

Cause No.: _____

DIVORCE CHECKLIST FOR PRO SE LITIGANTS

(designed for parties who are representing themselves in a divorce lawsuit)

If you are representing yourself, below is a checklist that you must complete before appearing in court for your divorce. **Remember, neither the Grimes County District Clerk nor the Court Staff can give you legal advice.** If you have legal questions you should contact a competent attorney to assist you.

_____ 1. You **must** have filed all necessary paperwork (including a proposed Final Decree of Divorce) with the Grimes County District Clerk's office **before** your case is placed on the Uncontested Docket for your final hearing. You must have the following:

_____ Petition for Divorce (filed when you started your divorce)

_____ Waiver of Citation If you are using a Waiver of Citation, this document **must** have been signed by the Respondent in front of a notary public and notarized **on a date after** the Original Petition for Divorce was filed, and filed with the District Clerk at least ten days **before** the final hearing.

_____ Proof of Service of Citation for a default (if Respondent was served and did not file a Waiver).

_____ Texas Department of State Health Services – Vital Statistics Forms. Obtain these from the Grimes County District Clerk's Office.

_____ Proposed Final Decree of Divorce

IF CHILDREN ARE INCLUDED, YOUR DECREE MUST ALSO HAVE:

_____ The forms or language for either a Standard Possession Order, or provisions for possession and access to the child(ren) by the other parent. If not Standard, be prepared to explain the difference.

_____ The forms for child support, including the amount of money to be paid either weekly, bi-weekly, monthly, or otherwise, and include provisions for insurance to be carried on the children (Including private insurance, Medicaid, CHIPS, TriCare, etc.), and deductible payments.

The Final Decree of Divorce **must** include all of the elements necessary under Texas law. You have several options available to you to get this done:

- Contact a private attorney;
- Contact Lone Star Legal Aid at www.lonestarlegal.org, to see if you qualify for representation by their attorneys;
- Find information and forms online at www.texaslawhelp.org (then click on *Family Law and Domestic Violence*, and then click on *Divorce / Free Forms*) or at www.freetexasforms.org (then click on either *Divorce in Texas WITH Children* or *Divorce in Texas WITHOUT Children*); or
- If you have been a victim of domestic abuse, contact the Texas Advocacy Project Assisted Pro Se Program at (866) 598-4277, to see if you qualify for assistance by their attorneys.

_____ 2. If you do not have an agreement with your spouse, and your spouse has filed an answer, your case **will not** be heard on the Uncontested Docket and you will need to request a court date from the Court Coordinator.

_____ 3. If there were children born during this marriage who are under the age of 18 years, the Court recommends that you either: a) attend a parenting class; b) explain to the Court why you cannot attend such a class; or c) enroll in www.OurFamilyWizard.com. Be prepared to tell the Court which you have done, or why you should not be required to do so.

_____ 4. Pick up a form entitled *Information on Suit Affecting the Family Relationship* (Texas Department of State Health Services-Vital Statistics Form)(called BVS forms) from the Grimes County District Clerk's office. Fill out the form according to the instructions and either file it with the Grimes County District Clerk, or bring the form with you to Court for the final divorce hearing.

_____ 5. Except for unusual circumstances, you will **not** be able to get a divorce if 60 days have not elapsed from the date the lawsuit was filed. **If you have a case with the Attorney General concerning the child(ren) in this divorce, you must give their office a file-stamped copy of the Petition For Divorce as soon as you file it.**

_____ 6. **Only after** you have completed all of the above should you check the Court website at www.court506.com for an available date on the Uncontested Docket for the final divorce hearing. Then, all you need to do is appear in the Grimes County District Clerk's Office 30-minutes before court and ask to have your file pulled for a final hearing.