



SUPERIOR COURT OF CALIFORNIA

COUNTY OF TULARE

www.tulare.courts.ca.gov • (559) 730-5000

DIVORCE / LEGAL SEPARATION / NULLITY

PART 1: PETITION & FINANCIAL DISCLOSURES

Forms included in this packet:		
READ	This packet	Instructions
	FL-107-INFO	Legal Steps for a Divorce or Legal Separation
FILE	FL-110	Summons (Family Law)
	FL-100	Petition for Dissolution (Divorce) / Legal Separation / Nullity
FILE IF THERE ARE MINOR CHILDREN	FL-105 / GC-120	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
	FL-105(A) / GC-120(A)	Attachment to UCCJEA
SERVE ON SPOUSE	FL-140	Declaration of Disclosure
	FL-150	Income and Expense Declaration
	FL-160	Property Declaration
	FL-142	Schedule of Assets and Debts
SERVE ON SPOUSE (LEAVE BLANK)	FL-120	Response
FILE AFTER SERVICE	FL-115	Proof of Service of Summons
	FL-330	Proof of Personal Service
	FL-335	Proof of Service by Mail
	FL-141	Declaration Regarding of Service of <i>Declaration of Disclosure</i> and <i>Income and Expense Declaration</i>

Divorce / Legal Separation / Nullity: Part 1

Completing Forms:

Fillable, printable PDF versions of the Judicial Council forms contained in this packet are available online at: <https://courts.ca.gov/rules-forms/find-your-court-forms>. You can type the forms and print them out for filing.

You can also use LawHelp Interactive, which is a free website that helps you fill out legal documents based on your answers to a series of questions. Details are available at: <https://lawhelpinteractive.org/Interview/GenerateInterview/5457/engine>

Self-Help Resource Center:

If you do not have an attorney representing you, free assistance is available. Please contact the Self-Help Resource Center, also known as the Office of the Family Law Facilitator. The Self-Help Resource Center will provide instructions on how to complete the forms and how to properly serve notice on all the necessary parties. Staff can answer your procedural questions and explain the court process but **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The Self-Help Resource Center can be reached at (559) 737-5500 and selfhelp@tulare.courts.ca.gov, and offices are located at:

- County Civic Center: 221 S. Mooney Blvd., Room 203, Visalia CA 93291
- South County Justice Center: 300 E. Olive Ave., Porterville, CA 93257

Other Resources:

If you have further questions or concerns, you may wish to consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct self-research at:

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
 - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available in the Self-Help Resource Center in the South County Justice Center.
- Sacramento County Public Law Library: <https://saclaw.org/>

INSTRUCTIONS

This packet, entitled **Divorce / Legal Separation / Nullity – Part 1: Petition and Financial Disclosures**, provides instructions for 1) starting your dissolution (*divorce*), legal separation, or nullity case, and 2) serving your spouse with the required financial disclosures. The difference between divorce and legal separation is that divorce ends the marriage and legal separation does not. Additionally, there is a 6-month waiting period before your divorce can be finalized, but there is no waiting period for legal separation.

Nullity: An annulment (*or nullity*) is when a judge says in a court order that your marriage or domestic partnership is not legally valid, because something was legally wrong with the marriage from the start. If you get an annulment, it's as if your marriage never happened because it was never legal in the first place. Even if you and your spouse agree to the annulment, you will have to go in front of a judge to explain why your marriage was not valid. There are only certain legal reasons why a marriage can be annulled, for example: incest, fraud, or your spouse was married to someone else at the time of marriage. *A very short marriage is **NOT** a legal reason for an annulment.* The forms in this packet may be used to start the nullity process.

Before you begin completing forms, carefully read **Legal Steps for a Divorce or Legal Separation (FL-107-INFO)**, which provides an overview of the process. You are not legally divorced or legally separated until the court enters a judgment in your case. After completing the steps in this packet, refer to the packet, entitled **Divorce / Legal Separation / Nullity – Part 2: Judgment**, for an explanation of next steps.

STEP 1: COMPLETE THE FORMS

To start the divorce, legal separation, or nullity process, complete the following forms:

FL-110 – Summons (Family Law)

The **Summons** tells your spouse that you've started a court case and that they have 30 days to respond. Page 2 of this form has important information about the restraining orders that are effective against both spouses once the **Summons** is filed. These include restraints on giving away or hiding money and property, changing insurance beneficiaries, taking the children you have with your spouse out of state, or getting the children a new passport.

- **Top of Page 1:** Your Spouse is the *Respondent*, and you are the *Petitioner*.
- **Bottom of Page 1:**
 - Item 1: Enter the name and address of the court in Visalia or Porterville, where you intend to file your documents:
 - County Civic Center, 221 S. Mooney Blvd., Visalia, CA 93291
 - South County Justice Center, 300 E. Olive Ave., Porterville, CA 93257
 - Item 2: Enter your name, address and telephone number.

FL-100 – Petition for Dissolution / Legal Separation / Nullity

The ***Petition*** asks for basic information about your marriage and the types of orders you want the court to make, such as child support, spousal support, and property control.

- **Top of Page 1:** Enter your name, address and telephone number, plus court address. You are the *Petitioner*, and your spouse is the *Respondent*.
 - Mark the box for *Dissolution (Divorce)*, *Legal Separation*, or *Nullity*, and the box for *Marriage and/or Domestic Partnership*.
- **Item 1:** Mark the boxes that apply to your relationship.
- **Item 2:** Mark the boxes that indicate you satisfy the residency requirements for filing.
 - Note: These residency requirements do not apply to annulments; you just need to live in California when you file.
- **Item 3:** Provide statistical facts of the relationship, including date of marriage/registration, date of separation, and length of the relationship in terms of years and months.
- **Item 4:** Check the box that applies to you. If you have minor children with your spouse, add the child's name, date of birth, and age.
 - If you marked 4(b), you must attach form ***Declaration Under UCC/JEA (FL-105/GC-120)***, explained in more detail below.
 - Mark (e) if you and your spouse signed a Voluntary Declaration of Parentage (VDOP) for any children born prior to the marriage. To obtain a copy of the VDOP, go to <https://parentage.dcss.ca.gov/>. Attach the VDOP to the ***Petition***.
- **Item 5:** Mark the legal grounds for the divorce, legal separation, or nullity.
- **Item 6:** Mark the box for the orders you are requesting related to custody and visitation.
 - Legal custody refers to the right to make decisions about a child's health, education, and welfare.
 - Joint legal custody means the parents share these decision-making responsibilities regarding the children.
 - Physical custody refers to the actual time a child spends with a parent.
 - Joint physical custody means that each parent has significant periods of physical custody. This does not necessarily mean that the parents will share equal time, but assures that the child has frequent and continuing contact with both parents.
- **Item 7(d):** Mark this box if you are requesting other child support orders not listed in (a) through (c).
- **Item 8:** Mark the box for the orders you are requesting related to spousal support.
- **Items 9 & 10:** Enter details on separate and community property, and community debts.
 - You may attach a ***Property Declaration (FL-160)***. See **Step 4** for definitions of separate and community property, and for more information about form FL-160.
 - If you haven't identified the separate property, community property, and community debts, you may enter "*To be determined*".
- **Item 11(b):** If you changed your name when you got married and want to change it back, enter your maiden name here.
- **Bottom of page 3:** Date, print your name, and sign.

FL-105/GC-120 – Declaration Under *Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA)

Complete this form if you have minor children (*under age 18*) with your spouse. This form tells the court where your children were born, who they live with, and if there are any other court cases involving them.

- **Top of Page 1:** Enter your name, address and telephone number, plus court address. You are the *Petitioner*, and your spouse is the *Respondent*.
- **Item 1:** Mark the box indicating you are a party in the case.
- **Item 2:** Enter the number of children you have with your spouse, then list each child's name, date of birth, and place of birth, starting with the oldest child first. If you have five or more children, attach an additional page with the requested information.
- **Item 3:** Children's address history
 - Mark (a) if there is only one child with your spouse, or if all the children listed in Item 2 lived together for the past 5 years.
 - List the dates of residence, city/state, the person the child(ren) lived with, and their relationship to the child(ren).
 - If you need additional space for more addresses, attach an additional page with the requested information.
 - Mark (b) if there is more than one child and all the children listed in Item 2 have **not** lived together for the past 5 years. You will then complete the ***Attachment to Declaration Under UCCJEA FL-105(a)/GC-120(A)***, described below.
- **Items 4 through 6:** Enter information about custody and visitation proceedings, domestic violence or protective orders that are in effect, and any persons not a party to the proceeding that have physical custody or visitation with any child in the case.
- **Item 7:** Indicate the number of attached pages.
- **Bottom of Page 2:** Date, print your name, and sign.

