

**SIMPLE NO-CONTEST, NO-CHILDREN DIVORCE
INSTRUCTIONS AND FORM COMPLETION CHECKLIST**

Only if you can answer YES to the following questions should you attempt to use the forms in this package for a simple no-contest, no-children divorce. If you cannot answer all of the following questions with a YES answer, do not use this package of forms.

1. Were you married in a ceremonial marriage or are you claiming to be married as a Common Law husband and wife? By that, were you married by a Justice of the Peace, Judge, Magistrate, Minister, Pastor, Priest or other official authorized by the State of Texas to perform marriage ceremonies; **OR**, have you either filed a written statement of marriage with some governmental body, or have you declared to anyone who asks that you are in fact husband and wife?
2. Have either you or your spouse lived in the State of Texas for at least six months, and in this county for at least 90 days before you are filing for divorce?
3. Will your spouse agree to sign a Waiver (please ask to be sure)?
4. Have you and your spouse agreed to divide up your property and debts so that you each basically keep that which is in your possession or debts in your own respective names?

If the answer to all of the above questions is Yes, you may use this basic document package. Please complete the information in the checklist so that you will have everything you need for your divorce. Also, you **MUST** complete the Divorce Checklist for Pro Se Litigants that you may obtain from either the District Clerk or at www.court506.com.

Fill out your papers using a black or blue ink pen or a typewriter. **Print carefully and legibly.** You will need the following information in order to fill out the forms in this package. The person filing for the divorce is the Petitioner. The other spouse is the Respondent.

1. Petitioner's full legal name: _____
2. Respondent's full legal name: _____
3. Petitioner's physical address: _____
4. Respondent's physical address: _____
5. Petitioner's mailing address: _____
6. Respondent's mailing address: _____
7. Petitioner's county of residence: _____
8. Respondent's county of residence: _____
9. Petitioner's driver's license number: _____
10. Respondent's driver's license number: _____
11. Petitioner's social security number: (Last 4 digits) XXX-XX-_____
12. Respondent's social security number: (Last 4 digits) XXX-XX-_____
13. Date of Marriage: _____
14. Date of Separation: _____
15. Name change **from** this: _____
16. Name change **to** this: _____

Once you have filled out the Original Petition for Divorce, the Petitioner must sign the form on the second page and provide the information as indicated.

Cause Number: _____

In the Matter of the Marriage of _____ § IN THE DISTRICT COURT OF
(1) § GRIMES COUNTY TEXAS
and _____ §
(2) § _____th DISTRICT

ORIGINAL PETITION FOR DIVORCE

TO THE HONORABLE COURT:

1. Petitioner brings this suit for divorce and dissolution of marriage. The following is provided for the identity of the parties:

	Petitioner	Respondent
Full Name	(1)	(2)
Physical Address	(3)	(4)
Mailing Address	(5)	(6)
County of Residence	(7)	(8)
Driver's License No.	(9)	(10)
Social Security No.	(11) (Last 4 digits) XXX-XX-_____	(12) (Last 4 digits) XXX-XX-_____

2. Discovery shall be conducted under Level 1 of Texas Rule of Civil Procedure 190.

3. At the time of the filing of this petition either Petitioner or Respondent, or both, has been a domiciliary of Texas for the preceding six month period and a resident of this county for the preceding 90-day period.

4. Service of citation is not necessary at this time as Respondent is expected to file a proper waiver of service. In the event no waiver is filed Petitioner will request and pay for service of citation.

5. Petitioner and Respondent were married on the following date and ceased to live together as husband and wife on or about the following date.

Date of Marriage	Date of Separation
(13)	(14)

6. No protective order under the Texas Family Code is in effect and no application for a protective order is pending with regard to the parties to this suit.

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

8. No children were born to or adopted by Petitioner and Respondent during the marriage and no children are expected at this time; or, no child under the age of 18 years is subject to this lawsuit.

9. Petitioner and Respondent own minimal community property and have incurred community debts and liabilities. It is expected that the parties will reach an agreement on the division of property and debts. In the event no agreement is reached, Petitioner requests that the Court divide the property and debts of the parties in a manner that the Court deems just and right.

10. Petitioner requests that the Court make the following name change:

Current Full Name	Requested Full Name
(15)	(16)

In conclusion, Petitioner requests in the event no waiver is filed that Respondent be cited to appear and answer, and requests that the Court, on final hearing, grant a decree of divorce dissolving Petitioner's marriage to Respondent, and grant any other and further relief to which Petitioner may be justly entitled.

Signature of (1): X

Printed Name: _____

Mailing Address _____

Best Phone No. _____

Cause Number: _____

In the Matter of the Marriage of	§	IN THE DISTRICT COURT OF
(1) _____	§	GRIMES COUNTY TEXAS
and	§	
(2) _____	§	_____th DISTRICT

WAIVER OF CITATION

BEFORE ME, the undersigned authority, personally appeared (2) _____, who, being by me duly sworn, on oath stated:

My name is (2) _____. I am the Respondent in the above-entitled and numbered cause. My mailing address is correctly stated below. I have received a copy of the Original Petition for Divorce that has been filed in this cause, and I have read it and understand it.

I hereby enter my appearance in this cause for all purposes. I hereby waive the issuance and service of process. I agree that the cause may be taken up and considered by the Court without further notice to me so long as the Court is presented with a Decree of Divorce which has been signed by me.

