

## Instructions & Forms for an Agreed Paternity Case

These instructions explain the basic steps in an **agreed** paternity case. **Each step includes a link to the form or forms needed for that step.**

A paternity order says who is (and sometimes who is not) a child's legal father. A paternity order can include orders for custody, visitation, child support, medical support, and dental support (although it doesn't have to).

**NOTE:** Paternity cases are complicated. It may be better to open a case with the Office of the Attorney General (OAG) or hire a private lawyer, rather than file a paternity case yourself. For information about opening a case with the OAG, call (800) 255-8014 or go to the OAG's website: **[Texas Attorney General Child Support Division \(https://www.texasattorneygeneral.gov/cs/welcome-to-the-child-support-division\)](https://www.texasattorneygeneral.gov/cs/welcome-to-the-child-support-division)** [1].

### Have you read the Frequently Asked Questions and related Articles?

These instructions are part of this TexasLawHelp.org toolkit: **[I need a paternity order. \(https://texaslawhelp.org/family-divorce-children/paternity/toolkit/i-need-paternity-order\)](https://texaslawhelp.org/family-divorce-children/paternity/toolkit/i-need-paternity-order)** [2] It's important to read the Frequently Asked Questions and Articles included with the toolkit before getting started.

**WARNING!** These instructions provide general information, not legal advice. It's a good idea to talk with a lawyer about your particular situation.

**You can print these instructions to use as a checklist.**

#### **Step 1: Know these words.**

It's important to understand these words.

- **Alleged Father** - A man who claims, or is claimed to be, the biological father or possible biological father of the child.
- **Presumed Father** - A man who:
  - married to the child's mother when the child was born; or
  - was married to the child's mother any time during the 300 days before the child was born; or
  - married the child's mother after the child was born and voluntarily claimed paternity of the child with the vital statistics unit, on the child's birth certificate, or in a record in which he promised to support the

child as his own; or

- during the first two years of the child's life, continuously lived with the child and represented to others that the child was his own.

- **Acknowledged Father** - A man who signed a valid Acknowledgment of Paternity claiming to be the father of a child. To be valid, the Acknowledgment of Paternity must also have been signed by the child's mother (and presumed father, if applicable) and filed with the Vital Statistics Unit.
- **Adjudicated Father** - A man named as the father of a child in a court order.
- **Acknowledgment of Paternity** - A legal form signed by a child's mother and biological father (and presumed father, if applicable) to establish paternity of the child. When the form is filed with the Vital Statistics Unit, the biological father becomes the child's legal father.
- **Denial of Paternity** - A legal form signed by a presumed father to swear that he is not the child's biological father. To be valid, the child's biological father and mother must also sign an Acknowledgment of Paternity.
- **Vital Statistics Unit** - State office responsible for birth certificates. For more information visit their website at <http://www.dshs.state.tx.us/vs/default.shtm> (<http://www.dshs.state.tx.us/vs/default.shtm>) [3] or call them at (888) 963-7111.

□ **Step 2: Make sure you can file the case.**

The law only allows the following people to file a paternity case for a minor child:

- the child's mother; or
- if the child's mother has died, then the mother's parent, grandparent, sibling, or child; or
- a man who thinks he may be the father; or
- a man presumed to be the father, asking the court to order that he's not the father; or
- the child; or

- a person who is the intended parent in an approved gestational agreement.

A governmental agency, adoption agency, or authorized representative may also file a court case to establish paternity of a minor child.

If the child is an adult, then a paternity case may only be filed by the adult child.

**If the law allows you to file a paternity case, go to Step 3. If you're not sure, talk with a lawyer.**

**□ Step 3: Make sure the court has jurisdiction over the alleged father and the child.**

**If you're asking the court to establish paternity**, the court must have jurisdiction over the man alleged to be the child's father. A Texas court has jurisdiction over an alleged father if:

- the alleged father agrees and files written papers in the case; or
- the alleged father is personally served in Texas with legal notice of the paternity case; or
- the alleged father lived in Texas with the child at some time; or
- the alleged father lived in Texas and paid prenatal expenses for the child; or
- the alleged father had sexual intercourse in Texas which led to the child's conception; or
- the child lives in Texas because of something the alleged father did; or
- the child was born in Texas and the alleged father registered with the paternity registry maintained by the Texas Vital Statistics Unit or signed an Acknowledgment of Paternity filed with the Texas Vital Statistics Unit

**If you're also asking the court to make orders about custody and visitation**, the court must also have jurisdiction over the child. Generally, a Texas court will only have jurisdiction over a child if the child has lived in Texas for at least the past 6 months or since birth for an infant.

**If the court has jurisdiction over both the alleged father and the child, go**

**to Step 4. If you're not sure, talk with a lawyer.** **Step 4: Determine if there is a deadline to file the case.**

The law limits when a paternity case may be filed if the child already has a presumed, acknowledged or adjudicated father.

- **If the child does not have a presumed, acknowledged or adjudicated father**, there is no deadline. A paternity case may be filed at any time. (However, after the child turns 18, only the child may file.)
- **If the child has a presumed father**, you must file a paternity case **before** the child turns 4, **unless**:
  - a. you are the presumed father and you didn't file the paternity case before the child turned 4 because you were misled into believing that you were the biological father **or**
  - b. the presumed father and mother did not live together or engage in sexual intercourse with each other during the time the child was conceived.
- **If the child has an acknowledged father**, you can file a paternity case **only if** you didn't sign the Acknowledgment of Paternity (or any accompanying Denial of Paternity) **and**:
  - a. it has been less than 4 years since the effective date of the Acknowledgment **or**
  - b. the Acknowledgment is void.
- **If the child has an adjudicated father**, you can file a paternity case **only if**:
  - a. you were not a party in the court case that named the father of the child **and**
  - b. it has been less than 4 years since the effective date of the court order naming the father of the child.

**If there is no deadline to file (because the child does not have a presumed, acknowledged or adjudicated father) or the deadline has not passed, go to Step 5. If you're not sure, talk with a lawyer.**

**Step 5: Fill out the court forms.**

Fill out this **starting form**:

- **[Petition to Adjudicate Parentage \(https://texaslawhelp.org/sites/default/files/fm-pat1-100\\_paternity\\_establish\\_petition\\_english\\_1.pdf\)](https://texaslawhelp.org/sites/default/files/fm-pat1-100_paternity_establish_petition_english_1.pdf) [4]** (called the Petition for short)

You will file the Petition with the court to start the case. It tells the judge and the other people involved what orders you want the judge to make. The **Frequently Asked Questions** and related **Articles** included with these instructions will help you understand your options.

When you fill out the Petition:

- Print your answers clearly in blue or black ink.
- Do not leave blanks (unless instructed to do so).
- Talk to a lawyer if you have questions or need help.

**Who is the petitioner?** You are the petitioner—the person asking the court to make a paternity order.

**Who must be listed as a respondent?** The following people must be included in a paternity case:

- the child's mother; **and**
- all alleged fathers; **and**
- any presumed, acknowledged or adjudicated fathers; **and**
- anyone with a court-ordered relationship with the child.

**Note:** The Petition asks for your address. Each respondent will get a copy of your Petition. If you are concerned about a respondent knowing your address, call the Family Violence Legal Line at 800-374-4673 for free advice.

Fill out these additional **starting forms** if required for your case:

- **[Civil Case Information Sheet \(https://texaslawhelp.org/sites/default/files/pr-gen-116\\_civil\\_case\\_information\\_sheet.pdf\)](https://texaslawhelp.org/sites/default/files/pr-gen-116_civil_case_information_sheet.pdf) [5]** (NOTE: the Texas Supreme Court has repealed the rule requiring the civil case

[information sheet \(https://www.txcourts.gov/media/1442977/189163.pdf\)](https://www.txcourts.gov/media/1442977/189163.pdf) [6], so you may not need this form. If you are filing paper documents in person at the clerk's office, you should complete it and bring it anyway, however.).

- **Information on Suit Affecting the Family Relationship** ([https://texaslawhelp.org/sites/default/files/vs\\_165\\_rev\\_07-2017.pdf](https://texaslawhelp.org/sites/default/files/vs_165_rev_07-2017.pdf)) [7] (required for all cases)
- **Exhibit: Out-of-State Party Declaration** ([https://texaslawhelp.org/sites/default/files/fp\\_osp\\_302\\_ex\\_out\\_of\\_state\\_party\\_dec\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fp_osp_302_ex_out_of_state_party_dec_final_0.pdf)) [8] (required **only** if you or one of the respondents lives outside of Texas)
- **Statement of Inability to Afford Payment of Court Costs** ([https://texaslawhelp.org/sites/default/files/tx-pr-pay-112\\_scot\\_statement\\_of\\_inability\\_to\\_pay\\_court\\_costs.pdf](https://texaslawhelp.org/sites/default/files/tx-pr-pay-112_scot_statement_of_inability_to_pay_court_costs.pdf)) [9] (required **only** if you cannot afford to pay the filing fee for your case) Call the clerk's office to learn the filing fee for your case. Learn more here: **Court Fees and Fee Waivers** (<https://texaslawhelp.org/article/court-fees-fee-waivers>) [10].

Fill out this **ending form**:

- **Order Adjudicating Parentage** ([https://texaslawhelp.org/sites/default/files/fm\\_pat1\\_200\\_paternity\\_establish\\_order\\_english.pdf](https://texaslawhelp.org/sites/default/files/fm_pat1_200_paternity_establish_order_english.pdf)) [11] (if this case was filed *before* September 1, 2018)
- **Order Adjudicating Parentage** ([https://texaslawhelp.org/sites/default/files/fm-pat1-200\\_paternity\\_establish\\_order\\_english\\_4.pdf](https://texaslawhelp.org/sites/default/files/fm-pat1-200_paternity_establish_order_english_4.pdf)) [12] (if this case was filed after September 1, 2018)

You will ask the judge to sign this form when it's time to finish your case. Fill it out completely (except for the signatures). You and the other party or parties may want to fill out the order form together. But don't sign the order form until you get to **Step 10**.

**If you asked the judge to make custody, visitation, child support and medical support orders**, you must also fill out these **ending forms** and attach them to the Order Adjudicating Parentage form.

