

DIVORCE WITH OR WITHOUT CHILDREN

REGARDLESS OF WITH CHILDREN OR NOT- IF THE OTHER PARTY IS IN AGREEMENT OR IS GOING TO BE SERVED—THE PETITIONER NEEDS TO BRING THE ORIGINAL COMPLETED PETITION **AND TWO COPIES** OF THE PETITION OR THEY WILL BE CHARGED BY US FOR COPY WORK. (ONE FILE STAMPED COPY FOR PETITIONER AND ONE FILE STAMPED COPY FOR RESPONDENT)

*****ATTACH STANDING ORDERS TO ALL COPIES OF THE PETITION BEING FILED*****

QUESTIONS TO ASK WHEN SOMEONE IS FILING FOR DIVORCE

- Are you or your soon to be ex-spouse a resident of Kendall County? And have been for more than 90 days.
- Go to the website, texaslawhelp.org to obtain the document(s) you will need to file with the court.
- ARE CHILDREN INVOLVED? **IF YES-** THEN IN THE SEARCH BOX, TYPE IN DIVORCE WITH CHILDREN. **IF NO-** THEN JUST TYPE IN SEARCH BOX DIVORCE WITHOUT CHILDREN
- **IS THE OTHER PARTY IN AGREEMENT TO THIS DIVORCE? IF YES-** THEN THEY WILL NEED TO RECEIVE A FILE STAMPED COPY OF THE PETITION FOR DIVORCE AND THEN FOLLOW WITH COMPLETING A WAIVER OF SERVICE IN FRONT OF A NOTARY AND FILE BACK AT THIS OFFICE. **IF NO-** THEN THIS PERSON WILL NEED TO BE SERVED WITH A CITATION AND COPY OF THE PETITION FOR DIVORCE ATTACHED. (SEE GIVING LEGAL NOTICE SERVICE OF CITATION AND SERVICE OF DOCUMENTS FOR FURTHER INFORMATION) IF THEY DO NOT KNOW WHERE THIS PERSON IS, AN ATTEMPT TO SERVE OR FIND HAS TO BE MADE-THEN IF STILL UNSUCCESSFUL THEY WILL NEED TO GO ON THE WEBSITE AND LOOK FOR AN AFFIDAVIT STATING THEY ARE UNABLE TO FIND THIS PERSON AND A PROPOSED ORDER FOR THE JUDGE TO SIGN FOR A CITATION BY POSTING TO BE ISSUED.
- **ARE YOU GOING TO CHANGE YOUR LAST NAME? IF YES-** LOOK FOR ON THE DECREE OF DIVORCE FOR WHERE IT STATES YOU GOING BACK TO YOUR MADIEN NAME. **IF NO-** IF YOU DO NOT CHANGE IT NOW AND WANT TO LATER IT WILL BE RECOGNIZED AS A SEPARATE CASE AND WILL HAVE ITS OWN FILING FEE.

REMEMBER: THERE IS A 60 DAY WAITING PERIOD FROM THE DAY YOU FILE UNTIL THE DECREE CAN BE PRESENTED TO THE JUDGE. WHEN THE 60 DAY WAITING PERIOD IS TWO WEEKS AWAY FROM ENDING, CONTACT MATEO SANTOS OR GLADYS APPELT TO RECEIVE A HEARING DATE FROM THEM—830-249-9343 EXT. 310 or by email: mateo.santos@co.kendall.tx.us OR gladys.appelt@co.kendall.tx.us .

BOTH SPOUSES DO NOT HAVE TO BE THERE BUT BOTH SIGNATURES NEED TO BE ON THE FINAL DECREE (UNLESS THE PERSON WAS UNABLE TO FIND AND A CITATION BY POSTING HAD TO BE DONE)

IF THE WIFE IS PREGNANT AT THE TIME OF FILING FOR DIVORCE, THE DIVORCE CAN NOT BE FINALIZED UNTIL THE BABY HAS BEEN BORN.