

FILING A LAWSUIT OR DIVORCE “PRO SE”

THE DISTRICT CLERK’S OFFICE DOES NOT SUPPLY FORMS NECESSARY TO FILE A CIVIL LAWSUIT OR A DIVORCE. WE CANNOT ASSIST YOU IN PREPARATION OF THE FORMS. WE CANNOT ASSIST YOU IN COMPLETING THE FORMS. WE CAN NOT ADVISE YOU OF WHAT DOCUMENTS TO FILE. WE ARE NOT ATTORNEY’S AND ARE LEGALLY PROHIBITED FROM GIVING LEGAL ADVICE.

If you intend to represent yourself “Pro Se” (without the assistance of an attorney), you must have knowledge to prepare and file the necessary pleadings and present your case to the Court. The website www.texaslawhelp.org has a variety of legal forms including those for divorce. Again, we are unable to give you legal advice or help you complete the necessary paperwork. Make sure your paperwork contains information needed for a divorce in **TEXAS**.

1. Bring your Original Petition and 2 additional copies to the District Clerk’s office to be filed. The Original and copies must all be single sided copies.
2. The filing fees are:
 - Divorce where spouse signs a waiver.....\$350.00
 - Divorce with a citation to be served in Montague County.....\$483.00
 - Service out of County- to prepare citation..... \$8.00
For out of county service-you will be responsible for contacting the Constable or Sheriff in that County for Service.
 - **ALL FEES ARE DUE AT THE TIME OF FILING**
3. Your petition will be filed and assigned a cause number and court. **Please have this information available when contacting our office concerning your case or when filing additional documents.**
4. The District Clerk’s phone number is (940) 894-2571. Our office hours are 8:00AM TO 12:00PM AND 1:00PM TO 4:45PM, Monday through Friday except on Holidays.
5. A divorce petition must be on file for at least 60 days before the final hearing can be held. You may obtain a hearing date from the Court Administrator, Amanda Cunningham at (940) 894-2066 or email admin@97thdistricourt.com. You may call or email for a hearing date 24 hours after filing of your petition.
6. One week prior to the final hearing, bring **your Final Decree of Divorce along with a completed BVS Form 165-Information on Suit Affecting The Family Relationship. You will also need to complete a Record of Support – Form 1828 Child Support bring it if there are children and there is support being ordered.**
7. Once your Final Order or Decree has been signed, we will notify you in writing that the Judge has signed your Order. We will provide you with two certified copies. Additional copies are \$1.00 per page and \$5.00 for the Certification and Seal.