- Fill out and attach this child support order form: **Child Support Order** (<https://texaslawhelp.org/sites/default/files>

- [/fm\\_chil\\_308\\_ex\\_child\\_support\\_order\\_final.pdf](#)** [13]
- Fill out and attach this medical support order form: **[https://texaslawhelp.org/sites/default/files/fm\\_chil\\_312\\_ex\\_med\\_support\\_order\\_final.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final.pdf)** [14] (if this case to establish paternity was filed before September 1, 2018)
    - **[https://texaslawhelp.org/sites/default/files/fm\\_chil\\_312\\_ex\\_med\\_support\\_order\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final_0.pdf)** [15]  
NOTE: The above version of the Medical Support Order (Rev. 01-2017) will only be available until December 31, 2018.
    - If you filed a suit to adjudicate parentage before September 1, 2018, but it has not been finalized by December 31, 2018, consult an attorney, because this form will no longer be on TexasLawHelp.
  - Fill out and attach this dental support order form: **[https://texaslawhelp.org/sites/default/files/fm-chil-312\\_ex\\_medical\\_dental\\_support\\_order\\_3.pdf](https://texaslawhelp.org/sites/default/files/fm-chil-312_ex_medical_dental_support_order_3.pdf)** [16] (if this case to establish paternity was filed on or after September 1, 2018)
  - Fill out and attach **one** of these custody order forms:  
**[https://texaslawhelp.org/sites/default/files/fm\\_chil\\_310\\_ex\\_custody\\_parent\\_order\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_310_ex_custody_parent_order_final_0.pdf)** [17] - or -  
**[https://texaslawhelp.org/sites/default/files/fm\\_chil\\_309\\_ex\\_custody\\_nonparent\\_order\\_final.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_309_ex_custody_nonparent_order_final.pdf)** [18]
  - Fill out and attach a possession order form. Learn about the standard possession order, modified possession orders and supervised possession orders here: **<https://texaslawhelp.org/article/child-visitation-possession-orders>** [19]. Sample forms are included with the article. You can also hire a lawyer to help you write a possession order that meets the specific needs of your family.

Fill out this additional **ending form** if child support will be ordered:

- **[https://texaslawhelp.org/sites/default/files/fm-iw-200\\_income\\_withholding\\_order\\_english.pdf](https://texaslawhelp.org/sites/default/files/fm-iw-200_income_withholding_order_english.pdf)**

**[20]** **Step 6: Have your forms reviewed (if possible).**

Although not required, it's a good idea to have a family law lawyer review your completed forms. Family law lawyers specialize in cases involving families, such as paternity cases.

You can hire a family law lawyer *just* to review your forms. Hiring a lawyer for a limited purpose is called “**limited scope representation.**” You can then finish your case yourself. You may also be able to talk with a lawyer for free at a legal clinic. If you need help finding a lawyer, you can:

- Use our **[Legal Help Finder \(https://texaslawhelp.org/legal-help/legal-help-finder\)](https://texaslawhelp.org/legal-help/legal-help-finder)** [21] to search for a lawyer referral service, legal aid office or self-help center in your area.
- Check our **[Legal Clinic Calendar \(https://texaslawhelp.org/legal-clinic-calendar\)](https://texaslawhelp.org/legal-clinic-calendar)** [22] for free legal clinics in your area.
- Use **[Ask a Question \(https://texaslawhelp.org/ask-question\)](https://texaslawhelp.org/ask-question)** [23] to chat online with a lawyer or law student.

 **Step 7: Make copies of your starting forms.**

Make enough copies of these completed starting forms for you and each respondent to have one copy of each form:

- Petition to Adjudicate Parentage
- Exhibit: Out-of-State Party Declaration (if required for your case)
- Statement of Inability to Afford Payment of Court Costs (if required for your case)

 **Step 8: File (turn in) your starting forms.**

File (turn in) your completed Petition and other starting forms with the court **in the county where the child lives.**

- To file your forms online, go to **[E-File Texas \(https://efile.txcourts.gov/ofswab\)](https://efile.txcourts.gov/ofswab)** [24] and follow the instructions.



- To file your forms in person, take your Petition and additional starting forms (and copies) to the district clerk's office in the county where the child lives.

#### **At the clerk's office:**

- Turn in your Petition and other starting forms (and copies).
- Pay the filing fee (or file your completed **Statement of Inability to Afford Payment of Court Costs** (<https://texaslawhelp.org/form/statement-inability-afford-payment-court-costs>) [25] if you cannot afford the fee).
- Ask the clerk if there is a local standing order that you need to follow or attach to your Petition.
- Ask the clerk if there are local rules or procedures you need to know about for your case.
- The clerk will write your "Cause Number" and "Court Number" at the top of the first page of your Petition. (Write these numbers at the top of any document you file in your case.)
- The clerk will "**file-stamp**" your copies with the date and time. The clerk will keep the original and return your copies.

#### **Step 9: Notify the Office of the Attorney General (if applicable).**

Has the child ever received TANF or Medicaid?

- If NO, skip this step.
- If YES, you must send a file-stamped copy of your Petition to the Office of the Attorney General (OAG) Child Support Division.
  - **Send By Email** – You can scan a file-stamped copy of your Petition and email it. Find the email address for the OAG child support office in the county where your case is filed here: **Email Addresses for Child Support Offices** (<https://texasattorneygeneral.gov/cs/service-of-citation-notice-directory>) [26]. Write the cause number and the county where you filed your case in the subject line of the email. Print a copy of your email. Bring it with you when it's time to finish your case.

- **Send By Certified Mail Return Receipt Requested** – Or, you can mail a copy of your Petition by certified mail return receipt requested. The post office has the forms for certified mail return receipt requested. Find the mailing address for the OAG child support office in the county where your case is filed here: **Mailing Addresses for Child Support Offices (https://www.texasattorneygeneral.gov/apps/cs\_locations)** [27]. The post office will give you a receipt when you mail the Petition. Someone at the OAG child support office will sign the return receipt (often called the “green card”) and mail it back to you. Bring the receipt and the return receipt (green card) with you when it’s time to finish your case.

□ **Step 10: Ask each respondent to fill out and sign court forms.**

Give each respondent:

- a **file-stamped** copy of your Petition to Adjudicate Parentage, and
- a blank **Waiver of Service Only (https://texaslawhelp.org/sites/default/files/fm\_pat1\_103\_paternity\_establish\_waiver\_english\_respondent.pdf)** [28] form, and
- a blank **Respondent’s Original Answer (https://texaslawhelp.org/sites/default/files/fm\_pat1\_102\_paternity\_establish\_answer\_english\_0.pdf)** [29] form, and
- a **completed** Order Adjudicating Parentage form (with **completed** custody, possession, child support, medical support, and dental support orders attached if applicable).

**WARNING!** Do not hand-deliver any papers to a respondent if there has been violence during your relationship, especially if a judge has signed a Protective Order. You can have the respondent served instead. If you decide to have the respondent served, use these instructions:

**Instructions & Forms for a Default Paternity Case (https://texaslawhelp.org/checklist/instructions-forms-default-paternity-case)** [30].

Ask each respondent to complete these three steps:

1. **Fill out and sign** the Waiver of Service Only form - **OR** – the Respondent's Original Answer form

Each respondent can fill out and sign **either** form.

The Waiver of Service Only form must be signed in front of a notary. If a respondent plans to sign the Waiver of Service Only form, tell the respondent to sign it **in front of a notary** at least one day **after** you filed the Petition. Otherwise the respondent will have to redo it.

The Respondent's Original Answer form does **not** have to be signed in front of a notary.

**Note:** If any respondent will not fill out and sign a Respondent's Original Answer form or Waiver of Service Only form, you must have that respondent served by a constable, sheriff or private process server. Use these instructions instead: **[Instructions & Forms for a Default Paternity Case \(https://texaslawhelp.org/checklist/instructions-forms-default-paternity-case\)](https://texaslawhelp.org/checklist/instructions-forms-default-paternity-case)** [30].

2. **Sign** the completed Order Adjudicating Parentage form (with completed custody, possession, child support, medical support, and dental support orders attached if applicable).

The Order Adjudicating Parentage form must be completely filled out when each respondent signs it. You **CANNOT** make changes to the order form after it has been signed by a respondent unless the respondent initials each change.

3. **Return** the signed forms to you.

You should also:

- Sign the Order Adjudicating Parentage form.
- Make a copy of the Waiver of Service Only form or Respondent's Original Answer form that was filled out and signed by each respondent.

**Step 11: Go to court to finish your case.**

If each respondent has filled out and signed the Respondent's Original

Answer form **or** Waiver of Service Only form **and** signed your completed Order Adjudicating Parentage form, you can go to court to finish your agreed paternity case.

- Call the clerk's office to learn when and where the court hears uncontested cases.

**Note:** If you had to send a copy of your Petition to the Office of the Attorney General Child Support Division (because the child has received Medicaid or TANF), ask the clerk if the child support office has filed anything in your case. If yes and a hearing has been set, you must go to the hearing. If yes and a hearing has **not** been set, you must take your completed Order Adjudicating Parentage form to the child support office and ask for a lawyer there to review it and sign it (if they agree with it). If the child support office will not sign your completed Order Adjudicating Parentage form, your case is contested. To finish a contested case, you must set a contested final hearing. You must give the child support office and each respondent at least 45 days' notice of the final hearing. Read this article to learn more: **[How to Set a Contested Final Hearing \(Family Law\)](https://texaslawhelp.org/article/how-set-contested-hearing-family-law-case)** (<https://texaslawhelp.org/article/how-set-contested-hearing-family-law-case>) [31]. It's always best to have a lawyer if your case is contested.

- Read the article **[Tips for the Courtroom](https://texaslawhelp.org/article/tips-courtroom)** (<https://texaslawhelp.org/article/tips-courtroom>) [32] for more information about going to Court.
- Bring these papers with you to the courthouse on the day you plan to finish your case:
  - a file-stamped copy of your Petition to Adjudicate Parentage; **and**
  - the Waiver of Service Only **or** Respondent's Original Answer form signed by each respondent; **and**
  - a completed Order Adjudicating Parentage (with completed custody, possession, child support, medical support, and dental support orders attached if applicable) **signed by you and each respondent; and**
  - a completed Income Withholding Order for Support if child support will be ordered; **and**
  - genetic testing results (if applicable); **and**

- proof that you sent a copy of your Petition to the Office of the Attorney General Child Support Division (if required). See **Step 9**.
- When you get to the courthouse, go to the clerk's office.
  - File (turn in) the Waiver of Service Only **or** Respondent's Original Answer form that was filled out and signed by each respondent. Ask the clerk to file stamp your copy. Bring your file-stamped copy with you to court.
  - Ask the clerk if you need the court file or docket sheet (list of what has been filed in your case).
- When you get to the courtroom, tell the clerk you are there and give the clerk your paperwork. Sit down until the judge calls your case.
- When the judge calls your case, walk to the front of the courtroom and stand in front of the judge's bench. The judge will have you raise your right hand and swear to tell the truth. Be prepared to quickly tell the judge: who you are, how you are related to the child, what orders you are asking the judge to make and why those orders would be in the child's best interest. It's a good idea to write down everything you want to say so you can read it to the judge if you get nervous.
- The judge will listen to what you say and review your papers. If everything is in order the judge will sign your Order Adjudicating Parentage.