I hereby waive the making of a record of the proceedings in this matter by the court reporter or other electronic means. I agree that this cause may be heard by the presiding Judge or Associate Judge of the Court.

Signature of (2): X _____

Printed Name: _____

Mailing Address _____

Best Phone No. _____

SUBSCRIBED AND SWORN TO before me, the undersigned Notary Public, by (2) _____ on _____, 20____, to certify which witness my hand and official seal of office.

Notary Signature: X _____

Printed Name of Notary: _____

IN-COURT TESTIMONY

When your case is called, promptly approach the Judge and hand the Judge your Final Decree of Divorce. Then, raise your right hand to be sworn in. Ask if you may proceed.

READ THE FOLLOWING, CLEARLY AND LOUDLY ENOUGH FOR THE JUDGE TO HEAR:

My name is (1) _____. I am the petitioner in this suit for divorce.

Either the Respondent or I have been a resident of the State of Texas for at least six months and a resident of this county for at least 90 days before the petition for divorce was filed.

I was married to (2) _____ on (13) _____ and we ceased to live together as husband and wife on or about (14) _____. Our marriage has become insupportable because of a discord and conflict of personalities. There is no expectation that we will reconcile.

A written waiver has been filed by the Respondent and is on file with this Court.

No children were born to or adopted by either of us during this marriage and no children are expected at this time; **OR**, no child under the age of 18 years is subject to this lawsuit.

We have provided for the division of the property and debts that were acquired during our marriage and we believe the terms set out in the Decree of Divorce are fair and equitable to both of us, and we ask the Court to approve that division.

IF APPLICABLE: A name change has been requested:

(15) _____ wishes a name change from

(15) _____

to

(16) _____.

This is a family name or a named used prior to the marriage. The change is not requested for the purpose of avoiding any civil or criminal process.

I have completed the forms for the Bureau of Vital Statistics.

I am asking that you grant our divorce.

Do you have any questions?

Cause Number: _____

In the Matter of the Marriage of _____ § IN THE DISTRICT COURT OF
(1) § GRIMES COUNTY TEXAS
and _____ §
(2) § _____th DISTRICT

FINAL DECREE OF DIVORCE

On this date, trial on the merits was held in this cause. The parties are identified as follows:

	Petitioner	Respondent
Full Name	(1)	(2)
Physical Address	(3)	(4)
Mailing Address	(5)	(6)
County of Residence	(7)	(8)
Driver's License No.	(9)	(10)
Social Security No.	(11) (Last 4 digits) XXX-XX-_____	(12) (Last 4 digits) XXX-XX-_____

Petitioner appeared in person and announced ready for trial. Respondent has filed a waiver of citation in this matter which has been on file with the Court for at least ten days prior to this hearing. The making of a record in this matter was waived. All matters in controversy, including questions of fact and of law, were submitted to the Court.

The Court, having examined the pleadings and heard the evidence finds that the Court has jurisdiction over this cause and the parties and that the material allegations of the petition for dissolution of marriage are true.

IT IS, ACCORDINGLY, ORDERED, ADJUDGED, AND DECREED as follows:

The marriage between Petitioner and Respondent is dissolved and a divorce is granted.

Petitioner is awarded all household furniture and furnishings, appliances, fixtures, goods, and equipment, and all clothing, jewelry, and other personal effects, in the possession of, or subject to the sole control of, Petitioner, including any sums of cash in the possession of, or subject to the sole control of, Petitioner, including money on account in banks, savings institutions, or other financial institutions, which accounts stand in Petitioner's sole name or from which Petitioner has the sole right to withdraw funds or which are subject to Petitioner's sole control as of the date of the decree.

Respondent is awarded all household furniture and furnishings, appliances, fixtures, goods, and equipment, and all clothing, jewelry, and other personal effects, in the possession of, or subject to the sole control of, Respondent, including any sums of cash in the possession of, or subject to the sole control of, Respondent, including money on account in banks, savings institutions, or other financial institutions, which accounts stand in Respondent's sole name or from which Respondent has the sole right to withdraw funds or which are subject to Respondent's sole control as of the date of the decree.

Any community property and other property referred to in Family Code Sections 7.001 and 7.002(a) not otherwise awarded by this decree is awarded to the party in possession or control of the property.

Petitioner is ordered to pay any and all debts against any of the property awarded to Petitioner. Respondent is ordered to pay any and all debts against any of the property awarded to Respondent.

Any community debt or liability not expressly assumed by or imposed on a party under this decree is to be paid by the party who incurred the debt or liability. No provision is made in this Decree for income tax liability, as none has been requested.

IT IS FURTHER ORDERED that Petitioner and Respondent execute all instruments necessary to comply with and bring the terms of this decree into effect, and that Petitioner and Respondent have all necessary writs, execution, and process as is necessary to accomplish the execution and final disposition of this judgment.

All costs and fees shall be assessed against the party incurring them.

The following name change is hereby Ordered:

Current Full Name	Requested Full Name
(15)	(16)

All relief not expressly granted herein is denied.

SIGNED ON _____, 20____.

Judge Presiding

I approve of this Decree of Divorce:

X _____
Signature of Petitioner

X _____
Signature of Respondent