Important: You may use this script to "prove-up" an agreed or default divorce without children. Read it carefully before you go to court. When you read it in court you will be under oath. Do not read any part of this script in court that is not true and correct.

SAMPLE TESTIMONY FOR DIVORCE WITHOUT CHILDREN

Your Honor, my name is _____.
(State your full name)

I filed this suit for divorce from my spouse _____.
(State your spouse's full name)

At the time I filed for divorce, I had lived in Texas for at least the last six (6) months, and in _____ County for at least ninety (90) days.

I am asking for a divorce because our marriage has become unworkable and there is no reasonable expectation that we will get back together.

My spouse and I do not have any children together who are under 18 or still in high school.

If Wife is testifying –

I am not expecting a child now and I did not have children with anyone else during this marriage.

OR

I am not expecting a child now. I did have a child/children with someone else during this marriage. Paternity of that child/those children has been established by court order or a properly filed acknowledgment & denial of paternity. A copy of that court order or acknowledgment & denial of paternity is attached to my proposed Decree of Divorce.

If Husband is testifying –

My wife is not expecting a child now and she did not have children with anyone else during this marriage.

OR

My wife is not expecting a child now. She did have a child/children with someone else during this marriage. Paternity of that child/those children has been established by court order or a properly filed acknowledgment & denial of paternity. A copy of that court order or acknowledgment & denial of paternity is attached to my proposed Decree of Divorce.

I ask that our property and debts be divided as set out in the Decree of Divorce I have presented to the Court. I believe this division is fair to both me and my spouse.
Note: If this is a default, you must also tell the judge the value of the property awarded to you and your spouse and the reasons your proposed division of that property is fair.

If either spouse is asking for a name change –

I am (or my spouse is) requesting a name change to a name that was used before we were married: _____.
(State the name used before marriage)

I respectfully ask the court to grant my divorce.

Remember: You cannot finish your divorce while the wife is pregnant. And, if the wife had children with another man while married to the husband, you cannot finish your divorce until paternity of those children has been established.

Important: You may use this script to "prove-up" an agreed or default divorce with children. Read it carefully before you go to court. When you read it in court you will be under oath. Do not read any part of this script in court that is not true and correct.

SAMPLE TESTIMONY FOR DIVORCE WITH CHILDREN

Your Honor, my name is _____.
(State your full name)

I filed this suit for divorce from my spouse _____.
(State your spouse's full name)

At the time I filed for divorce, I had lived in Texas for at least the last six (6) months, and in _____ County for at least ninety (90) days.

I am asking for a divorce because our marriage has become unworkable and there is no reasonable expectation that we will get back together.

My spouse and I have _____ child/children, who is/are under 18 or still in high school.

I ask that custody, visitation and support for our child/children be ordered as set out in the Decree of Divorce I have presented to the Court. I believe that these orders would be in our child/children's best interest.

If Wife is testifying –

I am not expecting a child now **and** I did not have children with anyone else during this marriage.

OR

I am not expecting a child now. I did have a child/children with someone else during this marriage. Paternity of that child/those children has been established by court order or properly filed acknowledgment & denial of paternity. A copy of that court order or acknowledgment & denial of paternity is attached to my proposed Decree of Divorce.

If Husband is testifying –

My wife is not expecting a child now **and** she did not have children with anyone else during this marriage.

OR

My wife is not expecting a child now. She did have a child/children with someone else during this marriage. Paternity of that child/those children has been established by court order or properly filed acknowledgment & denial of paternity. A copy of that court order or acknowledgment & denial of paternity is attached to my proposed Decree of Divorce.

I ask that our property and debts be divided as set out in the Decree of Divorce I have presented to the Court. I believe this division is fair to both me and my spouse. ***Note:*** If this is a default, you must also tell the judge the value of the property awarded to you and your spouse and the reasons your proposed division of that property is fair.

If either spouse is asking for a name change –

I am (or my spouse is) requesting a name change to a name that was used before we were married: _____.
(State the name used before marriage)

I respectfully ask the court to grant my divorce.

Remember: You cannot finish your divorce while the wife is pregnant. And, if the wife had children with another man while married to the husband, you cannot finish your divorce until paternity of those children has been established.