

INFORMATION FOR PRO SE (SELF REPRESENTED) LITIGANTS

Please note that the Court does not automatically set cases for final hearing, nor will the Court reach out to you to schedule a final hearing. It is your responsibility to contact the Court to schedule any and all hearings needed and/or submit the proper paperwork to finalize your case

If you are representing yourself (Pro Se) in a Divorce, a Suit Affecting Parent-Child Relationship, or a Modification suit, please understand the following:

- **You must present a complete Decree or Order that settles ALL issues.**
- **Orders must be typewritten. No handwritten Orders will be accepted.**
- **No electronic signatures.**
- **The Court will not review the Decree or Order for completion and will not confirm that the Decree or Order is properly drafted.**
- **You cannot rely on the Court signing the Decree or Order as a representation that the Decree or Order is accurate and actually settles all of the issues as you wish or that it adequately covers all of the issues you have a right to have covered.**

If you are thinking about handling your legal matter by yourself (Pro Se), without an attorney, make sure that you fully understand all of the steps involved. Further, make sure you understand your legal rights. **You will be solely responsible for protecting yourself.**

Only a licensed attorney is allowed to give you legal advice. Neither the Judge, nor any of the courthouse staff, can give you legal advice. You are encouraged to hire a lawyer to protect your rights.

Information may be obtained from local and state websites including, but not limited to, www.texaslawhelp.org and www.tyla.org/familylaw.html

To finalize any case, you must first verify that:

1. A signed and notarized Waiver of Service by the Respondent has been filed with the County Clerk. If a Waiver is signed, it must be signed and notarized AFTER the Original Petition for Divorce was filed; **or**
2. The respondent has been served with citation, the citation return has been on file with the County Clerk for at least 10 days and respondent's answer date has passed, or any time after respondent has filed an answer. *(Service must be in compliance with the Texas Rules of Civil Procedure).*

3. If the Respondent has been served with citation, the answer date has passed, and the Respondent has not filed an answer at any time, then please review the "Default Judgments" section below.

Default Judgments

Before you can schedule a hearing to finalize a default judgment, you must complete the Certificate for Default Judgment checklist (see Certificate on CCL2 website) and file it with the Court. Once it has been completed and filed, email the Court Coordinators at Michelle.Snell@parkercountytexas.com and Susan.Hinsley@parkercountytexas.com to schedule your default. This will help ensure you do not have to come back to court multiple times in order to finalize your case.

Divorce Cases

Please note that in any divorce, the case cannot be finalized if the wife is pregnant at the time of the final hearing.

Further, in any divorce case, if a child has been the subject of a prior Court Order, either here or in another county, the prior court case must be transferred to this Court and/or consolidated with the divorce case.

• Agreed (Uncontested) Divorce Cases:

If you have an agreed final order that has been signed by ALL parties, you can schedule a prove-up hearing with the Court Coordinator only if ALL of the following conditions are met:

1. 61 days have passed since the Original Petition for Divorce was filed;
2. Respondent has signed a waiver, has filed an answer, or has been served with Citation.
3. There is an agreed decree signed by every party (and attorney) involved in the case;
4. The agreed decree settles ALL issues (including property & debts, child support & parenting plan);
5. All signatures are distinctive written signatures; *and*

6. Notice of Final Hearing is sent to Respondent.

***Once the above conditions have been met, please eFile the agreed decree signed by all parties (and attorneys), and email Michelle.Snell@parkercountytexas.com and Susan.Hinsley@parkercountytexas.com that the decree is ready to be reviewed by the Court.

At the prove-up hearing, your case will be called, you will sworn in, and you will provide testimony (see sample testimony on CCL2 website).

• **Contested Divorce Cases:**

When you are ready to set your case for final hearing, please email Michelle.Snell@parkercountytexas.com and Susan.Hinsley@parkercountytexas.com and the Court will set the matter on the next available trial date. It is your responsibility to ensure that all opposing parties (or attorneys) have received Notice of Final Hearing pursuant to and in compliance with the Texas Rules of Civil Procedure.

Suits Affecting Parent-Child Relationship and Modification Suits

• **Agreed (Uncontested) Suits Affecting Parent-Child Relationship and Modification Suits:**

If you have an agreed final order that has been signed by ALL parties, please follow the process for **Agreed (Uncontested) Divorce Cases** (*above*).

• **Contested Suits Affecting Parent-Child Relationship and Modification Suits:**

When you are ready to set your case for final hearing, please email Michelle.Snell@parkercountytexas.com and Susan.Hinsley@parkercountytexas.com and the Court will set the matter on the next available trial date. It is your responsibility to ensure that all opposing parties or attorneys have received timely notice of the trial setting pursuant to and in compliance with the Texas Rules of Civil Procedure.

Name Changes (Adult and Minors): All requests for name changes must be set by you for a prove-up hearing with the Court. You must have a proposed order eFiled prior to your hearing date.

When you are ready to set your case for final hearing, please email Michelle.Snell@parkercountytexas.com and Susan.Hinsley@parkercountytexas.com for a setting.

At the prove-up hearing, your case will be called, you will sworn in, and you will provide testimony (see sample testimony on CCL2 website).

- **Adult Name Changes:**

Please do not contact the Court to set a final hearing until you have eFiled a proposed Order and you have verified that the Certificate of Criminal History Record Information has been completed in your case and is on file with the County Clerk. To verify that the Certificate of Criminal History Record Information is on file in your case, please go to the Parker County webpage and look up your case.

To obtain a Certificate of Criminal History Record Information, you will need to mail your fingerprint card to the Texas Department of Public Safety (DPS) with a file-stamped copy of your Petition to Change the Name of an Adult. There is a fee for this service. DPS will send the results directly to the County Clerk. The Texas Department of Public Safety (DPS)'s website has specific instructions on submitting fingerprint cards for a legal name change. Form CS-65 has the steps you need to follow.

- **Minor Name Changes:**

Please review the www.texaslawhelp.org website for instructions and forms.

Generally, unless both parents agree to the name change, the other parent will need to be served with process and sent a Notice of Final Hearing. A child 10 years or over must consent to the name change. At the hearing, testimony will be required and the child will need to appear at the hearing with the parent who filed the Application. An Order signed by the parent(s) will need to eFiled with the Court in advance of the hearing.