FL-105(a)/GC-120(A) – Attachment to Declaration Under *Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA).

If you marked Item 3(b) on form **FL-105**, complete this attachment form which asks for the residency information for each child. Make copies of this form as needed for additional children.

Need a temporary order while your case is pending?

Once the ***Summons*** and ***Petition*** are filed to start your divorce / legal separation / nullity case, either party can ask the judge to make temporary orders prior to entry of judgment. For example, you can ask for child custody and visitation orders or support orders (*child, family, or spousal*) by filing a ***Request for Order (FL-300)***. This form may be found on the Judicial Council website (see *URL on page 2 of this packet*), and a packet is available at the Clerk of Court. You may file your ***Request for Order*** at the same time that you file your ***Summons*** and ***Petition***.

STEP 2: FILE THE FORMS

Make two copies of the **Summons** and **Petition** (and if applicable, the **UCCJEA** and **Request for Order**). Take the originals and copies to the Clerk of Court for filing, located inside the courthouses in Visalia and Porterville, at:

- County Civic Center: 221 S. Mooney Blvd., Room 201, Visalia, CA 93291
- South County Justice Center: 300 E. Olive Ave., Porterville, CA 93257

The Clerk of Court will file the original forms and return your filed copies. One copy is for your records, and the other copy is to be served on your spouse. A Case Management Conference (CMC) hearing will be set approximately 120 days out, where the court will check on the progress of your case. The CMC hearing date will be stamped on the first page of your **Petition**. In a nullity case, the court will likely set a prove-up hearing at the CMC hearing.

Fees: There is a \$435.00 filing fee for divorce, legal separation, and nullity cases. If you cannot pay the filing fee, ask the Clerk of Court for a Fee Waiver Packet, which includes a **Request to Waive Court Fees (FW-001)** and **Order on Court Fee Waiver (Superior Court) (FW-003)**. Complete the fee waiver forms, make one copy for your records, and present them at the time of filing for the fee to be excused.

STEP 3: SERVE YOUR SPOUSE

Your divorce / separation / nullity case **cannot** proceed until your spouse has been served. “Service” means someone 18 years or older, other than you, will provide the forms to your spouse (*this person is called the server*).

The server will serve your spouse the following documents that you filed (*Fee Waiver forms do not need to be served*):

- **FL-110** – Summons (Family Law)
- **FL-100** – Petition for Dissolution / Legal Separation / Nullity
- **FL-105/GC-120** – Declaration Under UCCJEA (*if you have children with your spouse*)
- **FL-300** – Request for Order (*if requesting temporary orders*)

The server will also serve your spouse with the following BLANK forms:

- **FL-120** – Response
- **FL-105/GC-120** – Declaration Under UCCJEA (*if you have children with your spouse*)
- **FL-320** – Responsive Declaration to Request for Order (*if requesting temporary orders*)

After service has been accomplished, the server must complete and sign the **Proof of Service of Summons (FL-115)**, stating when and where your spouse was served, what documents were provided, and the method of service (*in person or by substituted service*). Take the original plus one copy of the **Proof of Service of Summons** to the Clerk of Court for filing.

Service through the Sheriff's Office: You can request that the Sheriff serve the documents for you. The Sheriff charges a fee, but this is waived if you were granted a Fee Waiver. Make additional copies for the Sheriff if you are asking them to serve your spouse. If the Sheriff served your forms, they will complete and file the **Proof of Service**. Go to the Sheriff's Civil Services Unit for more information, located at Room 102 of the County Civic Center.

STEP 4: FINANCIAL DISCLOSURES

Financial disclosure, or sharing information about your finances with your spouse, is a requirement for getting a divorce, legal separation, or nullity. The required forms provide space to show your earnings, expenses, debts, and assets. You will need your tax returns from the last 2 years, proof of income for the past 2 months (*for example, pay stubs*), and any documents that show what you own (*property/assets*) and what you owe (*debts*). You may also need documents such as mortgage statements, bank account statements, the deed/title to your house or car, credit card statements, and retirement account statements (*pension, 401k, IRA*). For nullity cases, a judge can only divide property or order spousal support if one of you thought your marriage was legal.

You and your spouse will use this information to divide your property and debts equally and make decisions about child and spousal support. Being upfront and truthful can make it easier to work out an agreement with your spouse. If you hide information, you run the risk of losing property and/or being ordered to pay the other party's attorney's fees. Complete the following forms, which will be served on your spouse:

- **FL-140** – Declaration of Disclosure
- **FL-150** – Income and Expense Declaration
- **FL-160** – Property Declaration (or **FL-142** – *Schedule of Assets and Debts*)

Tip: You must serve your spouse with your financial disclosures within 60 days of filing the **Summons** and **Petition**, but you can serve your spouse with everything at the same time. If so, mark the boxes for the additional documents that were served at item 1(d) of the **Proof of Service of Summons (FL-115)**. If your financial disclosures are served later, the server will need to complete a separate Proof of Service form (see **Step 5**).

FL-140 – Declaration of Disclosure

The **Declaration of Disclosure** is a cover sheet for the financial documents you'll share with your spouse. It is served on your spouse but is **NOT** filed with the court. Carefully read the instructions in the middle of the page and gather the documents for Items 1 through 6.

- **Top of Page 1:** Enter your name, address and telephone number, plus court address. You are the *Petitioner*, and your spouse is the *Respondent*. Mark the box for **Petitioner** and **Preliminary**, and add the court case number if one has been assigned to you.

- **Item 1:** Mark the box that you are attaching either the ***Schedule of Assets and Debts (FL-142)*** or the ***Property Declaration (FL-160)***. See below for details about these forms.
 - If you do not have any assets or debts, do not mark the box for Item 1. Instead, you may enter “*No community property or debts*”.
- **Item 2:** Mark this box indicating that you are attaching a completed ***Income and Expense Declaration (FL-150)***. See below for details.
- **Item 3:** Mark this box indicating that you are attaching the last two years of tax returns.
- **Items 4 & 5:** Mark the box indicating that you are attaching a statement regarding the value of all assets that are community property or where the community has an interest, and a statement regarding obligations for which the community is liable.
 - If your assets and debts are listed on the ***Schedule of Assets and Debts*** or ***Property Declaration***, you may enter “*See Item 1*”.
 - If you do not have any assets or debts, you may enter “*No such assets*” and “*No such debts*”.
- **Item 6:** Mark the box indicating that you are attaching a written disclosure of any business or investment opportunities since the date of separation, which stem from opportunities from the date of marriage to the date of separation.
 - If none, you may enter “*No opportunity has arisen.*”
- **Bottom of page:** Date, print your name, and sign.

FL-150 – Income and Expense Declaration

The ***Income and Expense Declaration*** must be **served** on your spouse in all cases of divorce, legal separation, or nullity. Additionally, it must be **filed** if you have minor children or are seeking spousal support. Be sure to complete each line. If you do not have certain income or expenses, you may enter “\$0” or “N/A”.

Note: You **must attach** copies of your last two months of pay stubs to the ***Income and Expense Declaration*** (see boxed text under Item 1 and bolded text at top of Page 2).

- **Top of Page 1:** Enter your name, address and telephone number, plus court address. You are the *Petitioner*, and your spouse is the *Respondent*. Add the court case number.
- **Items 1 through 4:** Enter details regarding your employment, age, education, tax filing information, and the other party’s income.
- **Bottom of Page 1:** Date, print your name, and sign.
- **Items 5 through 11:** Enter information about your income from all sources, any deductions, and any assets.
- **Item 12:** Enter the names of all people who live with you. Provide their age, relationship, income, and whether they contribute to your household’s expenses.
- **Item 13:** Enter information on the household expenses that you pay.
 - Mark the appropriate box for estimated or actual expenses, or proposed needs.
- **Item 14:** Enter information about any installment payments or debts not listed in Item 13, such as car payments, credit card bills, court fines, student loans, etc.
- **Item 15:** Enter information about Attorney’s fees.

