

MICKEY LAW GROUP

I NEED A DIVORCE, NOW WHAT?

The Initial Petition

To start the divorce process, one of the parties has to file the initial petition with the court. This document informs the court that a party is asking to be granted a legal divorce. Texas does not require a reason be stated for the divorce. If family violence is an issue, an application for a protective order should be filed at this time as well.

Serve the Other Party

Once the petition is filed, the other party has to be served with the petition and notice that his/her spouse is seeking a divorce. Service can be made via private process server or the sheriff. If the other party is aware that a divorce action has been started, they can agree to accept the paperwork from the filing party by signing a waiver of service.

File an Answer

The served party has to file an answer to the divorce petition. They will have until the Monday following 21 days after the date of service to file an answer. If an answer is not filed, the court will assume you are not contesting the divorce and can grant the other party whatever they are asking for (known as a default judgment).

Now the Real Work Begins

At this point, there are many different things that can happen. A party, or both parties, can ask the court for temporary orders. **Temporary orders** are what the court orders to happen until the final trial or a final agreement is made. Temporary orders can include orders regarding child custody, visitation, and/or support; property (who can have use of the marital home or any other real property); and finances.

Once temporary orders are in place, negotiations begin. Each side attempts to negotiate for what they want. Sometimes an agreement can be made, sometimes it can't. If an agreement is made, it is documented and the parties ask the judge to sign the final divorce decree. If no agreement is made, the parties prepare for trial and a judge or jury eventually decides everything.

Mickey Law Group's skilled family lawyers can advise and assist you with each step of the process. Let us fight for what you want and deserve! Call MLG at 713.360.7719 or click [here](#) to schedule a consultation.

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**** This is a general overview of the divorce process for informational purposes only. Each matter is different and may require different actions.**