

## 387th DISTRICT COURT PRO SE PLEADINGS – CHECKLIST FOR SETTING HEARING

THE FOLLOWING DOCUMENTS MUST BE FILED WITH THE DISTRICT CLERK ON OR BEFORE 4:45 P.M. THE WEDNESDAY OF THE WEEK BEFORE YOUR SCHEDULED HEARING. THE FILE WITH ALL THE REQUIRED DOCUMENTS WILL BE REVIEWED BEFORE YOU APPEAR IN COURT. READ CAREFULLY AND MAKE SURE EVERYTHING HAS BEEN COMPLETED PROPERLY AND FILED. YOU WILL NOT HAVE A HEARING IF THE DOCUMENTS ARE INCOMPLETE OR INCORRECT.

### A. DIVORCE

#### 1. FINAL DECREE OF DIVORCE or JUDGMENT must have:

- Cause number and 387<sup>th</sup> District Court Designation
- Heading or “style” of case, including names of all children born during marriage
- ***ALL blanks must be completed and those sections that do not apply crossed out. Leave no blanks in a decree.***
- If children are involved – the Decree shall include conservatorship (ie. Custody and rights and duties), child support, periods of possession and health insurance
- The order must be signed at time of filing (if agreement – by both parties)
- NOTE: A ‘Marital Settlement Agreement’ IS NOT a divorce decree – it is just an agreement.

#### 2. In addition to the Final Order also file the following (as it applies to your case):

- Waiver of Citation (service– WITH NO CHILDREN) Waiver of citation must be signed and notarized – the notary and signature must be signed AFTER the date of filing
  - Bureau of Vital Statistics (BVS) form – complete Section 1, 2
- Waiver of Citation (service– WITH CHILDREN) Waiver must be signed and notarized – the notary and signature must be signed AFTER the date of filing
  - Bureau of Vital Statistics (BVS) form – complete Section 1, 2, 3 and 4
  - Proof of completing an APPROVED parenting class (required)
  - Order for Withholding of Child Support
- NO WAIVER AND NO CHILDREN – Proof of PERSONAL service is required. The proof must be filed and be on file 10 days before a hearing. The proof of service could be an approved Court officer, certified mail (CRRR) issued by the District Clerk or by Alternate or Substituted Service (requires a court order).

-If proof is filed and there is no response from the opposing party you may obtain a default.

-All defaults require: 1) Affidavit of spouse's last known address **AND** 2) non military affidavit (showing party is not in active military service).

-Inventory and Appraisalment for dividing property

-BVS Form, Sections 1 and 2 completed

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-Bureau of Vital Statistics (BVS) form – complete Section 1, 2, 3 and 4

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3. See the District Clerk to issue the wage withholding order (fee to be paid)
4. CHILD SUPPORT IS REQUIRED TO BE PAID THROUGH THE FOLLOWING ON ALL CASES:

Texas Child Support Disbursement Unit  
P. O. Box 659791  
San Antonio, Texas 78265-9941

## **B. NAME CHANGE**

Child – requires proof of notice to parents and order to be signed by both parents. If minor child is 10 years or older requires minor's written consent to be filed.

Adult - Fingerprint cards must be on file and a criminal background check from the Texas Department of Public Safety.