

Cause Number: _____

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

IN THE MATTER OF THE MARRIAGE OF

In the _____
(Court Number)

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

And

- District Court
- County Court at Law

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

_____ County, Texas

Original Petition for Divorce

Print your answers.

Parties

My name is: _____
First Middle Last

I am the **Petitioner**. I am filing this Petition for Divorce.

The last three numbers of my driver's license number are: ____ ____ ____ . My driver's license was issued in (State) _____.

or I do not have a driver's license number.

The last three numbers of my social security number are: ____ ____ ____ .

or I do not have a social security number.

My spouse's name is: _____
First Middle Last

My spouse is the **Respondent**.

1. Discovery Level

The discovery level in this case, if needed, is:

- Level 1.** Check here if you and your spouse do not have children under 18 or a disabled child of any age, the wife is not pregnant, and you have less than \$50,000 in property.
- Level 2.** All **other** couples check here.

2. Legal Notice

(Check one box.)

I will have a sheriff, constable, process server or clerk serve my spouse 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 my spouse). I understand that I will need to **pay the fee** (or file an Affidavit of Indigency form to show the Court that I am unable to pay the fee) and **arrange for service**.

I think my spouse will sign a Waiver of Service or file an Answer and sign the Final Decree of Divorce. Do not send a sheriff, constable, or process server to serve my spouse with this Petition at this time.

If my spouse does not sign a Waiver of Service or file an Answer, I will have a sheriff, constable, process server or clerk serve my spouse with this Petition here:

<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
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If this is a work address, name of business: _____

I will ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to my spouse). I understand that I will need to **pay the fee** (or file an Affidavit of Indigency form to show the Court that I am unable to pay the fee) and **arrange for service**.

3. Jurisdiction

Note: You cannot file this form until you or your spouse has lived in the county where you are asking for a divorce for at least the last 90 days and in Texas for at least the last six months.

Special Rules for Military Families: If you are serving in the armed forces outside of Texas or you have accompanied your spouse who is serving in the armed forces outside of Texas, you may still file this form if Texas has been the home state of either spouse for at least 6 months and the county where you plan to file the divorce has been the home county of either spouse for at least 90 days.

County of Residence *(Check all boxes that apply.)*

- I have lived in this county for the last 90 days.
- My spouse has lived in this county for the last 90 days.
- I am serving in the armed forces outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- I have accompanied my spouse who is serving in the armed forces outside of Texas, but this county has been the home county of either my spouse or me for at least 90 days.
- None of the above applies.

State of Residence *(Check all boxes that apply.)*

- I have lived in Texas for the last six months.
- My spouse has lived in Texas for the last six months.
- My spouse does not live in Texas but Texas is the last state where my spouse and I lived together as a married couple. This Petition is filed less than two years after we separated.
- I am serving in the armed forces outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.
- I have accompanied my spouse who is serving in the armed forces outside of Texas, but Texas is the home state of either my spouse or me and has been for at least 6 months.
- None of the above applies.

Waiver of Waiting Period Based on Family Violence *(Check only if applicable.)*

- I ask the Court to waive the 60-day waiting period for divorce because: *(Check one box.)*
 - My spouse has been convicted of or received deferred adjudication for a crime involving family violence against me or a member of my household.
 - I have an active protective order or an active magistrate's order for emergency protection against my spouse because of family violence during our marriage. The order includes a finding that my spouse committed family violence.

4. Protective Order Statement

(Check the appropriate boxes.)

A. No Protective Order

- I **do not** have a Protective Order against my spouse and I have not asked for one.
- My spouse **does not** have a Protective Order against me and has not asked for one.

