

<p><b>Cause Number:</b> _____</p> <p><i>(Fill in the cause number and court information exactly as it is written on the order you want to change.)</i></p>	
<p><b>In the Interest of the following Minor Child(ren):</b></p> <p><i>(Print the <u>initials</u> of each child.)</i></p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p>	<p><b>In the:</b> <i>(Check one.)</i></p> <p><input type="checkbox"/> _____ District Court</p> <p><input type="checkbox"/> County Court at Law # _____</p> <p>_____ County, Texas</p>

## Petition to Modify the Parent-Child Relationship

**My full name is:** \_\_\_\_\_.

I am the **Petitioner**, the person asking the Court to change the current court order.

My driver's license was issued in (state) \_\_\_\_\_. The last three numbers of my driver's license number are: \_\_\_\_ \_\_\_\_ \_\_\_\_\_. **or**  I do not have a driver's license.

The last three numbers of my social security number are: \_\_\_\_ \_\_\_\_ \_\_\_\_\_. **or**  I do not have a social security number.

### 1. Discovery Level

The discovery level in this case, if needed, is Level 2.

### 2. Jurisdiction of the Court

The current court order about the child/ren was made by this Court or transferred to this Court. This Court has continuing exclusive jurisdiction over this case.

### 3. Child/ren

This case is about the following child/ren:

	Child's full name	Date of Birth	County and State where child lives now
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____

## 4. Request to Change Current Order

I ask the Court to change the current order about the child/ren.

The title of the current order is: \_\_\_\_\_.

(Note: You will usually find the title of the current order on the 1<sup>st</sup> page of the order under the case information box.)

The date the current order was signed by the Court is: (date) \_\_\_\_\_.

## 5. Standing *Read the law about "Standing" here: Texas Family Code 156.002, 102.003, 102.004 & 102.006.*

The law allows me to file this case because I am: (Check all that apply.)

- the child/ren's Mother.
- the child/ren's Father.
- listed as a party in the current order and I am affected by the current order.
- a person who has had actual care, control and possession of the child/ren for at least 6 months ending not more than 90 days before the date this Petition is filed with the Court. I am not a foster parent.
- a person who lived with the child/ren and the child/ren's parent, guardian or managing conservator for at least 6 months ending not more than 90 days before the date this Petition is filed with the Court, and the parent, guardian or managing conservator is now dead.
- the grandparent, great-grandparent, sister, brother, aunt, uncle, niece or nephew of the child/ren and:  
(Check the box below that applies to your case.)
  - both parents are dead.
  - both parents, the surviving parent or managing conservator agree to me filing this case.
  - the child/ren's present circumstances will significantly impair (*harm*) the child/ren's physical health or emotional development.
- other: \_\_\_\_\_.

## 6. Are You Asking to Change Custody within One Year?

*Read the law about changing custody within one year here: Texas Family Code 156.102.*

(Check one.)

- I **am not** asking to change primary custody.
- I **am** asking to change primary custody but it has been **more than** one year since the custody order was made by the Court.
- I **am** asking to change primary custody and it has been **less than** one year since the custody order was made by the Court. I understand I must fill out and attach a *Declaration in Support of Changing Primary Custody within One Year* form to this Petition. The facts set out in my *Declaration* will show that: (Check one.)
  - I am the person with the exclusive right to designate the primary residence of the child/ren.
  - the person with the exclusive right to designate the primary residence of the child/ren has agreed to change primary custody of the child/ren.
  - the person with the exclusive right to designate the primary residence of the child/ren has voluntarily given up primary care and possession of the child/ren for at least 6 months. This was not due to military deployment.
  - the child/ren's present environment may endanger (*harm*) the child/ren's physical health or significantly harm the child/ren's emotional development.



**Respondent C** (Check one.)

- There is no Respondent C. No one else is entitled to notice in this case. (Skip to section 8.)
- Respondent C's name is: \_\_\_\_\_  
PRINT the full name of Respondent C.

Respondent C is the child/ren's: (Check one.)

- Mother     Father     Other: \_\_\_\_\_  
PRINT Respondent C's relationship to the child/ren.

I will give legal notice to Respondent C as follows: (Check one.)

- I think Respondent C will sign a *Waiver of Service* or *Answer*.
- I will have a sheriff, constable, process server or clerk serve Respondent C with this *Petition* here:

\_\_\_\_\_

Street Address	City	State	Zip
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If this is a work address, name of business: \_\_\_\_\_

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to Respondent C by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

- I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an *Affidavit for Citation by Publication* and hire a lawyer to serve as attorney ad litem for this Respondent.

