

## Original Answer Information Sheet

If your spouse filed a Petition for Divorce, you have some choices about how you may proceed.

You may sign a ***Waiver of Citation*** or file an ***Original Answer***. If you sign a Waiver of Citation, you are giving up your right to be served the divorce papers by a process server. Depending on how the Waiver is worded, you may also be giving up your right to know anything more about the lawsuit, along with your right to have a say in how your property and debts will be divided, and what orders may be made about your children.

If you want to make sure you remain entitled to be given notice of each hearing and what the court might order, you should file an ***Answer***.

### ***The Answer***

An Answer lets the court know you are actively participating in the case. It must be filed with the clerk's office. After you file the Answer, the court will make sure the Petitioner notifies you of all hearings and gives you a copy of any documents filed in the lawsuit.

### ***A Word of Caution***

If you believe there is some legal reason that the case should not be heard in the place where the Petitioner filed it, or should not be heard at all, then you should quickly get an attorney's advice about your case before you sign or file any papers in your case. If the Petitioner made a mistake, you cannot object to the mistake after you have filed an Answer or a Waiver of Citation.

### ***Deadline to File***

If a process server has served you with court papers, you have a limited time to file your Answer. Counting from the day you were served, you have 20 days plus the following Monday, at 10am, to file your Answer. If you do not meet the deadline, the Petitioner can take a **[Default Judgment](#)** against you.

### ***Counter-Petition***

The answer usually includes a ***General Denial*** – a statement asking the Court to require the Petitioner to prove each and every claim made. It may also include specific defenses to Petitioner's claims. The Answer, alone, does not make any claims against the Petitioner. To make claims against the Petitioner and have the court award you something, you must file a ***Counter-Petition***. While there is no fee to file an Answer, a filing fee is required when you file a Counter-Petition, unless the fee is waived by the Court after you file an **[Affidavit of Inability to Pay](#)**. If you want to file a Counter-Petition, it is best to have an attorney help you prepare one.

### ***Service***

Whether you file an Answer, a Counter-Petition, or any other document in your case, you must serve the document on each party in the case. If the party is represented in the case by an attorney, serve the party's attorney. If the party does not have an attorney, you may serve the party. To serve a document, you may send it by certified mail, by fax, or hand delivery. You are also allowed to use a delivery service. (If you hand deliver a document, and do not get a receipt from the other party, and the other party denies ever receiving it, you may have a hard time proving you delivered the document).

Print court information exactly as it appears on your Petition  
Escriba la información de la corte tal como figura en su Petición

**IN THE MATTER OF THE MARRIAGE OF**

\_\_\_\_\_  
Your First – Su Primer nombre Middle - Segundo nombre Last -  
Apellido

§  
§  
§  
§  
§  
§  
§  
§  
§

**Cause No:** \_\_\_\_\_  
Nº del caso:

In the (check one):  
\_\_\_\_\_  District Court  County Court of:

\_\_\_\_\_  
First - Primer nombre Middle - Segundo nombre Last – Apellido

Your spouse's name (Respondent): \_\_\_\_\_, County condado , Texas  
El nombre de su cónyuge (Respondedor)

Names of the children of this marriage who are under 18:  
Nombres de los hijos de este matrimonio que son menores de 18 años de edad:

- 1. \_\_\_\_\_ 4. \_\_\_\_\_
- 2. \_\_\_\_\_ 5. \_\_\_\_\_
- 3. \_\_\_\_\_ 6. \_\_\_\_\_

**Respondent's Answer to Divorce**  
*Respuesta del respondedor al divorcio*

1. My name is: \_\_\_\_\_  
Mi nombre es First - Primer nombre Middle - Segundo nombre Last - Apellido

I am the Respondent in this case. I enter a general denial, and request notice of all hearings in this case. Soy el respondedor en este caso. Presento una denegación general y solicito que me notifiquen todas las audiencias que haya en este caso.

If my spouse and I reach an agreement, I will sign the Final Decree of Divorce, and I agree the judge can finalize the case without me, and without my receiving notice of a hearing. Si mi esposo y yo alcanzamos un acuerdo, firmaré el decreto final divorcio, y convengo que el juez puede concluir el caso sin mí, y sin mi aviso de recepción de una audiencia.

2. My mailing address is: \_\_\_\_\_  
Mi dirección postal es: street address - calle y número city – ciudad state – estado Zip

3. My phone number is – Mi teléfono es: \_\_\_\_\_

4. **Name Change (Check only one): — Cambio de nombre (marque sólo uno):**


- I am NOT asking the court to change my name. No estoy pidiendo que la corte cambie mi nombre.
- I ask the Court to change my name back to the name I had before my marriage (list below):  
Pido a la corte que cambie mi nombre al nombre que tenía antes de casarme (escríbalo abajo):

\_\_\_\_\_  
First - Primer nombre Middle - Segundo nombre Last - Apellido

5. **Certificate of Service – Certificado de entrega legal**

I swear that a true copy of this Answer and all other papers I filed in this case were served on my spouse (and my spouse's attorney, if applicable) in person, by fax or by certified mail, return receipt requested. Juro que se entregó a mi esposa/a (y a su abogado, si corresponde) una copia fiel de esta Respuesta y todos los demás papeles que presenté en este caso en persona, por fax, o por el correo certificado, el recibo de vuelta solicitó.

\_\_\_\_\_  
Date – Fecha

  
\_\_\_\_\_  
Respondent's signature – Firma del Respondedor