B. Pending Protective Order

- I **have** filed paperwork at the courthouse asking for a Protective Order against my spouse, but a judge has not decided if I should get it. I asked for a Protective Order on _____
Date Filed
in _____ County, _____. The cause number is _____.
County State Cause Number
If I get a Protective Order, I will file a copy of it before any hearings in this divorce.
- My spouse **has** filed paperwork asking for a Protective Order against me, but a judge has not decided if my spouse will get it. My spouse asked for a Protective Order on _____
Date Filed
in _____ County, _____. The cause number is _____.
County State Cause Number
If my spouse gets a Protective Order, I will file a copy of it before any hearings in this divorce.

C. Protective Order in Place

- I **do have** a Protective Order against my spouse. I got the Protective Order in _____
County State Date Ordered
County, _____ on _____.
The cause number for the Protective Order is _____.
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 divorce.
- My spouse **does have** a Protective Order against me. The Protective Order was made in _____
County State Date Ordered
County, _____ on _____.
The cause number for the Protective Order is _____.
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 divorce.

5. Dates of Marriage and Separation

My spouse and I got married on or about: _____
Month Day Year

We stopped living together as spouses on or about: _____
Month Day Year

6. Grounds for Divorce

I ask the Court to grant me a divorce. The marriage has become insupportable due to discord or conflict of personalities that destroys the legitimate ends of the marital relationship and prevents any reasonable expectation of reconciliation.

7. Children

Children you and your spouse have together

(Check one box. Fill in the requested information if applicable.)

- My spouse and I **do not** have any biological or adopted children together who are under the age of 18 or still in high school.
- My spouse and I **do** have children together who are under the age of 18 or still in high school. Our children are listed below. There is a final court order for custody and support of our children and I am not asking to change that order at this time. The order was made in _____ County and _____ State. The cause number for the order is _____.
- I understand I must attach a file-stamped copy of the order to my Final Decree of Divorce.

	Child's name	Age	Date of Birth	Sex
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

If more than 6 children, list them on another sheet and write Attachment A at the top. Then attach it to this form.

Note: Do not use this form if you and your spouse have children together who are under the age of 18 or still in high school, unless there is a final court order for custody and support of **all** the children and you are not asking to change that order. Instead, use the *Petition for Divorce with Children* form.

Adult Disabled Children

(Check one box.)

- My spouse and I **do not** have any disabled children over 18.
- My spouse and I **do** have a disabled child over 18.

Note: If you have a disabled child, talk to a lawyer before filing this form. You or your spouse may be entitled to receive child support, even after the child becomes an adult.

Pregnancy

(Check one box.)

- The wife in this marriage **is not** pregnant.
- The wife in this marriage **is** pregnant.

(If pregnant, also check one box below.)

- The husband **is** the father of this child.
- The husband **is not** the father of this child.

Note: If the wife is pregnant and the husband is **not** the biological father of the child, paternity of the child must be established before you can finish your divorce. See *Texas Family Code Section 160.204*.

Paternity may be established by:

- filing, with the court, a case to *Adjudicate Parentage*, **or**
- filing, with the Texas Vital Statistics Unit, an *Acknowledgement of Paternity* signed by the genetic father and a *Denial of Paternity* signed by the husband.

The Office of the Attorney General may be able to help establish paternity of the child.

Get more information about establishing paternity at www.TexasLawHelp.org.

If the wife is pregnant and the husband **is** the biological father of the child, you must wait until the child is born to finish your divorce.

Children Born During the Marriage, but Husband is Not the Father

(Check one box. Fill in the requested information if applicable.)

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

	Child's name	Age	Date of Birth	Sex
1.				
2.				
3.				
4.				

If more than 4 children, list them on another sheet and write Attachment B at the top. Then attach it to this form.

(Check one box.)

- Paternity of the children named above has **not** been established. I understand that paternity of the children must be established before I can finish my divorce.
- Paternity of the children named above **has** been established:

(Check one box.)

- A court order has determined the father of each child named above. I understand I must attach a file-stamped copy of the order to my Final Decree of Divorce.
- An *Acknowledgement of Paternity* signed by the genetic father and a *Denial of Paternity* signed by the Husband has been filed with the Texas Vital Statistics Unit for each child named above. I understand I must attach a copy of these documents to my Final Decree of Divorce.

