NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Cause Number: _____

[Fill in the cause number and court information exactly as they are written on the custody orders or divorce decree that you want the court to modify.]

In the Interest of the Following Minor Child(ren):
[Print the initials of each child below.]

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

In the _____
[Write court number above.]

☐ District Court
☐ County Court at Law

_____
[Write county name above.]

State of Texas

Petition to Modify the Parent-Child Relationship

Questions about how to use this form? See www.TexasLawHelp.org/modification-kit.

1. Discovery Level.

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

(Discovery is how parties in a lawsuit get information about the other party and the situation).

2. Parties.

Movant (You)

I am the Petitioner (the person asking the court to change the current court order).

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.

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Respondent(s) (The people who must get legal notice of this case.)

(**Note:** There may be one or more Respondents. Read the modification instructions at www.TexasLawHelp.org/modification-kit for information about who must be listed as a Respondent and given legal notice of this case.)

Respondent A [Fill out spaces below.]

Respondent A's name is: _____
[Print Respondent A's full name.]

Respondent A lives at: _____
[Print Respondent A's home address.]

I will give legal notice to Respondent A as follows: [Check one.]

☐ I believe Respondent A will sign a Waiver of Service or Answer.

☐ Respondent A can be served at: _____

_____
[Print the address where a constable should deliver this petition to Respondent A, if that address is different from where they live.]

☐ I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an Affidavit for Citation by Publication and that a lawyer may be hired or appointed to serve as attorney ad litem for this Respondent.

Respondent A's Relationship to the Child(ren).

Respondent A is the child(ren)'s: ☐ Mother ☐ Father

☐ Other _____
[Please explain.]

Respondent B

[Check one.]

☐ There is no Respondent B. No one else is entitled to notice in this case.

[Skip to Section 8: Information Required if a Party Lives Out-of-State.]

☐ There is a Respondent B. [Fill out spaces below.]

Respondent B's name is: _____
[Print Respondent B's full name.]

Respondent B lives at: _____
[Print Respondent B's home address.]

I will give legal notice to Respondent B as follows: [Check one.]

☐ I believe Respondent B will sign a Waiver of Service or Answer.

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☐ Respondent B can be served at: _____

[Print the address where a constable should deliver this petition to Respondent B, if that address is different from where they live.]

☐ I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an Affidavit for Citation by Publication and that a lawyer may be hired to serve as attorney ad litem for this Respondent.

Respondent B's Relationship to the Child(ren).

Respondent B is the child(ren)'s: ☐ Mother ☐ Father

☐ Other _____

[Please explain.]

Respondent C

[Check one.]

☐ There is no Respondent C. No one else is entitled to notice in this case.

[Skip to section 8: Information Required if a Party Lives Out-of-State.]

☐ There is a Respondent C. [Fill out spaces below.]

Respondent C's name is: _____

[Print Respondent C's full name.]

Respondent C lives at: _____

[Print Respondent C's home address.]

I will give legal notice to Respondent C as follows: [Check one.]

☐ I believe Respondent C will sign a Waiver of Service or Answer.

☐ Respondent C can be served at: _____

[Print the address where a constable should deliver this petition to Respondent C, if that address is different from where they live.]

☐ I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an Affidavit for Citation by Publication and that a lawyer may be hired to serve as attorney ad litem for this Respondent.

Respondent C's Relationship to the Child(ren).

Respondent C is the child(ren)'s: ☐ Mother ☐ Father

☐ Other _____

[Please explain.]

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Respondent D

[Check one.]

☐ There is no Respondent D. No one else is entitled to notice in this case.

[Skip to section 8: Information Required if a Party Lives Out-of-State.]

☐ There is a Respondent D. [Fill out spaces below.]

Respondent D's name is: _____

[Print Respondent D's full name.]

Respondent D lives at: _____

[Print Respondent D's home address.]

I will give legal notice to Respondent D as follows: [Check one.]

☐ I believe Respondent D will sign a Waiver of Service or Answer.

☐ Respondent D can be served at: _____

[Print the address where a constable should deliver this petition to Respondent D, if that address is different from where they live.]

