

Exhibit A(1)

Affidavit for Standing of Nonparent

See Texas Family Code 102.0031

[Write down facts that explain why keeping you out of this case would seriously harm the physical or emotional well-being of the child(ren). The facts that you give in this affidavit must come from events you have personal knowledge of (meaning you have seen or experienced them yourself), or from what someone told you if that person has personal knowledge of the events.]

"My full legal name is:

[Print the full name of the person signing this affidavit.]

"I am over the age of 18, of sound mind, and capable of making an affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

"I am:

[Check one.]

a custodian or person having the right of visitation with or access to the child(ren) appointed by an order of the court of another state or county. (Texas Family Code 102.003(a)(3)).

a guardian of the person or the estate of the child(ren). (Texas Family Code 102.003(a)(4)).

a man alleging himself to be the father of the child(ren) filing in accordance with Chapter 160. (Texas Family Code 102.003(a)(8)).

a person who has had exclusive care, control, and possession of the child(ren) for at least 6 months ending not more than 90 days before this petition is filed with the Court. I am not a foster parent or relative of the child(ren), nor has the Department of Family and Protective Services designated me as a caregiver of the child(ren). (Texas Family Code 102.003(a)(9)).

a person who has been designated as the managing conservator in a revoked or unrevoked affidavit of relinquishment under Chapter 161, or to whom consent to adoption has been given in writing under Chapter 162. (Texas Family Code 102.003(a)(10)).

a person who is the foster parent, relative, or designated caregiver of the child(ren). The child(ren) were placed by the Department of Family and Protective Services in my home for a period of at least 12 months, ending not more than 90 days before the date this Petition is filed. The child(ren) has not been returned to or placed with a parent, and the suit filed by the Department of Family and Protective Services has not been dismissed. (Texas Family Code 102.003(a)(11)).

a person who is a relative of the child(ren) within the fourth degree of consanguinity (grandparent, great-grandparent, aunt, uncle, adult sibling, first cousin, great aunt, great uncle) **and** the child(ren)'s parents are now dead. (Texas Family Code 102.003(a)(12)).

a person who has been named as a prospective adoptive parent of the child(ren) by a pregnant woman or the parent of the child(ren), in a verified written statement to confer standing executed under section 102.0035, regardless of whether the child(ren) has been born. (Texas Family Code 102.003(a)(13)).

a person who is an intended parent of the child(ren) or unborn child(ren) under a gestational agreement that complies with the requirements of section 160.754, **and** I am filing an original suit jointly with the other intended parent under the gestational agreement, or I am filing an original suit against the other intended parent under the gestational agreement. (Texas Family Code 102.003(a)(14)); Texas Family Code 102.003(d)).

a grandparent or other relative of the child(ren) within the fourth degree of consanguinity (grandparent, great-grandparent, aunt, uncle, adult sibling, first cousin, great aunt, great uncle), **and** there is satisfactory proof to the Court that the order requested is necessary because the child(ren)'s present circumstances would significantly impair the child(ren)'s physical health or emotional development. **See Significant Impairment Affidavit, attached at Exhibit C(1).** (Texas Family Code 102.001(a)(1)).

a grandparent or other relative of the child(ren) within the fourth degree of consanguinity (grandparent, great-grandparent, aunt, uncle, adult sibling, first cousin, great aunt, great uncle), **and** there is satisfactory proof to the Court that both parents, the surviving parent, or the managing conservator or custodian either filed the petition or consented to the suit. (Texas Family Code 102.001(a)(2)).

“Denial of the relief I am seeking would significantly impair the child(ren)’s physical health or emotional development.”

Signature

[You must sign this affidavit in front of a notary.]

Definitions:

- Affiant: The person who signs an affidavit and affirms its truth to a notary public or person authorized to take oaths.
- Notary Public: Someone licensed to give oaths, check that documents are real, and take official statements. Notaries can confirm the identities of the people involved, watch people sign papers, give oaths, and certify copies of important documents.
- Perjury: A false statement made on purpose while under oath. Perjury is a crime.

[Sign.]

[Print your full name.]

Notary Public completes this section.

State of

County of

On [Date] the affiant swore, in front of me, that the information in this

affidavit is true.

I know who the affiant is.

Here is my signature:

[Notary's Signature]

[Notary Stamps Below]