators of the child/ren.

Mother Appointed Possessory Conservator

The Court ORDERS that _____ is
Print Mother's Full Name.
appointed Possessory Conservator of the child/ren.

Father Appointed Possessory Conservator

The Court ORDERS that _____ is
Print Father's Full Name.
appointed Possessory Conservator of the child/ren.

2. Rights and Duties of Nonparent Managing Conservator(s)

The Court ORDERS that the Nonparent Sole Managing Conservator or Nonparent Joint Managing Conservators named above shall have the following rights and duties:

1. the right to have physical possession and to direct the moral and religious training of the child/ren;
2. the duty of care, control, protection, and reasonable discipline of the child/ren;
3. the duty to provide the child/ren with clothing, food, shelter, education, and medical, psychological, and dental care;
4. the right to consent for the child/ren to medical, psychiatric, psychological, dental, and surgical treatment and to have access to the child/ren's medical records;
5. the right to receive and give receipt for payments for the support of the child/ren and to hold or disburse funds for the benefit of the children;
6. except as provided by section 264.0111 of the Texas Family Code, the right to the services and earnings of the child/ren;
7. the right to consent to marriage and to enlistment in the armed forces of the United States;

8. the right to represent the child/ren in legal action and to make other decisions of substantial legal significance concerning the child/ren;
9. except when a guardian of the child/ren's estates or a guardian or attorney ad litem has been appointed for the child/ren, the right to act as an agent of the child/ren in relation to the child/ren's estates if the child/ren's action is required by a state, the United States, or a foreign government;
10. the right to designate the primary residence of the child/ren and to make decisions regarding the child/ren's education;
11. if the parent - child relationship has been terminated with respect to the parents, or only living parent, or if there is no living parent, the right to consent to the adoption of the child/ren and to make any other decision concerning the child/ren that a parent could make;
12. the duty to inform the other conservators of the child/ren in a timely manner of significant information concerning the health, education, and welfare of the child/ren; and
13. the duty to inform the other conservators of the child/ren if the conservator resides with for at least thirty days, marries, or intends to marry a person who the conservator knows is registered as a sex offender under chapter 62 of the Code of Criminal Procedure or is currently charged with an offense for which on conviction the person would be required to register under that chapter. IT IS ORDERED that this information shall be given in the form of a notice made as soon as practicable, but not later than the fortieth day after the date the conservator of the child/ren begins to reside with the person or on the tenth day after the date the marriage occurs, as appropriate. IT IS ORDERED that the notice must include a description of the offense that is the basis of the person's requirement to register as a sex offender or of the offense with which the person is charged. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.
14. the duty to inform the other conservators if the conservator establishes a residence with a person who the conservator knows is the subject of a final protective order sought by an individual other than the conservator that is in effect on the date the residence with the person is established. The conservator is ORDERED to give this notice as soon as practicable but not later than the 30th day after the date the conservator establishes residence with the person who is the subject of the final protective order. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.
15. the duty to inform the other conservators if the conservator resides with, or allows unsupervised access to a child by, a person who is the subject of a final protective order sought by the conservator after the expiration of the 60-day period following the date the final protective order is issued. The conservator is ORDERED to give this notice as soon as practicable but not later than the 90th day after the date the protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.
16. the duty to inform the other conservators if the conservator is the subject of a final protective order issued after the date of the order establishing conservatorship. The conservator is ORDERED to give this notice as soon as practicable but not later than the 30th day after the date the final protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

Note: A person who is the subject of a final protective order is the person who the protective order is against.

3. Annual Report by Nonparent Managing Conservator(s)

The Court ORDERS the Nonparent Managing Conservator or Conservators to file with the Court a report of facts concerning the children's welfare, including where the children are living and their physical condition. The report is due each 12 months after the Nonparent is appointed Managing Conservator.

4. Order Regarding Passports for the Children

The Court **ORDERS** that: *(Check one box.)*

- The Non-Parent Managing Conservator or Conservators named in this Order shall have the exclusive right to apply for and renew passports for the child/ren.
- A conservator who applies for or renews a passport for the child/ren must obtain the written consent of the other conservators.

