

Instructions & Forms for a Default Paternity Case

These instructions explain the basic steps in a **default** 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).

Default means a respondent is served with the initial court papers and does not file an answer with the court. If a respondent is served and defaults, you can finish your paternity case without that respondent.

NOTE: Filing a paternity case is complicated (especially if it's not agreed or you or the other side wants genetic testing). 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:
 - was 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 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. To be valid, the child's biological father and mother must also sign an Acknowledgment of Paternity.
- **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;
- if the child's mother has died, then the mother's parent, grandparent,

sibling, or child;

- a man who thinks he may be the father;
- a man presumed to be the father, asking the court to order that he's not the father;
- 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;
- the alleged father is personally served in Texas with legal notice of the paternity case;
- the alleged father lived in Texas with the child at some time;
- the alleged father lived in Texas and paid prenatal expenses for the child;
- the alleged father had sexual intercourse in Texas which led to the child's conception;
- 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 starting forms.

Fill out this **starting form**:

- **Petition to Adjudicate Parentage** (https://texaslawhelp.org/sites/default/files/fm-pat1-100_paternity_establish_petition_english_7.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.
- Talk to a lawyer if you have questions or need help.

Who is the petitioner? You are the **petitioner**: that is, 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](https://www.txcourts.gov/media/1442977/189163.pdf) has repealed the rule requiring the civil case information sheet (<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]
- **[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] (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] (only if you cannot afford to pay the filing fee for your case)
- You can call the clerk's office to learn the filing fee for your case. Learn more here: **[Court Fees and Fee Waivers \(https://texaslawhelp.org/article/court-fees-fee-waivers\)](https://texaslawhelp.org/article/court-fees-fee-waivers)** [10].
- **[Motion for Genetic Testing and Notice of Hearing \(https://texaslawhelp.org/sites/default/files/fm-pat4-104-pat_motion_for_genetic_testing.pdf\)](https://texaslawhelp.org/sites/default/files/fm-pat4-104-pat_motion_for_genetic_testing.pdf)** [11] (only if you're asking the judge to order genetic testing)

Step 6: Have your starting forms reviewed.

Although not required, it's a good idea to have a family law lawyer review your completed starting 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** (<https://texaslawhelp.org/article/limited-scope-representation>) [12]. 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>) [13] 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>) [14] for free legal clinics in your area.
- Use **Ask a Question** (<https://texaslawhelp.org/ask-question>) [15] 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>) [16] 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).

- Tell the clerk you want to have one or more of the respondents named in your *Petition* served **in person**. This means a sheriff, constable or private process server will deliver the initial court papers to each respondent in person. (**Exception:** If a respondent will agree to sign the necessary court forms, you do not need to have that respondent served. Follow these instructions for that respondent: **[Instructions & Forms for an Agreed Paternity Case \(https://texaslawhelp.org/checklist/instructions-forms-agreed-paternity-case\)](https://texaslawhelp.org/checklist/instructions-forms-agreed-paternity-case)** [17].)
- Pay the filing fee and issuance fee (or file your completed *Statement of Inability to Afford Payment of Court Costs* if you cannot afford the fees).
- If you are filing a *Motion for Genetic Testing* ask the clerk how to get a date for the hearing on your motion. Follow the clerk's instructions. Write the date and time of the hearing on the motion. File the motion with the clerk.
- 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.
- The clerk will print a form called a "citation" for each respondent. The citation tells the respondent that you have filed a paternity case. The citation also tells the respondent that unless he or she files an answer with the court you will be able to finish your case by default (without the respondent). The clerk will attach a copy of your petition (and motion for genetic testing if applicable) to the citation. The citation and petition (and motion for genetic testing if applicable) are the "**initial court papers**" that must be served on the respondent by a constable, sheriff or private process server. **Read Step 9 for instructions.**

Step 9: Have each respondent served.

You must have each respondent served in person with the initial court papers. (**Exception:** If a respondent will agree to sign the necessary court forms, you do not need to have that respondent served. Follow these instructions for that respondent: **Instructions & Forms for an Agreed Paternity Case** (<https://texaslawhelp.org/checklist/instructions-forms-agreed-paternity-case>) [17].)

To have a respondent served **in person**:

- send the initial court papers to a constable, sheriff or private process server **in the county where the respondent lives or works**;
- include the service fee (call first to learn the fee) or a file-stamped copy of your *Statement of Inability to Afford Payment of Court Costs*; **and**
- include a self-addressed and stamped envelope.