Note: If the wife had children with another man while married to the husband, paternity of the children must be established before you can finish your divorce. This is true even if the children were born after the husband and wife separated. *See Texas Family Code Section 160.204.*

Paternity may be established by:

- filing, with the court, a case to *Adjudicate Parentage*, **or**
- filing, with the Texas Vital Statistics Unit, an *Acknowledgement of Paternity* signed by the genetic father and a *Denial of Paternity* signed by the Husband.

The Office of the Attorney General may be able to help establish paternity of the children. Get more information about establishing paternity at www.TexasLawHelp.org.

8. Name Change

(Check one box.)

Note: You cannot use this form to change your name to anything other than a name you used before you got married.

- I am NOT asking the Court to change my name.
- I ask the Court to change my name back to a name I used before my marriage. I am not asking the court to change my name to avoid criminal prosecution or creditors. I ask that my name be changed to:

First
Middle
Last

9. Property

Community Property

If my spouse and I are able to reach an agreement for the division of our property and debts, I ask the Court to approve our agreement. If such an agreement is not made, I ask the Court to divide our property and debts in a way that is just and right, according to Texas law.

Separate Property

I ask the court to confirm the following property as my separate property. This is money or property I owned *before* I was married, that I received as a gift or inheritance during my marriage, that I received for personal injuries that occurred during my marriage that was not for lost wages or medical expenses, or property I purchased during my marriage with separate property funds.

House located at: _____
Street Address *City* *State* *Zip*

Land located at: _____
Street Address *City* *State* *Zip*

Cars, trucks, motorcycles or other vehicles

Year	Make	Model	Vehicle Identification No. [VIN]-
_____	_____	_____	_____
_____	_____	_____	_____

Other money or personal property I owned before I was married, received as a gift or inheritance during my marriage or property I purchased during my marriage with separate property funds: *(describe)*

Money I received as recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses: *(describe)*

Important: Talk to a lawyer if you or your spouse has retirement benefits or other employment benefits such as a 401(k), pension, profit sharing or stock option plan. The part of a spouse's benefits earned during the marriage can usually be divided by the court when you get divorced. This is true even if the spouse has not yet retired. However, you must hire a lawyer to correctly write the additional documents the court will need to divide the benefits.

10. Prayer

I ask the Court to grant my divorce. I also ask the Court to make the other orders I have asked for in this Petition and any other orders to which I am entitled.

_____	_____
<i>Petitioner's Name</i>	<i>Date</i>
→ _____	(_____)
<i>Petitioner's Signature</i>	<i>Phone</i>
_____	_____
<i>Mailing Address</i>	<i>City</i> <i>State</i> <i>Zip</i>

I understand that I must notify the Court and my spouse's attorney (or my spouse if my spouse does not have an attorney) in writing if my mailing address changes during these divorce proceedings. If I don't, any notices about this case will be sent to me at the address above.

WARNING: By signing this form, you give up all your legal rights in this case. Do not sign it if you want to know what the court will order in your divorce. You can waive your right to be served, but keep your other rights, by filing an *Answer* instead. You can find an *Answer* form at www.FreeTexasForms.org with the Divorce – No Children forms.

Instructions: If you decide to use this *Waiver of Service* form:

- Make sure the Petitioner has already filed a *Petition for Divorce* with the court. Do not sign this *Waiver of Service* until after the *Petition* is filed and you have been given a copy. If you sign it before the *Petition* is filed, it must be redone. The official court stamp on the *Petition* will tell you when it was filed.
- Fill out the *Waiver of Service* completely. You **MUST** include your address.
- Sign the *Waiver of Service* in front of a notary.
- Give the *Waiver of Service* to the Petitioner or file it in the clerk’s office.

Print court information exactly as it appears on your *Petition*.

