

[Note: all bracketed terms are informational only and should be deleted]

NO. _____

IN THE MATTER OF
THE MARRIAGE OF

IN THE DISTRICT COURT

AND

_____ JUDICIAL DISTRICT

AND IN THE INTEREST OF

CHILDREN

_____ COUNTY, TEXAS

ORIGINAL PETITION FOR DIVORCE [with kids]

1. *Discovery Level*

Discovery in this case is intended to be conducted under level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. *Parties*

This suit is brought by _____, Petitioner. _____ is Respondent.

3. *Domicile*

Petitioner has been a domiciliary of Texas for the preceding six-month period and a resident of this county for the preceding ninety-day period.

4. *Service*

Process should be served on Respondent at _____, Texas, or such other place as he/she may be found. If Respondent cannot be properly served then he/she shall be served by substitute service as authorized by the Texas Rules of Civil Procedure or the applicable statutes.

[FOR CITATION BY PUBLICATION, ADD THE FOLLOWING:]

Citation of Respondent by publication or other substituted service is necessary for the reasons stated in the affidavit attached as Exhibit _____.

5. *Protective Order Statement*

No protective order concerning the parties has been issued or applied for.

[(OR)

A protective order was issued by the Court in Cause No. _____ and was entered on _____.

A copy of the protective order is [attached to this petition as Exhibit _____ /not available at this time, but a copy of the order will be filed with the Court before any hearing].]

6. *Dates of Marriage and Separation*

The parties were married on or about _____ and ceased to live together as husband and wife on or about _____.

7. *Grounds for Divorce*

The marriage has become insupportable because of discord or conflict of personalities between Petitioner and Respondent that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation.

8. *Children of the Marriage*

Petitioner and Respondent are parents of the following children of this marriage who are not under the continuing jurisdiction of any other court:

Name:
Sex:
Birth date:

Name:
Sex:
Birth date:

There are no court-ordered conservatorships, court-ordered guardianships, or other court-ordered relationships affecting the children the subject of this suit.

[OR] [The child(ren) is/are under the continuing jurisdiction of the _____ Judicial District Court as a result of orders dated _____ in Cause Number _____.]

[Information required by section 152.209 of the Texas Family Code is provided in the affidavit attached as Exhibit _____. (UCCJEA)]

Information required by section 154.181(b)(1) of the Texas Family Code is provided in the statement attached as Exhibit _____. [Health Insurance information]

No property of consequence is owned or possessed by the children the subject of this suit.

Petitioner requests the Court make orders for conservatorship and support as are in the best interest of the subject child.

9. *Parenting Plan*

Petitioner anticipates Petitioner and Respondent will be unable to reach an agreement on a “Final Parenting Plan” within thirty days before the date of trial; therefore, exhibit “___” entitled “Final Parenting Plan” is submitted herewith and incorporated by reference as if set forth verbatim at this point in the Petition in compliance with section 153.603 Texas Family Code.

10. *Division of Community Property*

Petitioner requests the Court to approve the agreement of the parties, if any, and if such an agreement is not made, Petitioner requests the Court to divide their estate in a manner that the Court deems just and right, as provided by law.

11 *[Request for Change of Name (If applicable)]*

Petitioner requests a change of name from _____ to _____ which is her name

previously used.

12. *Prayer*

Petitioner prays that citation and notice issue as required by law and that the Court grant a divorce and all other relief requested in this petition.

Petitioner prays for general relief.

Respectfully submitted,

Your Law Firm

Address _____

Tele: _____

Fax: _____

By: _____

[attorney name]

State Bar No. _____

Attorney for Petitioner

[ATTACH PARENTING PLAN]