

FORT BEND COUNTY FAMILY COURTS

in conjunction with the Fort Bend Dispute Resolution Center

provide this

SELF-REPRESENTED LITIGANT PACKET

to assist Self-Represented Litigants/Parties who
qualify for the

Self-Represented Litigant Program

through TRCP Rule 145 or Court referral to
navigate the legal process in Fort Bend County
Family Courts for Uncontested Cases

Fort Bend County Family Courts: *For more information, visit your Court's website.*

328th

<https://www.fortbendcountytexas.gov/government/departments/administration-of-justice/district-courts/328th-district-court>

387th

<https://www.fortbendcountytexas.gov/government/departments/administration-of-justice/district-courts/387th-district-court>

505th

<https://www.fortbendcountytexas.gov/government/departments/administration-of-justice/district-courts/505th-district-court>

Basic Flowchart for Family Law Cases

To Begin Your Family Law Case, Prepare Your Original Petition

File Your Original Petition with the District Clerk's Office

Review the court policies/rules of practice of your assigned court.

Give Legal Notice of the Lawsuit to the Other Party or Parties, including the OAG, if applicable, in one of the following ways:

Service of
Citation/Process

Waiver of
Service

*Service by Publication
*Requires Court Approval

Verify Proof of Service is on file with the District Clerk's Office

WAITING PERIOD FOR DIVORCE CASES ONLY

There is a 60-day required Waiting Period for Divorce Cases that begins the day after your filing date.
You cannot finalize your divorce until after the Waiting Period.

The Court may, among other things, do all or any of the following at any time during your Family Law Case.

Order Parenting
Classes

Hold One or
More Hearings

Issue Temporary
Orders

Order
Mediation

TO FINALIZE YOUR FAMILY LAW CASE

Prepare Your Final Order and All Other Documents Necessary for Your Type of Case.
For a complete list of those documents, see the *Uncontested Matters Required Orders & Forms* Sheet in this packet.

File Your Final Documents with the District Clerk and
Request a Final Hearing Date by E-mailing the Court Coordinator

Attend Your Final Hearing in person or via Zoom as required by your court

Basic Terms & Procedures in Family Law Cases

- 1) **Answer** – Written Response to the Court by a party Served with Citation. **This does not need to be notarized.**
- 2) **BVS Form/Information on Suit Affecting the Family Relationship** – Bureau of Vital Statistics Form VS-165 must be completed in each case.
- 3) **Cause Number** – The number of your case that is assigned by the District Clerk upon filing of the Petition.
- 4) **Child Support** – Monthly payments by a parent for the support of minor children pursuant to the provisions in the Texas Family Code §154. See the Office of the Attorney General’s Child Support Calculator for additional assistance at <https://csapps.oag.texas.gov/monthly-child-support-calculator>. Payments must be made through the Texas Child Support Disbursement Unit, PO Box 659791, San Antonio, Texas 78265-9941, 1-800-252-8014.
- 5) **Child Support Information Request Form** – To be completed and sent directly to the Fort Bend County Child Support Office via email to stephanie.sloan@fortbendcountytexas.gov on the same day the Court signs the final order. This document is **not** filed with the District Clerk or submitted to the Court.
- 6) **Citation** – Is a document separate from the Petition itself, but is attached to the Petition that was filed in the lawsuit. The Citation informs the Respondent about the deadline to file an Answer in the lawsuit, and contains language about the possibility of a default judgment if the Respondent does not to file an Answer by the deadline. The Citation is prepared and issued by the Clerk of the Court and is served on the Respondent by a Licensed Process Server or Law Enforcement Agency at the beginning of a case.
- 7) **Decree of Divorce, Judgment or Final Order** must have:
 - a) the Cause Number and the Court Number on the first page. These are provided by the District Clerk when the original Petition is filed.
 - b) the Heading or “Style” of the case on the first page.
 - c) all of the blanks completed and those sections that do not apply should be crossed out.
 - d) all of the children’s issues included, i.e., Custody, Rights and Duties, Child Support, Medical and Dental Support, and Periods of Possession.
 - e) the signatures of both parties when filed, if it is an Agreed Order.
- 8) **Default** – This process can finalize your lawsuit when the other party does not participate in the lawsuit during the time period required by law.
- 9) **Financial Information Statement** – Lists a party’s monthly income and expenses along with proof of income, i.e., the party’s three most current pay stubs and two most recent Federal Tax Returns.

- 10) **Inventory and Appraisal** – Is a complete listing of the parties’ assets and liabilities. This is required in a Default Divorce.
- 11) **Last Known Mailing Address** – Provides the Court with the Respondent’s Last Known Mailing Address. This is required in any Default.
- 12) **Marital Settlement Agreement** – Is an agreement between the parties. It is **not** a Divorce Decree.
- 13) **Mediated Settlement Agreement/MSA** – Is an agreement reached between the parties with the help of a neutral 3rd party, known as a mediator. A Mediated Settlement Agreement is a binding agreement between the parties that, once signed by the parties, cannot be revoked by either party. It is **not** a Divorce Decree.
- 14) **Medical Support Order** – An Order for the monthly payments of the medical and dental insurance coverage by a parent for the healthcare of the minor children. Depending on your Court, this may appear in a Divorce Decree or Final Order instead of as a Separate Order.
- 15) **Modification** – An action filed to change the terms of an existing Court Order.
- 16) **OAG/Office of the Attorney General** – Must be included as a party if there is a previous Order from that office, for example, a Child Support Order, or if a child has received TANF or Medicaid.
- 17) **Obligee** – Party designated to receive support payments from the other party.
- 18) **Obligor** – Party designated to make support payments to the other party.
- 19) **Parenting Course Certificate** – A Parenting Course is **required** in cases involving minor children. See your Court’s website for the approved parenting courses.
- 20) **Paternity** – this is a lawsuit filed to determine a legal biological father.
- 21) **Petition** – Initial document filed to begin a lawsuit in a Family Law Case.
- 22) **Petitioner** – The party who presents the initial Petition to the Court.
- 23) **Respondent** – The party against whom an initial Petition is filed.
- 24) **Return of Service** – Is a written statement to the Court filed by a Licensed Process Server or Law Enforcement Agency confirming the Respondent was Served with Citation.