5. Rights and Duties of Possessory Conservators

The Court **ORDERS** that, **at all times**, the Possessory Conservators named above shall have the following rights and duties:

1. the right to receive information from any other conservator of the child concerning the health, education, and welfare of the child;
2. the right to confer with the other conservators to the extent possible before making a decision concerning the health, education, and welfare of the child;
3. the right of access to medical, dental, psychological, and educational records of the child;
4. the right to consult with a physician, dentist, or psychologist of the child;
5. the right to consult with school officials concerning the child's welfare and educational status, including school activities;
6. the right to attend school activities;
7. the right to be designated on the child's records as a person to be notified in case of an emergency;
8. the right to consent to medical, dental, and surgical treatment during an emergency involving an immediate danger to the health and safety of the child;
9. the right to manage the estates of the child to the extent the estates have been created by the parent.
10. the duty to inform the other conservators of the child in a timely manner of significant information concerning the health, education, and welfare of the child;
11. the duty to inform the other conservator[s] of the child if the conservator resides with for at least thirty days, marries, or intends to marry a person who the conservator knows is registered as a sex offender under chapter 62 of the Code of Criminal Procedure or is currently charged with an offense for which on conviction the person would be required to register under that chapter. IT IS ORDERED that this information shall be tendered in the form of a notice made as soon as practicable, but not later than the fortieth day after the date the conservator of the child begins to reside with the person or on the tenth day after the date the marriage occurs, as appropriate. IT IS ORDERED that the notice must include a description of the offense that is the basis of the person's requirement to register as a sex offender or of the offense with which the person is charged. **WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.**
12. the duty to inform the other conservators if the conservator establishes a residence with a person who the conservator knows is the subject of a final protective order sought by an individual other than the conservator that is in effect on the date the residence with the person is established.

The conservator is ORDERED to give this notice as soon as practicable but not later than the 30th day after the date the conservator establishes residence with the person who is the subject of the final protective order. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

13. the duty to inform the other conservators if the conservator resides with, or allows unsupervised access to a child by, a person who is the subject of a final protective order sought by the conservator after the expiration of the 60-day period following the date the final protective order is issued. The conservator is ORDERED to give this notice as soon as practicable but not later than the 90th day after the date the protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

14. the duty to inform the other conservators if the conservator is the subject of a final protective order issued after the date of the order establishing conservatorship. The conservator is ORDERED to give this notice as soon as practicable but not later than the 30th day after the date the final protective order was issued. WARNING: A CONSERVATOR COMMITS AN OFFENSE PUNISHABLE AS A CLASS C MISDEMEANOR IF THE CONSERVATOR FAILS TO PROVIDE THIS NOTICE.

Note: A person who is the subject of a final protective order is the person who the protective order is against.

The Court ORDERS that, **during periods of possession**, the Possessory Conservators named above shall have the following rights and duties:

1. the duty of care, control, protection, and reasonable discipline of the child;
2. the duty to support the child, including providing the child with clothing, food, shelter, and medical and dental care not involving an invasive procedure;
3. the right to consent for the child to medical and dental care not involving an invasive procedure;
and
4. the right to direct the moral and religious training of the child.

6. Non-Parent Conservator Information

6A. Disclosure of Nonparent Managing Conservator's Information *(Check one.)*

- The Court ORDERS the nonparent managing conservator named below to disclose the following information and changes in that information to the other conservators, the Court and the State Case Registry. *(Fill in the following information for the nonparent managing conservator.)*

Name: _____
Home Address: _____
Mailing Address: _____
Home phone # _____ Work phone #: _____
FULL Social Security #: _____
Driver's License #: _____ Issuing state: _____
Employer: _____
Work address: _____

- The Court FINDS that disclosure of the information of the nonparent managing conservator named above to the other conservators is likely to cause him/her or the children harassment, abuse, serious harm or injury.

The Court ORDERS that the nonparent managing conservator's address and other identifying information not be disclosed. The Court further ORDERS that the nonparent managing conservator is **not** required to give his or her address or other identifying information to the other conservators or notify the other conservators or the Court of changes in that information.

The Court ORDERS the nonparent managing conservator to provide his or her mailing address and changes in her mailing address to the State Case Registry, Contract Services Section, MC046S, P.O. Box 12017, Austin, Texas 78711-2017.