- **Page 4: Child Support Information.** Complete items 16 through 20 only if your case involves child support.
 - **Item 16:** Enter the number of children you share with the other parent in the case and specify the parenting schedule.
 - **Items 17 through 19:** Enter information about the children’s healthcare or other expenses, and any special hardships you are facing.
 - If you have children from another relationship in your home, list their names and ages. Indicate whether these children are with you full time or if physical custody is shared with the child’s other parent.
 - **Item 20:** Use this space to add any other information you want the court to know concerning child support.

FL-160 – Property Declaration

If you have separate property, community property, or community debts, complete the **Property Declaration**. If you have both community property and separate property, you must file separate **Property Declaration** forms for each type. Property must be classified as separate property, community property, or quasi-community property, to determine each spouse’s rights and liabilities with respect to a particular asset or debt. This is an important first step towards the division of property and debts. Although you are only required to list the assets and debts on this form, you must **serve** your spouse with copies of deeds, title documents, and the most current account statements. Pages 1 and 2 are for assets, page 3 is for debts, and page 4 provides instructions on how to complete this form. Property is defined as follows:

- Separate property is property owned by one spouse, and is any property acquired:
 - before marriage,
 - by gift or inheritance,
 - after the date of separation, and
 - after entry of a judgment of legal separation of the parties.
- Community property is real and personal property, acquired by a married person from the date of marriage to the date of separation. This includes retirement accounts.
 - Community property does not belong to either spouse individually.
- Quasi-community property is property that is owned outside of California that would be community property if it were located in California.

FL-142 – Schedule of Assets and Debts

Instead of filing the **Property Declaration**, you may file a **Schedule of Assets and Debts**. The forms are similar in that they both provide space to list your assets and debts. The difference is that the **Property Declaration** can be filed with the court without attachments of financial documents (*these are served on your spouse*), while the **Schedule of Assets and Debts** requires the attachment of financial documents, but is not filed with the court.

STEP 5: SERVICE & DECLARATION FORM FL-141

Service of financial disclosure forms

Have your spouse served with the financial disclosure forms you completed in **Step 4**:

- **FL-140** – Declaration of Disclosure
- **FL-150** – Income and Expense Declaration
- **FL-160** – Property Declaration (or **FL-142** – *Schedule of Assets and Debts*)

Be sure to serve your spouse with blank forms of each plus a blank **Proof of Service by Mail (FL-335)**. This way your spouse can complete their financial disclosures. After your spouse has been served, the server must complete the appropriate **Proof of Service** form, adding details on what documents were served, and when and how they were delivered. The server will date, print their name, and sign either the **Proof of Personal Service (FL-330)** or **Proof of Service by Mail (FL-335)**. Take the original **Proof of Service** and one copy to the Clerk of Court for filing.

Note: If your financial disclosures were served with the initial **Summons** and **Petition**, the server will need to mark the appropriate boxes on the **Proof of Service of Summons (FL-115)**.

FL-141 - Declaration Regarding of Service of Declaration of Disclosure and Income and Expense Declaration

Form FL-141 tells the court that you've complied with the financial disclosure requirement. This form **must be filed** to allow the court to proceed to judgment. Take the original FL-141 plus one copy to the Clerk of Court for filing.

- **Top of Page:** Enter your name, address and telephone number, plus court address. You are the *Petitioner*, and your spouse is the *Respondent*. Mark the box for **Petitioner's** and **Preliminary**, and add the court case number.
- **Item 1:** Mark the box for *Petitioner*.
- **Item 2:** Mark the box for *Petitioner*, and the appropriate box for how service was completed (*on your spouse or their attorney, and whether in person or by mail*). Add the date of service.
- **Items 3 & 4:** Leave blank.
- **Bottom of page:** Date, print your name, and sign.

STEP 6: WAIT 30 DAYS FOR RESPONSE

Your spouse has 30 days to file their **Response**, starting from the date they were served with the **Summons** and **Petition**. You must wait to see how they will respond before taking further steps towards preparing the judgment. You are not legally divorced or legally separated until the court enters a judgment in your case. Refer to the packet entitled, **Divorce / Legal Separation / Nullity – Part 2: Judgment**, for an explanation of next steps.

STEP 1. Start Your Case

- The **petitioner** (the person who files the first divorce or legal separation forms with the court) fills out and files with the court clerk at least a *Petition—Marriage/Domestic Partnership* (form FL-100) and a *Summons* (form FL-110) and, if there are children of the relationship, a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (form FL-105).
- The forms needed to start your case and information about filing fees and fee waivers are available at “Filing Your Case,” at courts.ca.gov/filing.
- The court clerk will stamp and return copies of the filed forms to the **petitioner**.



STEP 2. Serve the Forms

- **Someone 18 or older**—not the **petitioner**—serves the spouse or domestic partner (called the **respondent**) with all the forms from Step 1 plus a blank *Response—Marriage/Domestic Partnership* (form FL-120) and files with the court a proof-of-service form, such as *Proof of Service of Summons* (form FL-115), telling when and how the respondent was served. (To *serve* means “to give in the proper legal way.”) For more information, see “Serving Your First Set of Court Forms” at courts.ca.gov/filing.
- The **respondent** has 30 days to file and serve a *Response*. So, the **petitioner** must wait 30 days before starting Step 4.



STEP 3. Disclose Financial Information

- At the same time as Step 1 or within 60 days of filing the *Petition*, the **petitioner** must fill out and have these documents served on the **respondent**: *Declaration of Disclosure* (form FL-140), *Income and Expense Declaration* (form FL-150), *Schedule of Assets and Debts* (form FL-142) or *Property Declaration* (form FL-160), and all tax returns filed by the party in the two years before serving the disclosure documents. These disclosure documents are not filed with the court.
- If the **respondent** files a *Response*, he or she must also complete and serve the same disclosure documents on the **petitioner** within 60 days of filing the *Response*.
- The 60-day time frame for serving the disclosures may be changed by written agreement between the parties or by court order.
- The **petitioner** and **respondent** each file a *Declaration Regarding Service* (form FL-141) with the court saying disclosures were served. If the **respondent** does not serve disclosures, the **petitioner** can still finish the case without them. For more information, see “Fill Out and Serve Your Financial Declaration of Disclosure Forms” at courts.ca.gov/filing (click on Step 4).



STEP 4. Finish the Divorce or Legal Separation Case in One of Four Ways



Respondent does not file a *Response* (called “default”)



No *Response* and NO written agreement:

Petitioner waits 30 days after Step 2 is complete and prepares a proposed *Judgment* (form FL-180), together with all other needed forms. See “True Default Case” at courts.ca.gov/truedefault.

No *Response* BUT written agreement:

Petitioner attaches the signed and notarized agreement to the proposed *Judgment* (form FL-180), together with all other needed forms. See “Default Case with Written Agreement” at courts.ca.gov/defaultagree.

Response AND written agreement:

Either party files *Appearance, Stipulations, and Waivers* (form FL-130) and the proposed *Judgment* with written agreement attached and other needed forms. See “Uncontested Case” at courts.ca.gov/uncontested.

Response and NO agreement:

Parties must go to trial to have a judge resolve the issues. See “Contested Case” at courts.ca.gov/contested.

IMPORTANT NOTICES

- The earliest you can be divorced is six months and one day from one of these three dates (whichever occurs first): (1) the date Respondent was served with the *Summons* (form FL-110) and *Petition* (form FL-100), (2) the date the *Response* (form FL-120) was filed, or (3) the date *Appearance, Stipulations, and Waivers* (form FL-130) was filed. Legal separation has no waiting period. You are NOT divorced or legally separated until the court enters a *Judgment* in your case.
- If you need court orders for child support, custody, parenting time (visitation), spousal or partner support, restraining orders, or other issues, file a *Request for Order* (form FL-300) asking for temporary orders. See “Request for Order Information” at courts.ca.gov/divorcerequests for more information.
- Annulments: See courts.ca.gov/annulment for information about annulments.
- You must keep the court and the other party informed of any change in your mailing address or other contact information. File and serve a *Notice of Change of Address or Other Contact Information* (form MC-040) on the other party or his or her attorney to let them know about the change in your contact information.



Do you have a registered domestic partnership? The process for a divorce or legal separation of a domestic partnership is the same as on page 1. For information about ending your domestic partnership in the superior court, see courts.ca.gov/filing. To find out if you are eligible to end your domestic partnership through the Secretary of State, see courts.ca.gov/summdissodp. Note: There may be differences in federal taxes and other issues for domestic partnerships. Seek advice from an attorney experienced in domestic partner law.

