IN THE \_\_\_\_\_\_ JUDICIAL DISTRICT COURT/COUNTY COURT AT LAW FIVE
EL PASO COUNTY, TEXAS

IN THE MATTER OF THE MARRIAGE OF }

 }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

 }

AND } CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

 }

AND IN THE INTEREST OF: }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ }

**FINDINGS AND RECOMMENDATION/ORDERS IN DIVORCE/ANNULMENT**

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ the above cause came on to be heard for issuance of temporary orders.

APPEARANCES

Petitioner/Counter-Respondent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**appeared in person with attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and announced ready / appeared in person and announced ready, having been duly cited, failed to appear and wholly made default / having previously appeared and been notified of this hearing failed to appear**).

Respondent/Counter-Petitioner \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**appeared in person with attorney \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and announced ready / appeared in person and announced ready, having been duly cited, failed to appear and wholly made default / having previously appeared and been notified of this hearing failed to appear**)

OTHER:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RECORD

 A record was ( **taken by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** **waived, not taken**).

After reviewing the pleadings, hearing testimony/hearing the agreement of the parties, the following findings and recommended orders are made to the referring Court.

DIVORCE GROUNDS

\_\_\_\_ That a decree of divorce be granted to (**Petitioner/Counter-Petitioner/both parties**) effective \_\_\_\_\_\_\_\_\_\_\_\_\_\_ on (**insupportability/fault grounds as pled by Petitioner/fault grounds as pled by Counter-Petitioner**).

\_\_\_\_ That the marriage between PETITIONER and RESPONDENT be declared null and void and of no further force or effect, except as to the child(ren) born to or adopted by the parties during the purported marriage.

CONSERVATORSHIP

The following child(ren) is/are the subject of this suit:

Petitioner is appointed (**joint managing conservator / joint managing conservator with the right to determine the primary residence / sole managing conservator / possessory conservator**).

Respondent is appointed (**joint managing conservator / joint managing conservator with the right to determine the primary residence / sole managing conservator / possessory conservator**).

Residency Restrictions:

POSSESSION / ACCESS

For purpose of access only, the (**Petitioner / Respondent**) is named Possessory Conservator who shall have the right of possession and access at reasonable times agreed by the parties, and failing that agreement:

 As provided by Sec. 153.312 – 153.316, Texas Family Code (**Standard Possession)**

As provided by Sec. 153.312 – 153.317, Texas Family Code (**Standard Extended Possession**)

 As provided by local guidelines for child(ren) under 3.

 As follows: ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CHILD SUPPORT

IT IS ORDERED that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall pay child support to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the amount of $\_\_\_\_\_\_\_\_\_\_\_ (**per month/ per week / every two weeks, bi-monthly**) with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due and payable on the \_\_\_\_\_ day of each \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ thereafter until further order of the Court.

Thereafter, $ \_\_\_\_\_\_\_; thereafter $ \_\_\_\_\_\_\_\_\_\_\_; thereafter $ \_\_\_\_\_\_\_\_\_\_\_\_\_; until the named minor(s) attain(s) the age of 18 years, or after the minor’s 18th birthday, if the minor is fully enrolled in an accredited secondary school in a program leading to a high school diploma, dies, marries; has his/her disabilities removed; is emancipated for general purposes; or until further order of this Court.

CHILD SUPPORT ARREARAGE REDUCED TO JUDGMENT

That ( **Petitioner/Respondent** ) recover judgment against ( **Petitioner/Respondent**) in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_ for past-due child support /retroactive child support to be paid in \_\_\_\_\_\_ monthly installments of $\_\_\_\_\_\_\_\_\_ each, with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due and payable on each \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ thereafter. IT IS ORDERED that all arrearage payments shall be paid through the Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, Texas 78265 or as further instructed by the El Paso County Domestic Relations Office and/or the State Disbursement Unit.

WITHHOLDING AND PLACE OF PAYMENT PROVISIONS

An Order for Withholding from Earnings for Child Support is ( **granted / denied** ).

All child and medical support payments are to be made to the Texas Child Support Disbursement Unit, P.O. Box 659791, San Antonio, Texas 78265 or as further instructed by the El Paso County Domestic Relations Office and/or the State Disbursement Unit.