Cause Number: _____

IN THE MATTER OF THE MARRIAGE OF

In the: (Check one.)

Petitioner: _____ District Court County Court of:
(Print first, middle and last name of the spouse filing for divorce.) (court number)

And

Respondent: _____ County, Texas
(Print first, middle and last name of other spouse.)

Waiver of Service – Divorce (No Children)

The person who signed this affidavit appeared, in person, before me, the undersigned notary, and stated under oath:

“I am the Respondent in this case.

“My name is: _____
First Middle Last

“My mailing address is: _____
Mailing Address City State Zip

“My phone number is: (_____) _____-_____.

“The last three numbers of my driver’s license number are: ____ ____ _____. My driver’s license was issued in (State): _____.

Or I do not have a driver’s license number.

“The last three numbers of my social security number are: ____ ____ ____.

Or I do not have a social security number.

“I have been given a copy of the *Petition for Divorce* filed in this case. I have read the *Petition for Divorce* and understand what it says.

"I understand that I have the right to be given a copy of the *Petition for Divorce* and official notice of this case by a constable, sheriff or other official process server. This process is called *issuance and service of citation*. I do not want to be given official notice. I give up my right to *issuance and service of citation* in this case and enter my appearance in this case for all purposes.

"I also give up my right to be notified of any and all hearings in this case.

"I agree that a Judge or Associate Judge in the county and state where this case is filed may make decisions about my divorce, even if the divorce should have been filed in another county. I do not want a court reporter to make a record of the testimony in this case.

"I understand that I must let the Court, my spouse and my spouse's attorney(if my spouse has an attorney) know in writing if my mailing address or phone number changes during this case

"If I am in the military, I waive all rights, privileges, and exemptions I may have under the Servicemembers Civil Relief Act in this case, including having a lawyer appointed to represent me.

"I agree that the judge may make decisions about my divorce without further notice to me."

(Check only one):

I am NOT asking the court to change my name."

I ask the Court to change my name back to a name I had before my marriage:

First Middle Last

Do not sign until you are in front of a Notary

▶ _____
Respondent's signature

Notary fills out below

State of Texas, County of _____
(Print the name of county where this affidavit is notarized.)

Sworn to and subscribed before me, the undersigned Notary, on this date: _____

by _____
(Print the first and last names of the Respondent who is signing this affidavit.)

I, the Notary Public, who signature appears below, certify that I am not an attorney in this case.

(Notary's seal here)

→ _____
Notary's signature

WARNING: Without the advice and help of an attorney, you may be putting yourself, your property, and your money at risk. For help finding a private attorney, call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690. To find the Legal Aid office nearest you, go to www.TexasLawHelp.org and click on "Find Legal Assistance." If you are a victim of domestic violence, you can get legal help by calling 1-800-374-4673.

WARNING: Filing an *Answer* with the Court enters your appearance in this case. Talk to an attorney before filing an *Answer*, if you 1) **do not live in Texas** and 2) do not want a Texas Court to have the power to make orders that would impose a personal obligation on you. Such orders could include orders dividing your property and debts, ordering you to pay child support (if you and your spouse have children), and ordering you to pay spousal maintenance, court costs and attorney's fees (if requested by your spouse). If you file an *Answer* (or any other pleading) before filing a *Special Appearance*, you will give up your right to argue that Texas can't make such orders because you live out-of-state. Ask a Texas attorney to help you determine if Texas has personal jurisdiction over you.

Cause Number: _____

IN THE MATTER OF THE MARRIAGE OF:

Petitioner: _____
(Print first, middle and last name of the spouse filing for divorce.)

In the _____
(Court Number)

And

District Court County Court at Law

Respondent: _____ County, Texas
(Print first, middle and last name of other spouse.)
(Print court information exactly as it appears on the Petition for Divorce)

Respondent's Answer to Divorce

Print your answers.

