

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

**IN THE MATTER OF THE MARRIAGE OF**

**Petitioner:** \_\_\_\_\_  
*Print first, middle and last name of the spouse filing for divorce.*

And

**Respondent:** \_\_\_\_\_  
*Print first, middle and last name of other spouse.*

In the \_\_\_\_\_  
*(Court Number)*

- District Court
- County Court at Law

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

## Final Decree of Divorce

A hearing took place on \_\_\_\_\_. There was no jury. Neither spouse asked for a jury.  
*Date*

### 1. Appearances

The **Petitioner's** name is: \_\_\_\_\_  
*First Middle Last*

*(Check one box.)*

- The Petitioner **was present**, representing him/herself, and announced ready for trial.
- The Petitioner **was present**, representing him/herself, and agreed to the terms of this Final Decree of Divorce (called "Decree" throughout this document).
- The Petitioner **was not present** but has signed on page 8 agreeing to the terms of this Decree.

The **Respondent's** name is: \_\_\_\_\_  
*First Middle Last*

*(Check one box.)*

- The Respondent **was present**, representing him/herself, and announced ready for trial.
- The Respondent **was present**, representing him/herself, and agreed to the terms of this Decree.
- The Respondent **was not present**, but filed an Answer or Waiver of Service and has signed on page 8 agreeing to the terms of this Decree.
- The Respondent **was not present**, but filed a Global Waiver that waived Respondent's right to notice of this hearing and did not otherwise appear.
- The Respondent **was not present**, but was served and has defaulted. The Petitioner has filed a Certificate of Last Known Address and a Military Status Affidavit.

### 2. Record *(The Court fills out this section.)*

- A Court reporter recorded today's hearing.
- A Court reporter did not record today's hearing because the parties agreed not to make a record.
- A Statement of the Evidence was signed by the Court.

### 3. Jurisdiction

The Court heard evidence and finds that it has jurisdiction over this case and the parties, that the residency and notice requirements have been met, and the *Petition for Divorce* meets all legal requirements. The Court further finds that: *(Check one box.)*

- It has been at least 60 days since the *Petition for Divorce* was filed.
- The 60 day waiting period is not required because: *(Check one box on next page.)*

- Petitioner has an active Protective Order under Title 4 of the Texas Family Code, or an active magistrate's order for emergency protection under Article 17.292 of the Texas Code of Criminal Procedure against Respondent because Respondent committed family violence during the marriage.
- Respondent has a final conviction or has received deferred adjudication for a crime involving family violence against Petitioner or a member of Petitioner's household.

**4. Divorce**

IT IS ORDERED that the Petitioner and the Respondent are divorced.

**5. Children**

**5A. No Children Together**

The Court finds that Petitioner and Respondent **do not** have any biological children together who are under 18 or still in high school. The Court further finds that Petitioner and Respondent **did not** jointly adopt any children who are under 18 or still in high school.

**5B. Neither Spouse is Pregnant or Expecting a Child**

The Court finds that neither spouse is pregnant or expecting a child.

**5C. Has either Spouse given birth during this marriage to a child who is now under 18 or still in high school?** (Check one box.)

- No. The Court finds that neither spouse has given birth during this marriage to a child who is now under 18 or still in high school.
- Yes. The Court finds that ~~Petitioner~~ gave birth to the following child/ren during this marriage but **Respondent** is not the legal parent of the child/ren:

| Child's name | Sex   | Date of Birth |
|--------------|-------|---------------|
| 1 _____      | _____ | _____         |
| 2 _____      | _____ | _____         |
| 3 _____      | _____ | _____         |

(Check only if true.)

- The Court further finds that a court order has established that another person is the legal parent of the child/ren listed above. A copy of the court order is attached to this Decree as Exhibit \_\_\_\_.
- Yes. The Court finds that **Respondent** gave birth to the following child/ren during this marriage but **Petitioner** is not the legal parent of the child/ren:

| Child's name | Sex   | Date of Birth |
|--------------|-------|---------------|
| 1 _____      | _____ | _____         |
| 2 _____      | _____ | _____         |
| 3 _____      | _____ | _____         |

(Check only if true.)