□ **Step 12: File (turn in) the signed order or orders.**

After the judge signs your Order Adjudicating Parentage, go back to the clerk's office.

- File (turn in) the signed Order Adjudicating Parentage and any other orders signed by the judge. **Your case is NOT final until you do so.**
- Get a certified copy of your Order Adjudicating Parentage and any other orders signed by the judge from the clerk while you are there. The clerk may charge a fee for the certified copies.
- If child support was ordered:
  - ask the clerk what you need to do to set up a child support account, **and**

- ask the clerk to send a copy of the Income Withholding Order for Support to the employer of the parent ordered to pay child support.

□ **Step 13: After your case is finished.**

Send a file-stamped copy of the Order Adjudicating Parentage and any other orders signed by the judge to each respondent.

- If you were ordered to pay child support, cash medical support, and dental support, learn about payment options here: **Texas Attorney General - Child Support Payment Options** (<https://www.texasattorneygeneral.gov/cs/payment-options-and-types#walkandcash>) [33]. If you have any questions, call the Office of the Attorney General Child Support Division at (800) 252-8014. DO NOT send child support payments directly to the other parent.
- If a respondent was ordered to pay child support, medical support, or dental support to you and doesn't pay, contact the **Texas Attorney General Child Support Division** (<https://texasattorneygeneral.gov/cs/welcome-to-the-child-support-division>) [34] for help enforcing your order.

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### Links

[1] <https://www.texasattorneygeneral.gov/cs/welcome-to-the-child-support-division>

[2] <https://texaslawhelp.org/family-divorce-children/paternity/toolkit/i-need-paternity-order>

[3] <http://www.dshs.state.tx.us/vs/default.shtm>

[4] [https://texaslawhelp.org/sites/default/files/fm-pat1-100\\_paternity\\_establish\\_petition\\_english\\_1.pdf](https://texaslawhelp.org/sites/default/files/fm-pat1-100_paternity_establish_petition_english_1.pdf)

[5] [https://texaslawhelp.org/sites/default/files/pr-gen-116\\_civil\\_case\\_information\\_sheet.pdf](https://texaslawhelp.org/sites/default/files/pr-gen-116_civil_case_information_sheet.pdf)

[6] <https://www.txcourts.gov/media/1442977/189163.pdf>

[7] [https://texaslawhelp.org/sites/default/files/vs\\_165\\_rev\\_07-2017.pdf](https://texaslawhelp.org/sites/default/files/vs_165_rev_07-2017.pdf)

[8] <https://texaslawhelp.org/sites/default/files>

- [/fp\\_osp\\_302\\_ex\\_out\\_of\\_state\\_party\\_dec\\_final\\_0.pdf](#)
- [9] [https://texaslawhelp.org/sites/default/files/tx-pr-pay-112\\_scot\\_statement\\_of\\_inability\\_to\\_pay\\_court\\_costs.pdf](https://texaslawhelp.org/sites/default/files/tx-pr-pay-112_scot_statement_of_inability_to_pay_court_costs.pdf)
- [10] <https://texaslawhelp.org/article/court-fees-fee-waivers>
- [11] [https://texaslawhelp.org/sites/default/files/fm\\_pat1\\_200\\_paternity\\_establish\\_order\\_english.pdf](https://texaslawhelp.org/sites/default/files/fm_pat1_200_paternity_establish_order_english.pdf)
- [12] [https://texaslawhelp.org/sites/default/files/fm\\_pat1-200\\_paternity\\_establish\\_order\\_english\\_4.pdf](https://texaslawhelp.org/sites/default/files/fm_pat1-200_paternity_establish_order_english_4.pdf)
- [13] [https://texaslawhelp.org/sites/default/files/fm\\_chil\\_308\\_ex\\_child\\_support\\_order\\_final.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_308_ex_child_support_order_final.pdf)
- [14] [https://texaslawhelp.org/sites/default/files/fm\\_chil\\_312\\_ex\\_med\\_support\\_order\\_final.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final.pdf)
- [15] [https://texaslawhelp.org/sites/default/files/fm\\_chil\\_312\\_ex\\_med\\_support\\_order\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final_0.pdf)
- [16] [https://texaslawhelp.org/sites/default/files/fm\\_chil-312\\_ex\\_medical\\_dental\\_support\\_order\\_3.pdf](https://texaslawhelp.org/sites/default/files/fm_chil-312_ex_medical_dental_support_order_3.pdf)
- [17] [https://texaslawhelp.org/sites/default/files/fm\\_chil\\_310\\_ex\\_custody\\_parent\\_order\\_final\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_310_ex_custody_parent_order_final_0.pdf)
- [18] [https://texaslawhelp.org/sites/default/files/fm\\_chil\\_309\\_ex\\_custody\\_nonparent\\_order\\_final.pdf](https://texaslawhelp.org/sites/default/files/fm_chil_309_ex_custody_nonparent_order_final.pdf)
- [19] <https://texaslawhelp.org/article/child-visitation-possession-orders>
- [20] [https://texaslawhelp.org/sites/default/files/fm-iw-200\\_income\\_withholding\\_order\\_english.pdf](https://texaslawhelp.org/sites/default/files/fm-iw-200_income_withholding_order_english.pdf)
- [21] <https://texaslawhelp.org/legal-help/legal-help-finder>
- [22] <https://texaslawhelp.org/legal-clinic-calendar>
- [23] <https://texaslawhelp.org/ask-question>
- [24] <https://efile.txcourts.gov/ofswb>
- [25] <https://texaslawhelp.org/form/statement-inability-afford-payment-court-costs>
- [26] <https://texasattorneygeneral.gov/cs/service-of-citation-notice-directory>
- [27] [https://www.texasattorneygeneral.gov/apps/cs\\_locations](https://www.texasattorneygeneral.gov/apps/cs_locations)
- [28] [https://texaslawhelp.org/sites/default/files/fm\\_pat1\\_103\\_paternity\\_establish\\_waiver\\_english\\_respondent.pdf](https://texaslawhelp.org/sites/default/files/fm_pat1_103_paternity_establish_waiver_english_respondent.pdf)
- [29] [https://texaslawhelp.org/sites/default/files/fm\\_pat1\\_102\\_paternity\\_establish\\_answer\\_english\\_0.pdf](https://texaslawhelp.org/sites/default/files/fm_pat1_102_paternity_establish_answer_english_0.pdf)
- [30] <https://texaslawhelp.org/checklist/instructions-forms-default-paternity-case>
- [31] <https://texaslawhelp.org/article/how-set-contested-hearing-family-law-case>
- [32] <https://texaslawhelp.org/article/tips-courtroom>

[33] <https://www.texasattorneygeneral.gov/cs/payment-options-and-types#walkandcash>

[34] <https://texasattorneygeneral.gov/cs/welcome-to-the-child-support-division>



NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

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

Cause Number: \_\_\_\_\_

In the interest of:

(Print the initials of each child whose paternity will be addressed.)

In the \_\_\_\_\_  
Court Number

1 Name: \_\_\_\_\_

2 Name: \_\_\_\_\_

3 Name: \_\_\_\_\_

4 Name: \_\_\_\_\_

5 Name: \_\_\_\_\_

District Court  County Court at Law of:

\_\_\_\_\_ County, Texas

## Petition to Adjudicate Parentage

Print your answers.

My name is: \_\_\_\_\_  
First Middle Last

I am the **Petitioner**, the person asking the Court to determine the father of the child or children named below.

My driver's license was issued in (state) \_\_\_\_\_. The last three numbers of my driver's license number are: \_\_\_\_\_.  
**Or**  I do not have a driver's license.

The last three numbers of my social security number are: \_\_\_\_\_.  
**Or**  I do not have a social security number.

I am: (Check one.)

- the mother of the children.
- a man asking the court to determine whether or not I am the biological father of the children.
- the presumed father of the children, asking the court to determine that I am **not** the biological father of the children.
- a relative of the mother, who is deceased. I am the mother's  mother  father  grandmother  grandfather  sister  brother.
- an adult asking the Court to determine my father. I was born on (date) \_\_\_\_\_.
- an intended parent. A gestational agreement named me the parent of the children.

### 1. Discovery Level

The discovery level in this case, if needed, is Level 2.

### 2. Jurisdiction of the Court

(Check one.)

- No court has continuing jurisdiction of this case or the children. The children have never been part of any other court case.
- This Court has continuing, exclusive jurisdiction of this case and the children. This Court made prior orders about the children

(Check, if applicable.)

- This Court made an order about another child of the same parents. This case should be filed under the same cause number.

### 3. Children

This case is about the child or children listed below.

	Child's name	Date of Birth	County and State where child lives now
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

(Check, if applicable.)

- This petition is filed before the birth of a child who is due to be born on \_\_\_\_\_ month / day / year.

#### 3A. Do the children have an adjudicated father?

(Check one.)

- The children **do not** have an adjudicated father.
- The children **do** have an adjudicated father. A court order names the father of the children. I am not the adjudicated father, I was not named as a party in the court case that named the father of the children, **and** it has been less than 4 years since the effective date of the court order naming the father of the children. See *Texas Family Code Section 160.609(b)*.

An **adjudicated father** is a man named as the father of a child in a court order. See *Texas Family Code Section 160.204*.

#### 3B. Do the children have an acknowledged father?

(Check one.)

- The children **do not** have an acknowledged father.
- The children **do** have an acknowledged father. I am not the acknowledged father, I did not sign the *Acknowledgment of Paternity*, **and**:

An **acknowledged father** is a man who has signed an *Acknowledgment of Paternity* form claiming to be the father of a child. See *Texas Family Code Section 160.204*.

(Check one.)

- it has been less than 4 years since the effective date of the *Acknowledgment of Paternity* See *Texas Family Code Section 160.609(b)*, **or**
- the Acknowledgement of Paternity is void. See *Texas Family Code Section 160.302(b)*

#### 3C. Do the children have a presumed father?

(Check one.)