The constable, sheriff or private process server will:

- give the initial court papers to the respondent;
- complete a *Return of Service* form that says when and where the respondent was served; **and**
- send the completed *Return of Service* to you or the court.

The completed *Return of Service* is proof the respondent was served. The respondent will NOT have to sign anything.

If the *Return of Service* is sent to you, file it at the clerk's office. The *Return of Service* must be on file for at least 10 days before you can finish your case, not counting the day it is filed or the day you go to court to finish your case.

If you have problems getting a respondent served, you can use **Ask a Question** (<https://texaslawhelp.org/ask-question>) [15] to chat with a lawyer or law student online. **Note:** A respondent in a paternity case must usually be served **in person**.

Step 10: 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>) [18]**. 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) [19]**. 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 11: Attend the hearing on your Motion for Genetic Testing (if applicable).

If you filed a motion for genetic testing and scheduled a hearing, fill out this form and give it to the judge at the hearing.

- **[Order for Genetic Testing \(\[https://texaslawhelp.org/sites/default/files/fm_pat4_200_pat_order_for_genetic_testing_english_0.pdf\]\(https://texaslawhelp.org/sites/default/files/fm_pat4_200_pat_order_for_genetic_testing_english_0.pdf\)\) \[20\]](https://texaslawhelp.org/sites/default/files/fm_pat4_200_pat_order_for_genetic_testing_english_0.pdf)**

Asking for genetic testing can be confusing, try to talk to a lawyer before the hearing.

Step 12: Fill out the ending forms.

Fill out this **ending form**:

- **[Order Adjudicating Parentage \(<https://texaslawhelp.org/sites/default>](https://texaslawhelp.org/sites/default)**

[/files/fm_pat1_200_paternity_establish_order_english.pdf](#) [21] for cases filed *before* September 1, 2018)

- NOTE: The above version of the Order Adjudicating Parentage (Rev. 09-2016) 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.

- **[Order Adjudicating Parentage \(https://texaslawhelp.org/sites/default/files/fm-pat1-200_paternity_establish_order_english_5.pdf\)](https://texaslawhelp.org/sites/default/files/fm-pat1-200_paternity_establish_order_english_5.pdf)** [22] (for cases filed *after* September 1, 2018)

You will ask the judge to sign the Order Adjudicating Parentage when it's time to finish your case. It must be completely filled out (except for the judge's signature) **before** you go to Court.

If you asked the judge to make custody, possession (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 \(https://texaslawhelp.org/sites/default/files/fm_chil_308_ex_child_support_order_final.pdf\)](https://texaslawhelp.org/sites/default/files/fm_chil_308_ex_child_support_order_final.pdf)** [23]
- Fill out and attach this medical support order form: **[Medical Support Order \(https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final.pdf\)](https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final.pdf)** [24] (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)** [25]
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: **[Medical & Dental Support Order \(https://texaslawhelp.org/sites/default/files/fm-chil-312_ex_medical_dental_support_order_2.pdf\)](https://texaslawhelp.org/sites/default/files/fm-chil-312_ex_medical_dental_support_order_2.pdf)** [26] (if this

case to establish paternity was filed *on or after* September 1, 2018)

- Fill out and attach **one** of these custody order forms:
Conservatorship Order: Parents Appointed Conservators
(https://texaslawhelp.org/sites/default/files/fm_chil_310_ex_custody_parent_order_final_0.pdf) [27] - or -
Conservatorship Order: Non-Parent(s) Appointed Conservator
(https://texaslawhelp.org/sites/default/files/fm_chil_309_ex_custody_nonparent_order_final.pdf) [28]
- Fill out and attach a possession order form. Learn about the standard possession order, modified possession orders and supervised possession orders here: **Child Visitation & Possession Orders**
(<https://texaslawhelp.org/article/child-visitation-possession-orders>) [29]. 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:

- **Income Withholding Order for Support** (https://texaslawhelp.org/sites/default/files/fm-iw-200_income_withholding_order_english.pdf) [30]

□ **Step 13: Have your ending forms reviewed.**

Although not required, it's a good idea to have a family law lawyer review your completed ending forms.

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 may then be able to 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>) [13] 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>) [14] for free legal clinics in your area.

- Use **Ask a Question** (<https://texaslawhelp.org/ask-question>) [15] to chat online with a lawyer or law student.

Step 14: Wait the required waiting periods.

