*Print court information exactly as it appears on your final order.*

Cause Number: _____

In the interest of *(List children):*

1  Name: _____
2  Name: _____
3  Name: _____
4  Name: _____
5  Name: _____
6  Name: _____

In the _____
*Court Number*

☐ District Court ☐ County Court of:

_____ County, Texas

# Petition to Terminate Withholding for Child Support

## 1.  Discovery Level

The discovery level in this case is Level 2.

## 2.  Parties

### *Petitioner*

My name is: _____.
*(Print your first and last names.)*

I am the: *(Check one.)*

☐ The Obligor, the person ordered to pay child support under the withholding order.

☐ The Obligee, the person who receives child support under the withholding order.

My driver's license was issued in (state) _____. The last three numbers of my driver's license number are: ___ ___ ___.
***Or*** ☐ I do not have a driver's license.

The last three numbers of my social security number are: ___ ___ ___.
***Or*** ☐ I do not have a social security number.

### *Respondent*

The Respondent is: _____.
*(Print the full name of the other party in this case.)*
The Respondent is: *(Check one.)*

☐ The Obligor, the person ordered to pay child support under the withholding order.
☐ The Obligee, the person who receives child support under the withholding order.

## 3.  Jurisdiction of the Court

This Court has continuing jurisdiction of this suit and of the child/children the subject of this suit.

**4. Legal Notice to Respondent**

*(Check one).*

☐ I will have a sheriff, constable, or process server give legal notice of this case to the Respondent here:

_____
    *Street Address*                *City*                *State*             *Zip*

If this is a work address, name of business: _____

I ask the clerk to issue the citation of service. I understand that I will need to **pay the fee** (or file the form to show the Court that I am unable to pay the fee) and **arrange for service**.

☐ I will give the Respondent a file-stamped copy of this *Petition* and I think she or he will sign a Waiver of Service, or file an Answer. Do not send a sheriff, constable, or process server to give legal notice of this case to the Respondent at this time.

**5. Children**

The following children are the subject of this suit:

**CHILD 1**

               Name _____

        Date of Birth: _____    Social Security #*:*   XXX-XX-___ ___ ___ ___

**CHILD 2**

               Name _____

        Date of Birth: _____    Social Security #*:*   XXX-XX-___ ___ ___ ___

**CHILD 3**

               Name _____

        Date of Birth: _____    Social Security #*:*   XXX-XX-___ ___ ___ ___

**CHILD 4**

               Name _____

        Date of Birth: _____    Social Security #*:*   XXX-XX-___ ___ ___ ___

**CHILD 5**

               Name _____

        Date of Birth: _____    Social Security #:   XXX-XX-___ ___ ___ ___

**CHILD 6**

               Name _____

        Date of Birth: _____    Social Security #*:*   XXX-XX-___ ___ ___ ___

**6. Order in Effect**

The Court signed an Order for Withholding from Earnings for Child Support on:_____
                                                                                *month / day / year*

This order is currently in effect.

**7.     Termination of Order**

I ask the Court to terminate withholding for child support.  Withholding should be terminated because:

*(Check all reasons that apply.)*

☐  The child/children named: _____
has/have reached the age of eighteen years and is/are no longer fully enrolled in an accredited secondary school in a program leading toward a high school diploma or enrolled in courses for joint high school and junior college credit pursuant to section 130.008 of the Texas Education Code or enrolled in a private secondary school in a program leading toward a high school diploma.

☐  The child/children named: _____
is/are married.

☐  The child/children named: _____
has/have died.

☐  The child/children named: _____
has/have begun active duty in the United States armed forces.

☐  The disabilities of the child/children named: _____
have been otherwise removed for general purposes.

☐  The court has modified the child support orders and the person ordered to pay child support is no longer ordered to pay child support.

☐  The person ordered to pay child support and the person receiving child support have married/remarried each other, and no nonparent or agency has been appointed conservator of the child/children under chapter 153 of the Texas Family Code.

☐  The court has terminated the parent-child relationship between the person ordered to pay child support and the child named: _____
based on genetic testing results that determined that the person ordered to pay child support is not the child's genetic father.


**6.  Prayer**

I ask the Court grant this Petition to Terminate Withholding for Child Support.  I ask for general relief.


| | |
|---|---|
| _____ | _____ |
| *Name* | *Date* |
| → _____ | ( ____ ) _____ |
| *Signature* | *Phone* |

| | | | |
|---|---|---|---|
| _____ | | | |
| *Mailing Address* | *City* | *State* | *Zip* |


I understand that I must notify the Court, the other party, and the other party's attorney (if the other party has an attorney) in writing if my mailing address changes during these proceedings.

