

Remarriage & Waiver of Prohibition Against Remarriage

Sec. 6.801. REMARRIAGE.

- (a) Except as otherwise provided by this subchapter, neither party to a divorce may marry a third party before the 31st day after the date the divorce is decreed.
- (b) The former spouses may marry each other at any time.

Added by Acts 1997, 75th Leg., ch. 7, Sec. 1, eff. April 17, 1997.

Sec. 6.802. WAIVER OF PROHIBITION AGAINST REMARRIAGE.

For good cause shown the court may waive the prohibition against remarriage provided by this subchapter as to either or both spouses if a record of the proceedings is made and preserved or if findings of fact and conclusions of law are filed by the court.

Added by Acts 1997, 75th Leg., ch. 7, Sec. 1, eff. April 17, 1997.

**NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**

Cause No. _____

IN RE

§
§
§
§
§

In the District Court

_____ Judicial District

of _____ County

Petition for Waiver of Prohibition Against Remarriage

This is a suit where discovery is to be conducted under Level 2 / Level 3 *(circle one)* of Rule 190 of the Texas Rules of Civil Procedure.

This is a petition requesting the Court to waive the prohibition of Texas Family Code § 6.802, against remarriage within 30 days following a decree of divorce. The petition is filed by _____ as Petitioner.

The court has jurisdiction to hear this cause.

_____, Petitioner, is _____ years of age and was born on the _____ day of _____, _____.
Petitioner resides at _____
_____.

The Petitioner was divorced in the Cause No. _____ in the _____ District Court of _____ County, Texas. The date of the decree is the _____ of _____, 20_____. That date is less than 30 days before the filing of this petition.

The Petition requests that the Court waive the prohibition against remarriage provided by Texas Family Code, § 6.801. This request is made pursuant to Texas Family Code § 6.802.

Petitioner shall show good cause for the waiver of prohibition against remarriage.

Petitioner prays that the court waive the prohibition against remarriage.

Petitioner prays for general relief.

Respectfully submitted,



Your Signature

Date

Your Printed Name

Phone

Mailing Address

City

State

Zip

Email Address

Fax # (if any)

Cause No. _____

IN RE

§
§
§
§
§

In the District Court

_____ Judicial District

of _____ County

Findings of Fact and Conclusions of Law On Waiver for Prohibition Against Remarriage

A trial was held on the _____ day of _____, 20____. Based upon the pleading and the evidence the Court makes the following findings of fact and conclusions of law in accordance with Texas Family Code § 6.802.

FINDINGS OF FACT

Petitioner is _____. Petitioner resides in _____ County, Texas. Petitioner's age is _____. The Petitioner's date of birth is _____.

The Petitioner was divorced in cause number _____ in the _____ District Court of _____ County, Texas. The date of the decree is the _____ day of _____, 20_____.

That date is less than 30 days before the filing of this petition.

Petitioner has shown good cause for the waiver of the prohibition against remarriage because:

CONCLUSIONS OF LAW

The above facts constitute good cause for the waiver of prohibition against remarriage.

The waiver of the prohibition against remarriage is granted. The prohibition against remarriage is hereby waived and an order is signed to that effect.

SIGNED this _____ day of _____, 20_____.

JUDGE PRESIDING

_____ District Court

_____ County, Texas

Cause No. _____

IN RE

§
§
§
§
§

In the District Court

_____ Judicial District

of _____ County

Order Granting Waiver for Prohibition Against Remarriage

This case was tried on the _____ day of _____, 20_____.
_____, *pro se* petitioner, appeared in person and announced ready for trial.

The Court examined the pleadings and heard evidence. The Court finds that all prerequisites of law have been legally satisfied, and that the Court has jurisdiction of the person and subject matter of the cause. The Courts finds that Petitioner has shown good cause for the waiver of prohibition against remarriage provided by Texas Family Code § 6.802.

IT IS ORDERED that the prohibition against remarriage is waived as to
Petitioner, _____.

SIGNED this _____ day of _____, 20_____.

JUDGE PRESIDING

_____ District Court

_____ County, Texas

Courtroom Testimony for Waiver of Prohibition Against Remarriage

1. My name is _____.
2. I am the Petitioner in this case.
3. I reside at _____.
4. I am ____ years of age and was born on the ____ day of _____, ____.
5. I was divorced in cause no. _____, in the
_____ District Court of _____ County, Texas.
6. The date of the decree is the ____ of _____, 20____.
7. The date is less than 30 days before the filing of this petition.
8. The Petitioner requests that the Court waive the prohibition against remarriage
as provided by Texas Family Code § 6.802.
9. Good Cause for the waiver is as follows:

10. I am respectfully asking this Court to approve my request for the waiver of
prohibition against remarriage.