These waiting periods are required:

- **20 + day waiting period** – From the day each respondent is served, each respondent must have at least 20 days plus the next Monday at 10:00 a.m. to file an answer. For each respondent, find the day that respondent was served on a calendar, count out 20 **more** days (including weekends and holidays), and then go to the next Monday. The respondent must have until this date to file an answer. If the respondent does not file an answer (and all other requirements have been met) you can finish your case by default without that respondent. **Note:** A respondent can file an *Answer* after the 20 + day waiting period has already passed if the case is still pending.
- **10 + day waiting period** – The constable, sheriff, or private process server should have completed a *Return of Service* form stating when each respondent was served. The *Return of Service* form must be on file with the court for at least 10 days before you can finish your case. **Important:** When counting the 10 day waiting period, do not count the day the *Return of Service* is filed with the court and do not count the day you go to court to finish your case.

Step 15: Determine if your case can be finished by default.

Call the clerk's office to find out if any respondent filed an answer.

- **If any respondent filed an answer, you CANNOT finish your paternity case by default.**
 - If all respondents that filed an answer will now agree to sign your completed *Order Adjudicating Parentage* form, you can finish your case by agreement.
 - If any respondent filed an answer and will not agree to sign your completed *Order Adjudicating Parentage* form, your case is contested. **It is extremely important to talk to a lawyer if your case is**

- contested.** Your rights as a parent may be at risk.
- To finish a contested case, you must set a contested 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].
 - **If NO respondent filed an answer**, you **CAN** finish your paternity case by default as long as:
 - each respondent was successfully served by a constable, sheriff or private process server; **and**
 - a *Return of Service* form for each respondent served has been on file with the clerk's office for at least 10 days (not counting the day it was filed or the day you go to court); **and**
 - the 20 + day waiting period for each respondent to file an answer has passed; **and**
 - each respondent has not filed an answer and does not file an answer before you finish your paternity case. (Remember, any respondent can file an answer until the time you finish your paternity case, even if the 20 + day waiting period has already passed.)

If you **CAN** finish your paternity case by default, fill out these additional forms and make one copy of each form:

- **[Certificate of Last Known Mailing Address \(https://texaslawhelp.org/sites/default/files/pr_dj_110_def_judg_cert_last_known_address_english.pdf\)](https://texaslawhelp.org/sites/default/files/pr_dj_110_def_judg_cert_last_known_address_english.pdf)** [32]
- **[Military Status Declaration \(https://texaslawhelp.org/sites/default/files/pr_dj_112_def_judg_military_status_declaration.pdf\)](https://texaslawhelp.org/sites/default/files/pr_dj_112_def_judg_military_status_declaration.pdf)** [33] (If your case is filed in Harris County, fill out a **[Military Status Affidavit \(https://texaslawhelp.org/sites/default/files/pr_dj_111_military_status_affidavit.pdf\)](https://texaslawhelp.org/sites/default/files/pr_dj_111_military_status_affidavit.pdf)** [34] instead and sign it in front of a notary.)

Step 16: Go to court to finish your case.

If you can finish your case by default, follow these steps.

- 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>) [35] 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**
 - a file-stamped copy of the *Return of Service* form showing when and where the respondent was served; **and**
 - a completed *Order Adjudicating Parentage* (with completed custody, possession, child support and medical support orders attached if applicable) signed by you; **and**
 - a completely filled out *Income Withholding Order for Support* if child support will be ordered; **and**
 - a completed *Certificate of Last Known Mailing Address* form and 1 copy; **and**
 - a completed *Military Status Declaration* (or *Military Status Affidavit*) and 1 copy; **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 10**); **and**
- if another respondent was served and defaulted, you must also bring the following for that respondent:
 - A file-stamped copy of the *Return of Service* form showing when and where that respondent was served.
 - A completed *Certificate of Last Known Mailing Address* form and 1 copy.
 - A completed *Military Status Declaration (or Military Status Affidavit)* and 1 copy.
- **When you get to the courthouse, go to the clerk’s office.**
 - Ask the clerk if you need the court file or docket sheet (list of what has been filed in your case).
 - Ask the clerk to check one more time to see if any respondent has filed an answer. If any respondent has filed an answer, you will not be able to finish your case by default. Go back to **Step 15**.
 - File the *Certificate of Last Known Mailing Address* and the *Military Status Declaration (or Military Status Affidavit)*. Ask the clerk to file stamp your copy of each form. Bring a file-stamped copy of each form with you to court.
 - 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 (if applicable) 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 17: 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 18: After your case is finished.

