INFORMATION FOR FILING A PRO SÉ PETITION-RAINS COUNTY DISTRICT CLERK

THE DISTRICT CLERK'S OFFICE *DOES NOT* SUPPLY FORMS NECESSARY FOR FILING.
WE ARE NOT ATTORNEYS AND ARE LEGALLY *PROHIBITED* FROM GIVING ANY LEGAL ADVICE.

If you intend to represent yourself "ProSé", (without the assistance of an attorney), you must have the knowledge to prepare and file the necessary pleadings and present your cause to the Court.

We can only recommend that you consult with an attorney concerning questions regarding the law OR refer to the list of legal aid resources available at the end of this document.

PROCEDURES FOR FILING YOUR OWN CIVIL ACTION

1. Bring your **Original Petition and 2 copies** to the District Clerk's Office to be filed. If you are filing a divorce or other parent-child relationship pleading, you will also need to complete the vital statistics form. This form is available, and may be picked up, in the District Clerk's Office.

2. The filing fees may be found in the **"Filing Fees-Effective Jan 1, 2011" link *(be sure to include any citation and service fees necessary)***-Fees are due at the time of filing. If you are unsure about fees, please contact the District Clerk's Office.

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. The District Clerk's phone number is 903-473-5000 ext. 101 or ext. 102. *Failure to have your cause number will result in a $5.00 search fee pursuant to Government Code 51.318(b)(3).*

4. If your Petition is for a divorce, it must be on file at least **60 days** before a final hearing can be held. After the 60 days have expired and your paperwork is in order, you may appear before the Court to have the final decree entered.

5. If you or your spouse will be receiving child support, you must return to the District Clerk's Office and give required information to set up a child support account that will be collected and disbursed through the State Disbursement Unit in San Antonio.

6. To obtain available hearing dates for any case call the District Clerk's Office at 903-473-5000 ext 101 or ext 102. All hearing requests **must** be received in writing.

7. Report to the district courtroom and wait for the Court to call your case. **The Judge cannot assist you. You must know how to present the required elements of your case to the Judge for consideration.**

8. When you come to the courthouse annex for your final hearing, bring your completed **Order and 2 copies**, which you will submit to the Judge following your hearing for approval and signing.

9. Pursuant to the Local Court Rules dated **June 12, 1998,**
   - In **ALL** suits affecting parent-child relationship filed on or after **July 1, 1998** in Rains County, Texas, involving children under the age of 18, **all parties** shall successfully complete a seminar that addresses the issues confronting children that are the subject of divorce, custody and child support litigation. Each party is responsible for payment of the appropriate fee.
   - The seminar shall be attended within 60 days of service of the Original Petition upon the original respondent.
   - A party's failure to attend the seminar pursuant to this rule will result in contempt, sanctions, postponement of the final hearing and entry of a final decree.
   - For good cause shown, the judge may waive the attendance requirement in individual cases.
   - Information on this required seminar is available in the District Clerk's Office.

YOU MAY ALSO RECEIVE CERTIFIED COPIES OF YOUR FINAL ORDER AT THIS TIME. THE COST IS $1 PER PAGE.

THE LAW IS COMPLICATED AND CONFUSING. WE STRONGLY ENCOURAGE YOU TO SEEK LEGAL COUNSEL ABOUT YOUR CIRCUMSTANCES.

THANK YOU,
DEBORAH TRAYLOR
DISTRICT CLERK
RAINS COUNTY, TEXAS
http://www.co.rains.tx.us/ips/cms/districtcourt/districtClerk.html

LEGAL ASSISTANCE INFORMATION

www.texasatj.org (find legal assistance) www.texaslawhelp.org
www.findlaw.com www.lawinfo.com
www.selfhelpsupport.org

Texas Law Help (forms and instructions) www.texaslawhelp.org	*Individuals seeking free or low-cost legal assistance can find more information. Helps low or moderate income Texans find free legal aid programs in their communities. **Live web chat available with actual attorney during 9am-5pm**
Lawyer Referral Information Service (lawyer referral service) 800-252-9690 www.texasbar.com	* If you do not qualify for legal aid, you can contact this service to have a 30 minute consultation with an Attorney for $20.00. At the end of the consultation the Attorney will determine if they can represent you and what the cost will be. (Information obtained through State Bar of Texas website)
Self Help Support www.SelfHelpSupport.org	* Must join by providing email address; however, joining is free
Women's Advocacy Project 800-374-4673 (Domestic Violence) 800-777-3247 (Family Law) www.women-law.org	***** Information, legal advice, & referral for victims of domestic violence & general family law matters; no direct representation of clients
East Texas Crisis Center 903-595-5591 (Tyler) 800-333-0358 (Main Office) 903-675-2137 (Athens) Carla Ward www.etcc.org	* Assists with protective orders, crime victim services, and provides referrals to Lone Star Legal Aid
Lonestar Fatherhood Initiative 512-472-3237 www.fathers.org/services	* Provides free or low-cost consultations, form preparation or referrals for family law matters
Texas Father's for Equal Rights 214-953-2233 (Dallas) www.fathers4kids.org	***** Annual membership $200 fee. includes free consult w/attorneys & referrals to fee-for-service attorneys, referrals for non-custodial parents on Issues relating to child support, visitation, and parenting
Lone Star Legal Aid 800-248-0048 (Tyler) or 800-733-8394 (Main Office) www.lonestarlegal.org	***** Provides free legal assistance in a wide-range of civil matters to eligible, low-income Texans

Women in Need, Inc.

903-455-4612
3302 Stonewall Street, Greenville, TX
903-886-1224
2206 Live Oak Street #E, Commerce, TX

www.women-in-need.org

* Provides legal advocacy for survivors of domestic violence and sexual assault, particularly with obtaining protective orders and referrals to free and sliding scale legal assistance

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Legal Line-Access, Visitation & Custody Telephone Hotline

866-292-4636

www.txaccess.org

* Telephone hotline for non-custodial parents and interested parties who do not have access to legal counsel, to basic legal information, education, and resources addressing access, visitation, and custody; paternity establishment; and the child support order process—Monday-Friday 1pm-7pm

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Office of the Attorney General

800-252-8014
800-252-8011
(If requested to enter Zip Code, be sure to enter the Zip Code for the County in which your case is located)

www.oag.state.tx.us

* Provides information 24 hours a day for child support establishment and enforcement services provided by OAG; also assists in establishing paternity

Office of the Attorney General
Access & Visitation Hotline

866-292-4636
(lowest call volume is 5-7 pm)

*Provides assistance with form completion, brief consultation, simple document drafting, simple document drafting, and pro se coaching

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Texas Department of Protective and Regulatory Services

800-252-5400

www.dfps.state.tx.us/Contact_Us/report_abuse.asp

* Hotline to report child abuse or elderly neglect

Office of Consumer Affairs, Texas Department Of Family and Protective Services

800-720-7777

www.dfps.state.tx.us/contact_us/inquiries_and_complaints/default.asp

* Handles case-specific complaints relating to child protective services, adult protective services and child care licensing