

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: _____