- The children **do not** have a presumed father.
- The children **do** have a presumed father **and**: (Check one.)
- it has been less than 4 years since the children were born See *Texas Family Code Section 160.607(a)*
- it has been more than 4 years since the children were born **and**: (Check one.)
- The presumed father did not file a petition to adjudicate parentage of the children within 4 years of the children's birth because the presumed father mistakenly believed he was the biological father of the children based on misrepresentations that led him to that conclusion. See *Texas Family Code Section 160.607(b)*, **or**
- The presumed father and mother did not live together or engage in sexual intercourse with each other during the time the children were conceived. See *Texas Family Code Section 160.607(b)*

A **presumed father** is a man who was married to the mother when a child was born or conceived; a man who marries the mother after the child is born and voluntarily claims paternity of the child with the bureau of vital statistics, on the child's birth certificate, or in a record in which he promises to support the child as his own; **or** a man who, during the first two years of the child's life, continuously lived with the child and represented to others that the child was his own. See *Texas Family Code Section 160.204*.

#### 4. Respondents - People Who Must Get Legal Notice of this Case

**Note:** There may be one or more Respondents. Read the paternity instructions at [www.TexasLawHelp.org](http://www.TexasLawHelp.org) for information about who must be listed as a Respondent and given legal notice of this case.

##### **Respondent A**

Respondent A's name is: \_\_\_\_\_  
PRINT the Respondent A's full name.

Respondent A is the child/ren's: (Check one.)

Mother  Alleged Father  Presumed Father  Other: \_\_\_\_\_

I will give legal notice to Respondent A as follows: (Check one.)

Respondent A will sign a *Waiver of Service* or *Answer*.

I will have a sheriff, constable, process server or clerk serve Respondent A 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 Respondent A by Official Service of Process). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an *Affidavit for Citation by Publication* and hire a lawyer to serve as attorney ad litem for this Respondent.

##### **Respondent B** (Check one.)

There is no Respondent B. No one else is entitled to notice in this case. (Skip to section 8.)

Respondent B's name is: \_\_\_\_\_  
PRINT the Respondent B's full name.

Respondent B is the child/ren's: (Check one.)

Mother  Alleged Father  Presumed Father  Other: \_\_\_\_\_

I will give legal notice to Respondent B as follows: (Check one.)

Respondent B will sign a *Waiver of Service* or *Answer*.

I will have a sheriff, constable, process server or clerk serve Respondent B 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 Respondent B by Official Service of Process). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an *Affidavit for Citation by Publication* and hire a lawyer to serve as attorney ad litem for this Respondent.

**Respondent C** (Check one.)

- There is no Respondent C. No one else is entitled to notice in this case. (Skip to section 8.)
- Respondent C's name is: \_\_\_\_\_  
PRINT the full name of Respondent C.

Respondent C is the child/ren's: (Check one.)

- Mother  Alleged Father  Presumed Father  Other: \_\_\_\_\_.

I will give legal notice to Respondent C as follows: (Check one.)

- I think Respondent C will sign a *Waiver of Service* or *Answer*.
- I will have a sheriff, constable, process server or clerk serve Respondent C 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 Respondent C by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

- I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an *Affidavit for Citation by Publication* and hire a lawyer to serve as attorney ad litem for this Respondent.

**Respondent D** (Check one.)

- There is no Respondent D. No one else is entitled to notice in this case. (Skip to section 8.)
- Respondent D's name is: \_\_\_\_\_  
PRINT the full name of Respondent D.

Respondent D is the child/ren's: (Check one.)

- Mother  Alleged Father  Presumed Father  Other: \_\_\_\_\_.

I will give legal notice to Respondent D as follows: (Check one.)

- Respondent D will sign a *Waiver of Service* or *Answer*.
- I will have a sheriff, constable, process server or clerk serve Respondent D 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 Respondent D by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

- I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an *Affidavit for Citation by Publication* and hire a lawyer to serve as attorney ad litem for this Respondent.

**5. Out-of-State Respondents** (Check one.)

- Everyone involved in this case lives in Texas.
- The following Respondent does not live in Texas: \_\_\_\_\_  
Print the FULL name of the Out-of State Respondent

(Check all that apply for the Out-of-State Respondent.)

- The Respondent agrees that a Texas court can make orders in this case and will file a written response with the court.
- The children live in Texas because of the Respondent's actions.
- The Respondent has lived in Texas with the children.
- The Respondent has lived in Texas and provided prenatal expenses or support for the children.
- The Respondent had sexual intercourse in Texas, and the children may have been conceived by that act of intercourse.
- The child was born in Texas and the Respondent registered with the paternity registry maintained by the Texas Vital Statistics Unit or signed an *Acknowledgment of Paternity* filed with the Texas Vital Statistics Unit.
- The Respondent will be personally served with citation in Texas.

**Note:** If a Respondent does NOT live in Texas, you must also attach the Exhibit: Out-of-State Party Declaration.

## 6. Biological Testing (Check one.)

- Biological testing was done before this suit was filed.
- I ask that biological testing be ordered by the Court.
- Biological testing is not necessary at this time.

## 7. Paternity

I ask the Court to order that the following person **is** the father of the child or children listed in section 3 above:

---

PRINT *the full name of person you are asking the court to name as the father of the children.*

(Check, only if applicable.)

- I also ask the Court to order that the following person **is not** the father of the child or children listed in section 3 above:

---

PRINT *the full name of person you are asking the court to find is not the father of the children.*

## 8. Conservatorship, Possession and Access and Support

(Check one.)

- I am **not** asking the Court to make orders for conservatorship (custody), possession and access, child support, medical support or dental support at this time. **(If you checked this box, skip to section 9.)**
- I ask the Court to make orders for conservatorship, (custody) possession and access (visitation), child support, medical support and dental support. I believe the orders requested below would be in the best interest of the children. **(If you checked this box, complete sections 8A, 8B and 8C below).**

**Note:** In order for the court to make orders for custody and visitation, the children must have lived in Texas with a parent or person acting as a parent for at least the past 6 months. If a child is less than 6 months old the child must have lived in Texas from birth. Talk to a lawyer if you have questions about this requirement.

(Check if true.)

- The children have lived in Texas with a parent or person acting as a parent for at least the past 6 months. If a child is less than 6 months old, the child has lived in Texas since the child's birth.

**8A. Conservatorship (Custody)**

I ask the court to make conservatorship (custody) orders as follows: (Check **a**, **b**, or **c**.)

- a.**  Mother and Father should be **Joint Managing Conservators** of the child/ren and:

(If you checked **a**, check **a-1**, **a-2**, or **a-3**.)

- a-1.**  Father should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one box below.)

- anywhere.       this county.       this county or county adjacent to this county.  
 Texas.       other: \_\_\_\_\_.

- a-2.**  Mother should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one box below.)

- anywhere.       this county.       this county or county adjacent to this county.  
 Texas.       other: \_\_\_\_\_.

- a-3.**  Neither parent should have the exclusive right to designate the primary residence of the child/ren but both parents should be ordered not to move the child/ren out of the following geographic area: (Check one box below.)

- this school district: \_\_\_\_\_  this county.  
 this county or county adjacent to this county.  other: \_\_\_\_\_.

- b.**  Mother should be the **Sole Managing Conservator** of the child/ren with the exclusive rights listed in Texas Family Code Section 153.132 including the exclusive right to designate the primary residence of the child/ren anywhere.

- c.**  Father should be the **Sole Managing Conservator** of the child/ren with the exclusive rights listed in Texas Family Code Section 153.132 including the exclusive right to designate the primary residence of the child/ren anywhere.

(Check **only** if applicable.)

- I ask the Court to order that I have the exclusive right to apply for and renew passports for the child/ren.

**8B. Possession of and Access (Visitation)**

I ask the court to make possession and access (visitation) orders as follows: (Check **a**, **b**, **c**, or **d**.)

- a.**  Father should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)  
**b.**  Mother should have "standard visitation." (See Texas Family Code Chapter 153, Subchapter F.)  
**c.**  "Standard visitation" would be unworkable or inappropriate. Possession and access to the child/ren should be as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- d.  I am concerned about the safety of the children with the other parent: I ask that:  
*(If you checked **d**, check all that apply below.)*
- d-1.  exchanges of the child/ren be supervised, or in the alternative, be in a public place.
  - d-2.  the other parent's possession of the child/ren be limited to day visits.
  - d-3.  the other parent's possession of the child/ren be supervised.
  - d-4.  the other parent have no right to possession or access to the child/ren.
  - d-5.  the other parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the child/ren.
  - d-6.  the other parent's possession and access to the children be restricted as follows:

---



---

*(Check **only** if you are asking that a different possession order be in place while a child is under 3 years old.)*

- One or more of the children is under 3. Until the child turns 3, possession should be as follows:

---



---

After the child turns 3, possession should be as checked above.

*(Check **only** if applicable.)*

- I am concerned that the other parent may take the child/ren to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child/ren.

### **8C. Child Support and Medical Support**

I ask the court to make appropriate orders for the support of the children, including regular child support, medical support and dental support and, if supported by the facts, retroactive child support.

*(Check, if applicable.)*

- I also ask the Court to order the man determined to be the father of the children to pay an equitable portion of prenatal and post-natal health-care expenses.

### **9. Children's Names** *(Check one.)*

- I am **not** asking the Court to change the children's names.  
 There is good cause for the Court to change the names of the following children:

**Child 1:** The child's current name is: \_\_\_\_\_.

I ask that the child's name be changed to \_\_\_\_\_.

**Child 2:** The child's current name is: \_\_\_\_\_.

I ask that the child's name be changed to \_\_\_\_\_.

**Child 3:** The child's current name is: \_\_\_\_\_.

I ask that the child's name be changed to \_\_\_\_\_.

**Child 4:** The child's current name is: \_\_\_\_\_.

I ask that the child's name be changed to \_\_\_\_\_.

**Child 5:** The child's current name is: \_\_\_\_\_.

I ask that the child's name be changed to \_\_\_\_\_.

**10. Family Information** (Check only if applicable.)

I believe the children or I will be harassed, abused, seriously harmed, or injured if I am required to give the Respondent(s) the information checked below for myself and the children:

(Check the boxes below to tell the judge which information you want to be kept confidential.)

- home address,       mailing address,       employer,       work address,
- home phone #,       work phone #,       social security #,       driver's license #.

I ask the Court to Order that I not have to give this information or notice of changes in this information to the Respondents. I also ask the Court to keep this information confidential.

**11. Health Insurance Availability for Children**

The child/ren: (Check all that apply.)

- do not have health insurance.
- have **private health insurance**.

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_ Cost of premium: \$ \_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy  is  is not available through the parent's work.

- have health insurance through **Medicaid**.
- have health insurance through **C.H.I.P.** Cost of premium (if any): \$ \_\_\_\_\_

**If the children do not have private health insurance also complete the following:**

Private health insurance  is  is not available to Father at a reasonable cost.

Private health insurance  is  is not available to Mother at a reasonable cost.

**12. Dental Insurance Availability for Children**

The child/ren: (Check all that apply.)

- do not have dental insurance.
- have **private dental insurance**.

