

Separation Agreements Research Guide

Overview

This research guide includes information and resources on separation agreements. A separation agreement is “an agreement between spouses in the process of a divorce or legal separation concerning alimony, maintenance, property division, child custody and support, and the like.” (*Black’s Law Dictionary*, 11th ed.) ***It is important to note that the state of Texas does not recognize legal separation.*** 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: Common Law Marriage, Community Property, Post-Divorce Division of Property, Separate Property

Statutes and Codes

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

Texas Family Code

- §3.410 Effect of Marital Property Agreements <https://statutes.capitol.texas.gov/Docs/FA/htm/FA.3.htm#3.410>
- Ch. 4 Premarital And Marital Property Agreements <https://statutes.capitol.texas.gov/Docs/FA/htm/FA.4.htm#B>

Secondary Resources in Print

Texas Family Law Practice Manual REF KFT 1294 .T4S7

- Vol. 3, Ch. 63 Property Agreements
 - Form 63-9 Separation Agreement

Texas Transaction Guide REF KFT 1268 .K45

- Vol. 22, Ch. 94 Postnuptial Agreements, Section D. Separation Agreement

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 22, Ch. 363 Division of Property

Texas Practice Series REF KFT 1280 .T4

- Vol. 33, §10:28 Property agreements may change rules
- Vol. 33, Ch. 11 Property Agreements Spouses

Texas Family Law Practice and Procedure REF KFT 1294 .F35

- Vol. 5, Task X4 Creating Separation Agreement

Stevenson’s Texas Legal Practice Forms REF KFT 1268 .S85

- Vol. 1, Ch. 11 Family Law Matters
 - §11:19 Marital property agreements
 - §11:20 Agreements to convert separate property to community property
 - §11:26 Form—Agreement converting community property to separate property
 - §11:27 Form—Agreement converting separate property to community property

Texas Practice Guide REF KFT 1280 .T4931

- Family Vol. 2, Ch. 7 Post-Trial Dissolution Practice

West’s Texas Forms REF KFT 1268 .W47

- Vol. 16, Ch. 2 Property Agreements

NOLO’s Essential Guide to Divorce 9th ed. REF KF 535 .Z9 D67

- Ch. 1 Getting Oriented, Separation or Divorce?, pgs. 5-10

NOLO's Legal Guide for Lesbian and Gay Couples
20th ed. REF KFT 539 .L44

- Sample Postseparation Agreement Regarding Housing, pgs. 323-324

CLE Materials

New Frontiers in Marital Property Law KFT 1297
.A75N48

- 2020 Ch. 4 The Vaccination (contains sample operating agreement regarding certain interests)

Online Resources

Alternatives To Legal Separation (Texas Law Help)
<https://texaslawhelp.org/article/alternatives-to-legal-separation-in-texas>

Separation In Texas (blog)
<https://thetexasdivorcelawyer.com/blog/separation-work-texas/>

Legal Separation Frequently Asked Questions
<https://www.divorcenet.com/resources/legal-separation-in-texas-faqs.html>

Separation Agreements
<https://familytexas.com/legal-separation-in-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)