

(The Clerk's office will fill in the Cause Number and Court Number when you file this form.)

Cause Number: _____

In the interest of:

(List the child/children whose paternity will be addressed.):

In the _____
Court Number

1 Name: _____

2 Name: _____

3 Name: _____

4 Name: _____

5 Name: _____

District Court County Court at Law of:

_____ County, Texas

Petition to Adjudicate Parentage

Print your answers.

My name is: _____
First Middle Last

I am the **Petitioner**, the person asking the Court to determine the father of the child or children named below.

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.

I am: (Check one.)

the mother of the children.

a man asking the court to determine whether or not I am the biological father of the children.

the presumed father of the children, asking the court to determine that I am **not** the biological father of the children.

a relative of the mother, who is deceased. I am the mother's mother father grandmother grandfather sister brother.

an adult asking the Court to determine my father. I was born on (date) _____.

an intended parent. A gestational agreement named me the parent of the children.

1. Discovery Level

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

2. Jurisdiction of the Court

(Check one.)

No court has continuing jurisdiction of this case or the children. The children have never been part of any other court case.

This Court has continuing, exclusive jurisdiction of this case and the children. This Court made prior orders about the children

(Check, if applicable.)

This Court made an order about another child of the same parents. This case should be filed under the same cause number.

3. Children

The following children are the subject of this case.

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

(Check, if applicable.)

This petition is filed before the birth of a child who is due to be born on _____.
month / day / year

3a. Does a court order name the father of the children? (Check one.)

- The children **do not** have an adjudicated father. No court has named anyone the father of these children.
- The children **do** have an adjudicated father. A court order names the father of the children. I am not the adjudicated father, I was not named as a party in the court case that named the father of the children, **and** it has been less than 4 years since the effective date of the court order naming the father of the children. See *Texas Family Code Section 160.609(b)*.

3b. Has someone signed an "Acknowledgment of Paternity" claiming to be the father? (Check one.)

- The children **do not** have an acknowledged father. No one has signed an Acknowledgment of Paternity claiming to be the father of these children.
- The children **do** have an acknowledged father. Someone has signed and filed an Acknowledgment of Paternity claiming to be the father of these children. I am not the acknowledged father, I did not sign the Acknowledgment of Paternity, **and**: (Check one.)
- it has been less than 4 years since the effective date of the Acknowledgment of Paternity See *Texas Family Code Section 160.609(b)*, **or**
- the Acknowledgement of Paternity is void. See *Texas Family Code Section 160.302(b)*

3c. Do the children have a presumed father? (Check one.)

A **presumed father** is a man who was married to the mother when a child was born or conceived; a man who marries the mother after the child is born and voluntarily claims paternity of the child with the bureau of vital statistics, on the child's birth certificate, or in a record in which he promises to support the child as his own; **or** a man who, during the first two years of the child's life, continuously lived with the child and represented to others that the child was his own. *Texas Family Code Section 160.204*.

- The children **do not** have a presumed father.
- The children **do** have a presumed father **and**: (Check one.)
- it has been less than 4 years since the children were born See *Texas Family Code Section 160.607(a)*
- it has been more than 4 years since the children were born **and**: (Check one.)
- The presumed father did not file a petition to adjudicate parentage of the children within 4 years of the children's birth because the presumed father mistakenly believed he was the biological father of the children based on misrepresentations that led him to that conclusion. See *Texas Family Code Section 160.607(b)*, **or**
- The presumed father and mother did not live together or engage in sexual intercourse with each other during the time the children were conceived. See *Texas Family Code Section 160.607(b)*

4. Respondents - People Who Must Get Legal Notice of this Case

You **MUST** give legal notice of this case to the mother; any alleged father or fathers; any adjudicated, acknowledged, or presumed father; anyone who filed a notice of intent to claim paternity of the children with the paternity registry; and anyone with a court-ordered relationship with any of the children.

Respondent A: Mother

Check this box if you are the mother of the children, and skip to Respondent B.

The mother of the children is: _____
PRINT the Mother's full name

(Check one.)

I will have a sheriff, constable, or process server give a copy of this *Petition* to the mother of the children here:

PRINT Street Address City State Zip

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

I ask the clerk to issue citation. I understand that I will need to **pay a fee** (or file the form to show the Court that I am unable to pay the fee) and **arrange for service**.

Service by a sheriff, constable, or process server is not necessary, at this time. I will give a copy of this *Petition* to the mother and I think she will sign a *Waiver of Service*, or file an *Answer*.

I ask that this Respondent be served by publication. I will file the required affidavits for service by publication. I understand I must hire an attorney ad litem to represent this Respondent.

Respondent B: Alleged Father

Check this box if you are the alleged father, and skip to Respondent C.

An **alleged** father is a man who claims, or is claimed to be, the biological father or possible biological father of a child.

