

[Fill in Cause number and court information exactly as it is written on your Petition.]

In the interest of (List children):

1 Name: _____ § Cause No:

2 Name: _____ §

3 Name: _____ § In the _____ District County Court of:

4 Name: _____ § _____ County, Texas

ORDER IN SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP

1. APPEARANCES

Petitioner, _____, appeared in person, announcing ready.
[PRINT Petitioner's first and last names.]

1a. Information about **Respondent A**:

Respondent A's name is _____.
[PRINT Respondent A's full name]

Respondent A: [Check only ONE]

- The Respondent A was **present**, representing him/herself, and agrees to the terms in this Order.
- The Respondent A was **not present** but was served, filed an Answer, or signed a *Waiver of Citation*, &

Check all that apply:

- has signed below, agreeing to the terms in this Order.
- agreed in the Waiver that the judge can finalize orders, without giving the Respondent notice of this hearing.
- has defaulted. The Petitioner has filed a *Certificate of Last Known Address* and an *Affidavit of Non-Military Status*. The Petitioner has also arranged for a court reporter to record the hearing.

[Usually, there is only one Respondent, the Co-Parent, in a suit affecting the parent-child relationship. Occasionally, cases include more than one respondent. For example, if the child is living with some one who is not the parent, or if Child Protective Services or the Attorney General's Office is a party to the case, you would likely have more than one respondent.]

Check this box if there is no Respondent B, and skip to the next page.

1b. Information about Respondent B:

Respondent B's name is _____.
[PRINT Respondent A's full name]

Respondent B: [Check only ONE]

- The Respondent B was **present**, representing him/herself, and agrees to the terms in this Order.
- The Respondent B was **not present** but was served, filed an Answer, or signed a *Waiver of Citation*, &

Check all that apply:

- has signed below, agreeing to the terms in this Order.
- agreed in the Waiver that the judge can finalize orders, without giving the Respondent notice of this hearing.
- has defaulted. The Petitioner has filed a *Certificate of Last Known Address* and an *Affidavit of Non-Military Status*. The Petitioner has also arranged for a court reporter to record the hearing.

[Usually, there is only one Respondent, the Co-Parent, in a suit affecting the parent-child relationship. Occasionally, cases include more than one respondent. For example, if the child is living with some one who is not the parent, or if Child Protective Services or the Attorney General's Office is a party to the case, you would likely have more than one respondent.]

Check this box if there is no Respondent C, and skip to the next page.

1c. Information about Respondent C:

Respondent C's name is _____.
[PRINT Respondent A's full name]

Respondent C: [Check only ONE]

- The Respondent C was **present**, representing him/herself, and agrees to the terms in this Order.
- The Respondent C was **not present** but was served, filed an Answer, or signed a *Waiver of Citation*, &

Check all that apply:

- has signed below, agreeing to the terms in this Order.
- agreed in the Waiver that the judge can finalize orders, without giving the Respondent notice of this hearing.
- has defaulted. The Petitioner has filed a *Certificate of Last Known Address* and an *Affidavit of Non-Military Status*. The Petitioner has also arranged for a court reporter to record the hearing.

2. JURISDICTION

The Court examined the record and finds that all necessary prerequisites of the law have been legally satisfied and that this Court has jurisdiction of this case and of all the parties.
[The laws have been satisfied, so the judge can hear the case.]

3. JURY

A jury was waived, and all questions of fact and of law were submitted to the Court.
[You asked the judge to decide your case, instead of a jury.]

4. RECORD [Check only ONE]

- A record of testimony was waived by the parties with the consent of the Court. [A court reporter did not type what was said. You should request that a record be made if the Respondent was served, but he or she did not file a written response and is not present before the court in this case.]
- A record of testimony was made. [A court reporter typed what was said.]

5. CHILDREN

The following orders are for the safety and welfare and in the best interest of the following children:

| | <u>Child's name</u> | <u>Sex</u> | <u>Date of Birth</u> | <u>Place of Birth</u> | <u>Current Address</u> |
|---|---------------------|------------|----------------------|-----------------------|------------------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |

6. CONSERVATORSHIP (CUSTODY) [Attach Exhibit Conservatorship (Custody) Order.]

IT IS ORDERED that conservatorship is awarded as provided for in Exhibit Conservatorship (Custody) Order, which is attached and incorporated into this Order for all purposes.

Annual Report

_____, a non-parent is named managing conservator. This party IS ORDERED to file a court report each year describing the child's health, welfare and living conditions. This court report is due on the anniversary of the date this order is signed, until the child's 18th birthday.

7. RIGHTS AND DUTIES [Attach Exhibit Rights and Duties Order.]

IT IS ORDERED that parental rights, duties, and responsibilities are awarded as provided for in Exhibit Rights and Duties Order, which is attached and incorporated into this Order for all purposes.