☐ I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an Affidavit for Citation by Publication and that a lawyer may be hired to serve as attorney ad litem for this Respondent.

Respondent D's Relationship to the Child(ren).

Respondent D is the child(ren)'s: ☐ Mother ☐ Father

☐ Other _____

[Please explain.]

3. Jurisdiction of the Court.

This Court has continuing exclusive jurisdiction over this case.

("Continuing, exclusive jurisdiction" means that this court has made orders about the children's custody, support, or visitation before, and it is the only court that has the power to make decisions about this case.)

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4. Child(ren).

This case is about the following child(ren):

Child's Name	Sex	Child's Date of Birth

5. Request to Change Current Order.

I ask the Court to change the current order about the child(ren).

This Court signed an order called: _____

_____

_____

[Print the name of the order that you are trying to modify, for example, "In the Matter of the Marriage of Jane Doe and John Doe and in the Interest of John Doe, Jr., a Child," or "In the Interest of RR and JD, Children."]

The Court signed the order on: _____

[Print the date the judge entered your court order. This is either the date when you appeared in court, or the date the judge signed the order. It is usually the earlier date.]

6. Standing

(Standing is a person's interest in a case that allows them to file a lawsuit. Read the law about "standing" in Texas Family Code 156.002, 102.003, 102.004, and 102.006.)

The law allows me to file this case because I am:

[Check **all** that apply.]

- ☐ the child(ren)'s mother.
- ☐ the child(ren)'s father.
- ☐ listed as a party in the current order and I am affected by the current order.
- ☐ a person who has had exclusive care, control, and possession of the child(ren) for at least six months ending not more than 90 days before the date this Petition

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is filed with the Court. I am not a foster parent, relative, or designated caregiver placement from DFPS.

☐ a foster parent, relative, or designated caregiver of a child placed by DFPS in my home for at least 12 months ending not more than 90 days preceding the date this Petition is filed with the Court. The child has not been returned to or placed with their parent and DFPS suit has not been dismissed.

☐ the grandparent, great-grandparent, sister, brother, aunt, uncle, niece, nephew, great aunt or uncle, first cousin, or grand niece or nephew of the child(ren) and:

[Check the box below that applies to your case.]

- ☐ both parents are dead.
- ☐ both parents, the surviving parent or managing conservator agree to me filing this case.
- ☐ the child(ren)'s present circumstances will significantly impair (harm) the child(ren)'s physical health or emotional development. Affidavit for Standing of Nonparent attached as Exhibit A.

☐ other: _____

7. Are You Asking to Change Custody within One Year?

(About changing custody within one year at TexasLawHelp.org/one-year-custody-mod.)

[Check one.]

☐ **I am not** asking to change primary custody.

☐ I **am** asking to change primary custody, but it has been **more than** one year since the Court made the custody order.

☐ I **am** asking to change primary custody and it has been **less than** one year since the Court made the custody order. I understand I must fill out and attach a Declaration in Support of Changing Primary Custody within One Year form to this Petition. The facts set out in my Declaration will show that:

[Check the one box below that applies to your case.]

- ☐ I am the person with the exclusive right to designate the primary residence of the child(ren).
- ☐ the person with the exclusive right to designate the primary residence of the child(ren) has agreed to change primary custody of the child(ren).
- ☐ the person with the exclusive right to designate the primary residence of the child(ren) has voluntarily given up primary care and possession of the child(ren) for at least 6 months. This was not due to military deployment.
- ☐ the child(ren)'s present environment may endanger (harm) the child(ren)'s physical health or significantly harm the child(ren)'s emotional development.

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8. Information Required if a Party Lives Out-of-State.

[Check one.]

☐ Everyone involved in this case lives in Texas.

☐ Someone involved in this case (one of the Respondents or me) does not live in Texas. I have attached a completed Out-of-State Party Affidavit to this Petition as an exhibit.

9. Legal Reason for Changing the Current Order.

(When can the Court change an order? Read TexasLawHelp.org/mod-standards.)

The law allows the Court to change the current order because the changes will be in the child(ren)'s best interest and:

[Check **all** that apply.]