My name is: _____
First Middle Last

I am the **Respondent** in this divorce case. My spouse is the **Petitioner**.

The last three numbers of my driver's license number are: ____ ____ _____. My driver's license was issued in (State) _____.
or I do not have a driver's license number.

The last three numbers of my social security number are: ____ ____ _____.
or I do not have a social security number

1. General Denial

I enter a general denial. I want to be notified of all hearings in this case.

However, if my spouse and I reach an agreement I will sign the *Final Decree of Divorce*. If I sign the *Final Decree of Divorce*, then I agree that the Court can finalize this case without my getting notice of the hearing and without my coming to Court.

2. Contact Information

My mailing address is: _____
Print Mailing Address City State Zip

My phone number is: (____) _____ - _____.

I understand I *must* notify the Court and my spouse or my spouse's attorney (if my spouse has an attorney) in writing if my mailing address or phone number changes during this case. I understand that unless I give the Court and my spouse or my spouse's attorney (if my spouse has an attorney) written notice of changes in my mailing address, all information about this case, including the date and time of hearings, will be sent to me at the address on this form.

Note: If your spouse has an attorney you must send the notice required above to your spouse's attorney rather than your spouse.

3. Separate Property

I own the following separate property. I owned this property before I was married or I received this property as a gift or inheritance during my marriage or I received this property as recovery for personal injuries sustained during my marriage (not including any recovery for loss of earning capacity during my marriage). I ask the Court to confirm this property as my separate property in my Final Decree of Divorce.

1. House located at: _____
street address city state zip

2. Land located at: _____
street address city state zip

3. Cars, trucks, motorcycles, mobile homes or other vehicles

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. Other property I owned before I was married or received as a gift or inheritance during my marriage (*describe*):

5. Money I received as recovery for personal injuries sustained during my marriage (not including any recovery for loss of earning capacity during my marriage) (*describe*):

Note: Talk to a lawyer if you or your spouse has a retirement account. Even if the retirement account was owned by one spouse before the marriage, any increase in the value of the account during the marriage is usually considered to be community property that can be divided by the court. A retirement account may be the most valuable asset owned by you and your spouse.

4. Name Change

(Check one.)

- I am NOT asking the court to change my name.
 I ask the Court to change my name back to:

PRINT *First* *Middle* *Last*

This is a name I have used before. I am not asking the court to change my name to avoid criminal prosecution or to avoid payment of debt.

5. Prayer

I ask the Court to grant me a divorce. I also ask the Court to make the other orders I have asked for in this *Answer* and any other orders to which I am entitled.

→ _____
Respondent's Signature

Date

Respondent's Printed Name

(_____) _____
Phone Number

Respondent's Mailing Address

City *State* *Zip*

6. Certificate of Service

I swear that a true copy of this document was delivered to my spouse or my spouse's attorney (if my spouse has an attorney) in person, by fax, or by certified mail, return receipt requested on this date.

→ _____
Respondent's signature

Date

Print court information exactly as it appears on the Petition for Divorce.

Cause Number: _____

IN THE MATTER OF THE MARRIAGE OF

In the _____
Court Number

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

District Court County Court at Law

And

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

_____ County, Texas

Final Decree of Divorce

A hearing took place on _____
Date

There was no jury. Neither the husband nor wife asked for a jury.

1. Appearances

Petitioner

The Petitioner's name is: _____
First Middle Last

The Petitioner is the: (Check one box.) Husband. Wife.

(Check one box.)

- The Petitioner **was present**, representing him/herself, and announced ready for trial.
- The Petitioner **was present**, representing him/herself, and has signed below, agreeing to the terms of this Final Decree of Divorce (called "Decree throughout this document).
- The Petitioner **was not present** but has signed below, agreeing to the terms of this Decree.

Respondent

The Respondent's name is: _____
First Middle Last

The Respondent is the: (Check one box.) Husband. Wife.

(Check one box.)