8. POSSESSION AND ACCESS (VISITATION)

Visitation [Check this box, complete this section, and attach Exhibit Possession and Access (Visitation) Order, unless Supervised Visitation is required. If supervised visitation is required, skip this section and complete the next section.]

a). IT IS ORDERED that the parties are awarded possession as provided for in Exhibit Possession and Access (Visitation) Order, which is attached and incorporated into this Order for all purposes.

b).In this Order and in Exhibit Possession and Access (Visitation) Order,

_____ is the **Home Parent**,
[the parent who has the right to establish the child's primary residence].

_____ is the **Co-Parent**.

Supervised Visitation [Check this box and complete this section ONLY if supervised visitation is required. CHECK all that apply.]

family violence

The Court finds that _____ has a history
[PRINT the party's first and last names.]
of committing family violence during the two-years before the this case was filed, or during this suit.

child abuse/neglect

The Court finds that _____ has a history of
[PRINT the party's first and last names.]
[CHECK all that apply.]

child neglect physical abuse sexual abuse
committed against _____ [PRINT victims names.]

IT IS THEREFORE ORDERED that visitation shall be supervised by:

_____ [PRINT the name of the person or agency who will supervise the visitation.]

Visitation will take place on the following days:

_____ [PRINT days.]

Visitation will take place from _____ am / pm
[PRINT start time.]

to : _____ am / pm
[PRINT ending time.]

The provisions of this order relating to conservatorship, possession, or access end on the marriage or remarriage of the parents unless a nonparent or agency has been appointed conservator of the children.

9. CHILD SUPPORT [Attach Exhibit Child Support Order]

IT IS ORDERED that child support shall be provided as set forth in the attached Exhibit Child Support Order, which is attached and incorporated into this Order for all purposes.

10. MEDICAL SUPPORT [Attach Exhibit Medical Support Order]

It is ORDERED that medical support shall be provided as set forth in the attached Exhibit Medical Support Order, which is attached, and incorporated into this Order for all purposes.

11. INJUNCTIVE RELIEF

The Court finds that, because of _____'s conduct,
[PRINT first and last names of enjoined party.]

a permanent injunction against him or her should be granted because there is no adequate remedy at law. This permanent injunction is effective immediately and binds

_____; his or her agents,
[PRINT first and last names of person enjoined.]

servants, employees, and attorneys; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise.

IT IS ORDERED that _____
[PRINT first and last names of person enjoined.]

is permanently enjoined from:

- Causing physical contact or bodily injury to the children or parties in this case or threatening them with imminent bodily injury.
- Communicating in person, by telephone, or in writing with

_____,
[PRINT first and last names of protected person.]
except for arranging visitation or notifying

[Print first and last names of protected person.]
of circumstances affecting the best interest of the children.

- Coming within _____ feet of, entering, or remaining on the premises of the residence of

_____,
 [PRINT first and last names of protected person.]
 located at

_____,
 [PRINT residential address.]
 or of the worksite located at

 [PRINT work address.]

For any purpose, except to exercise visitation, as granted in this order.

- Interfering in any way with Managing Conservator’s possession of the children or taking or retaining possession of the children, directly or through others, except as allowed by this Court’s order.

- Coming within _____ feet of, entering, or remaining on the premises of the children’s day-care facility,

_____; school,
 [PRINT name and address of daycare.]

 [PRINT name and address of school]

or any other day-care facility or school about which

_____ receives written notice.
 [PRINT name of person enjoined.]

Petitioner and Respondent waive issuance and service of the writ of injunction, by stipulation or as evidenced by the signatures below. IT IS ORDERED that Petitioner and Respondent shall be deemed to be duly served with the writ of injunction.

11. INFORMATION REQUIRED BY SECTION 105.006 [Attach Exhibit Family Information required by Section 105.006 of the Texas Family Code.]

Information required by section 105.006 of the Texas Family Code is attached in Exhibit Family Information, which is attached and incorporated into this Decree for all purposes.

12. WARNINGS TO PARTIES

Each person who is a party to this Order is ordered to notify every other party, the Court, and the state child support registry of any change in the party’s current residence address, mailing address, home telephone number, name of employer, address of employment, driver’s license number, and work telephone number. The party is ordered to give notice of an intended change in any of the required information to the other party, the Court, and the state case registry on or before the

60th day before the intended change. If the party does not know or could not have known of the change in sufficient time to give notice of the change to provide 60-days notice, the party is ordered to give notice of the change on or before the 5th day after the date that the party knows of the change.

The duty to furnish this information to every other party, the Court, and the state case registry continues as long as any person, by virtue of this Order, is under an obligation to pay child support or entitled to possession of or access to a child. [Both parents must give written notice to each other, the court, and the Child Support State Disbursement Unit when he or she has a change in address, phone number, employment, or driver's license number, for as long as child support or visitation is ordered.]

