

INFORMATION FOR SELF REPRESENTED (PRO SE) LITIGANTS
IN FAMILY LAW CASES

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.** 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 the [Collin County Local Rules](#), the [Collin County Standing Order on Children, Property & Conduct of Parties](#), the [494th District Court's website](#), and local and state websites, for example, www.texaslawhelp.org and <https://tyla.org/resources/general-public/>.

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 District Clerk; **or**
2. The respondent has been served with citation, the citation return has been on file at least 10 days and respondent's answer date has passed, or any time **after** respondent has filed an answer. (Service must be accomplished 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 [Default Judgment Checklist](#) on the 494th District Court's website and file it with the Court. Once it has been completed and filed, email 494@co.collin.tx.us to schedule your default trial. 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 prove up the case by affidavit. Prove-ups by affidavit will only be considered if ALL of the following conditions are met:

1. The Petition for Divorce has been on file for more than 60 days.
2. At least one of the parties has completed the [Affidavit for Prove-up of Agreed Divorce](#) and filed the notarized document with the District Clerk;
3. There is an agreed decree signed by every party and attorney involved in the case;
4. The agreed decree settles ALL issues;
5. All signatures are distinctive written signatures or DocuSign-style signatures, not “/s/ Typed Name;” ***and***
6. The *Appearances* section of the decree indicates that the parties “**did not appear**” in person and that the making of a “**record was waived**”.

***A more comprehensive list of [Common Reasons Divorce Decrees are Rejected](#) is posted on this Court’s website.

***Once ALL of the above conditions have been met, please eFile the agreed decree signed by all parties and attorneys, and email 494@co.collin.tx.us to let the Court know that the decree is ready to be reviewed by the Court.

- **Contested Divorce Cases:**

When you are ready to set your case for final hearing, please eFile the [494th Family Bench Trial Discovery Control Plan and Scheduling Order](#) or the appropriate [Civil Jury Trial Discovery Control Plan and Scheduling Order \(Level 1 or 2\) \(Level 3\)](#) for the discovery level of your case, and the Court will set the matter on the next available date. If your case has not been set for final hearing within 1 week from submission please e-mail 494@co.collin.tx.us to verify the scheduling order was received. To verify if your case has been set, please go to the [Collin County](#) webpage. 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.

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, you do not have to prove up the case in person or by affidavit. Prove-ups are not required if ALL of the following conditions are met:

1. There is an agreed order signed by every party and attorney involved in the case;
2. The agreed order settles ALL outstanding issues;
3. All signatures are distinctive written signatures or DocuSign-style signatures, not “/s/ Typed Name;” ***and***
4. The *Appearances* section of the order indicates that the parties “**did not appear**” in person and that the making of a “**record was waived**”.

***Once the above conditions have been met, please eFile the agreed order signed by all parties and attorneys, and email 494@co.collin.tx.us to let the Court know that the order is ready to be signed by the Court.

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

When you are ready to set your case for final hearing, please eFile the [494th Family Bench Trial Discovery Control Plan and Scheduling Order](#) or the appropriate [Civil Jury Trial Discovery Control Plan and Scheduling Order \(Level 1 or 2\) \(Level 3\)](#) for the discovery level of your case, and the Court will set the matter on the next available date. If your case has not been set for final hearing within 1 week from submission please contact 494@co.collin.tx.us to verify the scheduling order was received. To verify if your case has been set, please go to the [Collin County](#) webpage. 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.

Adoptions and Name Changes (Adult and Minors):

All adoptions and requests for name changes must be set by you for a prove-up hearing with the Court. You must have a proposed order e-Filed prior to your hearing date.

When you are ready to set your case for final hearing, please email 494@co.collin.tx.us, and Court Staff will set the matter on the next available date.

- **Adult Name Changes:**

Please do not contact the Court to set a final hearing until you have e-Filed 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 District Clerk. To verify that the Certificate of Criminal History Record

Information is on file in your case, please go to the [Collin 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 District 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.

In addition, Texas Family Code §45.102(6) requires that a petition to change the name of an adult be verified and include “**a legible and complete set of the petitioner’s fingerprints on a fingerprint card** format acceptable to the Department of Public Safety and the Federal Bureau of Investigation.” If you have not filed a fingerprint card with the Court, your name change may not be scheduled for final hearing.

For adoption and name change forms, please visit <http://www.texaslawhelp.org>.