The alleged father of the children is: _____
PRINT the Alleged Father's full name

(Check one.)

I will have a sheriff, constable, or process server give a copy of this *Petition* to the alleged father of the children here:

PRINT Street Address City State Zip

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

I ask the clerk to issue citation. I understand that I will need to **pay a fee** (or file the form to show the Court that I am unable to pay the fee) and **arrange for service**.

Service by a sheriff, constable, or process server is not necessary, at this time. I will give a copy of this *Petition* to the alleged father and I think he will sign a *Waiver of Service*, or file an *Answer*.

I ask that this Respondent be served by publication. I will file the required affidavits for service by publication. I understand I must hire an attorney ad litem to represent this Respondent.

(Check, only if applicable.)

There is more than one alleged father. I have made a copy of this page, filled in the information about the other alleged father, marked it as *Exhibit: Other Alleged Father*, and attached it to this *Petition*.

Respondent C: Presumed, Acknowledged or Adjudicated Father

- Check this box if there is no presumed, acknowledged, or adjudicated father of the children or you are the presumed father and skip to Respondent D.

A **presumed father** is a man who was married to the mother when a child was born or conceived; a man who marries the mother after the child is born and voluntarily claims paternity of the child with the bureau of vital statistics, on the child's birth certificate, or in a record in which he promises to support the child as his own; **or** a man who, during the first two years of the child's life, continuously lived with the child and represented to others that the child was his own. See Texas Family Code Section 160.204

An **acknowledged father** is a man who signed a valid Acknowledgment of Paternity claiming to the father of a child. The acknowledgment must not have been rescinded or successfully challenged. See Texas Family Code Section 160.204

An **adjudicated father** is a man named as the father of a child in a court order.

Respondent C's full name is: _____
PRINT the Presumed, Acknowledged or Adjudicated Father's full name.

Respondent C is: (Check one.)

- a presumed father. Respondent C was married to the mother when the children listed below were born or conceived or during the first two years of each child's life, Respondent C continuously lived with the children listed below and represented to others that the children were his own:

- an adjudicated father. A court-order named Respondent C as the father of the following children:

- an acknowledged father. Respondent C signed an *Acknowledgment of Paternity* claiming to the father of the following children:

The *Acknowledgment* has not been rescinded or successfully challenged.

(Check one.)

- I will have a sheriff, constable, or process server give a copy of this *Petition* to Respondent C here:

PRINT Street Address City State Zip

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

I ask the clerk to issue citation. I understand that I will need to **pay a fee** (or file the form to show the Court that I am unable to pay the fee) and **arrange for service**.

- Service by a sheriff, constable, or process server is not necessary, at this time. I will give a copy of this *Petition* to Respondent C and I think he will sign a *Waiver of Service*, or file an *Answer*.
- I ask that this Respondent be served by publication. I will file the required affidavits for service by publication. I understand I must hire an attorney ad litem to represent this Respondent.

(Check, only if applicable.)

- There is more than one presumed, acknowledged or adjudicated father. I have made a copy of this page, filled in the information about the other presumed, acknowledged or adjudicated father, marked it as *Exhibit: Other Presumed, Acknowledged or Adjudicated Father*, and attached it to this *Petition*.

Respondent D: Paternity Registrant

- Check this box if no one filed notice of intent to claim paternity with the paternity registry, and skip to Respondent E.

The paternity registrant is: _____
PRINT *the Paternity Registrant's full name*

(Check one.)

- I will have a sheriff, constable, or process server give a copy of this *Petition* to the paternity registrant here:

PRINT *Street Address* _____ *City* _____ *State* _____ *Zip* _____

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

I ask the clerk to issue the citation of service. I understand that I will need to **pay a fee** (or file the form to show the Court that I am unable to pay the fee) and **arrange for service**.

- Service by a sheriff, constable, or process server is not necessary, at this time. I will give a copy of this *Petition* to the paternity registrant and I think he will sign a *Waiver of Service*, or file an *Answer*.
- I ask that this Respondent be served by publication. I will file the required affidavits for service by publication. I understand I must hire an attorney ad litem to represent this Respondent.

Respondent E: Court-Ordered Relationships

- Check this box if there are no court orders for custody or guardianship of the children or other court ordered relationships affecting the children, and skip to Respondent F.

The following person has a court-ordered relationship with the children:

PRINT *the full name(s) of anyone with a court ordered relationship with the children.*

(Check one.)

- I will have a sheriff, constable, or process server give a copy of this *Petition* to the person named above, here:

PRINT *Street Address* _____ *City* _____ *State* _____ *Zip* _____

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

I ask the clerk to issue citation. I understand that I will need to **pay a fee** (or file the form to show the Court that I am unable to pay the fee) and **arrange for service**.

