

# FILING A LAWSUIT OR DIVORCE "PRO SE"

**THE DISTRICT CLERK'S OFFICE DOES NOT SUPPLY FORMS NECESSARY TO FILE A CIVIL LAWSUIT OR A DIVORCE. WE CANNOT ASSIST YOU IN PREPARATION OF THE FORMS. WE CANNOT ASSIST YOU IN COMPLETING THE FORMS. WE CAN NOT ADVISE YOU OF WHAT DOCUMENTS TO FILE. WE ARE NOT ATTORNEY'S AND ARE LEGALLY PROHIBITED FROM GIVING LEGAL ADVICE.**

If you intend to represent yourself "Pro Se" (without the assistance of an attorney), you must have knowledge to prepare and file the necessary pleadings and present your case to the Court. The website [www.texaslawhelp.org](http://www.texaslawhelp.org) has a variety of legal forms including those for divorce. If you do not have access to a computer, you may use our lobby computer to obtain your forms. The cost is \$1.00 per page to print. Again, we are unable to give you legal advice or help you complete the necessary paperwork. When filing your lawsuit you will need to read the following.

1. Bring your Original Petition and 2 additional copies to the District Clerk's office to be filed. The Original and copies must all be single sided copies.
2. The filing fees are:
  - Original Petition.....\$350.00
  - Counterpetition or Subsequent Filing.....\$80.00
  - Citation.....\$8.00
  - Constable.....\$150.00
  - Electronic Copies.....\$.10/\$1.00 min
  - Copies.....\$1.00 per pageFor out of county service-you will be responsible for contacting the Constable or Sheriff in that County for Service.
  - **ALL FEES ARE DUE AT THE TIME OF FILING**
3. Your petition will be filed and assigned a cause number and court. **Please have this information available when contacting our office concerning your case or when filing additional documents.**
4. The District Clerk's phone number is (940) 894-2571. Our office hours are 8:00AM TO 12:00PM AND 1:00PM TO 4:45PM, Monday through Friday except on Holidays.
5. You may obtain a hearing date from the Court Administrator, Amanda Cunningham by emailing [admin@97thdistrictcourt.com](mailto:admin@97thdistrictcourt.com). You may email for a hearing date 24 hours after filing of your petition. If you are filing for Divorce, your court date will be scheduled at least 60 days from the date you filed your divorce.
6. On the day of your hearing, you will need to bring your **completed Final Order** to court with you. If your lawsuit is a divorce or custody, **you will also need to bring with you a completed BVS Form 165-Information on Suit Affecting The Family Relationship and a completed Record of Support – Form 1828 Child Support bring it if there is support being ordered.**
7. You may come to the Clerk's office on the day of your hearing and get certified copies of your Order. If you do not have a hearing, a notice will be emailed or mailed to you once the Judge has signed your Order.
8. If you are filing an Adult Name Change, you will need to submit a Criminal History and Fingerprints before your final hearing. Criminal History's can be purchased by going to the Texas Department of Public Safety website. Check with your local law enforcement agency for fingerprints.
9. You may view cases and hearings online at the website by choosing the Montague County Tab [www.97thdistrictcourt.com](http://www.97thdistrictcourt.com) and searching Online Court Records Search.