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Unsworn Declaration: Information, Instructions, and Forms

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What is an unsworn declaration and when can it be used?



Under **Texas Civil Practice and Remedies Code Section 132.001**

(<http://www.statutes.legis.state.tx.us/Docs/CP/htm/CP.132.htm>), an unsworn declaration may be used **in lieu of** (in place of) a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law.

This provision does not apply to an oath of office or an oath required to be taken before a specified official **other than** a notary public.

An unsworn declaration can replace the requirement for a notary in some cases.

But unsworn declarations cannot be used—except for inmates—as a way to swear under oath that you are waiving service of process in other case types (mostly family law matters such as **divorces** (<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.6.htm#6.4035>), **emancipations** (<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.31.htm#31.008>), **name changes** (<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.45.htm>), and **custody suits** (<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.102.htm#102.0091>)).

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What must an unsworn declaration contain?

An unsworn declaration made under this section must be:

1. in writing,
2. signed by the person making the declaration as true under penalty of perjury (<https://statutes.capitol.texas.gov/Docs/PE/htm/PE.37.htm#37.02>), and
3. in substantially the form described in **Texas Civil Practice and Remedies Code section 132.001** (<http://www.statutes.legis.state.tx.us/Docs/CP/htm/CP.132.htm>).

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Forms and Instructions

Click the link below for the forms and instructions for a **general unsworn declaration**.

This is the form for use by most people.



[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/FORM/UNSWORN-DECLARATION\)](https://texaslawhelp.org/form/unsworn-declaration)

Click the link below for an online guided form to help you fill out the form.

[GUIDED FORM - CLICK HERE \(HTTPS://SELFHELP.EFILETEXAS.GOV/SRL/SRL/START?\)](https://selfhelp.efiletexas.gov/srl/srl/start?)

Click the link below for the forms and instructions for an **unsworn declaration** for **inmates**.

[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/FORM/UNSWORN-DECLARATION-INMAT\)](https://texaslawhelp.org/form/unsworn-declaration-inmat)

Click the link below for the forms and instructions for an **unsworn declaration** for **employees of a governmental agency**.

[CLICK HERE \(HTTPS://TEXASLAWHELP.ORG/FORM/UNSWORN-DECLARATION-EMPLC\)](https://texaslawhelp.org/form/unsworn-declaration-emplc)

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No. _____
Núm. _____

[Fill out cause number and heading information EXACTLY as it is written on the Petition.]
[Escriba el número de causa y otra información del tribunal EXACTAMENTE como aparece en la Petición.]

In the: (check one):

En el: (seleccione una):

District Court

Tribunal de Distrito

Court Number
Número de
Juzgado

County Court at Law –

Tribunal de Condado

Justice Court (JP) – Tribunal
de Justicia

County, Texas

Condado, Texas

Unsworn Declaration

Declaración

(Texas Civil Practice and Remedies Code 132.001)

My name is: _____.

Mi nombre es: First – Primer nombre Middle- Segundo nombre Last - Apellido

my date of birth is: ____/____/____, and

mi fecha de nacimiento es: [-] Month/Mes Day/Día Year/Año y

my address is: _____.

mi dirección es: Street Address City State Zip Code
Calle Ciudad Estado Código Postal

and _____ (country).

y en el país [-]

I declare under penalty of perjury that all information in the attached document, titled

Yo declaro, bajo pena de perjurio, que toda la información en el documento, titulado

_____, is true and correct.

Name of Document - Título del Documento, adjunto es correcta y verdadera.

Signed in _____ County, _____ (state),

Firmado en el Condado [-] del estado de [-]

on this date: ____/____/____.

el: [fecha] Month/Mes Day/Día Year/Año

Your Signature – Su Firma

Pursuant to Texas Civil Practice and Remedies Code Section 132.001, an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law. This provision does not apply to a lien required to be filed with a county clerk, an instrument concerning real or personal property required to be filed with a county clerk, or an oath of office or an oath required to be taken before a specified official other than a notary public. An unsworn declaration made under this section must be 1) in writing, 2) signed by the person making the declaration as true under penalty of perjury and 3) in substantially the form used above.

De acuerdo con la sección 132.001 del Código de Práctica y Procedimiento Civil de Texas, esta declaración puede ser usada en lugar de una declaración, verificación, certificación, juramento, o affidavit firmada ante un notary public que requiera un estatuto, reglamento, orden, o requisito aprobado como lo establece la ley. Esta provisión no aplica a un derecho o privilegio de preferencia de un acreedor (lien), un documento de bienes raíces o una propiedad propia que requiera ser entregado en la secretaría del condado, o un juramento de cargo u otro juramento que requiera ser hecho en la presencia de un oficial específico además de un notary public. La declaración hecha en conformidad con esta sección tiene que ser 1) por escrito, 2) firmado por la persona declarando y indique ser cierto bajo pena de perjurio y 3) substancialmente el documento anterior.