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_ Cost of premium: \$ \_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy  is  is not available through the parent's work.

**If the children do not have private dental insurance also complete the following:**

Private dental insurance  is  is not available to Father at a reasonable cost.

Private dental insurance  is  is not available to Mother at a reasonable cost.

**13. Children's Property** (Check one.)

- The children do not own any property of significant value in their own name.
- The children own the following property of significant value in their own name:

\_\_\_\_\_.



## 14. Protective Order Statement

**Note:** You **must** provide information about any protective order or pending application for protective order involving a party in this case or a child of a party. This includes information about any: 1) family violence protective order, (2) sexual assault, sexual abuse, trafficking or stalking protective order and/or (3) emergency protective order issued after an arrest. A "party" includes you (the Petitioner) and anyone listed as a Respondent in this Petition.

You **must also** attach to this Petition a copy of any protective order (even if it's expired) in which one party or a child of a party was the applicant or victim and another party was the respondent or defendant.

(Check the appropriate boxes. Fill in the requested information, if applicable.)

### 14A. No Protective Order

- I do not have a protective order and I have not asked for one.
- No one has a protective order against me or asked for one.

### 14B. Pending Protective Order

- I filed paperwork at the courthouse asking for a protective order, but a judge has not decided if I should get it. I asked for a protective order against \_\_\_\_\_.  
I asked for a protective order on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date Filed County State  
The cause number of the protective order case is \_\_\_\_\_.  
If I get a protective order, I will file a copy of it before any hearings in this case.
- The Respondent filed paperwork asking for a protective order, but a judge has not decided if the Respondent will get it. The Respondent asked for a protective order on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date Filed County State  
The Respondent asked for a protective order against \_\_\_\_\_.  
The cause number of the protective order case is \_\_\_\_\_.  
If the Respondent gets a protective order, I will file a copy of it before any hearings in this case.

### 14C. Protective Order in Place

- I have a protective order. The protective order is against \_\_\_\_\_.  
I got the protective order on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date of Order County State  
The cause number for the protective order is \_\_\_\_\_.  
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 case.
- A Respondent in this case has a protective order.  
The protective order is against \_\_\_\_\_.  
The protective order was made on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date of Order County State  
The cause number for the protective order is \_\_\_\_\_.  
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 case.

## 15. Public Benefits

**Note:** If the child/ren have ever received Medicaid or TANF, you **MUST** send a copy of this Petition to the Office of the Attorney General Child Support Division. You **MUST** also sign the "Certificate of Service to the Office of the Attorney General" below.

The children: (Check all that apply.)

- have Medicaid now **or** had in the past.  
 get TANF (Temporary Assistance for Needy Families) now **or** got it in the past.

## 16. Request for Judgment

I ask that citation and notice issue as required by law and that the Court make the orders I have asked for in this Petition and any other orders to which I am entitled. I ask for general relief.

Respectfully,

→

( )

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Phone number

\_\_\_\_\_  
Petitioner's Printed Name

\_\_\_\_\_  
Date

Petitioner's  
Mailing Address: \_\_\_\_\_

Petitioner's Email Address: \_\_\_\_\_

Petitioner's Fax #  
(if available): \_\_\_\_\_

**Warning:** Each respondent will get a copy of this form. If you are concerned about a respondent learning your address, call the Hope Line at 1-800-374-4673(HOPE) for free advice before filing this form with the court.

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

## 17. Certificate of Service to the Office of the Attorney General Child Support Division

Sign below **only** if the child/ren receive (or have received) Medicaid or TANF. This tells the judge that you will deliver a copy of this Petition to the Office of the Attorney General Child Support Division as required by law. Get contact information for the Office of the Attorney General Child Support Office in the county where this case will be filed at [https://www.texasattorneygeneral.gov/apps/cs\\_locations/](https://www.texasattorneygeneral.gov/apps/cs_locations/). Bring proof of delivery with you to court.

I certify that a true copy of this *Petition* was served on the Office of the Attorney General Child Support Division\* in person, by certified and first class mail, by commercial delivery service, by fax, by email, or through the electronic file manager on this date.

→

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

For information about how to file an answer go to [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

For a referral to a lawyer call your local lawyer referral service  
or the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690.

For information about free and low-cost legal help in your county go to  
[www.TexasLawHelp.org](http://www.TexasLawHelp.org) or call the Legal Aid office serving your area:

**Legal Aid of Northwest Texas** 1-888-529-5277 (serves Dallas / Ft. Worth area & Northwest Texas)

**Lone Star Legal Aid** 1-800-733-8394 (serves Houston area & East Texas)

**Texas Rio Grande Legal Aid** 1-888-988-9996 (serves Austin / San Antonio area, El Paso area & South Texas)

If you have been the victim of family violence, or if at any time you feel unsafe, get help by calling the:

**National Domestic Violence Hotline** at 1-800-799-SAFE (7233) or

**Texas Advocacy Project Hope Line** at 1-800-374-HOPE (4673) or

**Advocates for Victims of Crime (AVOICE)**: at 1-888-343-4414.

**INFORMATION ON SUIT AFFECTING THE FAMILY RELATIONSHIP  
(EXCLUDING ADOPTIONS)**

**SECTION I GENERAL INFORMATION (REQUIRED)**

**STATE FILE NUMBER**

1a. COUNTY \_\_\_\_\_ 1b. COURT NO. \_\_\_\_\_  
1c. CAUSE NO. \_\_\_\_\_ 1d. DATE OF ORDER (mm/dd/yyyy) \_\_\_\_\_

2. TYPE OF ORDER (CHECK ALL THAT APPLY):

DIVORCE/ANNULMENT WITH CHILDREN (Sec. 1,2 AND 3)       DIVORCE/ANNULMENT WITHOUT CHILDREN (Sec 1 AND 2)

ESTABLISHMENT OF COURT OF CONTINUING JURISDICTION (SEC 1 AND 3)  
(Court Order Establishing Paternity, Conservatorship, Child Support or Termination of Parental Rights)

CHANGE IN THE NAME OF THE CHILD (SEC 1 AND 3)  
(PROVIDE PRIOR AND NEW NAME OF CHILD IN SECTION 3)

TRANSFER OF COURT OR CONTINUING JURISDICTION (SEC 1,3 AND INFORMATION BELOW)

TRANSFER TO: COUNTY \_\_\_\_\_ COURT NO. \_\_\_\_\_ STATE COURT ID# \_\_\_\_\_

3a. NAME OF ATTORNEY FOR PETITIONER	3b. TELEPHONE NUMBER (including area code)
3c. CURRENT MAILING ADDRESS (STREET AND NUMBER OR P.O BOX, CITY, STATE, ZIP)	

**SECTION 2 (IF APPLICABLE) REPORT OF DIVORCE OR ANNULMENT OF MARRIAGE**

<b>PETITIONER</b>	4. NAME (FIRST MIDDLE LAST SUFFIX)		5. MAIDEN LAST NAME (NAME BEFORE 1 <sup>ST</sup> MARRIAGE)	
	6. PLACE OF BIRTH (CITY AND STATE OR FOREIGN COUNTRY)		7. RACE	8. DATE OF BIRTH (mm/dd/yyyy)
	9. USUAL RESIDENCE	STREET NAME & NUMBER	CITY	STATE
<b>RESPONDENT</b>	10. NAME (FIRST MIDDLE LAST SUFFIX)		11. MAIDEN LAST NAME (NAME BEFORE 1 <sup>ST</sup> MARRIAGE)	
	12. PLACE OF BIRTH (CITY AND STATE OR FOREIGN COUNTRY)		13. RACE	14. DATE OF BIRTH (mm/dd/yyyy)
	15. USUAL RESIDENCE (STREET AND NUMBER CITY, STATE, ZIP)			
16. NUMBER OF MINOR CHILDREN		17. DATE OF MARRIAGE (mm/dd/yyyy)		18. PLACE OF MARRIAGE (CITY AND STATE OR FOREIGN COUNTRY)

**SECTION 3 (IF APPLICABLE) CHILDREN AFFECTED BY THIS SUIT**

<b>CHILD 1</b>	19a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)			
	19b. DATE OF BIRTH (mm/dd/yyyy)	19c. SEX	19d. BIRTHPLACE (CITY, COUNTY AND STATE)	
	19e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE			
<b>CHILD 2</b>	20a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)			
	20b. DATE OF BIRTH (mm/dd/yyyy)	20c. SEX	20d. BIRTHPLACE (CITY, COUNTY AND STATE)	
	20e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE			
<b>CHILD 3</b>	21a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)			
	21b. DATE OF BIRTH (mm/dd/yyyy)	21c. SEX	21d. BIRTHPLACE (CITY, COUNTY AND STATE)	
	21e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE			

ADDITIONAL CHILDREN LISTED ON BACK OF THE FORM.

I CERTIFY THAT THE ABOVE ORDER WAS GRANTED ON THE DATE AND PLACE AS STATED. \_\_\_\_\_  
SIGNATURE OF THE CLERK OF THE COURT

**WARNING:** This is a governmental document. Texas Penal Code, Section 37.10, specifies penalties for making false entries or providing false information in this document. VS-165 REV 07/2017

**ADDITIONAL CHILDREN AFFECTED BY THIS SUIT FROM SECTION 3 (IF APPLICABLE)**

CHILD 4	23a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	23b. DATE OF BIRTH (mm/dd/yyyy)	23c. SEX	23d. BIRTHPLACE (CITY, COUNTY AND STATE)
	23e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		
CHILD 5	24a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	24b. DATE OF BIRTH (mm/dd/yyyy)	24c. SEX	24d. BIRTHPLACE (CITY, COUNTY AND STATE)
	24e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		
CHILD 6	25a. CHILD CURRENT NAME (FIRST MIDDLE LAST SUFFIX)		
	25b. DATE OF BIRTH (mm/dd/yyyy)	25c. SEX	25d. BIRTHPLACE (CITY, COUNTY AND STATE)
	25e. PRIOR NAME OF CHILD (FIRST MIDDLE LAST SUFFIX) – IF APPLICABLE		

**Instructions for Completing the Suit Affecting Parent Child Relationship Form****GENERAL REQUIREMENT:**

All divorces/annulments (with or without children) and all suits affecting the parent-child relationship must be reported through the clerk of the court to the State Vital Statistics Unit (VSU).

Consolidated reporting by petitioners, attorneys, and the courts is designed to make mandatory reporting more efficient, timely, and improve the quality of reporting. However, this reporting system is only as good or timely as you make it; therefore, your attention in completing and filing this report is critical.

Legal basis for this reporting is contained in Health and Safety Code §194.002 and Texas Family Code §§108.001-.002 and 108.004.