Follow these steps 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 and/or cash medical support, learn about payment options here: **[Texas Attorney General - Child Support Payment Options \(https://www.texasattorneygeneral.gov/cs/payment-options-and-types#walkandcash\)](https://www.texasattorneygeneral.gov/cs/payment-options-and-types#walkandcash)** [36]. If you have any questions, call the Office of the Attorney General Child Support Division at 1-800-252-8014. DO NOT send child support payments directly to the respondent.
- If a respondent was ordered to pay child support and/or medical support to you and doesn't pay, contact the **[Texas Attorney General Child Support Division \(https://texasattorneygeneral.gov/cs/welcome-to-the-child-support-division\)](https://texasattorneygeneral.gov/cs/welcome-to-the-child-support-division)** [37] for help enforcing your order.

© TexasLawHelp.org - Source URL: <https://texaslawhelp.org/checklist/instructions-forms-default-paternity-case>

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_7.pdf

[5] 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

[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

[10] <https://texaslawhelp.org/article/court-fees-fee-waivers>

[11] https://texaslawhelp.org/sites/default/files/fm-pat4-104-pat_motion_for_genetic_testing.pdf

[12] <https://texaslawhelp.org/article/limited-scope-representation>

[13] <https://texaslawhelp.org/legal-help/legal-help-finder>

[14] <https://texaslawhelp.org/legal-clinic-calendar>

[15] <https://texaslawhelp.org/ask-question>

[16] <https://efile.txcourts.gov/ofswb>

[17] <https://texaslawhelp.org/checklist/instructions-forms-agreed-paternity-case>

[18] <https://texasattorneygeneral.gov/cs/service-of-citation-notice-directory>

[19] https://www.texasattorneygeneral.gov/apps/cs_locations

[20] https://texaslawhelp.org/sites/default/files/fm_pat4_200_pat_order_for_genetic_testing_english_0.pdf

[21] https://texaslawhelp.org/sites/default/files/fm_pat1_200_paternity_establish_order_english.pdf

[22] https://texaslawhelp.org/sites/default/files/fm-pat1-200_paternity_establish_order_english_5.pdf

[23] https://texaslawhelp.org/sites/default/files/fm_chil_308_ex_child_support_order_final.pdf

- [24] https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final.pdf
- [25] https://texaslawhelp.org/sites/default/files/fm_chil_312_ex_med_support_order_final_0.pdf
- [26] https://texaslawhelp.org/sites/default/files/fm-chil-312_ex_medical_dental_support_order_2.pdf
- [27] https://texaslawhelp.org/sites/default/files/fm_chil_310_ex_custody_parent_order_final_0.pdf
- [28] https://texaslawhelp.org/sites/default/files/fm_chil_309_ex_custody_nonparent_order_final.pdf
- [29] <https://texaslawhelp.org/article/child-visitation-possession-orders>
- [30] https://texaslawhelp.org/sites/default/files/fm-iw-200_income_withholding_order_english.pdf
- [31] <https://texaslawhelp.org/article/how-set-contested-hearing-family-law-case>
- [32] https://texaslawhelp.org/sites/default/files/pr_dj_110_def_judg_cert_last_known_address_english.pdf
- [33] https://texaslawhelp.org/sites/default/files/pr_dj_112_def_judg_military_status_declaration.pdf
- [34] https://texaslawhelp.org/sites/default/files/pr_dj_111_military_status_affidavit.pdf
- [35] <https://texaslawhelp.org/article/tips-courtroom>
- [36] <https://www.texasattorneygeneral.gov/cs/payment-options-and-types#walkandcash>
- [37] <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 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/. 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.

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 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 (SEC1,3 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

PETITIONER	4. NAME (FIRST MIDDLE LAST SUFFIX)		5. MAIDEN LAST NAME (NAME BEFORE 1 ST 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 ZIP
RESPONDENT	10. NAME (FIRST MIDDLE LAST SUFFIX)		11. MAIDEN LAST NAME (NAME BEFORE 1 ST 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

CHILD 1	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			
CHILD 2	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			
CHILD 3	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 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.

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.)

1st 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 past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

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

What is the present address of that person or persons? _____

3rd past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

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

What is the present address of that person or persons? _____

4th past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

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

What is the present address of that person or persons? _____

3rd 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.)

1st 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 past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

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

What is the present address of that person or persons? _____

3rd past address _____ From: ___ / ___ / ___ To: ___ / ___ / ___

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

What is the present address of that person or persons? _____

4th 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 **property** includes: **Value***

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

6. What are your monthly expenses?

"My **monthly expenses** are: **Amount**

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>	\$ _____
_____	\$ _____
_____	\$ _____
Total Monthly Expenses	→ \$ _____

*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. 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