- The Respondent **was present**, representing him/herself, and announced ready for trial.
- The Respondent **was present**, representing him/herself, and has signed below, agreeing to the terms of this Decree.
- The Respondent was **not present**, but filed an Answer or Waiver of Service and has signed below agreeing to the terms of this Decree.
- The Respondent was **not present**, but filed a Waiver of Service that waived Respondent's right to notice of this hearing and did not otherwise appear.
- The Respondent was **not present**, but was served and has defaulted. The Petitioner has filed a Certificate of Last Known Address and a Military Status Affidavit.

The Court fills out this box.

2. Record

- A Court reporter recorded today's hearing.
- A Court reporter did not record today's hearing because the Husband, Wife, and judge agreed not to make a record.
- A Statement of the Evidence was signed by the Court.

3. Jurisdiction

The Court heard evidence and finds that it has jurisdiction over this case and the parties, that the residency and notice requirements have been met, and the *Petition for Divorce* meets all legal requirements.

The Court finds that: *(Check one box.)*

- it has been at least 60 days since the *Petition for Divorce* was filed.
- the 60 day waiting period is not required because: *(Check one box.)*
 - Petitioner has an active Protective Order under Title 4 of the Texas Family Code, or an active magistrate's order for emergency protection under Article 17.292 of the Texas Code of Criminal Procedure against Respondent because Respondent committed family violence during the marriage.
 - Respondent has a final conviction or has received deferred adjudication for a crime involving family violence against Petitioner or a member of Petitioner's household.

4. Children

4a. No Children or Children with Final Court Order

(Check one box.)

- The Court finds that the Husband and Wife **do not** have any biological or adopted children together, who are under 18 or over 18 and still in high school.
- The Court finds that the Husband and Wife are the parents of the children listed below who are under the age of 18 or still in high school. The Court finds that a final court order for custody and support of the children was made in _____ County, _____, in Cause # _____. The court that made the order has continuing, exclusive jurisdiction of the children. No changes are made to the order in this Final Decree of Divorce. A copy of the order is attached to this Decree as Exhibit A. *(You MUST attach a copy of the order. Write Exhibit A at the top.)*

	Child's name	Sex	Date of Birth	State where child lives now
1	_____	_____	_____	_____
2	_____	_____	_____	_____
3	_____	_____	_____	_____
4	_____	_____	_____	_____
5	_____	_____	_____	_____
6	_____	_____	_____	_____

4b. Disabled Children

The Court finds that the Husband and Wife **do not** have any disabled children of any age.

Remember: Talk to a lawyer if you have a disabled child or an adult disabled child. You or your spouse may be entitled to child support even after the child becomes an adult.

4c. Pregnancy

The Court finds that the Wife **is not** pregnant.

Remember: You cannot finish your divorce while the wife is pregnant.

4d. Children Born during the Marriage, but the Husband is Not the Father

(Check one box.)

- The Court finds that the Wife **did not** have children with another man while married to the Husband.
- The Court finds that the children named below were born to the Wife during the marriage, but are **not** the Husband's children. The Court further finds that paternity of each child has been established:

Remember: If the wife had children with another man while married to the husband, you cannot finish your divorce until paternity of the children has been established. See Texas Family Code Section 160.204. Get more information about establishing paternity at www.TexasLawHelp.org.

(Check one box.)

- A court order has determined the father of each of child named below. A copy of the order is attached to this Final Decree of Divorce as Exhibit ____.
- An *Acknowledgement of Paternity* signed by the genetic father **and** a *Denial of Paternity* signed by the Husband has been filed with the Vital Statistics Unit for each child named below. A copy of the *Acknowledgment of Paternity* and *Denial of Paternity* are attached to this Final Decree of Divorce as Exhibit ____.

You **must** list all children born during the marriage who are not the adopted or biological children of the husband. Paternity of each child must already have been established.