**Respondent D** (Check one.)

- There is no Respondent D. No one else is entitled to notice in this case. (Skip to section 8.)
- Respondent D's name is: \_\_\_\_\_  
PRINT the full name of Respondent D.

Respondent D is the child/ren's: (Check one.)

- Mother     Father     Other: \_\_\_\_\_  
PRINT Respondent D's relationship to the child/ren.

I will give legal notice to Respondent D as follows: (Check one.)

- Respondent D will sign a *Waiver of Service* or *Answer*.
- I will have a sheriff, constable, process server or clerk serve Respondent D with this *Petition* here:

\_\_\_\_\_

Street Address	City	State	Zip
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If this is a work address, name of business: \_\_\_\_\_

I ask the clerk to issue a Citation of Service (the form necessary to provide legal notice to Respondent D by "Official Service of Process"). I understand that I will need to **pay the fee** (or file a *Statement of Inability to Afford Payment of Court Costs* if I am unable to pay the fee) and **arrange for service**.

- I cannot find this Respondent. I ask that this Respondent be served by publication. I understand I must file an *Affidavit for Citation by Publication* and hire a lawyer to serve as attorney ad litem for this Respondent.

**8. Information Required if a Party Lives Out-of-State** (Check one.)

- Everyone involved in this case lives in Texas.
- Someone involved in this case (one of the Respondents or me) does not live in Texas. I have attached a completed *Out-of-State Party Affidavit* to this *Petition* as an exhibit.

## 9. Legal Reason for Changing the Current Order

(Read the law about when the Court can change an order here: Texas Family Code, Chapter 156.)

The law allows the Court to change the current order because the changes will be in the child/ren's best interest and: (Check all that apply.)

- the Respondent(s) agree to the changes.
- the circumstances of the child/ren, a conservator, or other party affected by the current order have materially and substantially changed since the Court made the current order.
- the child is at least 12 years of age and will tell to the Court in chambers that she or he prefers that I have the exclusive right to determine his or her residence.
- the conservator who has the exclusive right to designate the primary residence of the child/ren has voluntarily given up primary care and possession of the child/ren for at least 6 months. This was not because the conservator is in the military and has been deployed.
- it has been at least 3 years since the current child support order was made by the Court and the current monthly child support amount differs by at least 20% or \$100 from the monthly child support amount that would be ordered using the Texas Family Code Child Support Guidelines.

## 10. Conservatorship (Custody) (Check one.)

- I do **not** want to change conservatorship (custody). (**Skip to section 11.**)
- I ask the Court to change conservatorship (custody) as follows: (Check **a, b, c, d, e or f.**)
  - a.  Mother and Father should be **Joint Managing Conservators** of the child/ren and:  
(If you checked a, check **a-1, a-2, or a-3.**)
    - a-1.  Father should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one.)
      - anywhere.  this county.  this county or county adjacent to this county.
      - Texas.  other: \_\_\_\_\_.
    - a-2.  Mother should have the exclusive right to designate the primary residence of the child/ren within the following geographic area: (Check one.)
      - anywhere.  this county.  this county or county adjacent to this county.
      - Texas.  other: \_\_\_\_\_.
    - a-3.  Neither parent should have the exclusive right to designate the primary residence of the children but both parents should be ordered not to remove the children's primary residence from the following specific geographic area: (Check one.)
      - this school district: \_\_\_\_\_  this county.
      - this county or county adjacent to this county.  other: \_\_\_\_\_.
  - b.  Mother should be **Sole Managing Conservator** of the child/ren.
  - c.  Father should be **Sole Managing Conservator** of the child/ren.
  - d.  \_\_\_\_\_ should be the **Nonparent Sole Managing Conservator** of the child/ren.
  - e.  \_\_\_\_\_ and \_\_\_\_\_ should be the **Nonparent Joint Managing Conservators** of the child/ren.
  - f.  Other: (Describe.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. Geographic Restriction** (Check one only if applicable.)

- I ask the Court to restrict where the child/ren’s primary residence can be located. The child/ren should not be moved out of: \_\_\_\_\_.
- I ask the Court to change the geographic restriction on where the child/ren’s primary residence can be located. The new geographic restriction should be: \_\_\_\_\_.
- I ask the Court to lift the geographic restriction on where the child/ren’s primary residence can be located. There should be no geographic restriction.