**WARNING: By signing this form, you give up all your legal rights in this case. Do not sign it if you want to know what will be ordered in this case.**

You can waive your right to be served, but keep your other rights, by filing an *Answer* instead. You can find an *Answer* form at www.FreeTexasForms.org with the *Termination of Withholding for Child Support Kit* forms.

Talk to an attorney, if you have any questions about this case or your legal rights.

If you decide to use this *Waiver of Service* form:

● Make sure the Petitioner has already filed an *Petitioner to Terminate Withholding for Child Support* with the court. Do not sign this *Waiver of Service* until after the *Petition* is filed and you have been given a copy. If you sign it before the *Petition* is filed, it must be redone. The official court stamp on your copy of the *Petition* will tell you when it was filed.

● Fill out the *Waiver of Service* completely. You MUST include your address.

● Sign the *Waiver of Service* in front of a notary.

● Give the *Waiver of Service* to the Petitioner or file it in the clerk's office.

Cause Number: _____

*Print court information exactly as it appears on the Petition.*

In the interest of *(List children):*

1  Name: _____
2  Name: _____
3  Name: _____
4  Name: _____
5  Name: _____
6  Name: _____

In the _____
*Court Number*

☐ District Court  ☐ County Court of:

_____ County, Texas

## Waiver of Service

**The person who signed this affidavit appeared, in person, before me, the undersigned notary, and stated under oath:**

"My name is: _____.
　　　　　　　　*First*　　　　　　　*Middle*　　　　　　　*Last*

"I am the **Respondent** in this case to terminate withholding for child support.

"The last three numbers of my driver's license number are: ___ ___ ___. My driver's license was issued in *(State)* _____.
*or* ☐ "I do not have a driver's license number.

"The last three numbers of my social security number are: ___ ___ ___.
*or* ☐ "I do not have a social security number.

"My mailing address is: _____.
　　　　　　　　　　　*Mailing Address*　　　　　　*City*　　　*State*　　*Zip*

"My phone number is: (_____) _____-_____.

"I understand I must tell the Court in writing if my mailing address or phone number changes.

"I have been given a copy of the *Petition to Terminate Withholding for Child Support* filed in this case. I have read it and understand what it says.

"I understand I have the right to be given official notice of this case by a constable, sheriff or other official process server. This process is called *issuance and service of citation*. I do not want to be given official notice of this case. I give up my right to *issuance and service of citation*.

"I enter my appearance in this case for all purposes.

"I agree that this case may be decided by a Judge or Associate Judge in the county and state where this case is filed. I do not want a court reporter to make a record of the testimony in this case.

"If I am in the military, I give up all rights, privileges, and exemptions I may have under the Servicemembers Civil Relief Act, including having a lawyer appointed to represent me in this case.

**"I also give up my right to be notified of any and all hearings in this case. I give up my right to tell the judge my side of the case.**

**"I agree that the Court may make decisions about this case without further notice to me."**

▶ _____
Respondent's signature
*Do not sign until you are in front of a Notary*

**Notary fills out below**

| |
|---|
| State of Texas, |
| County of _____ |
| *(Print the name of county where this affidavit is notarized.)* |
| Sworn to and subscribed before me, the undersigned Notary, on this date: _____ |
| by _____. |
| *(Print the first and last names of the Respondent who is signing this affidavit.)* |
| |
| I, the Notary Public, who signature appears below, certify that I am not an attorney in this case. |
| *(Notary's seal here)* ▶ _____ |
| *Notary's signature* |

Cause Number: _____

In the interest of *(List children):*                    In the _____
                                                              *Court Number*

*1   Name:* _____

*2   Name:* _____

*3   Name:* _____       ☐ District Court  ☐ County Court of:

*4   Name:* _____

*5   Name:* _____

*6   Name:* _____       _____ County, Texas


# Answer to Petition to Terminate Withholding for Child Support


1.  My name is: _____

              *First*                          *Middle*                      *Last*

    I am the **Respondent** in this case to terminate withholding for child support.

    The last three numbers of my driver's license number are: ___  ___  ___. My driver's license was issued
    in *(State)* _____.
    *or* ☐ I do not have a driver's license number.

    The last three numbers of my social security number are:  ___  ___  ___.
    *or* ☐ I do not have a social security number

2.  I enter a general denial. I request notice of all hearings in this case.

    However, if the Petitioner and I reach an agreement I will sign an *Order to Terminate Withholding for Child
    Support*.  If I have signed an *Order to Terminate Withholding for Child Support* then I agree that the Court
    can finalize the case without me and without my receiving notice of the hearing.

