

WARNING: Without the advice and help of an attorney, you may be putting yourself, your personal property, and your money at risk. To get a referral to an attorney, call the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690. If you are a victim of domestic violence, or if at any time you feel unsafe, you can get confidential help from the National Domestic Violence Hotline at 1-800-799-7233 or legal help from the Texas Advocacy Project Family Violence Legal Line at 1-800-374-4673

Print court information exactly as it appears on your Original Petition for Divorce.

(Print your answers in blue ink)

Cause Number: _____

IN THE MATTER OF THE MARRIAGE OF

Petitioner: _____ In the (check one):
(Print first, middle, and last name of the spouse filing for divorce) County Court at Law of _____ District Court
(Court Number)

And

Respondent: _____ County, Texas
(Print first, middle, and last name of other spouse) (County)

Final Decree of Divorce

(Divorce Set 1 - Uncontested, No Minor Children, No Real Property)

WARNING: Read all of the Instructions for Divorce Set 1 before filing out this form.

A hearing took place on _____. There was no jury. Neither the husband nor wife asked for a jury.
Date

1. Appearances

Petitioner

The Petitioner's name is: _____
First Middle Last

(Check one box)

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

Respondent

The Respondent's name is: _____
First Middle Last

(Check one box)

- The Respondent **was present** and agrees to the terms in this Decree.
- The Respondent **was not present** but has signed below, agreeing to the terms in this Decree.
- The Respondent **was not present** and has defaulted. The Petitioner has filed a Certificate of Last Known Address and a Military Status Affidavit. The Petitioner has also arranged for a court reporter to record the hearing.

The Court fills out this box.

2. Record

- A court reporter did not record today's hearing because the husband, wife, and judge agreed not to make a record.
- A court reporter recorded today's hearing.

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 that the *Original Petition for Divorce* meets all legal requirements.

The Court finds that the *Original Petition for Divorce* was filed more than 60 days ago.

4. Children

Husband and Wife do not have **any** biological or adopted children, together, under the age of 18.

Husband and Wife do not have **any** biological or adopted children together who are 18 years old or older and are still in high school.

Husband and Wife do not have any **disabled children** of any age.

The wife has not had a child by another man since the date of marriage.

The wife is not pregnant.

5. Divorce

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

6. Property and Debts

About community property: Texas is a community property state. This means that any new property or debt that either party obtains from the minute they are married until the minute the judge grants the divorce is probably community property, even if the property or debt is only in one spouse's name. There are only a few exceptions to the law of community property such as gifts, inheritance, or a recovery for personal injuries that occurred during the marriage that is not for lost wages or medical expenses. All community property and debt should be included in the Final Decree of Divorce.

About separate property: If either party receives a gift, an inheritance, or a recovery for personal injuries that occurred during the marriage that is not for lost wages or medical expenses, it is separate property. It is a good idea to list separate property obtained during the marriage as that spouse's separate property in the Final Decree of Divorce.

More information about community and separate property can be found by consulting a lawyer, as well as in the Texas Family Code, Chapters 3, 4, and 5.

The Court makes the following orders regarding the parties' community and separate property:

Husband's Property

Husband's Separate Property

(Fill in all lines. If you have no property to declare in any particular category, write "none.")

The Court confirms that Husband owns the following property as his separate personal property:

1. Cars, trucks, motorcycles or other vehicles

He owned these vehicles *before* marriage:

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

He received these vehicles as a gift or inheritance *during* the marriage:

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

2. Other Money or Personal Property (*not real property, such as a house or piece of land*)

Husband owned the following money or personal property *before* marriage:

Husband inherited or received as a gift the following money or personal property *during* the marriage:

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

Community Property

The Court **ORDERS** that Husband gets the following property as his sole and separate property, and Wife conveys (*gives*) to Husband her interest in such property, and Wife is divested of (*loses*) all right, title, interest and claim in and to that property.

Wife **IS ORDERED** to sign any documents needed to transfer any personal property listed below to Husband. Husband is responsible for preparing the documents.

1. All **PERSONAL** property in Husband's care, custody or control, or in Husband's name, that this Order does not give to Wife.
2. All of Husband's cash and money in any bank or other financial institution listed in Husband's name alone.
3. Any insurance policy that covers Husband's life.
4. Husband's cars, trucks, motorcycles or other vehicles listed below:

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

5. Husband will keep the following personal property still held jointly: *(For example, a bank account, but not real property such as a house or land.)*

Husband's Debts *(If you do not want Husband to pay these debts, do NOT use this form.)*

Husband shall pay and shall indemnify and hold the wife and her property harmless for any failure to discharge the debts listed below:

1. All taxes, bills, liens, and other charges, present and future, that are in Husband's name alone or that this Order gives to Husband alone, unless this Order requires otherwise.
2. Any debt Husband incurred after separation. Date of separation: _____
Month Day Year
3. The balance due on any loan for any vehicles that this Order gives to Husband alone.
4. The other debts listed below which are not in Husband's name alone (such as credit cards, student loans, medical bills, income taxes).

