

Information & Instructions: Affidavit of Status of Child

PREVIEW

1. The affidavit of status of a child is required when the child has no presumed father. (Texas Family Code §161.105) It may be executed by at any time after the first trimester of the pregnancy of the mother.

2. This affidavit must be signed by the mother, even if she is a minor, and witnessed by 2 credible persons, and verified before an authorized to take oaths. The affidavit must state that the mother is not and has not been married to the alleged father; that the mother and the alleged father have not attempted to marry under the laws of this state or another

state of this nation; that paternity has not been established under the laws of any state or nation, and contain one of the following as applicable: (A) the name and whereabouts of

a man alleged to the father; (B) the name of an alleged father and a statement that the affiant does not know the whereabouts of the father; (C)) a statement that an alleged

father has executed an acknowledgment of paternity under Chapter 160 [Uniform Parentage Act] and an affidavit of relinquishment of parental rights under this chapter

and that both affidavits have been filed with the court; or (D) a statement that the name of an alleged father is unknown.

3. §161.105, Texas Family Code, set out the requirements for an Affidavit of Status of Child. This affidavit is required by law if the child does not have a presumed father. The affidavit must be:

- a. signed by the mother, whether or not a minor,
- b. witnessed by two credible persons; and
- c. verified before a person authorized to take oaths.

4. The affidavit is as follows:

THANK YOU
LegalFormsForTexas.Com

a. that the mother is not and has not been married to the alleged father of the child;

PREVIEW

b. that the mother and alleged father have not attempted to marry under the laws of this state or another state or nation;

c. that paternity has not been established under the laws of any state or nation; and

d. contain one of the following, as applicable:
PLEASE DO NOT COPY

i. the name and whereabouts of a man alleged to be the father;

ii. the name of an alleged father and a statement that the Affiant does not know the whereabouts of the father;

iii. a statement that an alleged father has executed a statement of paternity under Chapter 160 and an affidavit of relinquishment of parental rights under this chapter and that both affidavits have been filed with the court; or

THIS DOCUMENT

iv. a statement that the name of an alleged father is unknown.

5. The affidavit of status of child may be executed at any time after the first trimester of the pregnancy of the mother.

THANK YOU

LegalFormsForTexas.Com

Form: Affidavit of Status of Child

PREVIEW

AFFIDAVIT OF STATUS OF CHILD

Cause Number _____

IN THE INTEREST OF:

IN THE DISTRICT COURT OF

[CHILD'S NAME],

[COUNTY NAME], TEXAS

[A CHILD]

_____ JUDICIAL DISTRICT

AFFIDAVIT OF STATUS OF CHILD
PLEASE DO NOT COPY
STATE OF [State]

COUNTY OF [Name of county]

BEFORE ME, the undersigned authority, in the presence of the two undersigned credible witnesses, on this date personally appeared [Natural mother's name], who being by me first duly sworn and placed upon her oath to tell the truth, stated and deposed that she is the natural birth mother of the child the subject of the above referenced adoption proceeding and that she is fully competent to make this affidavit of status, and that she is familiar with the matter and facts herein stated; and that the facts stated in this affidavit are true and correct. Affiant further states:

THIS DOCUMENT

“My name is [Name] and I am the natural mother of [Child's name]. I live at [residence of mother].

“The child was born on [Date] and is a [male or female] child. The child was born in [City, county & state].

THANK YOU

[or]

“My name is [Name] and I am the expectant mother of a child that I believe will be born to me or a [Mother's name] (if applicable).”

LegalFormsForTexas.Com

“I have passed my first trimester of pregnancy.

PREVIEW

“I am not now nor have I ever been married to the father of the child. We have not attempted to marry under the laws of any state or nation. We are not common law spouses of each other.

“I was not married to any man at the time of conception or during my pregnancy.

“Paternity of the child has therefore not been established under any of the laws of any state or nation.

PLEASE DO NOT COPY

[or]

“I believe the father of the child to be [Name and last known address] or [I do not know where his last known address is.]

[or]

“The father of the child is [Name and last known address]. He has signed a statement of paternity pursuant to the Texas Family Code and he has also signed an Affidavit of Renunciation of parental rights per the Texas Family Code. Both affidavits are being or have been filed with the court in this proceeding.

THIS DOCUMENT

[or]

“I do not know the identity of the probable father of the child.

[or]

“The name of the father is: [Name]. He is now deceased.”

THANK YOU

[Mother's name]

WITNESSES:

[Signature of witness]

LegalFormsForTexas.Com

[Printed name of witness]

[Street address of witness]
PREVIEW
[City, state, and zip code]

[Signature of witness]

[Printed name of witness]

[Street address of witness]

[City, state, and zip code]
PLEASE DO NOT COPY
VERIFICATION

STATE OF [State]

COUNTY OF [Name of county]

BEFORE ME, the undersigned notary public, on this day personally appeared
[mother's name], who, being by me duly sworn on her oath, deposed and said that she is the
Affiant and that she has read the foregoing Affidavit of Status of Child and that the
statements contained therein are within her personal knowledge and are true and correct.
THIS DOCUMENT

[Name of Mother signing affidavit]

Subscribed and sworn to before me on [date of execution] by [Name of Mother], and
witnessed by [printed name of witness] and [printed name of witness], known to me to be
credible and reliable witnesses.
THANK YOU

I, the undersigned notary swear that I am not an employee or relative of the
Petitioner(s) or the attorney(s) for the petitioner(s).

LegalFormsForTexas.Com

[Signature of notary]

PREVIEW Notary's typed or printed name
My commission expires: _____
[or Notary's Stamp]

PLEASE DO NOT COPY

THIS DOCUMENT

THANK YOU

LegalFormsForTexas.Com