☐ the Respondent(s) agree to the changes.

☐ the circumstances of the child(ren), a conservator, or other party affected by the current order have materially and substantially changed since the Court made the current order.

☐ the child is at least 12 years old and will tell the Court in chambers that they prefer that I have the exclusive right to determine their residence.

☐ the conservator who has the exclusive right to designate the primary residence of the child(ren) has voluntarily given up primary care and possession of the child(ren) for at least 6 months. This was not because the conservator is in the military and has been deployed.

☐ it has been at least 3 years since the current child support order was made by the Court, and the current monthly child support amount differs by at least 20% or $100 from the monthly child support amount that would be ordered using the Texas Family Code Child Support Guidelines.

☐ a person who is a conservator of a child has died (for cases filed on or after September 1, 2021).

10. Conservatorship (Custody).

(In Texas, a "conservator" is someone, usually a parent, who a court says has the legal right to make decisions about the child(ren), and the legal responsibility to care for them.)

[Check one.]

☐ I do **not** want to change conservatorship (custody). [Skip to section 11.]

☐ I ask the Court to change conservatorship (custody) as follows:
[Check a, b, c, d, e, or f.]

a. ☐ Mother and Father should be **Joint Managing Conservators** of the child(ren) and:
[If you checked a, check a-1, a-2, or a-3.]

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a-1. ☐ Father should have the exclusive right to designate the primary residence of the child(ren) within the following geographic area:
[Check one.]

☐ anywhere. ☐ this county. ☐ this county or county adjacent to this county.

☐ Texas. ☐ other: _____

a-2. ☐ Mother should have the exclusive right to designate the primary residence of the child(ren) within the following geographic area:
[Check one.]

☐ anywhere. ☐ this county. ☐ this county or county adjacent to this county.

☐ Texas. ☐ other:

a-3. ☐ Neither parent should have the exclusive right to designate the primary residence of the children but both parents should be ordered not to remove the children's primary residence from the following specific geographic area:
[Check one.]

☐ this school district: _____

☐ this county.

☐ this county or county adjacent to this county.

☐ other: _____

AND [If you checked a, check a-4, a-5, or a-6.]

a-4. ☐ Father should have the exclusive right to designate the school the child(ren) will attend and to enroll the child(ren) in the school, subject to any eligibility or admissions requirements, within the following geographic area:
[Check one.]

☐ anywhere. ☐ this county. ☐ this county or county adjacent to this county.

☐ Texas. ☐ other: _____

a-5. ☐ Mother should have the exclusive right to designate the school the child(ren) will attend and to enroll the child(ren) in the school, subject to any eligibility or admissions requirements, within the following geographic area:
[Check one.]

☐ anywhere. ☐ this county. ☐ this county or county adjacent to this county.

☐ Texas. ☐ other:

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a-6. ☐ Neither parent having the exclusive right to designate the school the child(ren) will attend and to enroll the child(ren) in the school, subject to any eligibility or admissions requirements, but both parents ordered not to remove the child(ren)'s school from the following specific geographic area:
[Check one.]

- ☐ this school district: _____
- ☐ this county.
- ☐ this county or county adjacent to this county.
- ☐ other: _____

b. ☐ Mother should be **Sole Managing Conservator** of the child(ren).

c. ☐ Father should be **Sole Managing Conservator** of the child(ren).

d. ☐ _____ should be the **Nonparent Sole Managing Conservator** of the child(ren).

e. ☐ _____ and _____ should be the **Nonparent Joint Managing Conservators** of the child(ren).

f. ☐ Other: [Describe.] _____

11. Geographic Restriction.

[Check **only** if applicable.]

☐ I ask the Court to restrict where the child(ren)'s primary residence can be located.

The child(ren) should not be moved out of: _____
[City, county, surrounding counties, or other.]

☐ I ask the Court to change the geographic restriction on where the child(ren)'s primary residence can be located.

The new geographic restriction should be: _____
[City, county, surrounding counties, or other.]

☐ I ask the Court to lift the geographic restriction on where the child(ren)'s primary residence can be located. There should be no geographic restriction.