6B. Disclosure of Other Nonparent Managing Conservator's Information *(Check one.)*

- There is no other Nonparent Managing Conservator.
- The Court ORDERS the nonparent managing conservator named below to disclose the following information and changes in that information to the other conservators, the Court and the State Case Registry. *(Fill in the following information for a second nonparent conservator.)*

Name: _____
Home Address: _____
Mailing Address: _____
Home phone # _____ Work phone #: _____
FULL Social Security #: _____
Driver's License #: _____ Issuing state: _____
Employer: _____
Work address: _____

- The Court FINDS that disclosure of the nonparent managing conservator's information to the other conservators is likely to cause him/her or the children harassment, abuse, serious harm or injury.

The Court ORDERS that the nonparent managing conservator's address and other identifying information not be disclosed. The Court further ORDERS that the nonparent managing conservator is **not** required to give his or her address or other identifying information to the other conservators or notify the other conservators or the Court of changes in that information.

The Court ORDERS the nonparent managing conservator to provide his or her mailing address and changes in her mailing address to the State Case Registry, Contract Services Section, MC046S, P.O. Box 12017, Austin, Texas 78711-2017.

Standard Possession Order

The Court ORDERS that this Standard Possession Order is fully incorporated into the Decree or Order to which it is attached.

The Court ORDERS each conservator to obey this Standard Possession Order. The Court ORDERS that this Standard Possession Order starts immediately and applies to all periods of possession occurring on and after the date the Court signs the Order to which the Standard Possession Order is attached.

1. Designation of Conservators

The Court ORDERS that in this Standard Possession Order the conservators are designated as Parent A and Parent B.

“Parent A” is: (name) _____.
Print the name of the parent with the right to designate the child/ren’s primary residence.

“Parent B” is: (name) _____.
Print the name of the other parent.

2. Mutual Agreement

The Court ORDERS that Parent A and Parent B shall have possession of the child/ren at any and all times mutually agreed to in advance by Parent A and Parent B.

In the absence of mutual agreement, the Court ORDERS that Parent A and Parent B shall have possession of the child/ren according to the schedules set out in this Standard Possession Order.

3. Definitions

“**School**” means the elementary or secondary school in which the child is enrolled. If the child is not enrolled in an elementary or secondary school, “school” means the public school district in which the child primarily resides.

“**Child**” or “**Child/ren**” includes each child, whether one or more, who is a subject of this suit while that child is under the age of eighteen years and not otherwise emancipated.

4. Undesignated Times

The Court ORDERS that Parent A shall have the right to possession of the child/ren at all times not specifically designated in this Standard Possession Order for Parent B.

Notice to Peace Officer

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER’S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER’S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER’S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000.

5. Parent B's Local Schedule

Except as otherwise expressly provided in this Standard Possession Order, when Parent B lives 100 miles or less from the primary residence of the child/ren, Parent B shall have the right to possession of the child/ren as follows:

- (a) **Weekends** – Parent B shall have the right to possession of the child/ren on the 1st, 3rd and 5th weekends of each month.

If the weekend occurs during the regular school term, it shall:

begin on the 1st, 3rd and 5th Friday of each month at:

(Check one box.)

- 6 p.m.
 the time the child's school is regularly dismissed

and *end* at: (Check one box.)

- 6 p.m. the following Sunday.
 the time the child's school resumes after the weekend.

If the weekend does not occur during the regular school term, it shall begin on the 1st, 3rd and 5th Friday of each month at 6 p.m. and end at 6 p.m. the following Sunday.

- (b) **Weekends Extended by a Holiday**

If Parent B's weekend begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term or begins on a federal, state, or local holiday that falls on a Friday during the summer break, that weekend period of possession shall *begin* on the Thursday before the holiday or in-service day at: (Check one box.)

- 6 p.m.
 the time the child's school is regularly dismissed.

If Parent B's weekend ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term or ends on a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall *end* at 6 p.m. on that Monday.

- (c) **Thursdays** – Parent B shall have the right to possession of the child/ren each Thursday during the regular school term:

beginning at: (Check one box.)

- 6 p.m.
 the time the child's school is regularly dismissed.

and *ending* at: (Check one box.)

- 8 p.m.
 the time the child's school resumes on Friday.

- (d) **Spring Vacation** – Parent B shall have the right to possession of the child/ren during Spring vacation in even-numbered years:

beginning on the day the child is dismissed from school for Spring Vacation at: (Check one box.)

- 6 p.m.
 the time the child/ren's school is regularly dismissed.

and *ending* at 6 p.m. the day before school resumes after that vacation.

- (e) **Extended Summer Possession With Written Notice by April 1** – If Parent B gives Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child/ren for 30 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year. The extended summer possession must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer possession must not interfere with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.