- The Court further finds that a court order has established that another person is the legal parent of the child/ren listed above. A copy of the court order is attached to this Decree as Exhibit \_\_\_\_.

**Note:** Parentage of a child born during the marriage may need to be established before you can finish your divorce. Talk to a LGBT family law lawyer if either spouse gave birth to a child during the marriage.

**6. Property and Debt** (Fill in all lines. If there is no property to declare in a particular category, write "none".)

The Court finds that the following is a just and right division of the parties' property and debt.

**6A. Petitioner's Separate Property**

The Court confirms that the Petitioner owns the following property as his/her separate property:

1. **House or Land** located at: \_\_\_\_\_  
Street Address City State Zip

- Petitioner owned this property before marriage.
- Petitioner received this property as a gift or inheritance.

2. **Cars, trucks, motorcycles or other vehicles** Petitioner owned these vehicles *before* marriage or received them as a gift or inheritance during the marriage:

| Year  | Make  | Model | Vehicle Identification No. [VIN] |
|-------|-------|-------|----------------------------------|
| _____ | _____ | _____ | _____                            |
| _____ | _____ | _____ | _____                            |

3. **Other Money or Property Confirmed as Petitioner's Separate Property**

Petitioner owned the following money or personal property *before* the marriage or *inherited* it or received it as a *gift* during the marriage: \_\_\_\_\_

Petitioner received the following money recovery for personal injuries that occurred during the marriage that is not for lost wages or medical expenses: \_\_\_\_\_

**6B. Petitioner's Community Property**

The Court ORDERS that the Petitioner is awarded the following community property as his/her sole and separate property and Respondent is divested of (*loses*) all right, title, interest and claim in and to that property. Respondent is ORDERED to sign any deeds or documents needed to transfer any property listed below to the Petitioner. Petitioner is responsible for preparing the documents.

- 1. All property in Petitioner's care, custody or control, or in Petitioner's name, that this Decree does not give to the Respondent.
- 2. House or land located at: \_\_\_\_\_  
Street Address City State Zip

Legal Description: \_\_\_\_\_

**Note:** The legal description is on the deed you received when you became an owner of the house or land. It is also available at the county clerk's office in the county where the house or land is located. Do NOT use the legal description listed on your property tax bill because it is usually incomplete. IT IS VERY IMPORTANT THAT THIS INFORMATION IS CORRECT. If you are not absolutely sure, talk to a lawyer.

- 3. All cash and money in any bank or other financial institution listed in Petitioner's name alone.
- 4. Any insurance policy that covers Petitioner's life.
- 5. Petitioner's cars, trucks, motorcycles or other vehicles listed below:

| Year  | Make  | Model | Vehicle Identification No. [VIN] |
|-------|-------|-------|----------------------------------|
| _____ | _____ | _____ | _____                            |
| _____ | _____ | _____ | _____                            |

6. Petitioner will also keep the following property: \_\_\_\_\_

**6C. Respondent's Separate Property**

The Court confirms that Respondent owns the following property as his/her separate property:

1. **House or Land** located at: \_\_\_\_\_  
Street Address City State Zip

- Respondent owned this property before marriage.
- Respondent received this property as a gift or inheritance.

2. **Cars, trucks, motorcycles or other vehicles** Respondent owned these vehicles *before* marriage or received them as a gift or inheritance during the marriage:

| Year  | Make  | Model | Vehicle Identification No. [VIN] |
|-------|-------|-------|----------------------------------|
| _____ | _____ | _____ | _____                            |
| _____ | _____ | _____ | _____                            |

**3. Other Money or Property Confirmed as Respondent's Separate Property**

Respondent owned the following money or personal property *before* the marriage or *inherited* it or received it as a *gift* during the marriage: \_\_\_\_\_

\_\_\_\_\_

Respondent received the following money recovery for personal injuries that occurred during the marriage that was not for lost wages or medical expenses: \_\_\_\_\_

\_\_\_\_\_

**6D. Respondent's Community Property**

The Court ORDERS that the Respondent is awarded the following property as his/her sole and separate property and Petitioner is divested of (loses) all right, title, interest and claim in and to that property. Petitioner is ORDERED to sign any deeds or documents needed to transfer any property listed below to the Respondent. Respondent is responsible for preparing the documents.

