

Cause Number: _____

In the Interest of the following Minor Child(ren):

(Print the full name of each child.)

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

In the _____
Court Number

- District Court
- County Court at Law of:

_____ County, Texas

Declaration in Support of Changing Primary Custody Within One Year

(Check only one)

- I am signing this affidavit in front of a notary public.
DO NOT SIGN THIS DOCUMENT UNTIL YOU ARE IN FRONT OF A NOTARY PUBLIC.
- I am signing this document **under penalty of perjury** under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

I am filing this Declaration in Support of Changing Primary Custody within One Year in place of an affidavit as allowed by Section 132.001 of the Texas Civil Practices and Remedies Code.

1. My name is: _____
First
Middle
Last

My date of birth is: _____
Month
Day
Year

My address is: _____
Street Address
City
State
Zip
Country

My email address is: _____

2. I am 18 years of age or older and I am fully competent to make this declaration. I have personal knowledge of the facts in this declaration. The facts stated in this declaration are true and correct.

3. I am the Petitioner in this case. I am asking the Court to:

(Check all that apply)

- change the person who has the right to designate the primary residence of the child(ren).
- remove the geographic restriction on the location of this child(ren)'s primary residence.
- change the geographic restriction on the location of this child(ren)'s primary residence.

4. It has been less than one year since the Court made the current order regarding conservatorship (custody) of the child(ren).

5. I have read Texas Family Code 156.102. I believe the law allows me to file this case within one year of the current order because:
 - a) changing the person with the exclusive right to designate the primary residence of the child(ren) would be in the child(ren)'s best interest, **and**
 - b) at least one of the following statements is true: **(Check all boxes that apply below.)**
 - I am the person with the exclusive right to designate the primary residence of the child(ren).
 - the person with the exclusive right to designate the primary residence of the child(ren) has agreed to change primary custody of the child(ren).
 - the person with the exclusive right to designate the primary residence of the child(ren) has voluntarily given up primary care and possession of the child(ren) for at least 6 months. This was not due to military deployment.
 - the child(ren)'s present environment may endanger (harm) the child(ren)'s physical health or significantly harm the child(ren)'s emotional development.

6. I know this is true because: **(State specific facts that support your statements in Number 5, above. This is very important. The Court will deny your request to change custody and refuse to schedule a hearing unless the Court decides that the facts you state below are adequate to support your statements in 5, above.)**

Signature

If you **DO NOT** have access to notary public services, sign below.

My name is _____ . My date of birth is _____ .

My address is _____
street city state ZIP country

I declare **under penalty of perjury** that all information in this Declaration is true and correct.

Signed in _____ County, _____ (state),

on this date: _____
Month/ Day/ Year/



Your Signature

WARNING: Under Texas Civil Practice and Remedies Code 132.001, an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law. This provision does not apply to a lien required to be filed with a county clerk, an instrument concerning real or personal property required to be filed with a county clerk, or an oath of office or an oath required to be taken before a specified official other than a notary public. An unsworn declaration made under this section must be 1) in writing, 2) signed by the person making the declaration as true under penalty of perjury and 3) in substantially the form used above. Perjury is a crime in Texas. See Texas Penal Code 37.02 and 37.03.

If you **DO** have access to notary public services, sign below—but not until you are in front of a notary public.

Petitioner's signature

Notary fills out below

Check if applicable: This notarization was completed online.

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 _____ (date)

by _____
(Print the first and last names of the person 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