- (f) **Extended Summer Possession Without Written Notice by April 1** – If Parent B does not give Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child for 30 consecutive days in that year beginning at 6 p.m. on July 1 and ending at 6 p.m. on July 31.

6. Parent B's Long-Distance Schedule

Except as otherwise expressly stated in this Standard Possession Order, when Parent B lives over 100 miles from the primary residence of the child/ren, Parent B shall have the right to possession of the child/ren as follows:

- (a) **Weekends** – Unless Parent B elects the “Alternative Weekend Possession” below, Parent B shall have the right to possession of the child/ren on the 1st, 3rd and 5th weekends of each month.

If the weekend occurs during the regular school term, it shall:

begin on the 1st, 3rd and 5th Friday of each month at:

(Check one box.)

- 6 p.m.
 the time the child's school is regularly dismissed

and *end* at: (Check one box.)

- 6 p.m. the following Sunday.
 the time the child's school resumes after the weekend.

If the weekend does not occur during the regular school term, it shall begin on the 1st, 3rd and 5th Friday of each month at 6 p.m. and end at 6 p.m. the following Sunday.

(Check box below if Parent B is choosing the Alternative Weekend Possession now.)

- Alternative Weekend Possession** – Instead of the weekend possession described in the previous paragraph, Parent B shall have the right to possession of the child/ren one weekend per month of Parent B's choice. The weekend shall begin at 6 p.m. on the day school recesses for the weekend and end at 6 p.m. on the day before school resumes after the weekend. Parent B shall give Parent A 14 days' notice in writing or by telephone before the chosen weekend. The weekend chosen shall not conflict with the provisions regarding Christmas, Thanksgiving, the child's birthday, and Father's or Mother's Day possession below.

Parent B must choose this option now or by giving written notice to Parent A within 90 days after the parents begin to reside more than 100 miles apart.

- (b) **Weekends Extended by a Holiday**

If Parent B's weekend begins on a student holiday or a teacher in-service day that falls on a Friday during the regular school term or begins on a federal, state, or local holiday that falls on a Friday during the summer break, that weekend period of possession shall *begin* on the Thursday before the holiday or in-service day at: (Check one box.)

- 6 p.m.
 the time the child's school is regularly dismissed.

If Parent B's weekend ends on or is immediately followed by a student holiday or a teacher in-service day that falls on a Monday during the regular school term or ends on a federal, state, or local holiday that falls on a Monday during the summer months when school is not in session, that weekend period of possession shall *end* at 6 pm on that Monday.

- (c) **Spring Vacation** – Parent B shall have the right to possession of the child/ren during Spring vacation every year beginning at 6 p.m. on the day the child is dismissed from school for Spring Vacation and ending at 6 p.m. on the day before school resumes after that vacation.
- (d) **Extended Summer Possession with Written Notice by April 1** – If Parent B gives Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child/ren for 42 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year. The extended summer possession must be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. The extended summer possession must not interfere with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.
- (e) **Extended Summer Possession without Written Notice by April 1** – If Parent B does not give Parent A written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Parent B shall have possession of the child/ren for 42 consecutive days in that year beginning at 6 p.m. on June 15 and ending at 6 p.m. on July 27.

7. Parent A's Local Schedule

This schedule applies when Parent B lives 100 miles or less from the primary residence of the child/ren.

Notwithstanding Parent B's weekend and Thursday periods of possession, it is expressly ORDERED that Parent A shall have a superior right to possession of the child/ren as follows:*

- (a) **Spring Vacation** – Parent A shall have the right to possession of the child/ren during Spring vacation in odd-numbered years:

beginning on the day the child is dismissed from school for Spring vacation at: (Check one box.)

- 6 p.m.
 the time the child/ren's school is regularly dismissed.

and *ending* at 6 p.m. the day before school resumes after that vacation.

- (b) **One Weekend During Parent B's Extended Summer Possession** – If Parent A gives Parent B written notice by April 15 of a year, Parent A shall have possession of the child/ren on any 1 weekend beginning at 6 p.m. on Friday and ending at 6 p.m. on the following Sunday during any one period of the extended summer possession by Parent B. Parent A must pick up the child/ren from Parent B and returns the child/ren to that same place. This weekend must not interfere with Father's Day possession.
- (c) **Extended Summer Possession** – If Parent A gives Parent B written notice by April 15 of a year or gives Parent B 14 days' written notice on or after April 16 of a year, Parent A may designate one weekend during which an otherwise scheduled weekend period of possession by Parent B shall not take place in that year. The weekend chosen must begin no earlier than the day after the child's school is dismissed for the summer vacation and end no later than 7 days before school resumes at the end of the summer vacation. The weekend chosen must not interfere with Parent B's periods of extended summer possession or with Father's Day possession.