Failure by a party to obey the Order of this Court to provide every other party, the Court, and the State case registry with the change in the required information may result in further litigation to enforce the order, including contempt of court. A finding of contempt may be punishable by confinement in jail for up to six months, a fine of up to \$500 for each violation, and a money judgment for payment of attorney's fees and court costs. [If you don't give everyone your new address or new employment information, you could go to jail or be fined \$500.]

Notice shall be given to every other party by delivering a copy of the notice to each party by registered or certified mail, return receipt requested. Notice shall be given to the Court and the State Case Registry by delivering a copy of the notice either in person to the clerk of the Court or by registered or certified mail addressed to the clerk.

Failure to obey a court order for child support or for possession of or access to a child may result in further litigation to enforce this order, including contempt of court. A finding of contempt may be punishable by confinement in jail for up to six months, a fine of up to \$500 for each violation, and a money judgment for payment of attorney's fees and court costs.

Failure of a party to make a child support payment to the place and in the manner required by a court order may result in the party's not receiving credit for making the payment.

Failure of a party to pay child support does not justify denying that party court-ordered possession of or access to a child. Refusal by a party to allow possession of or access to a child does not justify failure to pay court-ordered child support to that party. [A parent has a right to see his or her children, even if he or she is behind in child support. A parent must pay child support as ordered, even if the other parent won't allow visitation with the children. You can go to jail or be fined if you violate this Order.]

IT IS ORDERED that each conservator of a child shall have the duty to inform the

other conservator of a child if the conservator resides with for at least 30 days, marries, or intends to marry a person who the parent knows: 1) is registered as a sex offender under Chapter 62, Code of Criminal Procedure; or 2) is currently charged with an offense for which on conviction the person would be required to register under that chapter. This notice shall be made as soon as practicable but not later than the 40th day after the date the conservator of the child begins to reside with the person or the 10th day after the date the marriage occurs, as appropriate. The notice must include a description of the offense with which the person is charged.

A conservator commits a Class C misdemeanor offense if he or she fails to provide notice in the manner ordered.

[Each parent must notify the other parent if he or she is living with, or plans to live with, a person who is a registered sex offender or if the person he or she lives with is charged with a crime which may require him or her to register as a sex offender.]

NOTICE TO ANY PEACE OFFICER OF THE STATE OF TEXAS: YOU MAY USE REASONABLE EFFORTS TO ENFORCE THE TERMS OF CHILD CUSTODY SPECIFIED IN THIS ORDER. A PEACE OFFICER WHO RELIES ON THE TERMS OF A COURT ORDER AND THE OFFICER'S AGENCY ARE ENTITLED TO THE APPLICABLE IMMUNITY AGAINST ANY CLAIM, CIVIL OR OTHERWISE, REGARDING THE OFFICER'S GOOD FAITH ACTS PERFORMED IN THE SCOPE OF THE OFFICER'S DUTIES IN ENFORCING THE TERMS OF THE ORDER THAT RELATE TO CHILD CUSTODY. ANY PERSON WHO KNOWINGLY PRESENTS FOR ENFORCEMENT AN ORDER THAT IS INVALID OR NO LONGER IN EFFECT COMMITS AN OFFENSE THAT MAY BE PUNISHABLE BY CONFINEMENT IN JAIL FOR AS LONG AS TWO YEARS AND A FINE OF AS MUCH AS \$10,000.

13. COURT COSTS

All court costs shall be paid by the person who incurred the costs.

14. CLARIFYING ORDERS

Without affecting the finality of this Decree of Divorce, this Court expressly reserves the right to make orders necessary to clarify and enforce this decree. [The divorce is final, but the judge can make additional orders to enforce or clarify this Decree if it's necessary.]

15. RELIEF NOT GRANTED

IT IS ORDERED AND DECREED that all relief requested in this cause and not expressly granted is denied. [If this order does not specifically address any requests made in the Original Petition, then the judge is denying that request.] THIS IS A FINAL ORDER.

16. DATE OF JUDGMENT

SIGNED on

_____ by _____.

[Date of hearing]

JUDGE PRESIDING

Parenting Plan Exhibits Attached:

[CHECK and attach all that apply.]

- Exhibit Conservatorship (Custody) Order
- Exhibit Rights and Duties Order
- Exhibit Child Support Order
- Exhibit Possession and Access (Visitation) Order

- Exhibit Medical Support Order
- Exhibit Family Information
- Exhibit Additional Children (if needed)

I AGREE TO THE TERMS OF THIS DECREE:

Petitioner:

[Petitioner's Signature]

Respondent:

[Respondent's Signature]