

Important: You may use this script to “prove up” an agreed or default divorce without children. Read it carefully before you go to court. When you read it in court you will be under oath. Do not read any part of this script in court that is not true and correct.

Sample Testimony for Divorce without Children

Your Honor, my name is _____.
(State your full name)

I filed this suit for divorce from my spouse _____.
(State your spouse’s full name)

At the time I filed for divorce, I had lived in Texas for at least the last six months, and in _____ County for at least 90 days.

I am asking for a divorce because our marriage has become unworkable and there is no reasonable expectation that we will get back together.

My spouse and I do not have any children together who are under 18 or still in high school.

We were married on _____ (date).

Remember: You cannot finish your divorce while a spouse is pregnant. And, if the spouse had children with another person while married to you, you cannot finish your divorce until the paternity of those children has been established.

Check the option that applies to your situation. Do not read the inapplicable statement in court.

Neither spouse in this marriage is pregnant now, and neither spouse had child(ren) with anyone else during this marriage.

OR

Neither spouse in this marriage is pregnant now.

But

(Name of the spouse who had children during this marriage) did have a child or children with someone else during this marriage.

_____ had a child or children with someone else during the marriage.

Paternity of that child those children has been established by court order or a properly filed acknowledgment and denial of paternity.

A copy of that court order or acknowledgment and denial of paternity is attached to my proposed Decree of Divorce.

Check the option that applies to your situation. Do not read the inapplicable statement in court.

There has been no family violence during this lawsuit or during the two years prior to the filing of this lawsuit.

OR

There has been family violence during this lawsuit or during the two years prior to the filing of this lawsuit.

I ask that our property and debts be divided as set out in the Decree of Divorce I have presented to the Court.

I believe this division is fair to both me and my spouse.

Note: If this is a default, you must also tell the judge the value of the property awarded to you and your spouse and the reasons your proposed division of that property is fair.

If either spouse is asking for a name change:

I am (or my spouse is) requesting a name change to a name that was used before we were married: _____.
(State the name used before marriage)

I respectfully ask the court to grant my divorce.

That's all I have, Your Honor.