

Post-Divorce Property Division Research Guide

Overview

This research guide includes information and resources on post-divorce property division. This guide discusses the division of property “not divided or awarded to a spouse in a final decree of divorce or annulment.” (*Texas Family Code §9.201*) Some of the resources will also broadly cover marital property division. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related guides: Community Property, Owelty Deeds, Partition, Receiverships, Separate Property

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Family Code

- Ch. 9 Post-Decree Proceedings, Subchapter C. Post-Decree Division of Property
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.9.htm#C>

Texas Property Code

- Ch. 23 Partition
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.23.htm>

Secondary Resources in Print

Texas Family Law Practice Manual REF KFT 1294 .T457

- Vol. 3, Ch. 61 Miscellaneous Litigation (postdivorce division of property)

Texas Litigation Guided REF KFT 1730 .T4

- Vol. 22, Ch. 364 Post-Dissolution Property Suits

Texas Practice Series REF KFT 1280 .T492

- Vol. 33, §10:27 Property undivided in decree & residuary clauses

Texas Practice Guide REF KFT 1280 .T4931

- Family Vol. 2, Ch. 7 Post-Trial Dissolution Practice §7:234 *et seq* Partition of Undivided Property

West's Texas Forms REF KFT 1268 .W47

- Vol. 16A, §3:133 *et seq* Promissory Note to Equalize Property Division

CLE Materials

Advanced Family Law Course KFT 1294 .S83

- 2020, Ch. 33 Intellectual Property Issues in Marital Property Law
- 2002 Vol. 3, Ch. 74 Enforceability of Marital Property Agreements in the Community Property States, Section X. Texas

Marriage Dissolution Institute KFT 1300 M372

- 2022 Ch. 14 This Time I'm Going to Beat You to the Truck: Property Case Law Update
- 2018 Ch. 1 Tractors, Traitors and Other Treacheries: Marital Property Case Law Update
- 2018 Ch. 10 Difficult Assets to Value
- 2018 Ch. 23 Intellectual Property Issues in Marital Property Law
- 2018 Ch. 25 The Mysteries of Family Law: 10 Must Know Procedure and Evidence Tips

Marriage Dissolution 101 KFT 1300 M3732

- 2018 Ch. 3 For Richer or Poorer: Temporary Spousal Support, Spousal Maintenance and Alimony

Online Resources

Dividing Property- Deadlines/Hiding Assets/Property Types/Retirement (available in Spanish)

<https://texaslawhelp.org/article/dividing-community-property-after-your-divorce>

Enforcing Property Division After Divorce (TexasLawHelp)

<https://texaslawhelp.org/article/enforcing-the-property-division-in-a-divorce>

Divorce and Real Estate - How To Sell, Transfer And Change (TexasLawHelp)

<https://texaslawhelp.org/article/divorce-and-real-estate#how-do-you-sell-the-house-after-the-divorce>

Property Deeds Basics (Texas Law Help)

<https://texaslawhelp.org/article/property-deed-basics>

How To Transfer A Deed

<https://legalbeagle.com/6134567-transfer-deed-texas.html>

Removing A Name From A Deed After Divorce

<https://www.texaspropertydeeds.com/removing-name-from-deed-after-divorce-texas/>

How To Change Property Title Deed

<https://www.texaspropertydeeds.com/how-to-change-name-on-property-title-deeds-texas/>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)