For information concerning reporting or questions about this form, contact field services at [fieldservices@dshs.texas.gov](mailto:fieldservices@dshs.texas.gov) or by phone at 512-776-3010.

**The VSU-165 form must be printed double-sided (one sheet not two).**

For information on the court of continuing jurisdiction of a child, contact VSU at (888) 963-7111 ext. 2529. Inquiries should be addressed to VSU, 1100 West 49th Street, Austin, Texas, 78756-3191; inquiries may also be faxed to (512) 776-7164 .

**SECTION 1 GENERAL INFORMATION (REQUIRED)**

This section must be completed for each report filed.

- 1a – d. Enter the required information to identify the court proceeding.
- 2. Check the type of suit being reported. This determines also which sections of the form must be completed. If more than one type of order applies, check all that apply. Transfers from one jurisdiction to another must be reported in this section (if court number is unknown, specify "unknown").
- 3a – c. Complete the attorney information to assist in questions or follow up. If case was pro se, please enter the information of the person completing this form.

**SECTION 2 (IF APPLICABLE) REPORT OF DIVORCE OR ANNULMENT OF MARRIAGE**

All divorces/annulments must be reported, even if there were no minor children. All information is required.

- 4-9. Report the Petitioner's information including maiden name (if applicable ).
- 10-15. Report the Respondent's information, including maiden name (if applicable ).
- 16. Report the number of minor children affected by this divorce; if none, record "0." This number must correspond to the listing of children in Section 3.
- 17-18. Enter the date and place of the marriage being dissolved.

**SECTION 3 (IF APPLICABLE) CHILDREN AFFECTED BY THIS SUIT**

Every child affected by the suit being reported must be listed, and all items concerning that child must be completed. If more than three children are affected, check the "additional children listed on back of form" box, and continue to list the additional children. If more than 6 children complete section 3 on another form, label it "continuation" and attached the continuation form to the original form.

# Exhibit: Out-of-State Party Declaration

Required by Texas Family Code, Section 152.209

**Important!** If you, the other parent, or anyone else named as a party in your case lives outside of Texas, you must:

- Fill out this form and sign it (*under penalty of perjury.*)
- File it in the Clerk's Office.
- Keep a copy for your records.

(All information must be true and correct. Print your answers.)

## 1. Personal Information

My name is: \_\_\_\_\_  
*First Middle Last*

I am the:  Petitioner  Respondent

I am representing myself in this case.

Do you believe the health, safety or liberty of you or your children would be jeopardized by disclosure of the information in this declaration?  Yes  No

*If yes, ask the Clerk's Office to seal this declaration and not disclose the information to the other party or the public, until and unless the court orders the information disclosed after a hearing in which the court takes into consideration the health, safety and liberty of you and your children. This is required by Texas Family Code, section 152.209 (e).*

## 2. Children in this case (under 18)

**First Child's Name:** \_\_\_\_\_

Present Address: \_\_\_\_\_

Child now lives with  Mother  Father  Other: (*explain*) \_\_\_\_\_

When did this child start living at this address? (*Month, day, year*) \_\_\_\_\_

(*You must list every address for the last 5 years. Start with the most recent.*)

**1<sup>st</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (*explain*) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**2<sup>nd</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (*explain*) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**3<sup>rd</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (*explain*) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**4<sup>th</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (*explain*) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**2nd Child's Name:** \_\_\_\_\_

Check here if this child has always lived with the 1st child and skip to next question.

Present Address: \_\_\_\_\_

Child now lives with  Mother  Father  Other: (explain) \_\_\_\_\_

When did this child start living at this address? (Month, day, year) \_\_\_\_\_

(You must list every address for the last **5 years**. Start with the most recent.)

**1<sup>st</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**2<sup>nd</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**3<sup>rd</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**4<sup>th</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**3<sup>rd</sup> Child's Name:** \_\_\_\_\_

Check here if this child has always lived with the 1st child and skip to next question.

Present Address: \_\_\_\_\_

Child now lives with  Mother  Father  Other: (explain) \_\_\_\_\_

When did this child start living at this address? (Month, day, year) \_\_\_\_\_

(You must list every address for the last **5 years**. Start with the most recent.)

**1<sup>st</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**2<sup>nd</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**3<sup>rd</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**4<sup>th</sup> past address** \_\_\_\_\_ From: \_\_\_ / \_\_\_ / \_\_\_ To: \_\_\_ / \_\_\_ / \_\_\_

Who did the child live with?  Mother  Father  Other: (explain) \_\_\_\_\_

What is the present address of that person or persons? \_\_\_\_\_

**If there are more than 3 children, make a copy of this page for each child and attach it to this form.**

**3. Other Court Cases**

Have you taken part in any other court case about any of these children, in Texas or in any other state or country?  Yes  No

Do you know of any other court case that could affect this case, including custody, visitation, child support, civil or criminal cases for domestic violence, protective orders, termination of parental rights, adoptions and enforcement cases?  Yes  No

If you answered Yes for either of the above questions, complete the following:

County, State and Country of Court Case	Case #	Type of case
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Warning:** You must tell the court if you later find out about a court case about these children, in Texas or in any other state or country.

**4. Other People Who Claim Custody or Visitation**

“Do you know of any other person who has physical possession of the children or claims the right to legal or physical custody or visitation with the children?  Yes  No

If **Yes**, complete the following for each person.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Relationship to child: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Relationship to child: \_\_\_\_\_”

**Declaration in lieu of Notarized Statement – Texas Civil Practice and Remedies Code, Section 132.001.**

My name is: \_\_\_\_\_  
First Middle Last

My date of birth is: \_\_\_\_\_  
Month Day Year

My address is: \_\_\_\_\_  
Street Address City State Zip Code Country

**I declare under penalty of perjury that all information in this Out-of-State Party Declaration is true and correct.**

Formally signed in \_\_\_\_\_ County, \_\_\_\_\_ State,  
County State

on this date: \_\_\_\_\_  
Month Day Year

\_\_\_\_\_  
**Your Signature**



**NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA**



Cause Number: \_\_\_\_\_  
*(The Clerk's office will fill in the Cause Number when you file this form)*

Plaintiff: \_\_\_\_\_  
*(Print first and last name of the person filing the lawsuit.)*

And

In the \_\_\_\_\_ (check one):  
Court \_\_\_\_\_  
Number \_\_\_\_\_  
 District Court  
 County Court / County Court at Law  
 Justice Court

Defendant: \_\_\_\_\_ Texas  
*(Print first and last name of the person being sued.)* County \_\_\_\_\_

**Statement of Inability to Afford Payment of Court Costs  
or an Appeal Bond in Justice Court**

**1. Your Information**

My full legal name is: \_\_\_\_\_ My date of birth is: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
*First Middle Last Month/Day/Year*

My address is: (Home) \_\_\_\_\_  
(Mailing) \_\_\_\_\_

My phone number: \_\_\_\_\_ My email: \_\_\_\_\_

About my **dependents**: "The people who depend on me financially are listed below."

<i>Name</i>	<i>Age</i>	<i>Relationship to Me</i>
1 _____	_____	_____
2 _____	_____	_____
3 _____	_____	_____
4 _____	_____	_____
5 _____	_____	_____
6 _____	_____	_____

**2. Are you represented by Legal Aid?**

I am being represented in this case for free by an attorney who works for a legal aid provider or who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as 'Exhibit: Legal Aid Certificate.

**-or-**

I asked a legal-aid provider to represent me, and the provider determined that I am financially eligible for representation, but the provider could not take my case. I have attached documentation from legal aid stating this.

**or-**

I am not represented by legal aid. I did not apply for representation by legal aid.

**3. Do you receive public benefits?**

I do not receive needs-based public benefits. - or -

I receive these **public benefits/government entitlements** that are based on indigency:

*(Check ALL boxes that apply and attach proof to this form, such as a copy of an eligibility form or check)*

- Food stamps/SNAP       TANF     Medicaid     CHIP     SSI     WIC     AABD
- Public Housing or Section 8 Housing     Low-Income Energy Assistance     Emergency Assistance
- Telephone Lifeline       Community Care via DADS       LIS in Medicare ("Extra Help")
- Needs-based VA Pension     Child Care Assistance under Child Care and Development Block Grant
- County Assistance, County Health Care, or General Assistance (GA)
- Other: \_\_\_\_\_

**4. What is your monthly income and income sources?**

"I get this monthly income:

\$ \_\_\_\_\_ in monthly wages. I work as a \_\_\_\_\_ for \_\_\_\_\_.  
Your job title Your employer

\$ \_\_\_\_\_ in monthly unemployment. I have been unemployed since (date) \_\_\_\_\_.

\$ \_\_\_\_\_ in public benefits per month.

\$ \_\_\_\_\_ from other people in my household each month: (List only if other members contribute to your household income.)

\$ \_\_\_\_\_ from  Retirement/Pension  Tips, bonuses  Disability  Worker's Comp  
 Social Security  Military Housing  Dividends, interest, royalties  
 Child/spousal support  
 My spouse's income or income from another member of my household (If available)

\$ \_\_\_\_\_ from other jobs/sources of income. (Describe) \_\_\_\_\_

\$ \_\_\_\_\_ is my **total monthly** income.

**5. What is the value of your property?**

"My <b>property</b> includes:	<b>Value*</b>
Cash	\$ _____
Bank accounts, other financial assets	\$ _____
_____	\$ _____
_____	\$ _____
Vehicles (cars, boats) <small>(make and year)</small>	\$ _____
_____	\$ _____
_____	\$ _____
Other property (like jewelry, stocks, land, another house, etc.)	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>Total value of property</b>	<b>→ \$ _____</b>

**6. What are your monthly expenses?**

"My <b>monthly expenses</b> are:	<b>Amount</b>
Rent/house payments/maintenance	\$ _____
Food and household supplies	\$ _____
Utilities and telephone	\$ _____
Clothing and laundry	\$ _____
Medical and dental expenses	\$ _____
Insurance (life, health, auto, etc.)	\$ _____
School and child care	\$ _____
Transportation, auto repair, gas	\$ _____
Child / spousal support	\$ _____
Wages withheld by court order	\$ _____
Debt payments paid to: <small>(List)</small>	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>Total Monthly Expenses</b>	<b>→ \$ _____</b>

\*The value is the amount the item would sell for less the amount you still owe on it, if anything.

**7. Are there debts or other facts explaining your financial situation?**

"My **debts** include: (List debt and amount owed) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_"

(If you want the court to consider other facts, such as unusual medical expenses, family emergencies, etc., attach another page to this form labeled "Exhibit: Additional Supporting Facts.") Check here if you attach another page.