What if you want a legal separation? The process on page 1 is the same, except you will **NOT** get a *Judgment* for legal separation unless both parties agree to a legal separation OR if **respondent** has not filed a *Response*. If both parties agree to be legally separated but do not agree on other issues, the parties must go to trial to have a judge resolve those issues. You are **NOT** legally separated until you receive a *Judgment* signed by the court. For more information, see “Legal Separation” at courts.ca.gov/legalseparation. AFTER the court enters a judgment for legal separation, if you decide you want a divorce, you must start a new case to request a divorce and pay another filing fee.

Getting help to resolve divorce or legal separation cases

You may prefer to resolve some or all of the issues in your divorce or legal separation case without having the court decide for you. You and your spouse or domestic partner can put your agreement in writing and file it in your case. But your agreement must follow all legal requirements.

Court Services

- **Family Law Facilitators and Self-Help Centers** help with court forms and instructions. They can provide samples of agreements and other information and, in some cases, help with mediation.
- **Family Court Services.** If you and the other parent already have a family law case and have filed a *Request for Order* (form FL-300) seeking orders about child custody and visitation (parenting time), the court will refer you to Family Court Services. They provide child custody mediation or child custody recommending counseling to try to help you both make a parenting plan that is in the best interest of your child. Note: They cannot help with financial issues.
- **Settlement Conferences.** An informal process in which a judge or an experienced lawyer meets with the parties and their lawyers to discuss the case and their positions and suggests a resolution. The parties can either agree to the suggestions or use the suggestions to help in further settlement discussions.

Private services (which you can hire to help you resolve your case):

- **Lawyers.** Also called attorneys, lawyers can help work out agreements between the parties and represent you at court hearings and trials.
- **Collaborative Lawyers.** Lawyers who represent each party but do not go to court. They try to reach an agreement. If court is necessary, the parties must hire new lawyers.
- **Mediators.** A lawyer or counselor who helps the parties communicate to explore options and reach a mutually acceptable resolution.

Where can I get help?

This information sheet gives you only basic information on the divorce or legal separation and is not legal advice. If you want legal advice, ask a lawyer for help. You may also:

- Contact the family law facilitator or self-help center in your court for information, court forms, and referrals to local legal resources. For more information, see courts.ca.gov/courtresources.
- Find a lawyer through a certified lawyer referral service on the State Bar of California's website: calbar.ca.gov/LRS or by calling 866-442-2529 (toll-free).
- Hire a private mediator. For more information about court and private services, see courts.ca.gov/selfhelp-adr.htm.
- Find information on the California Courts Online Self-Help Center website: courts.ca.gov/selfhelp.
- Find free and low-cost legal help (if you qualify) at lawhelpcalifornia.org.
- Find information at your local law library or public library.

What if there is domestic violence?

If there is domestic violence or a protective or restraining order, talk to a lawyer, counselor, or mediator before making agreements.

For domestic violence help, call the National Domestic Violence Hotline: 800-799-7233; TDD: 800-787-3224; or 211 (if available in your area).

SUMMONS (Family Law)

CITACIÓN (Derecho familiar)

NOTICE TO RESPONDENT (Name):

AVISO AL DEMANDADO (Nombre):

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

You have been sued. Read the information below and on the next page.
Lo han demandado. Lea la información a continuación y en la página siguiente.

Petitioner's name is:

Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):

You have **30 calendar days** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-120) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.

If you do not file your *Response* on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs.

For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), at the California Legal Services website (www.lawhelpca.org), or by contacting your local county bar association.

Tiene **30 días de calendario** después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales.

Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio web de los Servicios Legales de California (www.lawhelpca.org) o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE—RESTRAINING ORDERS ARE ON PAGE 2:

These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

AVISO—LAS ÓRDENES DE RESTRICCIÓN SE ENCUENTRAN EN LA PÁGINA 2:

Las órdenes de restricción están en vigencia en cuanto a ambos cónyuges o miembros de la pareja de hecho hasta que se despidan la petición, se emita un fallo o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.

[SEAL]

1. The name and address of the court are (El nombre y dirección de la corte son):
2. The name, address, and telephone number of the petitioner's attorney, or the petitioner without an attorney, are: (El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son):

Date (Fecha):

Clerk , by (Secretario, por) _____ , Deputy (Asistente)

STANDARD FAMILY LAW RESTRAINING ORDERS

Starting immediately, you and your spouse or domestic partner are restrained from:

1. removing the minor children of the parties from the state or applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

NOTICE—ACCESS TO AFFORDABLE HEALTH

INSURANCE: Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.

WARNING—IMPORTANT INFORMATION

California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

ÓRDENES DE RESTRICCIÓN ESTÁNDAR DE DERECHO FAMILIAR

En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:

1. llevarse del estado de California a los hijos menores de las partes, o solicitar un pasaporte nuevo o de repuesto para los hijos menores, sin el consentimiento previo por escrito de la otra parte o sin una orden de la corte;
2. cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);
3. transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, excepto en el curso habitual de actividades personales y comerciales o para satisfacer las necesidades de la vida; y
4. crear o modificar una transferencia no testamentaria de manera que afecte la asignación de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.

Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto por lo menos cinco días hábiles antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado que lo ayude o para pagar los costos de la corte.

AVISO—ACCESO A SEGURO DE SALUD MÁS ECONÓMICO:

¿Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir el costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite www.coveredca.com. O llame a Covered California al 1-800-300-0213.

ADVERTENCIA—INFORMACIÓN IMPORTANTE

De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PETITION FOR <input type="checkbox"/> Dissolution (Divorce) of: <input type="checkbox"/> Legal Separation of: <input type="checkbox"/> Nullity of:	<input type="checkbox"/> AMENDED <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership
	CASE NUMBER:

1. **LEGAL RELATIONSHIP** *(check all that apply):*
 - a. ☐ We are married.
 - b. ☐ We are domestic partners and our domestic partnership was established in California.
 - c. ☐ We are domestic partners and our domestic partnership was NOT established in California.
2. **RESIDENCE REQUIREMENTS** *(check all that apply):*
 - a. ☐ Petitioner ☐ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*. *(For a divorce, unless you are in the legal relationship described in 1b., at least one of you must comply with this requirement.)*
 - b. ☐ Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.
 - c. ☐ We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This *Petition* is filed in the county where we married.
 Petitioner lives in *(specify):* Respondent lives in *(specify):*
3. **STATISTICAL FACTS**
 - a. ☐ (1) Date of marriage *(specify):* (2) Date of separation *(specify):*
 (3) Time from date of marriage to date of separation *(specify):* Years Months
 - b. ☐ (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent *(specify below):*
 (2) Date of separation *(specify):*
 (3) Time from date of registration of domestic partnership to date of separation *(specify):* Years Months
4. **MINOR CHILDREN**
 - a. ☐ There are no minor children.
 - b. ☐ The minor children are:

Child's name
Birthdate
Age

- (1) ☐ continued on Attachment 4b.
 - (2) ☐ a child who is not yet born.
- c. If any children listed above were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.
- d. If there are minor children of Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
- e. ☐ Petitioner and Respondent signed a voluntary declaration of parentage or paternity. *(Attach a copy if available.)*

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Petitioner requests that the court make the following orders:

5. LEGAL GROUNDS (Family Code sections 2200–2210, 2310–2312)

- a. ☐ Divorce or ☐ Legal separation of the marriage or domestic partnership based on (*check one*):
 (1) ☐ irreconcilable differences. (2) ☐ permanent legal incapacity to make decisions.
- b. ☐ Nullity of void marriage or domestic partnership based on
 (1) ☐ incest. (2) ☐ bigamy.
- c. ☐ Nullity of voidable marriage or domestic partnership based on
 (1) ☐ petitioner's age at time of registration of domestic partnership or marriage. (4) ☐ fraud.
 (2) ☐ prior existing marriage or domestic partnership. (5) ☐ force.
 (3) ☐ unsound mind. (6) ☐ physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)

- a. Legal custody of children to.....
- b. Physical custody of children to.....
- c. Child visitation (parenting time) be granted to

As requested in ☐ form FL-311 ☐ form FL-312
 ☐ form FL-341(D) ☐ form FL-341(E)

Petitioner	Respondent	Joint	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<input type="checkbox"/> form <u>FL-341(C)</u>			
<input type="checkbox"/> Attachment <u>6c(1)</u>			

7. CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d. ☐ Other (*specify*):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☐ Spousal or domestic partner support payable to ☐ Petitioner ☐ Respondent
- b. ☐ Terminate (end) the court's ability to award support to ☐ Petitioner ☐ Respondent
- c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
- d. ☐ Other (*specify*):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
- b. ☐ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160). ☐ Attachment 9b.
 ☐ the following list. Item Confirm to

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☐ There are no such assets or debts that I know of to be divided by the court.
- b. ☐ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
 - ☐ in *Property Declaration* (form FL-160) ☐ in Attachment 10b.
 - ☐ as follows (*specify*):

11. OTHER REQUESTS

- a. ☐ Attorney's fees and costs payable by ☐ Petitioner ☐ Respondent
- b. ☐ Petitioner's former name be restored to (*specify*):
- c. ☐ Other (*specify*):

☐ Continued on Attachment 11c.

12. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF PETITIONER)
----------------------	--	---------------------------

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF ATTORNEY FOR PETITIONER)
----------------------	--	--

FOR MORE INFORMATION: Read *Legal Steps for a Divorce or Legal Separation* (**form FL-107-INFO**) and visit "Families Change" at www.familieschange.ca.gov — an online guide for parents and children going through divorce or separation.

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<i>(This section applies to cases other than probate guardianships.)</i> PETITIONER: RESPONDENT: OTHER PARTY: CHILD'S NAME <i>(Juvenile cases only)</i> :	
<i>(This section applies only to probate guardianship cases.)</i> GUARDIANSHIP OF (name): Minor	CASE NUMBER:
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	

1. I am (check one): ☐ a party to this proceeding to determine custody of a child ☐ the authorized representative of the agency, which is a party to this proceeding to determine custody of a child.

2. There are (specify number): _____ minor children who are subject to this proceeding, as follows (list oldest child first):

Full name	Date of birth	Place of birth (city and state)
a.		
b.		
c.		
d.		

☐ Check this box if you need to list more children. (On form MC-020 or a separate piece of paper, write "FL-105, Attachment 2, Additional Children" at the top, provide all requested information for each additional child, and attach to this form.)

3. a. ☐ Check this box if there is only one child or if all of the children listed in item 2 have lived together for the past five years. (Provide the current address of the child listed in item 2a and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)

Dates of residence (Month/Year)		Residence (City/State)	Person child lived with and complete current address	Relationship
From:	To present	<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

☐ Additional addresses are listed on Attachment 3a. (Form MC-020 may be used for this purpose.)

b. ☐ Check this box if there is more than one child and all the children have not lived together for the past five years. (Attach form FL-105(A)/GC-120(A) and list each other child's current address and their residence history for the past five years.)

CASE NAME:	CASE NUMBER:
------------	--------------

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

☐ Yes ☐ No (If yes, attach a copy of the orders if you have one and provide the following information):

Proceeding	Case number	Court (name, state, or tribe, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Probate Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile		
e. <input type="checkbox"/> Adoption		

5. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State or Tribe	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody of or claims to have rights to custody of or visitation rights with any child in this case? ☐ Yes ☐ No (If yes, provide the following information):

a. Name and address of person:

- ☐ Has physical custody
☐ Claims custody rights
☐ Claims visitation rights

Name of each child:

b. Name and address of person:

- ☐ Has physical custody
☐ Claims custody rights
☐ Claims visitation rights

Name of each child:

c. Name and address of person:

- ☐ Has physical custody
☐ Claims custody rights
☐ Claims visitation rights

Name of each child:

7. ☐ Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

CASE NAME:

CASE NUMBER:

**ATTACHMENT TO
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

Instructions: If all the children subject to the proceeding have not lived together for the last five years, use as many copies of this form as needed to list all the children. Number each item and each page consecutively, and attach all pages to form FL-105/GC-120.

3. b. ____ Name of child: *(Provide the child's current address and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)*
- ☐ Residence information is the same as given for the child listed in item 2a on form FL-105/GC-120. *(If **not** the same, provide the information below.)*

Dates of residence (Month/Year)		Residence (City/State)	Person child lived with (name and complete current address)	Relationship
From:	To present	<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

3. b. ____ Name of child: *(Provide the child's current address and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)*
- ☐ Residence information is the same as given for the child listed in item 2a on form FL-105/GC-120. *(If **not** the same, provide the information below.)*

Dates of residence (Month/Year)		Residence (City/State)	Person child lived with (name and complete current address)	Relationship
From:	To present	<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

Page

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
DECLARATION OF DISCLOSURE <input type="checkbox"/> Petitioner's <input type="checkbox"/> Preliminary <input type="checkbox"/> Respondent's <input type="checkbox"/> Final	CASE NUMBER: _____

DO NOT FILE DECLARATIONS OF DISCLOSURE OR FINANCIAL ATTACHMENTS WITH THE COURT

In a dissolution, legal separation, or nullity action, both a preliminary and a final declaration of disclosure must be served on the other party with certain exceptions. Neither disclosure is filed with the court. Instead, a declaration stating that service of disclosure documents was completed or waived must be filed with the court (see form FL-141).

- *In summary dissolution cases, each spouse or domestic partner must exchange preliminary disclosures as described in Summary Dissolution Information (form FL-810). Final disclosures are not required (see Family Code section 2109).*
- *In a default judgment case that is not a stipulated judgment or a judgment based on a marital settlement agreement, only the petitioner is required to complete and serve a preliminary declaration of disclosure. A final disclosure is not required of either party (see Family Code section 2110).*
- *Service of preliminary declarations of disclosure may not be waived by an agreement between the parties.*
- *Parties who agree to waive final declarations of disclosure must file their written agreement with the court (see form FL-144).*

The petitioner must serve a preliminary declaration of disclosure at the same time as the Petition or within 60 days of filing the Petition. The respondent must serve a preliminary declaration of disclosure at the same time as the Response or within 60 days of filing the Response. The time periods may be extended by written agreement of the parties or by court order (see Family Code section 2104(f)).

Attached are the following:

1. ☐ A completed *Schedule of Assets and Debts* (form FL-142) or ☐ A *Property Declaration* (form FL-160) for (specify):
 ☐ Community and Quasi-Community Property ☐ Separate Property.
2. ☐ A completed *Income and Expense Declaration* (form FL-150).
3. ☐ All tax returns filed by the party in the two years before the date that the party served the disclosure documents.
4. ☐ A statement of all material facts and information regarding valuation of all assets that are community property or in which the community has an interest (*not a form*).
5. ☐ A statement of all material facts and information regarding obligations for which the community is liable (*not a form*).
6. ☐ An accurate and complete written disclosure of any investment opportunity, business opportunity, or other income-producing opportunity presented since the date of separation that results from any investment, significant business, or other income-producing opportunity from the date of marriage to the date of separation (*not a form*).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

_____ (TYPE OR PRINT NAME)	►	_____ SIGNATURE
-------------------------------	---	--------------------

Attach copies of your pay stubs for last two months (black out Social Security numbers).

- (If you have more than one job, attach an 8 1/2-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

a. My age is (*specify*):

b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (*specify*):

c. Number of years of college completed (*specify*): ☐ Degree(s) obtained (*specify*):

d. Number of years of graduate school completed (*specify*): ☐ Degree(s) obtained (*specify*):

e. I have: ☐ professional/occupational license(s) (*specify*):
☐ vocational training (*specify*):

4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (*specify*): \$
This estimate is based on (*explain*):

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date:

Page 1 of 4

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
--	--------------

Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. (Black out your Social Security number on the pay stub and tax return.)

5. Income (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)

	Last month	Average monthly
a. Salary or wages (gross, before taxes).....	\$	_____
b. Overtime (gross, before taxes).....	\$	_____
c. Commissions or bonuses.....	\$	_____
d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving	\$	_____
e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage <input type="checkbox"/> federally taxable*	\$	_____
f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership	\$	_____
g. Pension/retirement fund payments.....	\$	_____
h. Social Security retirement (not SSI).....	\$	_____
i. Disability: <input type="checkbox"/> Social Security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance	\$	_____
j. Unemployment compensation.....	\$	_____
k. Workers' compensation.....	\$	_____
l. Other (military allowances, royalty payments) (specify):	\$	_____

6. Investment income (Attach a schedule showing gross receipts less cash expenses for each piece of property.)

a. Dividends/interest.....	\$	_____
b. Rental property income.....	\$	_____
c. Trust income.....	\$	_____
d. Other (specify):	\$	_____

7. Income from self-employment, after business expenses for all businesses..... \$ _____

I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify): _____

Number of years in this business (specify): _____

Name of business (specify): _____

Type of business (specify): _____

Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your Social Security number. If you have more than one business, provide the information above for each of your businesses.

