NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Cause Number: _____
(Print court information exactly as it appears on the Petition for Divorce)

In the Matter of the Marriage of

Petitioner: _____
Print first, middle and last name of the spouse who filed for divorce.

and

Respondent: _____
Print first, middle and last name of other spouse.

In the _____
(Court Number)

☐ District Court
☐ County Court at Law

_____County, Texas

And in the Interest of:
(Initials of all children you and spouse have together who are under 18 or still in high school.)

1. _____ 3. _____ 5. _____
2. _____ 4. _____ 6. _____

Affidavit for Prove-Up of Agreed Divorce with Children

Petitioner's Information

My name is _____.

I am above age 18.

I am fully competent to make this affidavit.

The facts stated in this affidavit are within my personal knowledge and are true and correct.

Information About Marriage and Separation

I am now married to _____ (name of spouse).

Before the filing of this suit, I was a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period.

We were married on _____ (date).

We ceased to live together as spouses on or about _____ (date).

Grounds

Our marriage has become insupportable because of a discord or conflict of personalities that destroys the legitimate ends of the marriage relationship. There is no reasonable expectation of reconciliation.

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Filing and Service Information

I filed this divorce at least 60 days ago, on _____ (date).

Check all that apply.

- ☐ My spouse has been served.
- ☐ The return of service has been on file with the office of the district clerk for at least 10 days.
- ☐ My spouse signed a waiver of service, which was filed with the office of the district clerk after the date the divorce was filed and has been on file for at least 10 days.

Child(ren) of the Marriage

The following child(ren) of the marriage who are under the age of 18 were born or adopted during this marriage:

	Child's Name	Child's sex	Date of birth
1.			
2.			
3.			
4.			
5.			
6.			

Child(ren) Not of the Marriage

(Check one box.)

☐ The Wife **did not** have any children with another man while married to the Husband.

☐ The Wife **did** have a child or children with another man while married to the Husband. All the children born during the marriage that are not the husband's adopted or biological children are named below:

	Child's Name	Child's sex	Date of birth
1.			
2.			
3.			
4.			
5.			
6.			

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Paternity

Paternity of each child listed above **has** been established as set out below:

(Check one box below. Attach copy of court order or Acknowledgement and Denial of Paternity for each child.)

☐ A court order has established that another man is the biological father and/or the Husband is not the biological father of the child(ren) listed here:
_____.
A copy of the court order is attached to this Decree as Exhibit ___.

☐ An Acknowledgement of Paternity was signed by the biological father and a Denial of Paternity was signed by the Husband for the child(ren) listed here:
_____.

☐ Each Acknowledgment and Denial of Paternity was filed with the Vital Statistics Unit. A copy of each Acknowledgment and Denial of Paternity is attached to this Decree as Exhibit(s) _____.

No More Children Expected

No other child is expected at this time.

Neither spouse in the marriage is pregnant

Conservatorship

I ask that (check only what applies):

☐ We will be joint managing conservators of the children.

☐ _____ (spouse) will be the sole managing conservator and _____ (other spouse) will be the possessory conservator of the children.

Possession and Access (Visitation)

I am asking for:

☐ the standard possession order
☐ another visitation (possession and access schedule) (briefly describe):

_____

_____

_____

_____

_____

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Child Support

_____ (parent paying child support in decree) will pay child support, medical support, and dental support to _____ (parent receiving support in decree) as stated in the final decree presented to this court.

Child(ren)'s Insurance

_____ (parent responsible for insuring child[ren]) will provide health insurance for the child(ren).

Best Interest of the Child(ren)

I believe that these provisions for conservatorship, possession and access, and child support, medical support, and dental support are in the best interest of the child(ren).

Family Violence

There has been no family violence or abuse within two years before or during this suit.

Bankruptcy

There is no bankruptcy proceeding affecting this suit.

Division of Property and Debt

The final decree divides our property and debts.

The terms of the division are just and right. The decree is fair and equitable to both my spouse and me.

Name Change

☐ The Petitioner is requesting a name change to _____
(Name used before marriage)

Petitioner is not requesting this name change to avoid creditors or criminal prosecution.

☐ The Respondent is requesting a name change to _____
(Name used before marriage)

Respondent is not requesting this name change to avoid creditors or criminal prosecution.

Agreement of the Parties

I have submitted an agreed decree of divorce to the court, which has been signed by my spouse and me.

Relief Requested

I am asking the court to grant a divorce and approve all the agreements we have entered into.

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Verification (Party must sign in front of a notary below.)

I am the Petitioner in this divorce.

I swear under oath that the facts stated in this Affidavit are true and correct.

_____ **ONLY sign in front of a notary!**

Signature of Affiant

Notary fills out below.

State of _____

(Print name of state where this Affidavit is notarized.)

County of _____

(Print the name of the county where this Affidavit is notarized.)

Sworn to and subscribed before me, the undersigned notary, on this date: ____/____/____

by _____

(Print name of person who is signing this Affidavit. NOT the notary's name.)

[Notary Stamps Here]

_____

Notary's Signature

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