Husband's Retirement Funds *(For example, pension, profit-sharing, and stock option plans, 401ks, and IRAs)*

- Husband does not have any retirement funds.
- Husband has the following retirement funds:

| Identify or Describe Retirement Fund | State Current Value of Fund |
|--------------------------------------|-----------------------------|
| | |
| | |
| | |

If Husband has retirement funds, the funds:

accrued between the date of the marriage and the date this Decree is signed by the Court are awarded 50% to Husband and 50% to Wife.

are awarded _____ to Husband and _____ to Wife. *(List dollar amount or percentage.)*

are awarded 100% to Husband.

If you divide the retirement funds above by awarding any of Husband's retirement funds to Wife, you will need to obtain an additional court order, usually called a "qualified domestic relations order" (QDRO), to make the division effective. A QDRO form is not included in this Divorce Set. It is recommended that you hire a lawyer to prepare a QDRO. If you award all of Husband's retirement funds to Husband or if Husband has no retirement funds, you do not need a QDRO.

Wife's Property

Wife's Separate Property

(Fill in all lines. If you have no property to declare in any particular category, write "none.")

The Court confirms that Wife owns the following property as her separate personal property:

1. Cars, trucks, motorcycles or other vehicles

She owned these vehicles *before* marriage:

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

She received these vehicles as a gift or inheritance *during* the marriage:

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

2. Other Money or Personal Property *(not real property, such as a house or piece of land.)*

Wife owned the following money or personal property *before* marriage:

Wife inherited or received as a gift the following money or personal property *during* the marriage:

Wife received the following money recovery for personal injuries that occurred during the marriage that is not for lost wages or medical expenses.

Community Property

The Court ORDERS that Wife gets the following property as her sole and separate property, and Husband conveys (*gives*) to Wife his interest in such property, and Husband is divested of (*loses*) all right, title, interest, and claim in and to that property.

Husband IS ORDERED to sign any documents needed to transfer any personal property listed below to Wife. Wife is responsible for preparing the documents.

1. All PERSONAL property in Wife's care, custody, or control, or in Wife's name, that this Order does not give to Husband.
2. All Wife's cash and money in any bank or other financial institution listed in Wife's name alone.
3. Any insurance policy that covers Wife's life.
4. Wife's cars, trucks, motorcycles or other vehicles listed below:

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

5. Wife will keep the following personal property still held jointly: (*For example, a bank account, but not real property such as a house or land.*)

Wife's Retirement Funds (*For example, pension, profit-sharing, and stock option plans, 401ks, and IRAs*)

- Wife does not have any retirement funds.
- Wife has the following retirement funds:

| Identify or Describe Retirement Fund | State Current Value of Fund |
|--------------------------------------|-----------------------------|
| | |
| | |
| | |

If Wife has retirement funds, the funds:

- accrued between the date of the marriage and the date this Decree is signed by the Court are awarded 50% to Wife and 50% to Husband.
- are awarded _____ to Wife and _____ to Husband. (*List dollar amount or percentage.*)

are awarded 100% to Wife.

If you divide the retirement funds above by awarding any of Wife's retirement funds to Husband, you will need to obtain an additional court order, usually called a "qualified domestic relations order" (QDRO), to make the division effective. A QDRO form is not included in this Divorce Set. It is recommended that you hire a lawyer to prepare a QDRO. If you award all of Wife's retirement funds to Wife or if Wife has no retirement funds, you do not need a QDRO.

Wife's Debts (If you do not want Wife to pay these debts, do NOT use this form.)

Wife shall pay and shall indemnify and hold the husband and his property harmless for any failure to discharge the debts listed below:

1. All taxes, bills, liens, and other charges, present and future, that are in Wife's name alone or that this Order gives to Wife alone, unless this Order requires otherwise.
2. Any debt Wife incurred after separation. Date of separation _____
Month Day Year
3. The balance due on any loan for any vehicles that this Order gives to Wife alone.
4. The other debts listed below, which are not in Wife'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 changes the name of the:
(Check all boxes that apply.)

Husband back to a name used before marriage, as it appears below.

First Middle Last

Wife back to a name used before marriage, as it appears below.

First Middle Last

9. Court Costs

The costs of court are to be borne 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 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 Order

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.

Judge's Name

Judge's signature

Date of Judgment

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

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

Petitioner's Name (print)

Phone Number

Respondent's Name (print)

Phone Number

Petitioner's Signature

Date

Respondent's Signature

Date

Mailing Address:

Mailing Address:

