

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

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

(Print the initials of each child.)

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

In the _____
Court Number

- 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 child(ren).
- a man asking the court to determine whether or not I am the biological father of the child(ren).
- the presumed father of the child(ren), asking the court to determine that I am **not** the biological father of the child(ren).
- 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 child(ren).

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 child(ren). The child(ren) have never been part of any other court case.
- This Court has continuing, exclusive jurisdiction of this case and the child(ren). This Court made prior orders about the child(ren).

(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. Child(ren)

The following child(ren) 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 child(ren)? (Check one.)

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

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

- The child(ren) **do not** have an acknowledged father. No one has signed an Acknowledgment of Paternity claiming to be the father of these child(ren).
- The child(ren) **do** have an acknowledged father. Someone has signed and filed an Acknowledgment of Paternity claiming to be the father of these child(ren). 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 160.609(b), **or**
- the Acknowledgement of Paternity is void. See Texas Family Code 160.302(b)

3c. Do the child(ren) 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 160.204.

- The child(ren) **do not** have a presumed father.
- The child(ren) **do** have a presumed father **and**: (Check one.)
- it has been less than 4 years since the child(ren) were born See Texas Family Code 160.607(a)
- it has been more than 4 years since the child(ren) were born **and**: (Check one.)
- The presumed father did not file a petition to adjudicate parentage of the child(ren) within 4 years of the child(ren)'s birth because the presumed father mistakenly believed he was the biological father of the child(ren) based on misrepresentations that led him to that conclusion. See Texas Family Code 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 child(ren) were conceived. See Texas Family Code 160.607(b)

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

Note: 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 child(ren) with the paternity registry; and anyone with a court-ordered relationship with any of the child(ren).

Respondent A: Mother

Check this box if you are the mother of the child(ren), and skip to Respondent B.

The mother of the child(ren) 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 child(ren) 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 believe 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 child(ren) 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 child(ren) 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 believe 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 child(ren) 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 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 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 child(ren) listed below were born or conceived or during the first two years of each child's life, Respondent C continuously lived with the child(ren) listed below and represented to others that the child(ren) were his own:

- an adjudicated father. A court order named Respondent C as the father of the following child(ren):

- an acknowledged father. Respondent C signed an Acknowledgment of Paternity claiming to the father of the following child(ren):

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 believe 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 believe 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 child(ren) or other court ordered relationships affecting the child(ren), and skip to Respondent F.

The following person has a court-ordered relationship with the child(ren):

PRINT the full name(s) of anyone with a court ordered relationship with the child(ren).

(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 believe they 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 child(ren). 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 child(ren) live in Texas because of the Respondent's actions.
- The Respondent has lived in Texas with the child(ren).
- The Respondent has lived in Texas and provided prenatal expenses or support for the child(ren).
- The Respondent had sexual intercourse in Texas, and the child(ren) 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 child(ren) and:

PRINT the full name of person you are asking the court to name as the father of the child(ren).

(Check, only if applicable.)

- I also ask the Court to order that the following person is **not** the father of the child(ren):

PRINT the full name of person you are asking the court to find is not the father of the child(ren).

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 child(ren), child support, or medical support at this time. (If you check this box, skip to section 9.)
- I ask the Court to make orders for conservatorship, (custody) possession of and access to the child(ren) (visitation), child support, and medical support for the child(ren). I believe the following orders would be in the best interest of the child(ren). (If you check this box, complete the rest of the section.)

Important Note: In order for the court to make orders for custody and visitation, the child(ren) 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 child(ren) 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.

8A. Conservatorship (Custody)

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

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

(Check, if applicable.)

- I ask the Court to place a geographic restriction on the child(ren)'s primary residence.

8B. Possession of and Access to the Child(ren)

I ask the court to make the following orders for possession of and access to the child(ren):

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

- e. I am concerned about the safety of the children with the other parent. I ask that:
(If you checked e, check all that apply below.)

- e-1. exchanges of the child(ren) be supervised, or in the alternative, be in a public place.
- e-2. the other parent's possession of the child(ren) be limited to day visits.
- e-3. the other parent's possession of the child(ren) be supervised.
- e-4. the other parent have no right to possession or access to the child(ren).
- e-5. the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the child(ren).
- e-6. the other parent's possession and access to the children be restricted as follows:

8C. Child Support, Medical, and Dental Support

I ask the court to make appropriate orders for the support of the child(ren), including regular child support, medical support, and dental support, 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 child(ren) to pay an equitable portion of prenatal and postnatal healthcare expenses.

9. Child(ren)'s Names (Check one.)

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

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 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 child(ren):

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

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> home address, | <input type="checkbox"/> mailing address, | <input type="checkbox"/> employer, | <input type="checkbox"/> work address, |
| <input type="checkbox"/> home phone, | <input type="checkbox"/> work phone, | <input type="checkbox"/> social security, | <input type="checkbox"/> 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. Child(ren)'s Health Insurance

The child(ren): (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 child(ren) 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. Child(ren)'s Dental Insurance

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

- have **private dental 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 dental insurance through **Medicaid**.

have dental insurance through **C.H.I.P.** Cost of premium (if any): \$ _____

do not have dental insurance.

If the child(ren) **do not** have private dental insurance also complete the following:

Private dental insurance is is not _____ available to Father at a reasonable cost.

Private dental insurance is is not _____ available to Mother at a reasonable cost.

13. Child(ren)'s Property (Check one.)

The child(ren) do not own any property of significant value in their own name.

The child(ren) own the following property of significant value in their own name: _____

14. 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.

Note: If your 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" at the bottom of this page.

15. Request for Judgment

I ask that citation and notice issue as required by law and that the Court 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,

Petitioner's Signature

Date

Petitioner's Printed Name

()

Phone Number

Mailing Address

City

State

Zip

Email

Address: _____ Fax (if available) _____

Warning: Each Respondent will get a copy of this form. If you are concerned about a Respondent learning your address, call the Hope Line at 800-374-4673(HOPE) for free advice before filing this form with the court.

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.

16. Certificate of Service to the Office of the Attorney General (OAG)

Sign below **only** if your child(ren) receive (or have received) Medicaid or TANF. This tells the judge that you will deliver a copy of this Petition to the Office of the Attorney General Child Support Division as required by law. 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/. Bring proof of delivery with you to court.

I certify that a true copy of this Counter-Petition was served on the Office of the Attorney General Child Support Division* in person, by certified and first-class mail, by commercial delivery service, by fax, by email, or through the electronic file manager on this date.

→

Petitioner's Signature

Date

Note: For Information about how to file an answer go to www.TexasLawHelp.org

For a referral to a lawyer call your local lawyer referral service
or the State Bar of Texas Lawyer Referral Information Service at 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 888-529-5277 (serves Dallas / Fort Worth area & Northwest Texas)

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

Texas Rio Grande Legal Aid 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 800-799-SAFE (7233) or

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

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