12. Child(ren)'s Passports.

[Check **only** if applicable.]

☐ I ask the Court to order that I have the exclusive right to apply for and renew passports for the child(ren).

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13. Possession and Access (Visitation).

[Check one.]

☐ I do **not** want to change possession and access (visitation). [Skip to section 14.]

☐ I ask the Court to change possession and access (visitation) as follows:
[Check a, b, c, or d.]

a. ☐ Father should have standard visitation.

b. ☐ Mother should have standard visitation.

c. ☐ Standard visitation would be unworkable. Possession and access to the child(ren) should be as follows:

_____

_____

_____

_____

_____

d. ☐ I am concerned about the safety of the children with: ☐ Father ☐ Mother

Therefore, I ask that:
[If you checked d, check all that apply below.]

d-1. ☐ exchanges of the children be supervised, or in the alternative, be in a public place

d-2. ☐ that parent's possession of the children be limited to day visits

d-3. ☐ that parent's possession of the children be supervised

d-4. ☐ that parent have no right to possession or access to the children

d-5. ☐ that parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during the possession of the children.

d-6. ☐ that parent's possession and access to the children be restricted as follows:

_____

_____

_____

[Check **only** if applicable.]

☐ I am concerned that the other parent may take the child(ren) to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child(ren).

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14. Child Support.

[Check one.]

☐ I do **not** want to change current child support. [Skip to section 15.]

☐ I ask the Court to change current child support as follows: [Check all that apply.]

☐ **Father** should be ordered to pay: [Check one.]

☐ more child support. ☐ less child support.

☐ **Mother** should be ordered to pay: [Check one.]

☐ more child support. ☐ less child support.

☐ **Other:** [Describe.]

_____

_____

15. Medical Support.

[Check one.]

☐ I do **not** want to change medical support. [Skip to section 16.]

☐ I ask the Court to change the current medical support order as follows:
[Check **all** that apply.]

☐ **Father** should be ordered to: [Check one.]

☐ provide health insurance for the child(ren) through his employment or another source.

☐ pay cash medical support to reimburse the cost of the child(ren)'s health insurance.

☐ **Mother** should be ordered to: [Check one.]

☐ provide health insurance for the child(ren) through her employment or another source.

☐ pay cash medical support to reimburse the cost of the child(ren)'s health insurance.

☐ **Other:** [Describe.]

_____

_____

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16. Dental Support.

[Check one.]

☐ I do **not** want to change dental support. [Skip to section 17.]

☐ I ask the Court to change or add the current dental support order as follows: [Check **all** that apply.]

☐ **Father** should be ordered to: [Check one.]

☐ provide dental insurance for the child(ren) through his employment or another source.

☐ pay cash dental support to reimburse the cost of the child(ren)'s dental insurance.

☐ **Mother** should be ordered to: [Check one.]

☐ provide dental insurance for the child(ren) through her employment or another source.

☐ pay cash dental support to reimburse the cost of the child(ren)'s dental insurance.

☐ **Other:** [Describe.]

_____

17. Health Insurance Availability for Child(ren).

The child(ren): [Check **all** that apply.]

☐ do not have health insurance.

☐ 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.

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18. Children's Dental Insurance.

The child(ren): [Check **all** that apply.]

☐ do not have dental insurance.

☐ 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): $ _____

If the children **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.

Note: If the 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" on the next page.

19. 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.

20. Children's Property.

[Check one. If the children have never had any property of significant value, check the first box.]

☐ There has been no significant change to the child(ren)'s property.

☐ The following changes have occurred to the child(ren)'s property since the Court signed the current orders: _____.

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21. Protective Order Statement.

Note: You must provide information about any protective order or pending application for protective order involving a party in this case or a child of a party. This includes information about any:
(1) family violence protective order,
(2) sexual assault, sexual abuse, trafficking or stalking protective order, or
(3) emergency protective order issued after an arrest.
A "party" includes you (the Petitioner) and anyone listed as a Respondent in this Petition. You must also attach to this Petition a copy of any protective order (even if it's expired) in which one party or a child of a party was the applicant or victim and another party was the respondent or defendant. If this petition does not accurately reflect whether there is a protective order, you may have to file a new petition and serve the other parties with it.