1. All property in Respondent's care, custody or control, or in Respondent's name, that this Decree does not give to the Petitioner.

2. House or land located at: \_\_\_\_\_  
Street Address City State Zip

Legal Description: \_\_\_\_\_

\_\_\_\_\_

**Note:** The legal description is on the deed you received when you became an owner of the house or land. It is also available at the county clerk's office in the county where the house or land is located. Do NOT use the legal description listed on your property tax bill because it is usually incomplete. IT IS VERY IMPORTANT THAT THIS INFORMATION IS CORRECT. If you are not absolutely sure, talk to a lawyer.

3. All cash and money in any bank or other financial institution listed in Respondent's name alone.

4. Any insurance policy that covers Respondent's life.

5. Respondent's cars, trucks, motorcycles or other vehicles listed below:

| Year  | Make  | Model | Vehicle Identification No. [VIN] |
|-------|-------|-------|----------------------------------|
| _____ | _____ | _____ | _____                            |
| _____ | _____ | _____ | _____                            |

6. Respondent will also keep the following property: \_\_\_\_\_

\_\_\_\_\_

**6E. Retirement Funds in Petitioner's Name**

(For example: pension, retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans, as well as individual retirement accounts (IRAs), annuities and variable annuity life insurance benefits.)

The Court makes the following orders regarding retirement funds in Petitioner's name.

(Check 6E(1) or 6E(2).)

6E(1)  Petitioner is awarded **100%** of all retirement funds in Petitioner's name alone, including but not limited to all rights to any pension, retirement, military retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans in Petitioner's name alone, along with 100% of any individual retirement accounts (IRAs), annuities, and variable annuity life insurance in Petitioner's name alone.

6E(2)  The following retirement funds in Petitioner's name are divided between Petitioner and Respondent:

(It is very important to list the exact name and account number of any retirement fund being divided by the Court.)

| Formal Name of Retirement Fund | Account Number |
|--------------------------------|----------------|
|                                |                |
|                                |                |
|                                |                |

The Court **ORDERS** that the portion of each retirement fund listed above accrued between the date of the marriage \_\_\_\_\_ and the date this *Final Decree of Divorce* is signed by the Court: (Check one.)

is awarded **50%** to Petitioner and **50%** to Respondent and as more specifically described in the *Qualified Domestic Relations Order* signed by the Court.

is awarded \_\_\_\_\_% to Petitioner and \_\_\_\_\_% to Respondent and as more specifically described in the *Qualified Domestic Relations Order* signed by the Court.

is awarded \$ \_\_\_\_\_ to Respondent and the remainder to Petitioner and as more specifically described in the *Qualified Domestic Relations Order* signed by the Court.

other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Court **ORDERS** that Petitioner is awarded all retirement funds in Petitioner's name alone that are not specifically awarded to Respondent above.

The Court checks this box, if applicable.

A *Qualified Domestic Relations Order* was signed by the Court on the same day this *Final Decree of Divorce* was signed by the Court.

**6F. Retirement Funds in Respondent's Name**

(For example: pension, retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans, as well as individual retirement accounts (IRAs), annuities and variable annuity life insurance benefits.)

The Court makes the following orders regarding retirement funds in Respondent's name.

(Check 6F(1) or 6F(2).)

6F(1)  Respondent is awarded **100%** of all retirement funds in Respondent's name alone, including all rights to any pension, retirement, military retirement, 401(k), 403(b), employee stock ownership, profit sharing, thrift, Keogh, and stock option plans in Respondent's name alone, along with 100% of any individual retirement accounts (IRAs), annuities, and variable annuity life insurance in Respondent's name alone.

