

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

Cause Number: _____

In the interest of:

(Print the initials of each child whose paternity will be addressed.)

In the _____
Court Number

1 Name: _____

2 Name: _____

3 Name: _____

4 Name: _____

5 Name: _____

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

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

(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. Children

This case is about the child or children listed below.

	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. Do the children have an adjudicated father?

(Check one.)

- The children **do not** have an adjudicated father.
- The children **do** have an adjudicated father. A court order names the father of the children. I am not the adjudicated father, I was not named as a party in the court case that named the father of the children, **and** it has been less than 4 years since the effective date of the court order naming the father of the children. See *Texas Family Code Section 160.609(b)*.

An **adjudicated father** is a man named as the father of a child in a court order. See *Texas Family Code Section 160.204*.

3B. Do the children have an acknowledged father?

(Check one.)

- The children **do not** have an acknowledged father.
- The children **do** have an acknowledged father. I am not the acknowledged father, I did not sign the *Acknowledgment of Paternity*, **and**:

An **acknowledged father** is a man who has signed an *Acknowledgment of Paternity* form claiming to be the father of a child. See *Texas Family Code Section 160.204*.

(Check one.)

- it has been less than 4 years since the effective date of the *Acknowledgment of Paternity* See *Texas Family Code Section 160.609(b)*, **or**
- the Acknowledgement of Paternity is void. See *Texas Family Code Section 160.302(b)*

3C. Do the children have a presumed father?

(Check one.)

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

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 Section 160.204*.

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

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

Respondent A

Respondent A's name is: _____
PRINT the Respondent A's full name.

Respondent A is the child/ren's: (Check one.)

Mother Alleged Father Presumed Father Other: _____

I will give legal notice to Respondent A as follows: (Check one.)

Respondent A will sign a *Waiver of Service* or *Answer*.

I will have a sheriff, constable, process server or clerk serve Respondent A with this *Petition* here:

Street Address City State Zip

If this is a work address, name of business: _____

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to Respondent A by Official Service of Process). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

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 hire a lawyer to serve as attorney ad litem for this Respondent.

Respondent B (Check one.)

There is no Respondent B. No one else is entitled to notice in this case. (Skip to section 8.)

Respondent B's name is: _____
PRINT the Respondent B's full name.

Respondent B is the child/ren's: (Check one.)

Mother Alleged Father Presumed Father Other: _____

I will give legal notice to Respondent B as follows: (Check one.)

Respondent B will sign a *Waiver of Service* or *Answer*.

I will have a sheriff, constable, process server or clerk serve Respondent B with this *Petition* here:

Street Address City State Zip

If this is a work address, name of business: _____

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to Respondent B by Official Service of Process). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

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 hire a lawyer to serve as attorney ad litem for this Respondent.

Respondent C (Check one.)

- There is no Respondent C. No one else is entitled to notice in this case. (Skip to section 8.)
- Respondent C's name is: _____
PRINT the full name of Respondent C.

Respondent C is the child/ren's: (Check one.)

- Mother Alleged Father Presumed Father Other: _____.

I will give legal notice to Respondent C as follows: (Check one.)

- I think Respondent C will sign a *Waiver of Service* or *Answer*.
- I will have a sheriff, constable, process server or clerk serve Respondent C with this *Petition* here:

Street Address City State Zip

If this is a work address, name of business: _____.

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to Respondent C by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

- 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 hire a lawyer to serve as attorney ad litem for this Respondent.

Respondent D (Check one.)

- There is no Respondent D. No one else is entitled to notice in this case. (Skip to section 8.)
- Respondent D's name is: _____
PRINT the full name of Respondent D.

Respondent D is the child/ren's: (Check one.)

- Mother Alleged Father Presumed Father Other: _____.

I will give legal notice to Respondent D as follows: (Check one.)

- Respondent D will sign a *Waiver of Service* or *Answer*.
- I will have a sheriff, constable, process server or clerk serve Respondent D with this *Petition* here:

Street Address City State Zip

If this is a work address, name of business: _____.

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to Respondent D by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

- 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 hire a lawyer to serve as attorney ad litem for this Respondent.

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 children live in Texas because of the Respondent's actions.
- The Respondent has lived in Texas with the children.
- The Respondent has lived in Texas and provided prenatal expenses or support for the children.
- The Respondent had sexual intercourse in Texas, and the children 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 Declaration.

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 order that the following person **is** the father of the child or children listed in section 3 above:

PRINT *the full name of person you are asking the court to name as the father of the children.*

(Check, only if applicable.)

