

CAUSE NO. \_\_\_\_\_

**CERTIFICATE FOR DEFAULT JUDGMENT**  
**Checklist for Personal Service or Certified Mail**

Before the court will set your default judgment, you must complete, sign, and file this form showing that you have satisfied all the prerequisites for a default judgment. Please check the Return of Service carefully for the prerequisites listed below.

**Service and Return**

- The respondent was served via personal service by an authorized person. (*TRCP 103*)
- The respondent was served via certified mail by the clerk, and the green card on file shows that the respondent personally signed for it. Respondent's signature must be legible. (*TRCP 103, 107(c)*)
- If the respondent was served outside Texas, the pleadings allege a basis for personal jurisdiction and a witness will testify at the default trial to facts that support jurisdiction. (*Tex. Fam. Code § 6.305, § 102.011, or §§ 152.201-152.204*)
- The Return of Service is file-stamped itself and not only attached to a file-stamped Citation.
- The Return of Service via personal service includes (*TRCP 107(b)*) (**every box must be individually checked**):
  - The cause number and case name;
  - The court in which the case is filed;
  - A description of what was served
  - The date and time the process was received for service;
  - The person or entity served;
  - The date of service or attempted service;
  - The manner of delivery of service or attempted service;
  - The name of the person who served or attempted to serve the process; and
  - If the person who served or attempted service is a process server certified by the Judicial Branch Certification Commission, his or her identification number and the expiration date of his or her certification.
- The answer date has passed and no answer or other appearance has been made.
- The service return is the document file-stamped and is not page 2 of a file-stamped citation and will have been on file for at least 11 days before the default judgment trial. (*TRCP 107(h)*)

[CONTINUED ON NEXT PAGE]

## Paperwork that Must be Filed Before the Court can set Hearing or Enter Judgment

- A Military Status Affidavit was filed on \_\_\_\_\_.  
(See [50 U.S.C. § 3931](#). You can use the Servicemembers Civil Relief Act website to determine the defendant's military status <https://scra.dmdc.osd.mil/>)
- A written certificate of the Respondent's last-known email address and last-known mailing address was filed on \_\_\_\_\_. (TRCP 239a)
- For a Divorce, a sworn inventory and appraisement listing all assets and liabilities was filed on \_\_\_\_\_.

## Preparing for the Default Trial

- All relief contained in the proposed default order is supported by the pleadings.
- All relief contained in the proposed default order will be supported by evidence admitted at the default trial, **including presenting a sworn inventory and appraisement as an Exhibit**.
- All parenting plans have a defined possession schedule. The Court will not sign any order where possession of a child or children is solely by agreement of the parties.
- If the proposed default order contains provisions that differ from presumptions in the Family Code, sufficient evidence will be put on at the default trial to rebut the presumptions.
- I understand that I must put on evidence to prove each of my claims and that conclusory prove-up testimony is not sufficient to support a default judgment.

SIGNED by Petitioner/Attorney: \_\_\_\_\_