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount): _____

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify): _____

10. Deductions

	Last month
a. Required union dues.....	\$ _____
b. Required retirement payments (not Social Security, FICA, 401(k), or IRA).....	\$ _____
c. Medical, hospital, dental, and other health insurance premiums (total monthly amount).....	\$ _____
d. Child support that I pay for children from other relationships.....	\$ _____
e. Spousal support that I pay by court order from a different marriage <input type="checkbox"/> federally tax deductible*.....	\$ _____
f. Partner support that I pay by court order from a different domestic partnership.....	\$ _____
g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g").....	\$ _____

11. Assets

	Total
a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts.....	\$ _____
b. Stocks, bonds, and other assets I could easily sell.....	\$ _____
c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe).....	\$ _____

* Check the box if the spousal support order or judgment was executed by the parties and the court before January 1, 2019, or if a court-ordered change maintains the spousal support payments as taxable income to the recipient and tax deductible to the payor.

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
--	--------------

12. The following people live with me:

Name	Age	How the person is related to me (ex: son)	That person's gross monthly income	Pays some of the household expenses?	
a.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
b.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
c.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
d.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
e.				<input type="checkbox"/> Yes	<input type="checkbox"/> No

13. Average monthly expenses ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

a. Home: (1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage..... \$ _____ If mortgage: (a) average principal: \$ _____ (b) average interest: \$ _____ (2) Real property taxes..... \$ _____ (3) Homeowner's or renter's insurance (if not included above)..... \$ _____ (4) Maintenance and repair..... \$ _____ b. Health-care costs not paid by insurance..... \$ _____ c. Child care..... \$ _____ d. Groceries and household supplies..... \$ _____ e. Eating out..... \$ _____ f. Utilities (gas, electric, water, trash)..... \$ _____ g. Telephone, cell phone, and e-mail..... \$ _____	h. Laundry and cleaning..... \$ _____ i. Clothes..... \$ _____ j. Education..... \$ _____ k. Entertainment, gifts, and vacation..... \$ _____ l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.)..... \$ _____ m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)..... \$ _____ n. Savings and investments..... \$ _____ o. Charitable contributions..... \$ _____ p. Monthly payments listed in item 14 (itemize below in 14 and insert total here)... \$ _____ q. Other (specify): \$ _____ <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> r. TOTAL EXPENSES (a–q) (do not add in the amounts in a(1)(a) and (b)) \$ _____ </div> s. Amount of expenses paid by others \$ _____
---	--

14. Installment payments and debts not listed above

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

15. Attorney fees (This information is required if either party is requesting attorney fees):

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$
- b. The source of this money was (specify):
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify):

I confirm this fee arrangement.

Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY)



 (SIGNATURE OF ATTORNEY)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
--	--------------

CHILD SUPPORT INFORMATION
 (NOTE: Fill out this page only if your case involves child support.)

16. Number of children

- a. I have *(specify number)*: _____ children under the age of 18 with the other parent in this case.
- b. The children spend _____ percent of their time with me and _____ percent of their time with the other parent.
(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

17. Children's health-care expenses

- a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
- b. Name of insurance company: _____
- c. Address of insurance company: _____
- d. The monthly cost for the **children's** health insurance is or would be *(specify)*: \$ _____
(Do not include the amount your employer pays.)

18. Additional expense for the children in this case

- | | Amount per month |
|---|------------------|
| a. Childcare so I can work or get job training..... | \$ _____ |
| b. Children's health care not covered by insurance..... | \$ _____ |
| c. Travel expenses for visitation..... | \$ _____ |
| d. Children's educational or other special needs <i>(specify below)</i> | \$ _____ |

19. Special hardships. I ask the court to consider the following special financial circumstances
(attach documentation of any item listed here, including court orders):

- | | Amount per month | For how many months? |
|--|------------------|----------------------|
| a. Extraordinary health expenses not included in 18b..... | \$ _____ | _____ |
| b. Major losses not covered by insurance <i>(examples: fire, theft, other insured loss)</i> | \$ _____ | _____ |
| c. (1) Expenses for my minor children who are from other relationships and are living with me..... | \$ _____ | _____ |
| (2) Names and ages of those children <i>(specify)</i> : | | |

(3) Child support I receive for those children..... \$ _____

The expenses listed in a, b, and c create an extreme financial hardship because *(explain)*:

20. Other information I want the court to know concerning support in my case *(specify)*:

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY	
<input type="checkbox"/> PETITIONER'S <input type="checkbox"/> RESPONDENT'S <input type="checkbox"/> COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION <input type="checkbox"/> SEPARATE PROPERTY DECLARATION	CASE NUMBER:

See *Instructions* on page 4 for information about completing this form. For additional space, use *Continuation of Property Declaration* (form FL-161).

A		B	C	-	D	=	E	F	
ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	GROSS FAIR MARKET VALUE		AMOUNT OF DEBT		NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to:	
								PETITIONER	RESPONDENT
1.	REAL ESTATE		\$		\$		\$	\$	\$
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES								
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc.								
4.	VEHICLES, BOATS, TRAILERS								
5.	SAVINGS ACCOUNTS								
6.	CHECKING ACCOUNTS								

A		B	C	-	D	=	E	F	
ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	GROSS FAIR MARKET VALUE		AMOUNT OF DEBT		NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER RESPONDENT	
7.	CREDIT UNION, OTHER DEPOSITORY ACCOUNTS				\$		\$	\$	\$
8.	CASH								
9.	TAX REFUND								
10.	LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE								
11.	STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS								
12.	RETIREMENT AND PENSIONS								
13.	PROFIT-SHARING, IRAS, DEFERRED COMPENSATION, ANNUITIES								
14.	ACCOUNTS RECEIVABLE, UNSECURED NOTES								
15.	PARTNERSHIP, OTHER BUSINESS INTERESTS								
16.	OTHER ASSETS								
17.	ASSETS FROM CONTINUATION SHEET								
18.	TOTAL ASSETS								

A		B	C	D	
ITEM NO.	DEBTS - SHOW TO WHOM OWED	DATE INCURRED	TOTAL OWING	PROPOSAL FOR DIVISION	
				Award or Confirm to: PETITIONER	RESPONDENT
19.	STUDENT LOANS		\$	\$	\$
20.	TAXES				
21.	SUPPORT ARREARAGES				
22.	LOANS-UNSECURED				
23.	CREDIT CARDS				
24.	OTHER DEBTS				
25.	OTHER DEBTS FROM CONTINUATION SHEET				
26.	TOTAL DEBTS				



A Continuation of Property Declaration (form FL-161) is attached and incorporated by reference.

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date:

(TYPE OR PRINT NAME)



SIGNATURE

INFORMATION AND INSTRUCTIONS FOR COMPLETING FORM FL-160

Property Declaration (form FL-160) is a multipurpose form, which may be filed with the court as an attachment to a *Petition* or *Response* or served on the other party to comply with disclosure requirements in place of a *Schedule of Assets and Debts* (form FL-142). Courts may also require a party to file a *Property Declaration* as an attachment to a *Request to Enter Default* (form FL-165) or *Judgment* (form FL-180).

When filing a *Property Declaration* with the court, do not include private financial documents listed below.

Identify the type of declaration completed

1. Check "Community and Quasi-Community Property Declaration" on page 1 to use *Property Declaration* (form FL-160) to provide a combined list of community and quasi-community property assets and debts. Quasi-community property is property you own outside of California that would be community property if it were located in California.
2. Do not combine a separate property declaration with a community and quasi-community property declaration. Check "Separate Property Declaration" on page 1 when using *Property Declaration* to provide a list of separate property assets and debts.

Description of the Property Declaration chart

Pages 1 and 2

1. Column A is used to provide a brief description of each item of separate or community or quasi-community property.
2. Column B is used to list the date the item was acquired.
3. Column C is used to list the item's gross fair market value (an estimate of the amount of money you could get if you sold the item to another person through an advertisement).
4. Column D is used to list the amount owed on the item.
5. Column E is used to indicate the net fair market value of each item. The net fair market value is calculated by subtracting the dollar amount in column D from the amount in column C ("C minus D").
6. Column F is used to show a proposal on how to divide (or confirm) the item described in column A.