**12. Child/ren’s Passports** (Check only if applicable.)

- I ask the Court to order that I have the exclusive right to apply for and renew passports for the child/ren.

**13. Possession and Access (Visitation)** (Check one.)

- I do **not** want to change possession and access (visitation). (**Skip to section 14.**)
- I ask the Court to change possession and access (visitation) as follows: (Check **a, b, c or d.**)
  - a.  Father should have standard visitation. (See Texas Family Code Chapter 153, Subchapter F.)
  - b.  Mother should have standard visitation. (See Texas Family Code Chapter 153, Subchapter F.)
  - c.  Standard visitation would be unworkable. Possession and access to the children should be as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d.  I am concerned about the safety of the children with:  Father  Mother  
Therefore, I ask that: (If you checked **d**, check all that apply below.)
  - d-1.  exchanges of the children be supervised, or in the alternative, be in a public place
  - d-2.  that parent’s possession of the children be limited to day visits
  - d-3.  that parent’s possession of the children be supervised
  - d-4.  that parent have no right to possession or access to the children
  - d-5.  that parent be ordered not to use alcohol or illegal drugs 24 hours prior to or during possession of the children.
  - d-6.  that parent’s possession and access to the children be restricted as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Check only if applicable.)

- I am concerned that the other parent may take the child/ren to another country and refuse to return them. I ask the Court to determine if there is a risk of international kidnapping by the other parent and to take such measures as are necessary to protect the child/ren.

**14. Child Support** *(Check one.)*

- I do **not** want to change current child support. ***(Skip to section 15.)***
- I ask the Court to change current child support as follows: *(Check all that apply.)*
  - Father** should be ordered to pay: *(Check one.)*  more child support.  less child support.
  - Mother** should be ordered to pay: *(Check one.)*  more child support.  less child support.
  - Other:** *(Describe.)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**15. Medical Support** *(Check one.)*

- I do **not** want to change medical support. ***(Skip to section 16.)***
- I ask the Court to change the current medical support order as follows: *(Check all that apply.)*
  - Father** should be ordered to: *(Check one.)*
    - provide health insurance for the child/ren through his employment or another source.
    - pay cash medical support to reimburse the cost of the child/ren's health insurance.
  - Mother** should be ordered to: *(Check one.)*
    - provide health insurance for the child/ren through her employment or another source.
    - pay cash medical support to reimburse the cost of the child/ren's health insurance.
  - Other:** *(Describe)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**16. Dental Support** *(Check one.)*

- I do **not** want to change dental support. ***(Skip to section 17.)***
- I ask the Court to change the current order as follows: *(Check all that apply.)*
  - Father** should be ordered to: *(Check one.)*
    - provide dental insurance for the child/ren through his employment or another source.
    - reimburse Mother for the cost of the child/ren's dental insurance.
  - Mother** should be ordered to: *(Check one.)*
    - provide dental insurance for the child/ren through her employment or another source.
    - reimburse Mother for the cost of the child/ren's dental insurance.
  - Other:** *(Describe)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 17. Health Insurance Availability for Children

The child/ren: *(Check all that apply.)*

do not have health insurance.

have **private health insurance**.

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_ Cost of premium: \$ \_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy  is  is not available through the parent's work.

have health insurance through **Medicaid**.

have health insurance through **C.H.I.P.** Cost of premium (if any): \$ \_\_\_\_\_

**If the children do not have private health insurance also complete the following:**

Private health insurance  is  is not available to Father at a reasonable cost.

Private health insurance  is  is not available to Mother at a reasonable cost.

## 18. Dental Insurance Availability for Children

The child/ren: *(Check all that apply.)*

do not have dental insurance.

have **private dental insurance**.

Name of insurance company: \_\_\_\_\_

Policy number: \_\_\_\_\_ Cost of premium: \$ \_\_\_\_\_

Name of person who pays for insurance: \_\_\_\_\_

The insurance policy  is  is not available through the parent's work.

**If the children do not have private dental insurance also complete the following:**

Private dental insurance  is  is not available to Father at a reasonable cost.

Private dental insurance  is  is not available to Mother at a reasonable cost.

## 19. Public Benefits

The child/ren: *(Check all that apply.)*

have Medicaid now **or** had in the past.

get TANF (Temporary Assistance for Needy Families) now **or** got it in the past.