	Child's name	Sex	Date of Birth
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____

5. Divorce

IT IS ORDERED that the Petitioner and the Respondent are divorced.

6. Property and Debt

WARNING: Additional forms are needed to divide retirement benefits and to transfer title to real estate.

If you plan to divide retirement benefits or you jointly own a house or land with your spouse, do **NOT** use this form without first talking to a lawyer. You can hire a lawyer to review and appropriately modify this decree and write the additional documents you must have for a flat fee. Call your local lawyer referral service or the State Bar of Texas Lawyer Referral Information Service at 1(800) 252-9690 for help finding a lawyer.

About community property: Texas is a community property state. This means that any new property or debt that either party obtains from the minute they are married until the minute the judge grants the divorce is probably community property, even if the property or debt is only in one spouse's name. There are only a few exceptions to the law of community property. The exceptions are gifts, inheritance or a recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses. All community property and debt should be included in the Final Decree of Divorce.

About separate property: If either party receives a gift, an inheritance, or a recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses, it is separate property. It is a good idea to list separate property obtained during the marriage as that individual's separate property in the Final Decree of Divorce.

Talk to a lawyer if you have questions about property and debt.

The Court makes the following orders regarding the parties' community and separate property:

Husband's Separate Property

(Fill in all lines. If there is no property to declare in any particular category, write "none".)

The Court confirms that the Husband owns the following property as his separate property:

1. **House** located at: _____
Street Address City State Zip

- Husband owned this house before marriage.
 Husband received this house as a gift or inheritance.

2. **Land** located at: _____
Street Address City State Zip

- Husband owned this land before marriage.
 Husband received this land as a gift or inheritance.

3. **Cars, trucks, motorcycles or other vehicles**

Husband owned these vehicles *before* marriage or received them as a gift or inheritance during the marriage:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

4. **Other Money or Property**

Husband owned the following money or personal property *before* the marriage:

Husband inherited or received as a gift the following money or personal property *during* the marriage:

Husband received the following money recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses:

Husband's Community Property

The Court ORDERS that the Husband is awarded (*gets*) the following property as his sole and separate property, and Wife conveys (*gives*) to Husband her interest in the property, and Wife is divested of (*loses*) all right, title, interest and claim in and to that property.

Wife IS ORDERED to sign any deeds or documents needed to transfer any property listed below to the Husband. Husband is responsible for preparing the documents.

- 1. All property in Husband's care, custody or control, or in Husband's name, that this Final Decree of Divorce does not give to the Wife.

2. House or land located at: _____
Street Address City State Zip

Legal Description: _____

3. Other real property located at: _____
Street Address City State Zip

Legal Description: _____

- 4. All of Husband's employment benefits, including retirement, pension, 401(k), profit-sharing, and stock option plans that are in his name alone, along with all individual retirement accounts, such as IRAs that are in his name alone. (*Note: If you want to divide retirement or employment benefits do NOT use this form. Talk to an attorney.*)

- 5. All cash and money in any bank or other financial institution listed in Husband's name alone.

- 6. Any insurance policy that covers Husband's life.

- 7. Husband's cars, trucks, motorcycles or other vehicles listed below:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

8. Husband will also keep the following property: _____

Husband's Debts

The Husband shall pay the debts listed below:

- 1. All taxes, bills, liens, and other charges, present and future, that are in Husband's name alone or that this Decree gives to the Husband alone, unless this Decree requires otherwise.

2. Any debt Husband incurred after separation. Date of separation: _____
Month Day Year

- 3. The balance due on any loan or mortgage for the real property that this Decree gives to Husband alone.

- 4. The balance due on any loan for any vehicles that this Decree gives to Husband alone.

- 5. All other debts listed below, which are not in Husband's name alone: (*such as credit cards, student loans, medical bills, income taxes*)

Wife's Separate Property

(Fill in all lines. If there is no property to declare in any particular category, write "none".)

