

Cause Number: _____

[Fill in the cause number and court information exactly as they are written on the child support orders that are being enforced here.]

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

[Print the initials of each child below.]

In the

[Write court number above.]

1. _____

2. _____

3. _____

4. _____

5. _____

☐ District Court

☐ County Court at Law

[Write county name above.]

State of Texas

Respondent's Original Answer

(Answer to Motion for Enforcement of Child Support Order)

WARNING - If you do not live in Texas and do not want a Texas court to hear your case:

Filing an Answer with the Court enters your appearance in this case. Talk to an attorney before filing an Answer if you **1) do not live in Texas** and 2) do not want a Texas court to have the power to make orders that would impose a personal obligation on you, such as an order for child support. If you file an Answer (or any other pleading) before filing a Special Appearance, you will give up your right to argue that Texas can't make such orders because you live out of state. Ask a Texas attorney to help you determine if Texas has personal jurisdiction over you. For help finding a private attorney, call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service at 800-252-9690. To find the Legal Aid office nearest you, go to www.TexasLawHelp.org and click on "Find Legal Assistance." If you are a victim of family violence, get legal help by calling 800-374-4673.

Print your answers.

1. Party Information

My name is: _____

[Print your full name.]

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.

[Check if applicable.]

☐ I object to the assignment of this matter to an associate judge for a trial on the merits or presiding at a jury trial.

[Check if true.]

☐ I asked the Office of the Attorney General Child Support Division to enforce child support in this case. I request to be notified of all hearings in this case.

2.General Denial. [Complete this section only if someone is trying to make you pay child support.]

[Check boxes that apply.]

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

However, if the Movant and I reach an agreement and I sign an agreed Order Enforcing Child Support Orders, I agree that the Judge can finalize this case without notifying me of the hearing and without my coming to Court.

("Movant" is the person who is asking the court to enforce the child support order.)

3. Affirmative Defenses. [Complete this section only if someone is trying to make you pay child support.]

[Check all that apply.]

☐ **Order is Ambiguous:** Enforcing the Order is not possible because it does not clearly list my duties and obligations. I cannot know what the court requires of me.

Texas Family Code 157.424.

☐ **Insufficient Notice:** I received insufficient notice of the enforcement hearing and did not have enough time to prepare to respond. In the interest of justice, the enforcement hearing should be delayed and reset.

Texas Family Code 157.062.

☐ **No Jurisdiction:** The Court does not have jurisdiction to order payment of past-due child support. Movant's Motion for Enforcement of Child Support Order was filed more than ten years after the child support obligation ended.

Texas Family Code 157.005(b).

☐ **Alleged Arrears Due to Lack of Funds:** I could not pay the amount ordered. I did not have property that could be sold, mortgaged, or otherwise pledged to raise the funds needed. I tried but was unable to borrow the funds needed. I did not know of any way to legally raise or borrow the funds.

Texas Family Code 157.008(c).

- ☐ **Insufficient Funds for Current Support:** I cannot presently provide support in the amount ordered. I lack property that can be sold, mortgaged, or otherwise pledged to raise the funds needed. I have tried but was unable to borrow the needed funds. I do not know of any way to legally raise or borrow the funds.

Texas Family Code 157.008(c).

- ☐ **Actual Possession of the Child:** The person who receives child support voluntarily gave me possession and control of the child(ren) during times that they were supposed to be caring and providing for the child(ren). I supported the child(ren) financially while I cared for them, even though they were supposed to be in the Movant's care at the time. I ask to subtract the extra amount I paid from what I may owe.

Texas Family Code 157.008(a)-(b),(d).

- ☐ **Proof of Payment:** The Motion for Enforcement of Child Support Order incorrectly claimed that I did not pay child support.

Texas Family Code 157.162(c-1).

[Select **any** of the following.]

- ☐ I paid the following amount(s) to _____
[Person who received support.]

[Write the exact amount(s) and date(s) of payment below].

Date of payment	Type of support
_____	_____
_____	_____
_____	_____

- ☐ Other: _____
[Describe other ways you tried to follow the order].

- ☐ **No Arrearage:** I did not miss child support payments. [Only select this if a motion to withhold from earnings is involved.]

Texas Family Code 153.002

[Check **any** boxes that apply below.]

- ☐ If it is found that I have missed child support payments, at least some of the missed payments are less than 30 days old.
- ☐ If it is found that I have missed child support payments, the entire unpaid amount is less than one month's payments.
- ☐ If it is found that I have missed child support payments, the child support order requiring the missed payments is not final.

4. Waiver of Attorney's Fees. [Only select this if applicable and if the motion alleges arrears over \$20,000 and contempt of court.]

☐ I am involuntarily unemployed or disabled and lack the financial resources to pay Movant's attorney's fees and costs.

Texas Family Code 157.167(d).

5. Contact Information.

My mailing address is: _____
[Print your mailing address, city, state, and zip code.]

My email address is: _____
[Print your email address.]

My phone number is: () _____
[Print your primary phone number.]

I understand I must tell the Court and Movant's lawyer (or Movant if Movant does not have a lawyer), any other Respondent's lawyers (or the Respondent if they do not have a lawyer), in writing, if my mailing address or email address changes during this case.

I understand that, unless I provide written 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.

6. Relief Requested.

I ask that the Court deny Movant's Motion for Enforcement of Child Support Order, to award me my costs, and for any other relief that I am entitled to.

Respectfully submitted,



[Sign above.]

[Print your full name.]

[Print your full address.]

[Write your email address above.]

[Write your phone number above.]

Certificate of Service

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

→

[Your Signature]

[Date]