



# THE JBSA JURIST

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## Pro Se Divorce

**What is it?** Pro se legal representation means advocating on one's own behalf before a court, rather than being represented by a lawyer. While in many divorces it is advisable to be represented by an attorney, this may not be necessary in agreed divorces in which there are no children and no significant property involved. If you qualify, the Legal Assistance Office can prepare all needed documents, including the petition, waiver of service, and final decree of divorce, and will provide detailed instructions on how and where to file, and even what to say to the judge when you present the proposed divorce decree.

**Grounds for Divorce** The most common ground for divorce in Texas is the no fault basis. This states that the marriage has become insupportable (unendurable) because of discord or conflict between the spouses that destroys the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation. While Texas allows for "fault" grounds as well, these are normally alleged in contested divorce actions, not in agreed divorces.

**Texas Residency Requirements** Before you or your spouse can file for divorce in Texas, one of you must have lived in Texas for at least the last six months and in the county where the divorce will be filed for the last 90 days. One spouse can file for divorce in Texas even if the other spouse is not a Texas resident. If you are a Texas resident who is in the military, the time you have spent outside the state is still counted toward residency in Texas, and your home county remains the same for divorce filing purposes. These residency requirements cannot be waived, so if you or your spouse haven't lived here long enough, you will have to wait to file for divorce until the requirements are met. Once you file for divorce, there is a minimum 60-day waiting period before the judge can grant the divorce. This is generally not waivable, even if both parties agree.

### **Requirements for Pro Se Divorce**

To qualify for a pro se divorce, you must meet the following requirements:

1. You do not currently have children or any children on the way.
2. You do not own any real estate.
3. You do not propose to divide pensions, retirement benefits, or other complex assets.
4. You agree on the divorce and the distribution of property.

### **Checklist for Meeting with Attorney**

If you meet the above qualifications, you might qualify for a pro se divorce. To expedite the process, bring the following information for both you and your spouse to your consultation with one of our attorneys:

1. Full Name
2. Name change (if applicable)
3. Address
4. Social Security Number
5. State and Number of Driver's License
6. Date of Marriage
7. Date when you ceased living together
8. Name on Title, Vin Number, Year, Make, and Model of car(s)
9. Joint bank account information
10. Current debt amounts and information
11. List of all financial assets and the agreed-upon division of those assets

Contact your local legal office for more information or to schedule an appointment.

**AREA DEFENSE COUNSEL**

*ADCs are experienced judge advocates outside the local chain of command to allow Airmen completely confidential legal advice for criminal and adverse matters.*

**Ft Sam Houston: DSN 471-9679**

**Lackland: DSN 473-2924/2926**

**Randolph: DSN 487-2274**

**SPECIAL VICTIMS' COUNSEL**

*SVCs are experienced, independent judge advocates who provide confidential legal advice to victims of sexual assault. They serve both restricted and unrestricted reporters, help victims understand their legal rights, and explain how the legal process works for processing sex assault claims.*

**JBSA (LAK, FSH, RND): DSN 473-4748**

**PREPARE FOR YOUR  
LEGAL ASSISTANCE APPOINTMENT**

**LOG ONTO: <https://aflegalassistance.law.af.mil>**

**Wills & Power of Attorney Powers of Attorney**

1. Click on tab "Legal Worksheets"
2. Complete worksheet for documents you wish to have created
3. Save your ticket number, then call the Legal Office for an appointment!
4. Please complete survey online

**Legal Assistance**

1. Click on tab "Legal Information"
2. If the information you are looking for is not listed, call the Legal Office for an appointment!
3. Please complete online survey!

**TO SCHEDULE AN APPOINTMENT CALL  
ONE OF THE OFFICES BELOW**

**JBSA-Ft Sam Houston**

502 FSG/JA  
2422 Stanley Road

*Legal Assistance Primarily by  
Appointment*

**Walk-in Hours**

Tues 0800-1000 All eligible clients  
Thurs 0800-1000 Active Duty only

**Notary and Powers of Attorney**

Mon-Thurs 0730-1630  
Fri 0730-1200

**DSN 420-0169  
Comm: 210-808-0169**

**JBSA-Randolph**

502 SFLSG/JA  
1 Washington Circle, Bldg 100

*Legal Assistance Primarily by  
Appointment*

**Walk-in Hours**

Tues 0900-1000 All eligible clients  
Thurs 0900-1000 Active Duty only

**Notary and Powers of Attorney**

Mon-Fri 0800-1500

**DSN 487-6781  
Comm: 210-652-6781**

**JBSA-Lackland**

502 ISG/JA  
1701 Kenly Ave, Suite 134

*Legal Assistance Primarily by  
Appointment*

**Walk-in Hours**

Wed 0830-0930 All eligible clients

**Notary and Powers of Attorney**

Mon, Tues, Thurs, Fri 0830-1530  
Wed 0830-1230

**DSN 473-3362  
Comm: 210-671-3362**



**WISDOM - VALOR - JUSTICE**