- Service by a sheriff, constable, or process server is not necessary, at this time. I will give a copy of this *Petition* to the person named above and I think she or he will sign a *Waiver of Service*, or file an *Answer*.
- I ask that this Respondent be served by publication. I will file the required affidavits for service by publication. I understand I must hire an attorney ad litem to represent this Respondent.

(Check, only if applicable.)

- There is more than one person with a court-ordered relationship with the children. I have made a copy of this page, filled in the information about the other person, marked it as *Exhibit: Other Person with a Court-Ordered Relationship*, and attached it to this *Petition*.

5. Out-of-State Respondents

(Check one.)

- Everyone involved in this case lives in Texas.
- The following Respondent does not live in Texas: _____
Print the FULL name of the Out-of State Respondent

(Check all that apply for the Out-of-State Respondent.)

- The Respondent agrees that a Texas court can make orders in this case and will file a written response with the court.
- The children live in Texas because of the Respondent's actions.
- The Respondent has lived in Texas with the children.
- The Respondent has lived in Texas and provided prenatal expenses or support for the children.
- The Respondent had sexual intercourse in Texas, and the children may have been conceived by that act of intercourse.
- The child was born in Texas and the Respondent registered with the paternity registry maintained by the Texas Vital Statistics Unit or signed an *Acknowledgment of Paternity* filed with the Texas Vital Statistics Unit.
- The Respondent will be personally served with citation in Texas.

Note: If a Respondent does NOT live in Texas, you must also attach the Exhibit: Out-of-State Party Affidavit.

6. Biological Testing (Check one.)

- Biological testing was done before this suit was filed.
- I ask that biological testing be ordered by the Court.
- Biological testing is not necessary at this time.

7. Paternity

I ask the court to establish the parent-child relationship between the children and:

PRINT *the full name of person you are asking the court to name as the father of the children.*

(Check, only if applicable.)

- I also ask the Court to order that the following person is **not** the father of the children:

PRINT *the full name of person you are asking the court to find is not the father of the children.*

8. Conservatorship, Possession and Access and Support

(Check one.)

- I am **not** asking the Court to make orders for conservatorship (custody), possession of and access to the children, child support or medical support at this time.
- I ask the Court to make orders for conservatorship, (custody) possession of and access to the children (visitation), child support and medical support for the children. I believe the following orders would be in the best interest of the children.

Important Note: In order for the court to make orders for custody and visitation, the children must have lived in Texas with a parent or person acting as a parent for at least the past 6 months. If a child is less than 6 months old the child must have lived in Texas from birth. Talk to a lawyer if you have questions about this requirement.

(Check if true.)

- The children have lived in Texas with a parent or person acting as a parent for at least the past 6 months. If a child is less than 6 months old, the child has lived in Texas since the child's birth.

Conservatorship (Custody)

I ask the Court to name **me**: (Check one.)

- Joint Managing Conservator, with the exclusive right to establish the children's primary residence
- Joint Managing Conservator, with the other parent having the right to establish the children's primary residence
- Joint Managing Conservator, with a geographic restriction on where the children's primary residence will be located and neither parent having the exclusive right to establish the children's primary residence
- Sole Managing Conservator
- Possessory Conservator

(Check, if applicable.)

- I ask the Court to place a geographic restriction on the children's primary residence.

Possession of and Access to the Children

I ask the court to make the following orders for possession of and access to the children:

- Standard visitation for father. The man determined to be the father of the children should have possession and access to the children according to the Standard Possession Order, set out in the Texas Family Code, Chapter 153, Subchapter F.
- Standard visitation for mother. The mother should have possession and access to the children according to the Standard Possession Order, set out in the Texas Family Code, Chapter 153, Subchapter F.
- Limited or Supervised Visitation for: the man determined to be the father the mother.
- Other Possession & Access Order Requested (*Describe*):

Child Support and Medical Support

I ask the court to make appropriate orders for the support of the children, including regular child support and medical support and, if supported by the facts, retroactive child support.

(Check, if applicable.)

- I also ask the Court to order the man determined to be the father of the children to pay an equitable portion of prenatal and post-natal health-care expenses.

9. Children's Names (Check one.)

- I am **not** asking the Court to change the children's names.
- There is good cause for the Court to change the names of the following children:

Child 1: The child's current name is: _____.

I ask that the child's name be changed to _____.

Child 2: The child's current name is: _____.

I ask that the child's name be changed to _____.

Child 3: The child's current name is: _____.

I ask that the child's name be changed to _____.

Child 4: The child's current name is: _____.

I ask that the child's name be changed to _____.

Child 5: The child's current name is: _____.

I ask that the child's name be changed to _____.

10. Family Information (Check only if applicable.)

- I believe the children 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.

11. Children's Health Insurance

The children: (Check all that apply.)

- 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.

12. Children's Property (Check one.)

- The children do not own any property of significant value in their own name.
- The children own the following property of significant value in their own name:

_____.

