

INFORMATION FOR FILING A DIVORCE "PRO SE" COOKE COUNTY DISTRICT CLERK

THE DISTRICT CLERK'S OFFICE DOES NOT SUPPLY FORMS NECESSARY TO FILE FOR DIVORCE. WE ARE NOT ATTORNEY'S AND ARE LEGALLY PROHIBITED FROM GIVING ANY LEGAL ADVICE.

If you intend to represent yourself "Pro Se" (without the assistance of an attorney) you must have knowledge of the law to prepare and file the necessary pleadings and present your cause to the Court, the same as an attorney is required to do. The Clerk is prohibited from checking your documents to see if they are in compliance.

The only suggestion or advice the clerk's office can offer is for you to: check bookstores for information on filing your own divorce, go to the Law Library and research the Texas Family Code; Chapter 6 for information, research on the internet or see an attorney or you can contact The Lawyer Referral Information Service of the State Bar of Texas at 800-252-9690 or 877-9TEXBAR or get a lawyer referral online at www.texasbar.com/LRIS. [This service is certified as a lawyer referral services as required by the State of Texas under Chapter 952, Occupations Code, Certificate #9301]

PROCEDURES FOR FILING YOUR OWN DIVORCE

1. Bring your original petition for divorce to the District Clerk's office to be filed.
2. The filing fees are: Divorce where spouse signs a waiver...\$268.00 and Divorce with Citation...\$276.00. All fees are due at the time of filing. **Fees for service of the citation are separate and the cost depends on other factors. Please note you may need to check and make sure the filing fees have not increased.** Payment is accepted in the form of cash, money order, cashier's check or credit card (there is a processing fee for using a credit card.) **NO personal checks will be accepted.**
3. Your petition will be file stamped with the date and time of filing and assigned a cause number. Please make sure you have this information available when you contact our office concerning the case. The District Clerk's phone number is 940-668-5450 and our hours are Mon - Fri from 8 a.m. - 5 p.m and closed from 12 - 1 for lunch.
4. In most cases, the petition must be on file for at least 60 days before you can go before the judge for the final hearing; please refer to the rules for information.
5. After the waiting period has expired (if required) and your paperwork is in order, if the spouse signed a waiver, you may come to the Court Monday - Friday between the hours of 8:30 - 9 a.m. to present your case to the judge, you will need to bring the Original Final Decree of Divorce. ***You do not need to schedule a hearing for agreed divorces.***
6. The court will not hear uncontested cases after 9:00 a.m. so please make sure to arrive early.
7. If a citation was served and an answer was filed, you will need to submit an order for a hearing date with the court coordinator and notify the other party of the hearing.
8. When you come to the Court for your final hearing, you will need to bring the Original Final Decree of Divorce.
9. If the Judge signs the order, **bring the original order to the District Clerk's Office** to be file marked and certified.
10. **Please note the courtroom has a dress code. The judge cannot assist you with your divorce. You must know how to present your case to the judge.**
11. If you or your spouse will be receiving child support, you must provide the District Clerk's office with the required information to set up your child support account. The child support information form can be located on the website at www.co.cooke.tx.us select the District Clerk's Department and look under "Forms or Other Court Support Information" or in the District Clerk's office. Please note all child support payments are federally mandated to be sent through the State Disbursement Unit (SDU) P O Box 659791, San Antonio TX 78265-9941 and this must be specified in your Final Decree and the Order Withholding.
12. Vital Statistic Form must be completed and filed when you are filing the final order. This is a state mandated form can be located on the District Clerk's website.

WE ARE SORRY. WE CAN NOT LEGALLY ASSIST YOU WITH ANY ADDITIONAL INFORMATION, BUT PLEASE CALL OUR OFFICE AT 940-668-5450 REGARDING THESE INSTRUCTIONS.