3.  My mailing address is: _____
                          *street address*                    *city*            *state*        *zip*

    My phone number is: (_____) _____--_____.

    I understand that I MUST notify the Court, Petitioner and Petitioner's attorney (if applicable) in writing if
    my mailing address or phone number changes during this case.  I understand that, unless I notify
    Petitioner and Petitioner's attorney (if Petitioner has an attorney) in writing of changes to my address, all
    information about this case, including the date and time of hearings, will be sent to me at the address on
    this form.

4.  I ask the Court for general relief.

    ▶ _____          _____
    *Respondent's signature*                              *Date*


## Certificate of Service

I swear that a true copy of this *Answer* was given to Petitioner and Petitioner's attorney (if Petitioner has an
attorney) in person, by fax, or by certified mail, return receipt requested.

▶ _____          _____
*Respondent's signature*                              *Date*

Cause Number: _____

In the interest of: *(List children.)*

1  *Name:* _____

2  *Name:* _____

3  *Name:* _____

4  *Name:* _____

5  *Name:* _____

In the _____
*Court Number*

☐ District Court  ☐ County Court of:

_____ County, Texas

# Order to Employer to Terminate Withholding for Support

A hearing was held today.

## 1.  Appearances

**Person Ordered to Pay Child Support:**

The person ordered to pay child support under the withholding order is:

_____.
*Print the full name of the person ordered to pay child support under the withholding order.*

*(Check one box.)*

☐  The person ordered to pay child support **was present** and has signed below agreeing to the terms of this Order.

☐  The person ordered to pay child support **was not present,** but has signed below agreeing to the terms of this Order.

**Person Receiving Child Support:**

The person receiving child support under the withholding order is:

_____.
*Print the full name of the person who received child support under the withholding order.*

*(Check one box.)*

☐  The person receiving child support was present and has signed below agreeing to the terms of this Order.

☐  The person receiving child support was not present, but has signed below agreeing to the terms of this Order.

☐  The person receiving child support waived issuance and service of citation by waiver duly filed and did not otherwise appear.

☐  The person receiving child support was duly and properly cited, but did not appear and wholly made default.

## 2. Jurisdiction

The Court, having examined the pleadings and heard the evidence and argument of counsel, finds that it has continuing, exclusive jurisdiction of this case and of all the parties and that no other court has continuing, exclusive jurisdiction.

A jury was waived, and all matters in controversy, including questions of fact and of law, were submitted to the Court.  All persons entitled to citation were properly cited.

## 3. Record

A Court reporter:

*(Check one box.)*

☐ did not record today's hearing because the parties and judge agreed not to make a record.

☐ recorded today's hearing.

## 4. Findings

*(Check all that apply.)*

☐ The child/children named: _____
has/have reached the age of eighteen years and is/are no longer fully enrolled in an accredited secondary school in a program leading toward a high school diploma or enrolled in courses for joint high school and junior college credit pursuant to section 130.008 of the Texas Education Code or enrolled in a private secondary school in a program leading toward a high school diploma.

☐ The child/children named:_____
is/are married.

☐ The child/children named: _____
has/have died.

☐ The child/children named: _____
has/have begun active duty in the United States armed forces.

☐ The disabilities of the child/children named: _____
have been otherwise removed for general purposes.

☐ The court has modified the child support orders and the person ordered to pay child support is no longer ordered to pay child support.

☐ The person ordered to pay child support and the person receiving child support have married/remarried each other, and no nonparent or agency has been appointed conservator of the child/children under chapter 153 of the Texas Family Code.

☐ The court has terminated the parent-child relationship between the person ordered to pay child support and the child named: _____
based on genetic testing results that determined that the person ordered to pay child support is not the child's genetic father.

## 5. Order

IT IS THEREFORE ORDERED that the order to withhold for child support signed in this case on _____ is terminated.

      *month / day / year*

Any employer of _____

      *Print the full name of the person ordered to pay child support under the withholding order.*

is ORDERED to cease withholding for child support no later than the first pay period following the date on which this Order to Employer to Terminate Withholding for Support is delivered to the employer.

## 6. Costs

IT IS ORDERED that costs of court are to be paid by the party who incurred them.

## 7. Relief Not Granted

IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

## 8. Date of Order

SIGNED on _____.    by _____

                                           JUDGE PRESIDING


**APPROVED AS TO FORM AND SUBSTANCE:**


_____    _____

*Signature of person ordered to pay child support under the withholding order.*    *Signature of person receiving child support under the withholding order.*