**8. Declaration**

I declare under penalty of perjury that the foregoing is true and correct. I further swear:

- I cannot afford to pay court costs.
- I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision.

My name is \_\_\_\_\_ . My date of birth is : \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

My address is \_\_\_\_\_  
Street City State Zip Code Country

 \_\_\_\_\_ signed on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_  
Signature Month/Day/Year county name State

**Cause Number:** \_\_\_\_\_

In the interest of:

(List the child/children whose paternity will be addressed.):

In the \_\_\_\_\_  
Court Number

1 Name: \_\_\_\_\_

2 Name: \_\_\_\_\_

3 Name: \_\_\_\_\_

4 Name: \_\_\_\_\_

5 Name: \_\_\_\_\_

District Court  County Court at Law

of \_\_\_\_\_ County, Texas

### Motion for Genetic Testing and Notice of Hearing

My name is: \_\_\_\_\_  
First Middle Last

I am the:  Petitioner  Respondent in this case.

I ask the Court to make appropriate orders for genetic testing as required by Texas Family Code, Chapter 160, Subchapter F, including orders for the advance payment of the cost of genetic testing.

Respectfully submitted,

▶ \_\_\_\_\_  
Your Signature.

**I understand that I must let the Court and all attorneys in the case (or the party if s/he is not represented by an attorney) know in writing if my mailing address or email address changes during this case.** If I don't, then any notices about this case will be sent to me at the mailing address or email address on this form.

(PRINT your name and information.):

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Email: \_\_\_\_\_ Fax # (if any) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

### Notice of Hearing

A hearing on this motion will be held on this date: \_\_\_\_\_, at this  
month / day / year

time: \_\_\_\_\_ m., and at this location: \_\_\_\_\_, County Courthouse,

\_\_\_\_\_  
Physical Address of Courthouse City State Zip

Signed on: \_\_\_\_\_  
Signature of Judge or Clerk

### Certificate of Service

I certify that today I sent a true copy of this document to each party or attorney of record in this case by: *(Check one.)*

- Certified mail, return receipt requested.  
*(Bring receipt stamped with date of mailing and green return receipt card to the hearing.)*
- Fax, to fax # (\_\_\_\_\_) - \_\_\_\_\_.  
*(Bring fax confirmation to the hearing.)*
- Hand delivery.  
*(Bring signed acknowledgment of receipt to the hearing.)*



\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Date

*Note: An **attorney of record** is an attorney who has signed pleadings or other forms in the case on behalf of a party or appeared for a party at a hearing. If a party has an attorney of record, send a copy of this document to the attorney instead of the party. If a party does not have an attorney of record, send a copy of this document directly to the party. Bring proof of delivery to the hearing.*

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

In the interest of *(List children)*:

1 Name: \_\_\_\_\_

Cause No:

2 Name: \_\_\_\_\_

3 Name: \_\_\_\_\_

In the \_\_\_\_\_  District  County Court of:

4 Name: \_\_\_\_\_

5 Name: \_\_\_\_\_

\_\_\_\_\_ County, Texas

### Order for Genetic Testing

A hearing was held today on a Motion for Genetic Testing.

The Court finds that genetic testing has been requested and is medically practical.

IT IS THEREFORE ORDERED that the children named in this case and the following individuals shall submit to genetic testing: *(Check all that apply.)*

the alleged father: \_\_\_\_\_  
PRINT the Alleged Father's full name

the mother: \_\_\_\_\_  
PRINT the Mother's full name

\_\_\_\_\_  
PRINT the full name of any other person ordered to submit to genetic testing.

IT IS ORDERED that the children and each person named above shall submit to genetic testing on

\_\_\_\_\_ at \_\_\_\_\_ .M. at the following testing laboratory:  
*(date) (time)*

Name of testing laboratory: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_.

Each person named above is ORDERED to appear at the testing laboratory, with his or her driver's license or other appropriate photographic identification, on the date and time listed above.

The party who has physical possession of the children named in this case on the date listed above is ORDERED to bring the children along with appropriate photographic identification for the children, to the testing laboratory on the date and at the time listed above.

Each person named above and the children shall remain at the testing laboratory until the genetic specimens have been collected and shall permit the employees of the testing laboratory to take blood, hair or other body tissue or fluid samples sufficient for genetic testing.

The testing laboratory named above shall perform testing sufficient to comply with Texas Family Code, Chapter 160, Subchapter F and shall prepare a report in compliance with Texas Family Code Section 160.504. The testing laboratory shall file the original report with the Court and provide a copy of the report to the parties.

The cost of the testing laboratory's services shall be paid in advance by \_\_\_\_\_.

SIGNED on \_\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING

Cause Number: \_\_\_\_\_

**In the Interest of the following Minor Child(ren):**

*(Print the initials of each child.)*

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5. \_\_\_\_\_

In the \_\_\_\_\_  
Court Number

- District Court
- County Court at Law

of \_\_\_\_\_ County, Texas

## Order Adjudicating Parentage

A trial took place today, and the following people were present.

### 1. Appearances

#### Petitioner

The Petitioner's full name is: \_\_\_\_\_.

The Petitioner is the child/ren's: *(Check one.)*

- mother
- alleged father
- presumed father
- other: \_\_\_\_\_.

The Petitioner: *(Check one.)*

- was present, representing himself.
- was not present but has signed below, agreeing to the terms of this Order.

#### Respondent A

Respondent A's full name is: \_\_\_\_\_.

Respondent A is the child/ren's: *(Check one.)*

- mother
- alleged father
- presumed father
- other: \_\_\_\_\_.

Respondent A: *(Check one.)*

- was present, representing him/herself, and announced ready for trial.
- was present, representing him/herself, and agreed to the terms of this Order.
- was not present, but filed an Answer or Waiver of Service and has signed on page 7 agreeing to the terms of this Order.
- was not present, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- was not present, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.



**Respondent B**     *Check this box if there is no Respondent B, and skip to section 2.*

Respondent B's full name is: \_\_\_\_\_.

Respondent B is the child/ren's: *(Check one.)*

mother     alleged father     presumed father     other: \_\_\_\_\_.

Respondent B: *(Check one.)*

- was present, representing him/herself, and announced ready for trial.
- was present, representing him/herself, and agreed to the terms of this Order.
- was not present, but filed an Answer or Waiver of Service and has signed on page 7 agreeing to the terms of this Order.
- was not present, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- was not present, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.

**Respondent C**     *Check this box if there is no Respondent C, and skip to section 2.*

Respondent C's full name is: \_\_\_\_\_.

Respondent C is the child/ren's: *(Check one.)*

mother     alleged father     presumed father     other: \_\_\_\_\_.

Respondent C: *(Check one.)*

- was present, representing him/herself, and announced ready for trial.
- was present, representing him/herself, and agreed to the terms of this Order.
- was not present, but filed an Answer or Waiver of Service and has signed on page 7 agreeing to the terms of this Order.
- was not present, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- was not present, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.

**Respondent D**     *Check this box if there is no Respondent D, and skip to section 2.*

Respondent D's full name is: \_\_\_\_\_.

Respondent D is the child/ren's: *(Check one.)*

mother     alleged father     presumed father     other: \_\_\_\_\_.

Respondent D: *(Check one.)*

- was present, representing him/herself, and announced ready for trial.
- was present, representing him/herself, and agreed to the terms of this Order.
- was not present, but filed an Answer or Waiver of Service and has signed on page 7 agreeing to the terms of this Order.
- was not present, but filed a Global Waiver that waived his or her right to notice of this hearing and did not otherwise appear.
- was not present, but was served and has defaulted. The Petitioner filed a Certificate of Last Known Address and a Military Status Declaration.



## 2. Jurisdiction

The Court, after examining the record and hearing the evidence and argument of counsel, finds that it has jurisdiction of this case and of all the parties and that no other court has continuing, exclusive jurisdiction of this case. All persons entitled to citation were properly cited.

## 3. Record

A Court reporter:

(Check one.)

- did not record today's hearing because the parties and judge agreed not to make a record.
- recorded today's hearing.

## 4. Children

The court finds that the following children are the subject of this case:

	<i>Child's name</i>	<i>Date of Birth</i>
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
5	_____	_____

## 5. Parentage Findings

The Court finds that: \_\_\_\_\_.  
*PRINT the full name of the man determined to be the father of the children.*

- has admitted, by pleading or in open court, that he is the biological father of the children and there is no reason to question the admission.
- has admitted, by pleading or in open court, that he is the biological father of the children and admissible biological testing results show he is the father of the children.
- has denied that he is the biological father of the children, but admissible biological testing results show he is the father of the children.
- has denied that he is the biological father of the children, but refused to submit to biological testing.
- has admitted, by pleading or in open court, that he is the biological father of the children. The mother has denied that the alleged father is the biological father of the children, but the mother refused to submit to biological testing.
- is the presumed, acknowledged or adjudicated father of the children and admissible biological testing results show he is the father of the children.
- was duly and properly cited but did not appear and has defaulted, that the return of citation has been on file for at least ten days, and that evidence before the Court shows him to be the father of the children.

**6. Adjudication of Parentage**

IT IS ORDERED that \_\_\_\_\_ is, and he is  
PRINT the full name of the man determined to be the father of the children.

adjudicated to be, the father of the following children born to \_\_\_\_\_:  
PRINT the Mother's full name.

	<i>Child's name</i>	<i>Date of Birth</i>
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
5	_____	_____

The Texas Vital Statistics Unit is **ORDERED** to amend the birth record of the children by **adding**  
\_\_\_\_\_ as the father of the children listed above:  
PRINT the full name of the man determined to be the father of the children.

**7. Adjudication of Nonparentage** (Complete this section only if applicable.)

The Court finds that admissible results of biological testing **exclude**:

\_\_\_\_\_  
PRINT the full name of the man determined **not** to be the father of the children.  
as the biological father of the children or identify another man as the biological father of the children.

IT IS ORDERED that \_\_\_\_\_  
PRINT the full name of the man determined not to be the father of the children.

is not, and he is adjudicated not to be, the father of the following children born to:

\_\_\_\_\_  
PRINT the Mother's full name.

	<i>Child's name</i>	<i>Date of Birth</i>
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
5	_____	_____

The Texas Vital Statistics Unit is **ORDERED** to amend the birth record of the children by **removing**  
\_\_\_\_\_ as the father of the children listed above.  
PRINT the full name of the man determined **not** to be the father.