The parties shall pay the sum of $36 to the El Paso County Domestic Relations Office for child support services beginning on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due and payable on the same day of each year thereafter. The parties are ORDERED to deliver a copy of this Order to the El Paso County Domestic Relations Office, 500 E. San Antonio, Room LL108, El Paso County Courthouse, El Paso, Texas, 79901 to open and/or verify the child support account.

MEDICAL/DENTAL INSURANCE SUPPORT

 (**Medical, dental, and vision)** insurance for the child(ren) shall be provided by (**Petitioner/Respondent**).

(**Petitioner/Respondent**) shall reimburse (**Petitioner/Respondent**) for the cost of health insurance in the current amount of $ \_\_\_\_\_\_\_\_\_\_\_ ( **per month / semi-monthly / bi-weekly /each week**).

If the child(ren) qualify for and are enrolled in (**Medicaid, CHIP**), ( **Petitioner / Respondent** ) is ordered to pay cash medical support of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ per month for the Medicaid reimbursement as additional child support with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due on the \_\_\_\_\_\_ day of each month thereafter so long as the child(ren) receive (**Medicaid/CHIP** ) coverage.

The court finds that health insurance is not available for the child(ren) and the parties do not have access to Medicaid/CHIP, (**Petitioner / Respondent**) is ordered to pay, in addition to periodic child support, the sum of $\_\_\_\_\_\_\_\_\_\_\_\_ as cash medical support for the child(ren) with the first payment due and payable on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and a like payment due on each \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ thereafter.

 The (**parties are/Respondent is/Petitioner is)** ORDERED to pay \_\_\_\_\_\_\_\_\_% of all uninsured health care costs of the child(ren) so long as support is required to be paid under this Order.

SPOUSAL MAINTENANCE

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall pay temporary spousal maintenance to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as follows: $\_\_\_\_\_\_\_\_\_\_ (**per month/ per week / every two weeks, bi-monthly**) beginning on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and a like payment on each \_\_\_\_\_\_\_\_\_\_ thereafter until further order of the Court.

DIVISION OF PROPERTY

 That Petitioner be awarded the following property:

That Respondent be awarded the following property:

 CONFIRMATION OF SEPARATE PROPERTY

That the following property be confirmed as Petitioner’s separate property:

 That the following property be confirmed as Respondent’s separate property:

COMMUNITY LIABILITIES

 That Petitioner pay the following community obligations: those incurred solely by Petitioner since the date of separation and:

 That Respondent pay the following community obligations: those incurred solely by Respondent since the date of separation and:

NAME CHANGE

 That \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ be granted a name change to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 That the child(ren)’s name be changed to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

INJUNCTIONS

The (**both parties/ Petitioner / Respondent**) temporarily enjoined from:

 (1) Harming, annoying, molesting, threatening or injuring each other or a child of either party.

(2) Making derogatory or disparaging remarks about the other party to the child(ren) or in the presence of the child(ren) or allowing any person to do so.

(3) Arguing with the other party in the presence of the child(ren) or allowing any other person to do so.

(4) Passing messages to the other party through the child(ren).

(5) Other:

ATTORNEY’S FEES / COURT COSTS

 That (**Petitioner pay Respondent attorney’s fees/court costs/Respondent pay Petitioner attorney’s fees/court costs**) in the sum of $ \_\_\_\_\_\_\_\_\_\_\_\_ in monthly payments of $ \_\_\_\_\_\_\_\_ with the first payment due on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and like payment due and payable on each \_\_\_\_\_\_\_\_\_\_\_\_ until paid in full.

DELIVERY OF DOCUMENTS

 Each party is required to execute and deliver documents of title to property awarded to the opposite party by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

ADDITIONAL FINDINGS AND ORDERS

**PURSUANT TO RULE 11, T. R. C. P., Attorneys’ or parties’ signatures of approval are required on agreed orders.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PETITIONER ATTORNEY FOR PETITIONER

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RESPONDENT ATTORNEY FOR RESPONDENT

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**RECOMMENDED BY:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ASSOCIATE JUDGE

Date of Recommendation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

PURSUANT TO SEC. 201.015, Texas Family Code, a party may request a DeNovo hearing before the referring court.

ENTRY OF JUDGMENT: PURSUANT TO Tex. R. Civ. Proc. Rule 305, any party may prepare and submit a proposed judgment for signature. The attorneys in this case are hereby directed to prepare the proposed judgment and appear on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to enter the final order in this case. Attorney for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ shall be primarily responsible for drafting the order in this case.