

# Citation by Posting Research Guide

## Overview

This research guide includes information and resources on citation by posting. If an individual is not able to find their spouse in a divorce without children or community property, they may be able to request a citation by posting. There is also a posting used in the probating an estate or guardianship. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

## Statutes and Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Rules of Civil Procedure

<https://www.txcourts.gov/rules-forms/rules-standards>

- Rules 109-117a, 244, 329

Texas Family Code

- §6.408 Service of Citation; §6.409 Citation by Publication  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.6.htm#E>
- § 102.010 Service of Citation by Publication  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.102.htm>

Texas Estates Code

- Ch. 51 Notices and Process in Probate Proceedings in General §51.053 Service by Posting  
<https://statutes.capitol.texas.gov/Docs/ES/htm/ES.51.htm>

## Secondary Resources in Print

**Texas Family Law Practice and Procedure REF KFT 1294.F35**

- Vol. 1, Task C4 Filing and Serving the Petition

**Texas Litigation Guide REF KFT 1730.T4**

- Vol. 24, Ch. 391 Descent and Distribution
- Vol. 24, Ch. 392 §392.110 Citation on Application for Probate of Will by Posting

**Texas Probate, Estate, and Trust Administration REF KFT 1344.T465**

- Vol. 1, Ch. 10 Initiating Probate Proceedings
- Vol. 1, Ch. 12 Admitting Wills to Probate §12.21A Citation by Posting for Probate of Will

**Texas Pretrial Practice REF KFT 1737 .T4B7**

- Vol. 1, Ch. 10 Citation and Service of Process

**Texas Civil Procedure Pretrial Litigation REF KFT 1737 .D67**

- §4.04 Service of Process

## Online Resources

Service by Posting (Texas Law Help)

<https://texaslawhelp.org/article/service-by-posting-when-you-cant-find-your-spouse-in-a-divorce-without-kids>

Serving the Initial Court Papers (Texas Law Help)

<https://texaslawhelp.org/article/how-serve-initial-divorce-papers>

Form Library (County and District Clerk's Association of Texas)

<https://www.cdcatexas.com/information/form-library>

“What is Service of Citation?”

<http://www.texascourthelp.org/civil/what-is-service-of-citation/#.Ypo8xt9OmUk>

## Legal Assistance

### Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up  
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up  
<https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)