The Court confirms that Wife owns the following property as her separate property:

1. **House** located at: _____
Street Address City State Zip

- Wife owned this house before marriage.
- Wife received this house as a gift or inheritance.

2. **Land** located at: _____
Street Address City State Zip

- Wife owned this land before marriage.
- Wife received this land as a gift or inheritance.

3. **Cars, trucks, motorcycles or other vehicles**

Wife owned these vehicles before the marriage or received them as a gift or inheritance during the marriage:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

4. **Other Money or Property**

Wife owned the following money or property *before* the marriage:

Wife inherited or received as a gift the following money or personal property *during* the marriage:

Wife received the following money recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses:

Wife's Community Property

The Court ORDERS that the Wife is awarded (*gets*) the following property as her sole and separate property, and Husband conveys (*gives*) to Wife his interest in the property, and Husband is divested of (*loses*) all right, title, interest and claim in and to that property.

Husband IS ORDERED to sign any deeds or documents needed to transfer any property listed below to the Wife. Wife is responsible for preparing the documents.

1. All personal property in Wife's care, custody, or control, or in Wife's name, that this Decree does not give to the Husband.

2. House or land located at: _____
Street Address City State Zip

Legal Description: _____

3. Other real property located at: _____
Street Address City State Zip

Legal Description: _____

4. All of Wife's employment benefits, including retirement, pension, 401(k), profit-sharing, and stock option plans that are in her name alone, along with all individual retirement accounts, such as IRAs that are in her name alone. (Note: If you want to divide retirement or employment benefits do NOT use this form. Talk to an attorney.)
5. All Wife's cash and money in any bank or other financial institution listed in Wife's name alone.
6. Any insurance policy that covers the Wife's life.
7. Wife's cars, trucks, motorcycles or other vehicles listed below:

Year	Make	Model	Vehicle Identification No. [VIN]
_____	_____	_____	_____
_____	_____	_____	_____

8. Wife will also keep the following property: _____
- _____
- _____
- _____

Wife's Debts

The Wife shall pay the debts listed below:

1. All taxes, bills, liens, and other charges, present and future, that are in Wife's name alone or that this Decree gives to Wife alone, unless this Decree requires otherwise.
 2. Any debt Wife incurred after separation. Date of separation: _____.
- Month Day Year
3. The balance due on any loan or mortgage for the real property that this Decree gives to Wife alone.
 4. The balance due on any loan for any vehicles that this Decree gives to Wife alone.
 5. All other debts listed below, which are not in Wife's name alone: (such as credit cards, student loans, medical bills, income taxes) _____
- _____
- _____

7. Muniment of Title

This Decree shall serve as a muniment of title to transfer ownership of all property awarded to any party in this Final Decree of Divorce. (A "muniment of title" creates an official record of ownership transfer.)

8. Name Change

The Court ORDERS the name of the:

(Check all boxes that apply.)

- Husband changed back to a name used before marriage, as it appears below.

First Middle Last

- Wife changed back to a name used before marriage, as it appears below.

First Middle Last

9. Court Costs

The costs of court shall be paid by the party who incurred them to the extent the party is required to pay such costs. A party who filed an *Affidavit of Indigency* is not required to pay costs, unless a contest to the *Affidavit of Indigency* was sustained by the Court in a separate written order.


10. Other Orders

The court has the right to make other orders, if needed, to clarify or enforce the orders above.

11. Final Orders

Any orders requested that do not appear above are denied. This Decree is a final judgment that disposes of all claims and all parties and is appealable.

Judge's Name

 _____
Judge's signature

Date of Judgment

By signing below, the Petitioner agrees to the form and substance of this Decree.

Petitioner's Name (print)

()

Phone number

→

Petitioner's Signature

Date

Mailing Address: _____

By signing below, the Respondent agrees to the form and substance of this Decree.

Respondent's Name (print)

()

Phone number

→

Respondent's Signature

Date

Mailing Address _____
