

Cause Number: _____
(Print court information exactly as it appears on the Original Petition for Divorce)

In the Matter of the Marriage of

Petitioner: _____
Print first, middle and last name of the spouse filing for divorce.

In the _____
(Court Number)

- District Court
- County Court at Law

And

Respondent: _____ County,
Print first, middle and last name of other spouse. Texas

And in the Interest of the Following Children Under 18:

1 _____ 2 _____ 3 _____
 4 _____ 5 _____ 6 _____

Rule 11 Agreement Regarding Initial Disclosures

This agreement is not effective unless it is signed by both parties and filed with the district clerk's office.

1. Petitioner

My full name is _____.

I am the Petitioner in this divorce.

I understand spouses in a divorce must usually exchange **Initial Disclosures** of the information and material described in Texas Rule of Civil Procedure 194.2.

See Exhibit A for a list of the information and material that must usually be disclosed.

By signing this Rule 11 Agreement, I agree to: (Check one.)

- a. Waive the exchange of initial disclosures: I have the information I need regarding my spouse, our children, our finances, our property, and our debts to make an informed decision regarding the terms of our divorce.
- b. Waive the exchange of some but not all information and material.

I do not waive initial disclosure of the following information and material from my spouse:

- Two most recent payroll check stubs
- Tax returns for previous two years
- Information regarding health insurance and dental insurance coverage for our child(ren)
- All statements on any retirement type plan for the past two years
- Other: _____

The due date for this information and material is: _____.

I **do** waive initial disclosure of all other information and material that must usually be exchanged.

AGREED:

→

Petitioner's Signature

Date Signed

2. Respondent completes and signs this section:

My full name is _____.

I am the Respondent in this divorce. I understand spouses in a divorce must usually exchange **Initial Disclosures** of the information and material described in Texas Rule of Civil Procedure 194.2.

See Exhibit A for a list of the information and material that must usually be disclosed.

By signing this Rule 11 Agreement, I agree to: **(Check one.)**

a. **Waive the exchange of initial disclosures.**

I have the information I need regarding my spouse, our children, our finances, our property, and our debts to make an informed decision regarding the terms of our divorce.

b. **Waive the exchange of some but not all information and materials.**

I do NOT waive initial disclosure of the following information and materials from my spouse:

Two most recent payroll check stubs

Tax returns for previous two years

Information regarding health insurance and dental insurance coverage for our child(ren).

All statements on any retirement type plan for the past two years

Other: _____

The due date for this information and materials is: _____.

I **do** waive initial disclosure of all other information and material that must usually be exchanged.

AGREED:



Respondent's Signature

Date Signed

Note: Initial Disclosure forms are available at www.TexasLawHelp.org. This Rule 11 Agreement Waiver form is adapted from a form created by Travis County Law Library. The law that governs required initial disclosures is Texas Rule of Civil Procedure 194.

Exhibit A: Initial Disclosures in a Divorce

In a divorce each spouse must make **initial disclosures** of the following information and material to the other spouse within 30 days after the filing of the first answer or general appearance UNLESS the spouses agree otherwise in a Rule 11 Agreement OR the case is exempt due to domestic violence.

- a. the correct names of the parties to the lawsuit;
- b. the name, address, and telephone number of any potential parties;
- c. the legal theories and, in general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial);
- d. the amount and any method of calculating economic damages;
- e. the name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case;
- f. a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the responding party has in its possession, custody, or control, and may use to support its claims or defenses, unless the use would be solely for impeachment;
- g. any indemnity and insuring agreements described in Rule 192.3(f);
- h. any settlement agreements described in Rule 192.3(g);
- i. any witness statements described in Rule 192.3(h);
- j. in a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills;
- k. in a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party; and
- l. the name, address, and telephone number of any person who may be designated as a responsible third party.

Each spouse must give the other spouse the following information or material **for the past two years or since the date of marriage, whichever is less**:

- m. all deed and lien information on any real property owned and all lease information on any real property leased;
- n. all statements for any pension plan, retirement plan, profit-sharing plan, employee benefit plan, and individual retirement plan;
- o. all statements or policies for each current life, casualty, liability, and health insurance policy; and
- p. all statements pertaining to any account at a financial institution, including banks, savings and loans institutions, credit unions, and brokerage firms.

If child or spousal support is at issue, each spouse must also give the other spouse:

- q. information regarding all policies, statements, and the summary description of benefits for any medical and health insurance coverage that is or would be available for the child or the spouse;
- r. the party's income tax returns for the previous two years or, if no return has been filed, the party's Form W-2, Form 1099, and Schedule K-1 for such years; and
- s. the party's two most recent payroll check stubs.