**Note:** *If the child/ren have ever received Medicaid or TANF, you MUST send a copy of this Petition to the Office of the Attorney General Child Support Division. You MUST also sign the "Certificate of Service to the Office of the Attorney General" on the last page.*

## 20. Children's Property

*(Check one. If the children have never had any property of significant value, check the first box.)*

There has been no significant change to the child/ren's property.

The following changes have occurred to the child/ren's property since the Court signed the current orders: \_\_\_\_\_

## 21. Protective Order Statement

**Note:** You **must** provide information about any protective order or pending application for protective order involving a party in this case or a child of a party. This includes information about any: 1) family violence protective order, (2) sexual assault, sexual abuse, trafficking or stalking protective order and/or (3) emergency protective order issued after an arrest.

A "party" includes you (the Petitioner) and anyone listed as a Respondent in this Petition.

You **must also** attach to this Petition a copy of any protective order (even if it's expired) in which one party or a child of a party was the applicant or victim and another party was the respondent or defendant.

(Check the appropriate boxes. Fill in the requested information, if applicable.)

### 21A. No Protective Order

- I do not have a protective order and I have not asked for one.
- No one has a protective order against me or asked for one.

### 21B. Pending Protective Order

- I filed paperwork at the courthouse asking for a protective order, but a judge has not decided if I should get it. I asked for a protective order against \_\_\_\_\_.  
I asked for a protective order on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date Filed County State  
The cause number of the protective order case is \_\_\_\_\_.  
If I get a protective order, I will file a copy of it before any hearings in this case.
- The Respondent filed paperwork asking for a protective order, but a judge has not decided if the Respondent will get it. The Respondent asked for a protective order on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date Filed County State  
The Respondent asked for a protective order against \_\_\_\_\_.  
The cause number of the protective order case is \_\_\_\_\_.  
If the Respondent gets a protective order, I will file a copy of it before any hearings in this case.

### 21C. Protective Order in Place

- I have a protective order. The protective order is against \_\_\_\_\_.  
I got the protective order on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date of Order County State  
The cause number for the protective order is \_\_\_\_\_.  
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this case.
- A Respondent in this case has a protective order.  
The protective order is against \_\_\_\_\_.  
The protective order was made on \_\_\_\_\_ in \_\_\_\_\_ County, \_\_\_\_\_ State.  
Date of Order County State  
The cause number for the protective order is \_\_\_\_\_.  
Either I have attached a copy of the protective order to this petition or I will file a copy of it with the court before any hearings in this case.



## 24. Certificate of Service to the Office of the Attorney General (OAG)

Sign **only** if the child/ren receive (or have received) Medicaid or TANF. This tells the judge that you will deliver a copy of this Petition to the Office of the Attorney General Child Support Division as required by law. Get contact information for the Office of the Attorney General Child Support Office in the county where this case will be filed at [https://www.texasattorneygeneral.gov/apps/cs\\_locations/](https://www.texasattorneygeneral.gov/apps/cs_locations/). Bring proof of delivery with you to court.

I certify that a true copy of this *Petition* was served on the Office of the Attorney General Child Support Division\* in person, by certified and first class mail, by commercial delivery service, by fax, by email, or through the electronic file manager on this date.

→ \_\_\_\_\_

*Petitioner's Signature*

\_\_\_\_\_ *Date*

**NOTE:** If the Office of the Attorney General (OAG) is listed as a party on your current order, you must:  
(1) list the OAG as a respondent in this Petition to Modify the Parent-Child Relationship and  
(2) arrange for the OAG to be served by a constable, sheriff or private process server.  
Get contact information for the Office of the Attorney General Child Support Division on your current order.

**Note:** For information about how to file an answer go to [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

For a referral to a lawyer call your local lawyer referral service  
or the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690.

For information about free and low-cost legal help in your county go to  
[www.TexasLawHelp.org](http://www.TexasLawHelp.org) or call the Legal Aid office serving your area:

**Legal Aid of Northwest Texas** 1-888-529-5277 (serves Dallas / Ft. Worth area & Northwest Texas)

**Lone Star Legal Aid** 1-800-733-8394 (serves Houston area & East Texas)

**Texas Rio Grande Legal Aid** 1-888-988-9996 (serves Austin / San Antonio area, El Paso area & South Texas)

If you have been the victim of family violence, or if at any time you feel unsafe, get help by calling the:

**National Domestic Violence Hotline** at 1-800-799-SAFE (7233) or

**Texas Advocacy Project Hope Line** at 1-800-374-HOPE (4673) or

**Advocates for Victims of Crime (AVOICE)** at 1-888-343-4414.