Page 3

1. Column A is used to provide a brief description of each separate or community or quasi-community property debt.
2. Column B is used to list the date the debt was acquired.
3. Column C is used to list the total amount of money owed on the debt.
4. Column D is used to show a proposal on how to divide (or confirm) the item of debt described in column A.

When using this form only as an attachment to a *Petition* or *Response*

1. Attach a *Separate Property Declaration* (form FL-160) to respond to item 9. Only columns A and F on pages 1 and 2 and columns A and D on page 3 are required.
2. Attach a *Community or Quasi-Community Declaration* (form FL-160) to respond to item 10, and complete column A on all pages.

When serving this form on the other party as an attachment to *Declaration of Disclosure* (form FL-140)

1. Complete columns A through E on pages 1 and 2, and columns A through C on page 3.
2. Copies of the following documents must be attached and served on the other party:
 - (a) *For real estate* (item 1): deeds with legal descriptions and the latest lender's statement.
 - (b) *For vehicles, boats, trailers* (item 4): the title documents.
 - (c) *For all bank accounts* (item 5, 6, 7): the latest statement.
 - (d) *For life insurance policies with cash surrender or loan value* (item 10): the latest declaration page.
 - (e) *For stocks, bonds, secured notes, mutual funds* (item 11): the certificate or latest statement.
 - (f) *For retirement and pensions* (item 12): the latest summary plan document and latest benefit statement.
 - (g) *For profit-sharing, IRAs, deferred compensation, and annuities* (item 13): the latest statement.
 - (h) *For each account receivable and unsecured note* (item 14): documentation of the account receivable or note.
 - (i) *For partnerships and other business interests* (item 15): the most current K-1 and Schedule C.
 - (j) *For other assets* (item 16): the most current statement, title document, or declaration.
 - (k) *For support arrearages* (item 21): orders and statements.
 - (l) *For credit cards and other debts* (items 23 and 24): the latest statement.
3. Do not file copies of the above private financial documents with the court.

When filing this form with the court as an attachment to *Request to Enter Default* (FL-165) or *Judgment* (FL-180)

Complete all columns on the form.

For more information about forms required to process and obtain a judgment in dissolution, legal separation, and nullity cases, see <http://www.courts.ca.gov/8218.htm>.

THIS FORM SHOULD NOT BE FILED WITH THE COURT**FL-142**

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>name and address</i>):	TELEPHONE NO.:
ATTORNEY FOR (<i>name</i>):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
PETITIONER: RESPONDENT:	
SCHEDULE OF ASSETS AND DEBTS <input type="checkbox"/> Petitioner's <input type="checkbox"/> Respondent's	CASE NUMBER:

— INSTRUCTIONS —

List all your known community and separate assets or debts. Include assets even if they are in the possession of another person, including your spouse. If you contend an asset or debt is separate, put P (for Petitioner) or R (for Respondent) in the first column (separate property) to indicate to whom you contend it belongs.

All values should be as of the date of signing the declaration unless you specify a different valuation date with the description. For additional space, use a continuation sheet numbered to show which item is being continued.

ITEM NO.	ASSETS DESCRIPTION	SEP. PROP	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
1.	REAL ESTATE (<i>Give street addresses and attach copies of deeds with legal descriptions and latest lender's statement.</i>)			\$	\$
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES (<i>Identify.</i>)				
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc. (<i>Identify.</i>)				

ITEM NO.	ASSETS DESCRIPTION	SEP. PROP	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
4.	VEHICLES, BOATS, TRAILERS <i>(Describe and attach copy of title document.)</i>			\$	\$
5.	SAVINGS ACCOUNTS <i>(Account name, account number, bank, and branch. Attach copy of latest statement.)</i>				
6.	CHECKING ACCOUNTS <i>(Account name and number, bank, and branch. Attach copy of latest statement.)</i>				
7.	CREDIT UNION, OTHER DEPOSIT ACCOUNTS <i>(Account name and number, bank, and branch. Attach copy of latest statement.)</i>				
8.	CASH <i>(Give location.)</i>				
9.	TAX REFUND				
10.	LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE <i>(Attach copy of declaration page for each policy.)</i>				

ITEM NO.	ASSETS DESCRIPTION	SEP. PROP	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
11.	STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS <i>(Give certificate number and attach copy of the certificate or copy of latest statement.)</i>			\$	\$
12.	RETIREMENT AND PENSIONS <i>(Attach copy of latest summary plan documents and latest benefit statement.)</i>				
13.	PROFIT - SHARING, ANNUITIES, IRAS, DEFERRED COMPENSATION <i>(Attach copy of latest statement.)</i>				
14.	ACCOUNTS RECEIVABLE AND UNSECURED NOTES <i>(Attach copy of each.)</i>				
15.	PARTNERSHIPS AND OTHER BUSINESS INTERESTS <i>(Attach copy of most current K-1 form and Schedule C.)</i>				
16.	OTHER ASSETS				
17.	TOTAL ASSETS FROM CONTINUATION SHEET				
18.	TOTAL ASSETS			\$	\$

ITEM NO.	DEBTS—SHOW TO WHOM OWED	SEP. PROP	TOTAL OWING	DATE ACQUIRED
19.	STUDENT LOANS <i>(Give details.)</i>		\$	
20.	TAXES <i>(Give details.)</i>			
21.	SUPPORT ARREARAGES <i>(Attach copies of orders and statements.)</i>			
22.	LOANS—UNSECURED <i>(Give bank name and loan number and attach copy of latest statement.)</i>			
23.	CREDIT CARDS <i>(Give creditor's name and address and the account number. Attach copy of latest statement.)</i>			
24.	OTHER DEBTS <i>(Specify.):</i>			
25.	TOTAL DEBTS FROM CONTINUATION SHEET			
26.	TOTAL DEBTS		\$	

27. ☐ *(Specify number):* _____ pages are attached as continuation sheets.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____



(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

a. ☐ We are married.

b. ☐ We are domestic partners and our domestic partnership was established in California.

c. ☐ We are domestic partners and our domestic partnership was NOT established in California.

a. ☐ Petitioner ☐ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*. (For a divorce, unless you are in the legal relationship described in 1b., at least one of you must comply with this requirement.)

b. ☐ Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.

c. ☐ We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This *Petition* is filed in the county where we married.

Petitioner lives in (specify): _____ Respondent lives in (specify): _____

a. ☐ (1) Date of marriage (*specify*): _____ (2) Date of separation (*specify*): _____
(3) Time from date of marriage to date of separation (*specify*): _____ Years _____ Months

b. ☐ (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (*specify below*): _____
(2) Date of separation (*specify*): _____
(3) Time from date of registration of domestic partnership to date of separation (*specify*): _____ Years _____ Months

a. ☐ There are no minor children.

b. ☐ The minor children are:

Child's name	Birthdate	Age
--------------	-----------	-----

c. If any children were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.

d. If there are minor children of Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.

e. ☐ Petitioner and Respondent signed a voluntary declaration of parentage or paternity. *(Attach a copy if available.)*

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

Respondent requests that the court make the following orders:
5. LEGAL GROUNDS (Family Code sections 2200–2210; 2310–2312)

- a. ☐ **Respondent contends** that the parties never legally married or registered a domestic partnership.
- b. ☐ **Respondent denies** the grounds set forth in item 5 of the petition.
- c. ☐ **Respondent requests**
- (1) ☐ Divorce ☐ Legal separation of the marriage or domestic partnership based on
 (a) ☐ irreconcilable differences. (b) ☐ permanent legal incapacity to make decisions.
- (2) ☐ Nullity of void marriage or domestic partnership based on
 (a) ☐ incest. (b) ☐ bigamy.
- (3) ☐ Nullity of voidable marriage or domestic partnership based on
 (a) ☐ respondent's age at time of registration of domestic partnership or marriage. (d) ☐ fraud.
 (b) ☐ prior existing marriage or domestic partnership. (e) ☐ force.
 (c) ☐ unsound mind. (f) ☐ physical incapacity.