[Check the appropriate boxes. Fill in the requested information, if applicable.]

21A. No Protective Order.

☐ I do not have a protective order and I have not asked for one.

☐ No one has a protective order against me or asked for one.

21B. Pending Protective Order.

☐ I filed paperwork at the courthouse asking for a protective order, but a judge has not decided if I should get it.

I asked for a protective order against _____.
[Name of party you asked for a protective order against]

I asked for a protective order on _____ in _____ County,
[Date of request.] [Name of County]

_____.The cause number of the protective order case is: _____.
[State] [Cause number.]

If I get a protective order, I will file a copy of it before any hearings in this case.

☐ The Respondent filed paperwork asking for a protective order, but a judge has not decided if the Respondent will get it.

The Respondent asked for a protective order against _____.
[Name of party Respondent asked for a protective order against.]

Respondent asked for a protective order on _____ in
[Date of request.]

_____ County, _____.
[Name of County] [State]

The cause number of the protective order case is _____.
[Cause number.]

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If the Respondent gets a protective order, I will file a copy of it before any hearings in this case.

21C. Protective Order in Place.

☐ I have a protective order.

The protective order is against _____.
[Name of party you have a protective order against.]

I got the protective order on _____ in _____ County,
[Date of Order] [Name of County]

_____.The cause number for the protective order is _____.
[State] [Cause number.]

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this case.

☐ A Respondent in this case has a protective order.

The protective order is against _____.
[Name of party Respondent has a protective order against.]

I got the protective order on _____ in _____ County,
[Date of Order] [Name of County]

_____. The cause number for the protective order is _____.
[State] [Cause number.]

Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this case.

22. 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.]

☐ home address, ☐ mailing address, ☐ e-mail address, ☐ employer,

☐ home phone, ☐ work phone, ☐ work address, ☐ social security no.

☐ driver's license no.

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.

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23. Request for Judgment.

I ask that citation and notice be issued as required by law. I ask the Court to 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 submitted,

_____

[Sign above.]

_____

[Print your full name.]

_____

[Print your full address.]

_____

[Write your email address above.]

_____

[Write your phone number above.]

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 1-800-374-4673 (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.

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Important: If the Attorney General is listed as a party on your current order, you must have the Attorney General served by official service of process. Get the Attorney General's contact information from your current order.

Certificate of Service on the Attorney General

[Sign **only** if the child(ren) receive or have received Medicaid or TANF. Bring proof of delivery with you to Court.]

I will deliver a copy of this Petition to Modify the Parent-Child Relationship to the Office of the Attorney General Child Support Division* as follows:

If I file this document electronically, I will deliver it through the electronic file manager if possible. If not possible, I will deliver it in person, by mail, by commercial delivery service, by fax, or by email.

If I file a paper copy of this document, I will deliver it in person, by mail, by commercial delivery service, by fax, or by email.

_____ _____

[Your signature above.] [Date]

* Get contact information for the Office of the Attorney General Child Support Office in the county where this case will be filed at www.csapps.oag.texas.gov/locations/offices.

The Office of the Attorney General Child Support Division can be sent a Service of Citation Notice and this Petition at www.csapps.oag.texas.gov/service-citation-notice.

Note: For a referral to a lawyer call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service,800-252-9690.

For information about free and low-cost legal help in your county go to www.texasbar.com/ReferralDirectory or call the Legal Aid office serving your area:

- **Legal Aid of Northwest Texas**, 888-529-5277 (Dallas–Fort Worth area, and Northwest Texas)
- **Lone Star Legal Aid**, 800-733-8394 (Houston area and East Texas)
- **Texas Rio Grande Legal Aid**, 888-988-9996 (Austin–San Antonio area, El Paso area, and South Texas)

If you have been the victim of family violence, or if at any time you feel unsafe, get help by calling:

- **National Domestic Violence Hotline,** 800-799-SAFE (7233)
- **Texas Family Violence Legal Line**, 800-374-HOPE (4673), or
- **Crime Victims**, (844) 303-7233.

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