* Parent A has the right to possession of the child/ren at these times even if it conflicts with one or more of Parent B's weekend or Thursday periods of possession.

8. Parent A's Long-Distance Schedule

This schedule applies when Parent B lives over 100 miles from the primary residence of the child/ren.

Notwithstanding Parent B's weekend periods of possession, it is expressly ORDERED that Parent A shall have a superior right to possession of the child/ren as follows:**

- (a) **One Weekend During Parent B's Extended Summer Possession** – If Parent A gives Parent B written notice by April 15 of a year, Parent A shall have possession of the child/ren on any 1 weekend beginning at 6 p.m. on Friday and ending at 6 p.m. on the following Sunday during any 1 period of the extended summer possession by Parent B. Unless a period of possession by Parent B in that year is more than 30 days, then Parent A may have possession of the child under the terms of this provision on any 2 nonconsecutive weekends during that period. Parent A must pick up the child from Parent B and returns the child to that same place. The weekend or weekends must not interfere with Father's Day possession.
- (b) **Extended Summer Possession** – If Parent A gives Parent B written notice by April 15 of a year, Parent A may designate 21 days beginning no earlier than the day after the child's school is dismissed for the summer vacation and ending no later than 7 days before school resumes at the end of the summer vacation in that year during which Parent B shall not have possession of the child. This extended summer possession must be exercised in no more than 2 separate periods of at least 7 consecutive days each. The period or periods chosen must not interfere with Parent B's periods of extended summer possession or with Father's Day possession. These periods of possession shall begin and end at 6 p.m. on each applicable day.

** Parent A has the right to possession of the child/ren at these times even if it conflicts with one or more of Parent B's weekend periods of possession.

9. Holidays Unaffected by Distance

Notwithstanding the weekend and Thursday periods of possession of Parent B, Parent A and Parent B shall have the right to possession of the child/ren as follows:

- (a) **Christmas Holidays in Even-Numbered Years** - In even-numbered years, Parent B shall have the right to possession of the child:

beginning the day the child is dismissed from school for Christmas school vacation at: *(Check one box.)*

- 6 p.m.
 the time the child's school is dismissed.

and *ending* at 12 noon on December 28.

In even-numbered years, Parent A shall have the right to possession of the child beginning at noon on December 28 and ending at 6 p.m. on the day before school resumes after that Christmas school vacation.

- (b) **Christmas Holidays in Odd-Numbered Years** - In odd-numbered years, Parent A shall have the right to possession of the child:

beginning the day the child is dismissed from school for Christmas school vacation at: *(Check one box.)*

- 6 p.m.
 the time the child's school is dismissed.

and *ending* at 12 noon on December 28.

In odd-numbered years, Parent B shall have the right to possession of the child beginning at noon on December 28 and ending at 6:00 P.M. on the day before school resumes after that Christmas school vacation.

- (c) **Thanksgiving in Odd-Numbered Years** - Parent B shall have the right to possession of the child for the Thanksgiving Holiday in odd-numbered years:

beginning the day the child is dismissed from school for the Thanksgiving holiday at: *(Check one box.)*

- 6 p.m.
 the time the child's school is dismissed.

and *ending* at 6 p.m. the Sunday following Thanksgiving.

- (d) **Thanksgiving in Even-Numbered Years** - Parent A shall have the right to possession of the child for the Thanksgiving Holiday in even-numbered years:

beginning the day the child is dismissed from school for the Thanksgiving holiday at: *(Check one box.)*

- 6 p.m.
 the time the child's school is dismissed.

and *ending* at 6 p.m. the Sunday following Thanksgiving.

- (e) **Child's Birthday** - If a parent is not otherwise entitled under this Standard Possession Order to possession of a child on the child's birthday, that parent shall have possession of the child beginning at 6 p.m. and ending at 8 p.m. on that day, provided that that parent picks up the child from the other parent's residence and returns the child to that same place.