- 25) **SAPCR/Suit Affecting the Parent-Child Relationship** – including, but no limited to:
- a) A case filed to establish the legal responsibilities of parents of children born outside of marriage.
 - b) A case filed to establish the legal responsibilities of parents of children born to the marriage during separation when a Petition for Divorce has not been filed.
 - c) Paternity – A case filed to determine the biological father of a child.
 - i) AOP/Acknowledgement of Paternity (Used when children were born outside of marriage).
 - ii) DOP/Denial of Paternity (Used when children were born during the marriage, but are not of the marriage).
- 26) **Service/Service of Process** – The Respondent is required to be Personally Served with a Citation and a copy of the Original Petition by a Licensed Process Server or by the Constable's Office which is official/legal notice that the lawsuit has been filed. (The Petitioner cannot hand-deliver these papers to the Respondent.) Service is **not** necessary if the Respondent signs and files a Waiver of Service.
- 27) **Service Members Affidavit/Non-Military Affidavit** –This informs the Court of whether or not the Respondent is a member of the military. This is required in any Default.
- 28) **Style of the Case** – Identifies the parties to a lawsuit. It appears on the first page of Court documents and includes the names of the Petitioner, the Respondent, and all of the children born during the marriage, or all children involved in the case, if outside of marriage, the Court to which the case was assigned, and the Cause Number.
- 29) **Wage/Income Withholding Order** – Causes Child Support and reimbursement for medical and dental insurance premiums to be withheld by the Obligor's Employer for the Obligor's Child Support and Medical Support Obligations.
- a) Upon the request of a party, the Wage/Income Withholding Order will be issued to the Obligor's employer by the District Clerk's Office.
- 30) **Waiting Period for Divorce Cases** – Final Divorce Hearings cannot be scheduled until 61 days after the filing of the Petition.
- 31) **Waiver/Waiver of Service** – Written Notice to the Court from the Respondent stating the Respondent acknowledges the lawsuit, and does not want to be Served with the Citation. **Waiver must be notarized.**

UNCONTESTED CASES
REQUIRED ORDERS & FORMS
for Entry of Final Decree/Order in Fort Bend Family Courts

Please be sure that this form and all of the documents listed below are **filed with the District Clerk's Office *before*** you schedule your final hearing. For a more detailed explanation of the documents listed below, see the Basic Terms & Procedures in Family Law Cases form enclosed in this packet.

Failure to timely file the required documents will result in your hearing being reset.

DIVORCE – No Children	NAME CHANGE
☐ Waiver of Service signed <i>after</i> the date Petition filed and on file before hearing OR Answer has been filed by Respondent ☐ Final Decree of Divorce, <i>without any blanks</i> and signed by all parties (Including OAG, if applicable) ☐ BVS, Form VS-165	☐ Name Change Order ☐ Adult – (1) Fingerprint Card must be on file (2) Criminal Background check by the Texas Department of Public Safety must be on file ☐ Child – (1) Proof of Notice to both parents, (2) Order signed by both parents (3) If child is above the age of 10 years, child's written consent to the name change must be filed
DIVORCE – With Children	SUIT AFFECTING THE PARENT CHILD RELATIONSHIP (SAPCR) & MODIFICATIONS
☐ Waiver of Service signed <i>after</i> the date Petition filed and on file before hearing OR Answer has been filed by Respondent ☐ Final Decree of Divorce, <i>without any blanks</i> and signed by all parties (Including OAG, if applicable) ☐ Possession Schedule must be included in the Decree, or attached to the Decree. ☐ Wage Withholding Order, if applicable ☐ Request for Issuance of Wage/Income Withholding Order, if applicable, is filed with the District Clerk ☐ Medical Support Order, if applicable ☐ BVS, Form VS-165 ☐ Certificate of Approved Parenting Class ☐ Child Support Information Request Form, if applicable – To be sent directly to the Fort Bend County Child Support Office, <i>not</i> filed	☐ Waiver of Service signed <i>after</i> the date Petition filed and on file before hearing OR Answer has been filed by Respondent ☐ Agreed Final Order, <i>without any blanks</i> and signed by all parties (Including OAG, if applicable) ☐ Possession Schedule must be included in the Decree, or attached to the Decree. ☐ Wage/Income Withholding Order, if applicable ☐ Request for Issuance of Wage/Income Withholding Order, if applicable, is filed with the District Clerk ☐ Medical Support Order, if applicable ☐ BVS, Form VS-165 ☐ Certificate of Approved Parenting Class ☐ Child Support Information Request Form, if applicable – To be sent directly to the Fort Bend County Child Support Office, <i>not</i> filed
DEFAULT	
The following are required IN ADDITION to the those in your particular case type above	
☐ Return of Service – On file at least 10 days before hearing	
☐ Certificate of Last Known Address	
☐ Non-Military Affidavit	
☐ Sworn Inventory and Appraisalment	

I, _____ (Print Name) certify that this form and the above listed documents for my case were filed with the District Clerk for consideration by the Court.

Date: _____ Signature: _____