

**INFORMATION FOR FILING A DIVORCE – PRO SE – FRANKLIN COUNTY DISTRICT CLERK**

**THE DISTRICT CLERK’S OFFICE DOES NOT SUPPLY FORMS NECESSARY TO FILE FOR DIVORCE. WE ARE NOT ATTORNEYS AND ARE LEGALLY PROHIBITED FROM GIVING ANY LEGAL ADVICE.**

If you intend to represent yourself “Pro Se” (without the assistance of an attorney) you must have knowledge to prepare and file the necessary pleadings and present your cause to the Court.

The only suggestion or advice that we can offer is that you purchase a book on “How to do your Divorce in Texas” or go to a Law Library to research the necessary information or see an attorney. Also available is online assistance at [www.texaslawhelp.org](http://www.texaslawhelp.org).

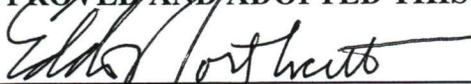
**PROCEDURES FOR FILING YOUR OWN DIVORCE**

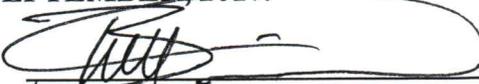
1. Bring your original petition and 2 copies to the District Clerk’s office to be filed.
  2. The filing fees are: Divorce where spouse signs a waiver .....\$ 298.00,  
Divorce with children where spouse signs waiver.....\$313.00  
If service is necessary add \$83.00 to above totals for citation fee and service fee to the Constable.
  3. Your petition will be filed and assigned a cause number. Please have this Information available when contacting our office concerning your case. The District Clerk phone number is 903/537-8337. Our hours are Monday through Friday 8:00 AM to 5:00 PM.
  4. The petition must be on file for at least 60 days before the final hearing can be held.
  5. After the 60 days have expired and your paperwork is in order, you may appear before the Court to have the final decree entered. To obtain a hearing call the District Clerk.
  6. When you come to the courthouse for your final hearing bring your Final Decree and 2 copies, and the completed vital statistic forms required, which may be picked up in the District Clerk’s office.
  7. Report to the courtroom and wait for the Court to call your case. The Judge cannot assist you with your divorce. You must know how to present your case in the courtroom.
  8. If you or your spouse will be receiving child support, you must return to the District Clerk’s Office and give required information to set up a child support account that will be collected and disbursed through the State Disbursement Unit in San Antonio.
- Both the 8<sup>th</sup> and 62<sup>nd</sup> Judicial District Courts require that in all suits affecting parent-child relationship involving children under the age of 18, **all parties** shall successfully complete a seminar that addresses the issues confronting children that are the subject of divorce, custody and child support litigation. Each party is responsible for payment of the appropriate fee.
  - The seminar shall be attended within 60 days of service of the petition upon the original respondent.
  - A party’s failure to attend the seminar pursuant to this rule will result in contempt, sanctions, or postponement of the final hearing and entry of a final decree.
  - Information on this required seminar is available in the District Clerk’s Office.

YOU MAY ALSO RECEIVE CERTIFIED COPIES OF YOUR DECREE AT THIS TIME. THE COST IS \$1 PER PAGE.

**THANK YOU,  
ELLEN JAGGERS  
DISTRICT CLERK,  
FRANKLIN COUNTY, TEXAS**

**APPROVED AND ADOPTED THIS THE 1<sup>st</sup> DAY OF SEPTEMBER, 2017.**

  
\_\_\_\_\_  
Judge, 8<sup>th</sup> Judicial District Court

  
\_\_\_\_\_  
Judge, 62<sup>nd</sup> Judicial District Court



**FRANKLIN COUNTY STANDING ORDER REGARDING**  
**CHILDREN, PROPERTY**  
**AND CONDUCT OF THE PARTIES**

NO PARTY TO THIS LAWSUIT HAS REQUESTED THIS ORDER. Rather, this order is a standing order of the Franklin County District Court that applies in every marriage dissolution suit and every suit affecting the parent-child relationship filed in Franklin County, except cases initiated by the Attorney General of Texas or the Department of Family Protective and Regulatory Services. The Courts have adopted this order because the parties and their children should be protected and their property preserved while the lawsuit is pending before the Courts.

IT IS THEREFORE ORDERED:

**1. NO DISRUPTION OF CHILDREN.**

All parties are ORDERED to refrain from doing the following acts concerning any child the subject of this suit:

- a. removing any child from the State of Texas, acting directly or in concert with others, without written agreement from all parties or a court order;
- b. disrupting or withdrawing any child from the school or day-care facility where the child is presently enrolled without written agreement of all parties or a court order;
- c. hiding or secreting any child from any party;
- d. changing any child's current place of abode without the written agreement of all parties or a court order;
- e. disturbing the peace of any child;
- f. making disparaging remarks regarding any party or any party's family in the presence or within the hearing of any child; and,
- g. using or possessing any dangerous drug or controlled substance, not prescribed by a physician, during any period of possession of any child or 12 hours before.

**2. CONDUCT OF THE PARTIES DURING THIS CASE.**

All parties are ORDERED to refrain from doing the following acts:

- a. Using vulgar, profane, obscene or indecent language, or a coarse or offensive manner, while communicating with any party or child, whether in person, by telephone or in writing (including text messaging or other forms of electronic communication such as email or fax).

- b. threatening another party or any child in person, by telephone or in writing (including text messaging or other forms of electronic communication such as email or fax) to take unlawful action against any person.
- c. placing one or more telephone calls to any party, at an unreasonable hour, in an offensive or repetitious manner, anonymously or without a legitimate purpose of communication.
- d. opening, diverting, withholding or interfering with the delivery of mail addressed to any party;
- e. causing bodily injury to any party or child of any party;
- f. changing any party's password or access to code to an account at any business, financial institution, computer network, social networking site and the like without that party's express, written consent.

### 3. PRESERVATION OF PROPERTY.

If this is a suit to dissolve a marriage, both parties to the marriage are ORDERED to refrain from the following acts:

- a. destroying, removing, concealing, encumbering, transferring or otherwise harming or reducing the value of any item of property of one or both of the parties;
- b. misrepresenting or refusing to disclose to the other party or to the Court, on proper request, the existence, amount or location of any property of one or both of the parties;
- c. damaging or destroying the tangible property of one or both of the parties, including any document that represents or embodies anything of value;
- d. tampering with the tangible property of one or both of the parties, including any document that represents or embodies anything of value, and causing any pecuniary loss to the other party;
- e. incurring any indebtedness except as specifically authorized by this order;
- f. making withdrawals from any account for any purpose except as specifically authorized by this order;
- g. withdrawing or borrowing in any manner for any purpose from any retirement, profit-sharing, pension, death or other employee benefit plan or employee savings plan or from any individual retirement account (IRA) or Keogh account, except as specifically authorized by this order;

- h. signing or endorsing the other party's name on any negotiable instrument or attempting to negotiate any negotiable instrument payable to the other party without the personal signature of the other party;
- i. taking any action to terminate or limit credit or debit cards in the name of the other party;
- j. taking any action to obtain credit in the name of the other party;
- k. entering, operating or exercising control over any motor vehicle in the possession of the other party;
- l. discontinuing or reducing the withholding for federal income taxes on wages or salary while this suit is pending;
- m. terminating or in any manner affecting any utility (gas, water, electric, etc...) or contract services (security, pest control, landscaping, etc...) at any property owned, occupied or controlled by the other party or in any manner attempting to withdraw any deposits for service in connection with such services.

4. **SPECIFIC AUTHORIZATION IN MARRIAGE DISSOLUTION CASES.**

If this is a case to dissolve a marriage, the parties to the marriage are specifically authorized to do the following:

- a. to engage in acts reasonable and necessary to the conduct of the party's usual business and occupation;
- b. to make expenditures and incur indebtedness for reasonable attorney's fees and expenses in connection with this suit;
- c. to make expenditures and incur indebtedness for reasonable and necessary living expenses for food, clothing, shelter, transportation and medical care;
- d. to make withdrawals from accounts in financial institutions only for the purposes authorized by this order.

5. **PERSONAL AND BUSINESS RECORDS IN MARRIAGE DISSOLUTION CASES.**

If this is a case to dissolve a marriage, the parties to the marriage are ORDERED to refrain from doing the following:

- a. concealing, destroying, disposing of or altering in any manner family

records, property records, business records or any records of income, debts, liabilities or other obligations;

b. falsifying any writing or record relating to the property of either party. "Records" as used herein includes paper documents as well as data stored or maintained in any electronic or digital format.

#### 6. INSURANCE IN MARRIAGE DISSOLUTION CASES.

If this is a case to dissolve a marriage, the parties to the marriage are ORDERED to refrain from doing the following:

- a. withdrawing or borrowing in any manner all or part of the cash surrender value of any life insurance policy on the life of either party or child of either party, except as specifically authorized by this order;
- b. changing or in any manner altering the beneficiary designation on any life insurance on the life of either party or the child of either party;
- c. cancelling, altering or in any manner affecting any casualty, auto or health insurance policy insuring any property owned by either party, including the child of either party.

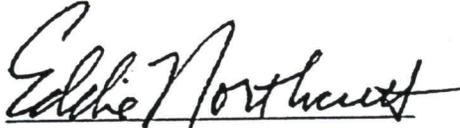
#### 7. SERVICE AND APPLICATION OF THIS ORDER

- a. Petitioner/Movant/Applicant shall attach a copy of this Order, signed by the Petitioner/Movant/Applicant, to the original petition/motion/application and to each copy. The clerk shall not accept for filing a petition/motion/application if the Petitioner/Movant/Applicant has failed to attach a signed copy of this Order to the original petition/motion/application and each copy.
- b. this Order is effective upon the filing of the petition/motion/application and shall remain in full force and effect as a temporary restraining order for fourteen (14) days after the date of filing of the original petition/motion/application. If no party contests this order by presenting evidence at a hearing on or before fourteen (14) days after the date of the filing of the original petition/motion/application, this order shall continue in full force and effect as a temporary injunction until further order of the Court. This entire order will terminate and will no longer be effective once the Court signs a final dispositive order in this suit.

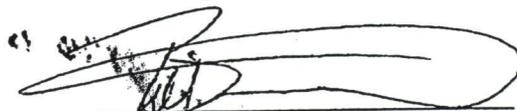
**8. EFFECT OF OTHER COURT ORDERS.**

If any part of this Order conflicts with any part of a Family Violence Protective Order (hereinafter "the Protective Order") currently in effect at the time of the filing of this suit, or a Protective Order issued after the filing of this suit, involving the parties to this suit, the terms and provisions of the Protective Order prevail over conflicting portions of this Order. Any part of this Order not changed by some later order remains in full force and effect until the Court signs a final dispositive order in this suit.

This Franklin County Standing Order Regarding Children, Property and Conduct of the Parties shall become effective on March 1, 2013.



Eddie Northcutt, Judge  
8<sup>th</sup> District Court  
Franklin County, Texas



Will Beard, Judge  
62<sup>nd</sup> District Court  
Franklin County, Texas

I, \_\_\_\_\_, do hereby state that I have received a copy of the Franklin County Standing Order Regarding Children, Property and Conduct of the Parties, have read it in full and understand it and agree to be bound by its terms.

\_\_\_\_\_  
Petitioner/Movant/Applicant

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

**SECTION 1 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**

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

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

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

ADDITIONAL CHILDREN LISTED ON BACK OF THE FORM.

I CERTIFY THAT THE ABOVE ORDER WAS GRANTED ON THE DATE AND PLACE AS STATED.

\_\_\_\_\_  
SIGNATURE OF THE CLERK OF THE COURT

**WARNING:** This is a governmental document. Texas Penal Code, Section 37.10, specifies penalties for making false entries or providing false information in this document. VS-165 REV 07/2015



CHILD SUPPORT DIVISION

Figure: 1 TAC §55.121

### Record of Support

This form is used by counties to provide the record of support data needed by the state case registry as required by the Texas Family Code § 105.008. (Counties may use the TXCSES Web Portal to provide this information in lieu of completing this form.) Send the completed form to the State Case Registry/County Contact Team by fax 877-924-6872, e-mail [csd-sdu@texasattorneygeneral.gov](mailto:csd-sdu@texasattorneygeneral.gov), or mail to TxCSDU, P.O. Box 659400, San Antonio, TX 78265.

#### Order Information

County Name:	Court Number:	Cause Number:
Attorney General Case Number:	Date of Hearing:	Order Sign Date:
Order Type:	<input type="checkbox"/> New Order	<input type="checkbox"/> Modified Order
Payment Location:	<input type="checkbox"/> SDU	<input type="checkbox"/> County <input type="checkbox"/> Other

#### Obligee/Custodial Parent Information

<input type="checkbox"/> Family Violence Protection (FV) <i>(Check if individual below is a victim of family violence)</i>			
Name:	Date of Birth:	Social Security Number:	
Address:	City:	State:	Zip:
Sex:	<input type="checkbox"/> Male <input type="checkbox"/> Female	Driver's License Number:	
Home Phone:	Work Phone:	Cell Phone:	Relationship to Child(ren):
Employer Name:			
Address:	City:	State:	Zip:

#### Obligor/Non-Custodial Parent Information

<input type="checkbox"/> Family Violence Protection (FV) <i>(Check if individual below is a victim of family violence)</i>			
Name:	Date of Birth:	Social Security Number:	
Address:	City:	State:	Zip:
Sex:	<input type="checkbox"/> Male <input type="checkbox"/> Female	Driver's License Number:	
Home Phone:	Work Phone:	Cell Phone:	Relationship to Child(ren):
Employer Name:			
Address:	City:	State:	Zip:

Post Office Box 12017, Austin, Texas 78711-2017 Tel: (512)460-6000 1-800-252-8014  
email: [csd-sdu@texasattorneygeneral.gov](mailto:csd-sdu@texasattorneygeneral.gov) or visit the [Office of the Attorney General's website](http://www.texasattorneygeneral.gov)  
([www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov)).



CHILD SUPPORT DIVISION

Figure: 1 TAC §55.121

**Dependent Information**

Family Violence Protection (FV) *(Check if dependent below is a victim of family violence)*

Name:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth:	Social Security Number:
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Family Violence Protection (FV) *(Check if dependent below is a victim of family violence)*

Name:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth:	Social Security Number:
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Family Violence Protection (FV) *(Check if dependent below is a victim of family violence)*

Name:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth:	Social Security Number:
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Family Violence Protection (FV) *(Check if dependent below is a victim of family violence)*

Name:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth:	Social Security Number:
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*Attach additional forms if there are more children for this cause*

**Attorney Information**

Obligee Attorney:	Phone:	Obligor Attorney:	Phone:
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Form prepared by: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_