

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

In the Matter of the Marriage of

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

And

In the _____
(Court Number)

☐ District Court
☐ County Court at Law

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

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

1. _____ 2. _____ 3. _____

Affidavit for Prove-Up of Agreed Divorce With Children

My name is _____. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I am presently married to _____.

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] _____, and we ceased to live together as spouses on or about [date] _____.

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.

The following children of the marriage who are under the age of 18 were born or adopted during this marriage:

	Child's name	Sex	Date of Birth
1.	_____	_____	_____
2.	_____	_____	_____

(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 of the children born during the marriage that are not the husband's adopted or biological children are named below:

	Child's name	Sex	Date of Birth
1.	_____	_____	_____
2.	_____	_____	_____

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 other child is expected at this time. Neither spouse in the marriage is pregnant.

We agree that (check only what applies):

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

My spouse and I agree to

- ☐ the standard possession order
- ☐ other visitation / possession and access schedule (describe):

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

_____ (parent responsible for insuring child) will provide health insurance for the children

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).

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

There is no bankruptcy proceeding affecting this suit.

My spouse and I have entered into an agreement concerning the division of our property and debts. The agreement is in the Final Decree of Divorce that we have submitted to this Court.

I believe that the terms of the agreement are just and right and that the agreement is fair and equitable to both my spouse and me.

The Petitioner/Respondent (circle one) is requesting a name change to _____.

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

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

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

I am the [Petitioner/Respondent] (circle one). I swear under oath that the facts stated in this Affidavit are true and correct.

Signature of Affiant

ONLY sign in front of a notary!

Notary fills out below.

State of _____
(Print name of state where this petition is notarized)

County of _____
(Print the name of the county where this Petition is notarized)

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

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

[Notary Stamps Here]



Notary's Signature

Note: For information about divorce in Texas, including how to file an answer, go to www.bryanfagan.com

Ready to take the first step towards your goals? Call [281-810-9760](tel:281-810-9760) now to schedule your free consultation. Don't wait, your future starts with a simple phone call