- (f) **Father's Day** - Father shall have the right to possession of the child each year, beginning at 6 p.m. on the Friday before Father's Day and ending at: *(Check one box.)*

- 6 p.m. on Father's Day
 8 a.m. on the Monday after Father's Day

If Father is not already entitled to present possession of the child, he must pick up the child from Mother's residence and return the child to that same place.

- (g) **Mother's Day** - Mother shall have the right to possession of the child each year:

beginning on the Friday before Mother's day at: *(Check one box.)*

- 6 p.m.
 the time the child's school is dismissed.

and *ending* at: *(Check one box.)*

- 6 p.m. on Mother's Day
 8 a.m. on the Monday after Mother's Day

If Mother is not already entitled to present possession of the child, she must pick up the child from Father's residence and return the child to that same place.

10. General Terms and Conditions

Except as otherwise expressly provided in this standard Possession Order, the following terms and conditions apply regardless of the distance between the residence of a parent and the child:

(a) **Exchange of Children at Start of Parent B's Possession**

If a period of Parent B's possession begins at the time the child's school is regularly dismissed, then Parent A is ORDERED to surrender the child to Parent B at the school in which the child is enrolled. If the child is not in school, Parent B shall pick up the child at the location designated below at 6 p.m. and Parent A is ORDERED to surrender the child to Parent B at the location designated below at 6 p.m.

If a period of Parent B's possession begins at another time, the Court ORDERS Parent A to surrender the child/ren to Parent B at the beginning of each such period of Parent B's possession at: *(Check one.)*

Parent A's residence.

the following location: _____

(b) **Exchange of Children at End of Parent B's Possession**

If a period of Parent B's possession ends at the time the child's school resumes, then Parent B is ORDERED to surrender the child to Parent A at the school in which the child is enrolled or, if the child is not in school, at the location designated below at 8:00 a.m.

If a period of Parent B's possession ends at another time, the Court ORDERS Parent B to surrender the child/ren to Parent A at the end of each such period Parent B's possession at: *(Check one.)*

Parent B's residence.

Parent A's residence.

The following location: _____

However, if Parent A and Parent B live in the same county when the order is signed and Parent B remains in the county, but the Parent A moves out of the county, then beginning on the date Parent A moves, Parent B shall surrender the child to Parent A at: *(Check one.)*

Parent B's residence.

the location designated above.

(c) **Personal Effects** - Each parent is ORDERED to return with the child the personal effects that the child brought at the beginning of the period of possession.

(d) **Designation of Competent Adult** - Each parent may designate any competent adult to pick up and return the child, as applicable. IT IS ORDERED that a parent or a designated competent adult be present when the child is picked up or returned.

(e) **Inability to Exercise Possession** - Each parent is ORDERED to give notice to the person in possession of the child on each occasion the parent will be unable to exercise that parent's right of possession for any specified period.

(f) **Written Notice** - Written notice, including notice by email or fax is timely made if it is received or, if applicable, postmarked before or at the time that notice is due. Each parent is ORDERED to notify the other parent of any change to his or her email address or fax number within 24 hours after the change.

(g) **Notice to School and Parent A** - If Parent B's time of possession of the child ends at the time school resumes and for any reason the child is not or will not be returned to school, Parent B shall immediately notify the school and Parent A that the child will not be or has not been returned to school.

This concludes the Standard Possession Order.

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Cause Number: _____
(Print court information as it appears on the Petition filed in your case.)

In the _____
Court Number

- Justice of the Peace Court of:
- County Court of:
- District Court of:

_____ County, Texas

Notice of Current Address

I, _____, am a party in this case.
Print your full name

My address has changed. I ask that the Court's records be updated accordingly.

My current address is:

Print new address. *City* *State*

Respectfully submitted,

→ _____
Your Signature

Date

Printed Name

Phone Number

Mailing Address

City *State* *Zip*

Email Address

Fax # (if available)

Certificate of Service

I will give a copy of this document to each party, or if a party is represented by an attorney to the party's attorney, on the same day this document is filed with (turned in to) the Court as follows:

If I file this document electronically, I will send a copy of it to the party or the party's attorney through the electronic file manager if possible. If not possible, I will give a copy to the party or the party's attorney in person, by mail, by commercial delivery service, by fax, or by email.

If I file a paper copy of this document, I will give a copy of it to the other party or the other party's attorney in person, by mail, by commercial delivery service, by fax, or by email.

→ _____
Your Signature

Date