- I also ask the Court to order that the following person **is not** the father of the child or children listed in section 3 above:

PRINT *the full name of person you are asking the court to find is not the father of the children.*

8. Conservatorship, Possession and Access and Support

(Check one.)

- I am **not** asking the Court to make orders for conservatorship (custody), possession and access, child support, medical support or dental support at this time. **(If you checked this box, skip to section 9.)**
- I ask the Court to make orders for conservatorship, (custody) possession and access (visitation), child support, medical support and dental support. I believe the orders requested below would be in the best interest of the children. **(If you checked this box, complete sections 8A, 8B and 8C below).**

Note: In order for the court to make orders for custody and visitation, the children 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 children 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 make conservatorship (custody) orders as follows: (Check **a**, **b**, or **c**.)

- 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**.)

- a-1.** Father should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one box below.)

- 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 box below.)

- 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 child/ren but both parents should be ordered not to move the child/ren out of the following geographic area: (Check one box below.)

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

- b.** Mother should be the **Sole Managing Conservator** of the child/ren with the exclusive rights listed in Texas Family Code Section 153.132 including the exclusive right to designate the primary residence of the child/ren anywhere.

- c.** Father should be the **Sole Managing Conservator** of the child/ren with the exclusive rights listed in Texas Family Code Section 153.132 including the exclusive right to designate the primary residence of the child/ren anywhere.

(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.

8B. Possession of and Access (Visitation)

I ask the court to make possession and access (visitation) orders as follows: (Check **a**, **b**, **c**, or **d**.)

- a.** Father should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)

- b.** Mother should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)

- c.** "Standard visitation" would be unworkable or inappropriate. Possession and access to the child/ren should be as follows:

- d. I am concerned about the safety of the children with the other parent: I ask that:
*(If you checked **d**, check all that apply below.)*
- d-1. exchanges of the child/ren be supervised, or in the alternative, be in a public place.
 - d-2. the other parent's possession of the child/ren be limited to day visits.
 - d-3. the other parent's possession of the child/ren be supervised.
 - d-4. the other parent have no right to possession or access to the child/ren.
 - d-5. the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the child/ren.
 - d-6. the other parent's possession and access to the children be restricted as follows:

*(Check **only** if you are asking that a different possession order be in place while a child is under 3 years old.)*

- One or more of the children is under 3. Until the child turns 3, possession should be as follows:

After the child turns 3, possession should be as checked above.

*(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.

8C. Child Support and Medical Support

I ask the court to make appropriate orders for the support of the children, including regular child support, medical support and dental support and, 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 children to pay an equitable portion of prenatal and post-natal health-care expenses.

9. Children's Names *(Check one.)*

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

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 children 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 children:

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

- home address, mailing address, employer, work address,
- home phone #, work phone #, social security #, 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. Health Insurance Availability for Children

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.

12. Dental Insurance Availability for Children

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.

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.

13. Children's Property (Check one.)

- The children do not own any property of significant value in their own name.
- The children own the following property of significant value in their own name:

_____.

14. 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 and/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.

(Check the appropriate boxes. Fill in the requested information, if applicable.)

14A. 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.

14B. 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 _____.
I asked for a protective order on _____ in _____ County, _____ State.
Date Filed County State
The cause number of the protective order case is _____.
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 on _____ in _____ County, _____ State.
Date Filed County State
The Respondent asked for a protective order against _____.
The cause number of the protective order case is _____.
If the Respondent gets a protective order, I will file a copy of it before any hearings in this case.

14C. Protective Order in Place

- I have a protective order. The protective order is against _____.
I got the protective order on _____ in _____ County, _____ State.
Date of Order County State
The cause number for the protective order is _____.
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 _____.
The protective order was made on _____ in _____ County, _____ State.
Date of Order County State
The cause number for the protective order is _____.
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.

15. Public Benefits

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 to the Office of the Attorney General" below.

The children: (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.

16. 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

Phone number

Petitioner's Printed Name

Date

*Petitioner's
Mailing Address:* _____

Petitioner's Email Address: _____

*Petitioner's 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 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.

17. Certificate of Service to the Office of the Attorney General Child Support Division

Sign below **only** if the 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 *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

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 1-800-252-9690.

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 1-888-529-5277 (serves Dallas / Ft. Worth area & Northwest Texas)

Lone Star Legal Aid 1-800-733-8394 (serves Houston area & East Texas)

Texas Rio Grande Legal Aid 1-888-988-9996 (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 1-800-799-SAFE (7233) or

Texas Advocacy Project Hope Line at 1-800-374-HOPE (4673) or

Advocates for Victims of Crime (AVOICE): at 1-888-343-4414.