**8. Name Change of Children** (Complete **this section** only if applicable.)

The Court finds that there is good cause to change the names of the following children:

**Child 1 - IT IS ORDERED** that the child formerly known as: \_\_\_\_\_,  
PRINT *the child's current name – first, middle, last.*

is now named: \_\_\_\_\_,  
PRINT *the child's new name – first, middle, last.*

**Child 2 - IT IS ORDERED** that the child formerly known as: \_\_\_\_\_,  
PRINT *the child's current name – first, middle, last.*

is now named: \_\_\_\_\_,  
PRINT *the child's new name – first, middle, last.*

**Child 3 - IT IS ORDERED** that the child formerly known as: \_\_\_\_\_,  
PRINT *the child's current name – first, middle, last.*

is now named: \_\_\_\_\_,  
PRINT *the child's new name – first, middle, last.*

**Child 4 - IT IS ORDERED** that the child formerly known as: \_\_\_\_\_,  
PRINT *the child's current name – first, middle, last.*

is now named: \_\_\_\_\_,  
PRINT *the child's new name – first, middle, last.*

**Child 5 - IT IS ORDERED** that the child formerly known as: \_\_\_\_\_,  
PRINT *the child's current name – first, middle, last.*

is now named: \_\_\_\_\_,  
PRINT *the child's new name – first, middle, last.*

The Texas Vital Statistics Unit is **ORDERED** to amend the birth the birth record of the children by **changing the names** of the children as ORDERED above.

**10. Orders about Conservatorship, Possession and Access and Support**

(Check one.)

The Court makes **no orders** about conservatorship (custody), possession and access, child support, or medical and dental support for the subject child/ren at this time. **(If you check this box, skip to section 11)**

The Court makes the following orders about conservatorship (custody), possession and access, child support, medical support and dental support for the subject children:

**(If you check this box, attach the Orders listed below.)**

- **Conservatorship (custody)** is ORDERED in the attached “*Conservatorship Order*” which is fully incorporated into this Order for all purposes.
- **Possession and access (visitation)** is ORDERED in the attached:  
(Check one and attach the appropriate Possession Order.)
  - “*Standard Possession Order*” which is fully incorporated into this Order for all purposes.
  - “*Modified Possession Order*” which is fully incorporated into this Order for all purposes.
  - “*Supervised Possession Order*” which is fully incorporated into this Order for all purposes.
- **Child support** is ORDERED in the attached “*Child Support Order*” which is fully incorporated into this Order for all purposes.
- **Medical and dental support** is ORDERED in the attached “*Medical and Dental Support Order*” which is fully incorporated into this Order for all purposes.

## 11. Family Information

The Court ORDERS that the information found in the attached *Family Information Order* is made a part of this Order for all purposes.

## 12. 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 or statement of inability to afford payment of court costs that was not successfully contested is not required to pay court costs.

## 13. Other Orders

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

## 14. Final Order

Any orders requested that do not appear above are denied. This is a final judgment and is appealable.

\_\_\_\_\_

*Date of Judgment*



\_\_\_\_\_

*Judge's Signature*

\_\_\_\_\_

*Judge's Printed Name*

**By signing here, I agree to the form and substance of this Order.**

\_\_\_\_\_

*Petitioner's signature*

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Petitioner's Printed name*

\_\_\_\_\_

*Respondent A's signature*

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Respondent A's Printed name*

\_\_\_\_\_

*Respondent B's signature*

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Respondent B's Printed name*

\_\_\_\_\_

*Respondent C's signature*

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Respondent C's Printed name*

\_\_\_\_\_

*Respondent D's signature*

\_\_\_\_\_

*Date*

\_\_\_\_\_

*Respondent D's Printed name*

**WARNING:** This is a case to determine the father of the children named in the *Petition to Adjudicate Parentage*. Once that determination is made by the court, you may not be able to change it. This is a complicated area of the law. It is important that you talk to a lawyer who can explain your legal rights. Without the advice and help of an attorney, you may be putting your rights at risk. To get a referral to an attorney, or if you are poor to the nearest Legal Aid Office, call the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690. If you are a victim of domestic violence, or if at any time you feel unsafe, you can get confidential help from the National Domestic Violence Hotline at 1-800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 1-800-374-4673.

(Print court information exactly as it appears on the *Petition to Adjudicate Parentage*.)

**In the interest of** (List children):

1 Name: \_\_\_\_\_  
2 Name: \_\_\_\_\_  
3 Name: \_\_\_\_\_  
4 Name: \_\_\_\_\_  
5 Name: \_\_\_\_\_

**Cause No:** \_\_\_\_\_

In the \_\_\_\_\_  District  County Court of:  
\_\_\_\_\_ County, Texas

**Respondent's Waiver of Service Only  
(Specific Waiver)**

**INSTRUCTIONS to Respondent:** Talk to an attorney if you have questions. If you decide to use this form:

- Do not sign this form until **at least one day after** the *Petition to Adjudicate Parentage* has been filed (turned in to the court). If you sign this form before then, you will have to redo it. The Petitioner should have given you a copy of the *Petition to Adjudicate Parentage*. 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.

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

"My name is: \_\_\_\_\_  
*First Middle Last*

"I am a Respondent in this case to determine the genetic father of the children named above.

"My phone number is: (\_\_\_\_) \_\_\_\_-\_\_\_\_. My fax number (if available) is: (\_\_\_\_) \_\_\_\_-\_\_\_\_.

"My mailing address is: \_\_\_\_\_  
*Mailing Address City State Zip*

"My email address 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 to Adjudicate Parentage*. "I have read it and understand what it says. I do not give up my right to review a different *Petition to Adjudicate Parentage* if it gets changed (amended).

"I understand that I have the right to be given a copy of the *Petition to Adjudicate Parentage* by a constable, sheriff or other official process server (legal notice). I do not want to be given legal notice. I give up my right to legal notice.

"I enter my appearance in this case for all purposes.

"I ask that the Court not enter any orders in this case unless the order is signed by me or unless I have received prior written notice of the date, time, and place of hearing.

"If the Petitioner and I reach an agreement and I sign an *Order Adjudicating Parentage*, the Court can enter the *Order* without me being present and without giving me notice. If I sign an agreed *Order*, I do not want a court reporter to make a record of the testimony.

**"I understand that I must let the Court, the Petitioner's attorney (or the Petitioner if s/he is not represented by an attorney) and any other party to this case know in writing if my mailing address, phone number or email address changes during this case. If I don't, then I understand that any notices about this case will be sent to me at the mailing address or email address on this form."**

**Military Status**

*(Check one.)*

- "I am not in the military.
- "I am in the military. I agree to the provisions stated above and I waive only the rights, privileges, and exemptions I have under the Servicemembers Civil Relief Act that are contrary to those provisions.

*(Check, and initial only if applicable.)*

"I am the biological father of the children named in this case." ▶ \_\_\_\_\_  
*Your Initials*

▶ \_\_\_\_\_  
Respondent's signature  
**Do not sign until you are in front of a Notary**

**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:** This is a case to determine the father of the children named in the *Petition to Adjudicate Parentage*. Once that determination is made by the court, you may not be able to change it. It is important that you talk to a lawyer who can explain your legal rights. 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.

**WARNING:** If you 1) are the alleged father, 2) do not live in Texas, and 3) do not agree that a Texas court should order that you are the father of the children, talk to a lawyer before filing an Answer. Once you file an Answer, you waive your right to argue that Texas lacks the power to make orders about you. Read the law about personal jurisdiction in the Texas Family Code, Sections 160.604 and 102.011.

(Print court information exactly as it appears on the Petition.)

**In the interest of** (List children):

1 Name: \_\_\_\_\_ Cause No: \_\_\_\_\_  
2 Name: \_\_\_\_\_  
3 Name: \_\_\_\_\_ In the \_\_\_\_\_  District  County Court of:  
4 Name: \_\_\_\_\_  
5 Name: \_\_\_\_\_ \_\_\_\_\_ County, Texas

**Respondent's Answer**

My name is: \_\_\_\_\_  
First Middle Last

I am a Respondent in this case to determine the father of the children listed in the *Petition to Adjudicate Parentage*.

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. Answer**

This is my answer. I want to be notified of all hearings in this case.

(Check all applicable boxes.)

- I **am** the genetic father of the children named in this case. I ask the Court to order that I am the legal father of the children.
- I **am not** the genetic father of the children named in this case.
- I ask the Court to order **genetic testing**.
- This case is barred by the Statute of Limitations because the children in this case have an adjudicated, acknowledged, or presumed father and this case was not filed within four years of the adjudication, acknowledgment or birth of the children.
- I ask the Court to deny genetic testing and to name the presumed father the legal father of the children. The mother and the presumed father have acted as though the presumed father is the children's father. It would be unfair to disprove the father-child relationship between the children and the presumed father. It is in the children's best interest to name the presumed father the father of the children. The Court should appoint a guardian ad litem for the children.

## 2. Contact Information

My mailing address is: \_\_\_\_\_  
Print Mailing Address City State Zip

My phone number is: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_.

(If applicable) My fax number is: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_.

My email address is \_\_\_\_\_.

I understand I *must* notify the Court, Petitioner, Petitioner's attorney (if Petitioner has an attorney), the other Respondents in this case, and the other Respondents' attorneys (if they have attorneys), in writing, if my mailing address, email address, or phone number changes during this case.

I understand that, unless I provide 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 mailing address or email address on this form.

## 3. Prayer

I ask the Court for general relief.

→ \_\_\_\_\_  
Respondent's signature Date

## Certificate of Service

I swear that a true copy of this document was given to Petitioner and Petitioner's attorney (if Petitioner has an attorney) in person, by fax, or by certified mail, return receipt requested.

→ \_\_\_\_\_  
Respondent's signature Date



**Cause Number** \_\_\_\_\_

Print cause number and other court information exactly as it appears on the petition filed in this case.

In the interest of:

In the: (check one):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Court Number  District Court  
 County Court at Law

Children

\_\_\_\_\_ County, Texas

**Affidavit for Prove-Up of Agreed Paternity Order**

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.

This Court has jurisdiction over this case and all involved parties.

No other court has continuing, exclusive jurisdiction of this case.

I have standing to file this case as indicated in the Petition.

Each Respondent has signed and filed either a Waiver of Service or Answer.

I have submitted an Agreed Paternity Order, which has been signed by myself and the respondent(s).

**Additional Orders** (check one of the following)

- I am **not** asking the Court to make orders regarding custody, possession and access, child support, or medical and dental support for the children subject to this suit at this time.
- I am asking the Court to make orders regarding custody, possession and access, child support, or medical and dental support for the children subject to this suit. I have attached the appropriate orders to the Agreed Paternity Order. I believe that these orders would be in the best interests of the children.

I am asking the court to sign and approve the Agreed Paternity Order.

\_\_\_\_\_  
**Sign above**

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

I am the [Petitioner/Respondent]. 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