6F(2)  The following retirement funds in Respondent's name are divided between Petitioner and Respondent:

(It is very important to list the exact name and account number of any retirement fund being divided by the Court. )

| Formal Name of Retirement Fund | Account Number |
|--------------------------------|----------------|
|                                |                |
|                                |                |
|                                |                |

The Court **ORDERS** that the portion of each retirement fund listed above accrued between the date of the marriage \_\_\_\_\_ and the date this *Final Decree of Divorce* is signed by the Court: (Check one.)

is awarded **50%** to Respondent and **50%** to Petitioner and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

is awarded \_\_\_\_\_% to Petitioner and \_\_\_\_\_% to Respondent and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

is awarded \$ \_\_\_\_\_ to Petitioner and the remainder to Respondent and as more specifically described in the **Qualified Domestic Relations Order** signed by the Court.

other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Court **ORDERS** that Respondent is awarded all retirement funds in Respondent's name alone that are not specifically awarded to Petitioner above.

The Court checks this box, if applicable.

A **Qualified Domestic Relations Order** was signed by the Court on the same day this *Final Decree of Divorce* was signed by the Court.

**6G. Debts to Petitioner**

The Court ORDERS Petitioner to pay the debts listed below:

1. All debts, taxes, bills, liens, and other charges, past, present and future, that are in Petitioner's name alone unless this Decree requires otherwise.
2. Any debt Petitioner incurred after separation. Date of separation: \_\_\_\_\_  

*Month      Day      Year*
3. The balance due on any loan or mortgage for the real property (house or land) that this Decree gives to Petitioner alone.
4. The balance due on any loan for any vehicles that this Decree gives to Petitioner alone.
5. All other debts listed below, which are not in Petitioner's name alone: *(such as credit cards, student loans, medical bills, income taxes)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**6H. Debts to Respondent**

The Court ORDERS Respondent to pay the debts listed below:

1. All debts, taxes, bills, liens, and other charges, present and future, that are in Respondent's name alone unless this Decree requires otherwise.
2. Any debt Respondent incurred after separation. Date of separation: \_\_\_\_\_  

*Month      Day      Year*
3. The balance due on any loan or mortgage for the real property that this Decree gives to Respondent alone.
4. The balance due on any loan for any vehicles that this Decree gives to Respondent alone.
5. All other debts listed below, which are not in Respondent's name alone: *(such as credit cards, student loans, medical bills, income taxes)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**7. Muniment of Title**

This Decree shall serve as a muniment of title to transfer ownership of all property awarded to any party in this Final Decree of Divorce. *(A "muniment of title" creates an official record of ownership transfer.)*

**8. Name Change**

The Court ORDERS the name of the: *(Check all boxes that apply.)*

- Petitioner changed back to a name used before, as it appears below:

\_\_\_\_\_

*First* *Middle* *Last*

- Respondent changed back to a name used before, as it appears below:

\_\_\_\_\_

*First* *Middle* *Last*

**9. Court Costs**

The costs of court shall be paid by the spouse who incurred them to the extent the party is required to pay such costs. A spouse who filed an *Affidavit of Indigency* or *Declaration of Indigency* that was not successfully contested is not required to pay court costs.

**10. Other Orders**

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

**11. Final Orders**

Any orders requested that do not appear above are denied. This Decree is a final judgment that disposes of all claims and all parties and is appealable.

|                         |                             |
|-------------------------|-----------------------------|
| <i>Date of Judgment</i> | <i>Judge's Signature</i>    |
|                         | <i>Judge's Printed Name</i> |

**By signing below, the Petitioner agrees to the form and substance of this Final Decree of Divorce.**

**By signing below, the Respondent agrees to the form and substance of this Final Decree of Divorce.**

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|                                  |                     |                                  |                     |
|----------------------------------|---------------------|----------------------------------|---------------------|
| <i>Petitioner's Signature</i>    | <i>Phone number</i> | <i>Respondent's Signature</i>    | <i>Phone number</i> |
| <i>Petitioner's Name (print)</i> | <i>Date</i>         | <i>Respondent's Name (print)</i> | <i>Date</i>         |
| <i>Mailing Address:</i>          |                     | <i>Mailing Address:</i>          |                     |
| <i>Email:</i>                    |                     | <i>Email:</i>                    |                     |
| <i>Fax#:<br/>(if available)</i>  |                     | <i>Fax#:<br/>(if available)</i>  |                     |