**Cause No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

|  |  |  |
| --- | --- | --- |
| **IN THE MATTER OF THE**  | **§** | **IN THE DISTRICT COURT** |
| **MARRIAGE OF**  | **§** |  |
|  | **§** |  |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_****AND**  | **§****§** | **311th JUDICIAL DISTRICT** |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **§** | **HARRIS COUNTY, TEXAS** |

**AFFIDAVIT**

(Divorce- with Children)

1. My name is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and I reside at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Address), Harris County, Texas \_\_\_\_\_\_\_\_\_ (Zip Code).
2. I am above the age of eighteen (18) years. I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.
3. I am married to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
4. The original Petition for Divorce has been file stamped for more than 60 days.
5. Prior to filing this divorce action, I resided in the state of Texas for at least six (6) months.
6. Prior to filing this divorce action, I lived in Harris County for at least ninety (90) days.
7. The respondent has signed a waiver of service.
8. I was married to the respondent on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
9. The Respondent and I have since stopped living together as spouses.
10. My marriage to the Respondent has become insupportable due to discord or conflict of personalities.
11. There is no hope the Respondent and I will get back together.
12. There is/are \_\_\_\_\_\_ child/ren born or adopted during the marriage, who are currently under the age of 18.
13. These children are: (List name and ages):

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Age: \_\_\_\_\_\_\_
Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Age: \_\_\_\_\_\_\_
Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Age: \_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Age: \_\_\_\_\_\_\_

1. If true and accurate statement, please circle ONE of the following:

There were no other court-ordered conservatorships, guardianships, or other court-ordered relationships affecting the child/ren before this divorce proceeding.

**OR**

There are prior court orders for the child/ren under Cause No. \_\_\_\_\_\_\_\_\_\_, in the \_\_\_\_\_th District Court in \_\_\_\_\_\_\_\_\_\_\_ County,\_\_\_\_\_\_ (State)

(If prior court order, please attach a certified copy of the order).

1. My spouse and I have an agreement for conservatorship, possession and access, and child support for the children.
2. I believe the rulings in the proposed decree would be in the best interest of the child/ren, and I ask the court approve our agreement as to all children issues.
3. If a true and accurate statement, please circle ONE of the following (or BOTH if both parties female):

I am not currently pregnant.

**OR**

 The Respondent is not currently pregnant

1. The Respondent, nor I, had any children with anyone else during our marriage or separation.
2. My spouse and I have entered into an agreement concerning the division of property and debts.
3. I believe this is a fair and equitable division of the community property and debts.
4. The proposed final decree of divorce bears my signature.
5. I recognize the signature of \_\_\_\_\_\_\_\_\_\_\_\_\_ (Respondent) on the proposed decree filed with the Court.
6. I ask the court to grant me a divorce and approve the provisions in the proposed Final Decree of Divorce.

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

AFFIANT

 SIGNED on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

Sworn and subscribed to before me on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

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

 NOTARY PUBLIC, STATE OF TEXAS