6. CHILD CUSTODY AND VISITATION (PARENTING TIME)
Petitioner Respondent Joint Other

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation (parenting time) be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

As requested in ☐ form FL-311 ☐ form FL-312 ☐ form FL-341(C)
☐ form FL-341(D) ☐ form FL-341(E) ☐ Attachment 6c(1)

7. CHILD SUPPORT

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d. ☐ Other (*specify*):

8. SPOUSAL OR DOMESTIC PARTNER SUPPORT

- a. ☐ Spousal or domestic partner support payable to ☐ Petitioner ☐ Respondent
- b. ☐ Terminate (end) the court's ability to award support to ☐ Petitioner ☐ Respondent
- c. ☐ Reserve for future determination the issue of support payable to ☐ Petitioner ☐ Respondent
- d. ☐ Other (*specify*):

9. SEPARATE PROPERTY

- a. ☐ There are no such assets or debts that I know of to be confirmed by the court.
- b. ☐ Confirm as separate property the assets and debts in ☐ Property Declaration (form FL-160). ☐ Attachment 9b.
☐ the following list. Item Confirm to

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

10. COMMUNITY AND QUASI-COMMUNITY PROPERTY

- a. ☐ There are no such assets or debts that I know of to be divided by the court.
- b. ☐ Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
☐ in *Property Declaration* (form FL-160). ☐ in Attachment 10b.
☐ as follows (*specify*):


11. OTHER REQUESTS

- a. ☐ Attorney's fees and costs payable by ☐ Petitioner ☐ Respondent
- b. ☐ Respondent's former name be restored to (*specify*):
- c. ☐ Other (*specify*):


☐ Continued on Attachment 11c.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)  _____
 (SIGNATURE OF RESPONDENT)

Date:

 (TYPE OR PRINT NAME)  _____
 (SIGNATURE OF ATTORNEY FOR RESPONDENT)

FOR MORE INFORMATION: Read *Legal Steps for a Divorce or Legal Separation* (**form FL-107-INFO**) and visit "Families Change" at www.familieschange.ca.gov — an online guide for parents and children going through divorce or separation.

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

NOTICE—CANCELLATION OF RIGHTS: Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions. Some changes may require the agreement of your partner or spouse or a court order.

The original response must be filed in the court with proof of service of a copy on Petitioner.

PARTY WITHOUT ATTORNEY <i>or</i> ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PROOF OF SERVICE OF SUMMONS	CASE NUMBER:

1. At the time of service I was at least 18 years of age and not a party to this action. **I served the respondent with copies of:**
 - a. ☐ Family Law: *Petition—Marriage/Domestic Partnership* (form FL-100), *Summons* (form FL-110), and blank *Response—Marriage/Domestic Partnership* (form FL-120)
 - or-
 - b. ☐ Uniform Parentage: *Petition to Determine Parental Relationship* (form FL-200), *Summons* (form FL-210), and blank *Response to Petition to Determine Parental Relationship* (form FL-220)
 - or-
 - c. ☐ Custody and Support: *Petition for Custody and Support of Minor Children* (form FL-260), *Summons* (form FL-210), and blank *Response to Petition for Custody and Support of Minor Children* (form FL-270)
 - and
 - d. ☐ (1) ☐ Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105)
 - (2) ☐ Completed and blank *Declaration of Disclosure* (form FL-140)
 - (3) ☐ Completed and blank *Schedule of Assets and Debts* (form FL-142)
 - (4) ☐ Completed and blank *Income and Expense Declaration* (form FL-150)
 - (5) ☐ Completed and blank *Financial Statement (Simplified)* (form FL-155)
 - (6) ☐ Completed and blank *Property Declaration* (form FL-160)
 - (7) ☐ *Request for Order* (form FL-300), and blank *Responsive Declaration to Request for Order* (form FL-320)
 - (8) ☐ Other (specify):

2. Address where respondent was served:

3. I served the respondent by the following means (check proper boxes):
 - a. ☐ **Personal service.** I personally delivered the copies to the respondent (Code Civ. Proc., § 415.10) on (date): _____ at (time): _____
 - b. ☐ **Substituted service.** I left the copies with or in the presence of (name): _____ who is (specify title or relationship to respondent): _____
 - (1) ☐ **(Business)** a person at least 18 years of age who was apparently in charge at the office or usual place of business of the respondent. I informed the person of the general nature of the papers.
 - (2) ☐ **(Home)** a competent member of the household (at least 18 years of age) at the home of the respondent. I informed the person of the general nature of the papers.

on (date): _____ at (time): _____

I thereafter mailed additional copies (by first class, postage prepaid) to the respondent at the place where the copies were left (Code Civ. Proc., § 415.20b) on (date): _____

A **declaration of diligence** is attached, stating the actions taken to first attempt personal service.

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

3. c. ☐ **Mail and acknowledgment service.** I mailed the copies to the respondent, addressed as shown in item 2, by first-class mail, postage prepaid, on *(date)*: _____ from *(city)*: _____
- (1) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form FL-117) and a postage-paid return envelope addressed to me. **(Attach completed *Notice and Acknowledgment of Receipt* (form FL-117).)**
(Code Civ. Proc., § 415.30.)
- (2) ☐ to an address outside California (by registered or certified mail with return receipt requested). **(Attach signed return receipt or other evidence of actual delivery to the respondent.)** (Code Civ. Proc., §§ 415.40, 417.20.)
- d. ☐ **Other** *(specify code section)*: _____
- ☐ Continued on Attachment 3d.

4. **Person who served papers**

Name:

Address:

Telephone number:

This person is

- a. ☐ exempt from registration under Business and Professions Code section 22350(b).
- b. ☐ not a registered California process server.
- c. ☐ a registered California process server: ☐ an employee or ☐ an independent contractor
- (1) Registration no.: _____
- (2) County: _____
- (3) **The fee** for service was *(specify)*: \$ _____

5. ☐ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

-or-

6. ☐ **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

Date:

(NAME OF PERSON WHO SERVED PAPERS)



(SIGNATURE OF PERSON WHO SERVED PAPERS)

- Date:

(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER: (If applicable, provide):
PROOF OF SERVICE BY MAIL	HEARING DATE: HEARING TIME: DEPT.:

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

- I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
- My residence or business address is:
- I served a copy of the following documents (*specify*):

by enclosing them in an envelope AND

- ☐ **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
- The envelope was addressed and mailed as follows:
 - Name of person served:
 - Address:
 - Date mailed:
 - Place of mailing (*city and state*):
 - ☐ I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. (*Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order* (form FL-334) may be used for this purpose.)
 - I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

Page 1 of 1

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): 	
TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER: _____ RESPONDENT: _____ OTHER PARENT/PARTY: _____	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> DECLARATION REGARDING SERVICE OF DECLARATION OF DISCLOSURE AND INCOME AND EXPENSE DECLARATION <input type="checkbox"/> Petitioner's <input type="checkbox"/> Preliminary <input type="checkbox"/> Respondent's <input type="checkbox"/> Final </div> <div style="width: 35%;"> CASE NUMBER: _____ </div> </div>	

1. I am the ☐ attorney for ☐ petitioner ☐ respondent in this matter.

2. ☐ Petitioner's ☐ Respondent's *Preliminary Declaration of Disclosure* (form FL-140), current* *Income and Expense Declaration* (form FL-150), completed *Schedule of Assets and Debts* (form FL-142) or *Community and Separate Property Declarations* (form FL-160) with appropriate attachments, all tax returns filed by the party in the two years before service of the preliminary disclosures, and all other required information under Family Code section 2104 were served on:

☐ the other party ☐ the other party's attorney by ☐ personal service ☐ mail
☐ Other (specify): _____
 on (date): _____

3. ☐ Petitioner's ☐ Respondent's *Final Declaration of Disclosure* (form FL-140), current* *Income and Expense Declaration* (form FL-150), completed *Schedule of Assets and Debts* (form FL-142) or *Community or Separate Property Declarations* (form FL-160) with attachments, and the material facts and information required by Family Code section 2105 were served on:

☐ the other party ☐ other party's attorney by ☐ personal service ☐ mail
☐ Other (specify): _____
 on (date): _____

4. ☐ Service of ☐ Petitioner's ☐ Respondent's ☐ preliminary ☐ final declaration of disclosure ☐ current income and expense declaration has been waived as follows:
 - a. ☐ The parties agreed to waive final declaration of disclosure requirements under Family Code section 2105(d.) (Form FL-144 may be used for this purpose.) The waiver ☐ was filed on (date): _____
☐ is being filed at the same time as this form.
 - b. ☐ The party has failed to comply with disclosure requirements, and the court has granted the request for voluntary waiver of receipt under Family Code section 2107 on (date): _____
 - c. ☐ This is a default proceeding that does not include a stipulated judgment or settlement agreement. Petitioner waives final disclosure requirements under Family Code section 2110.

**Current* is defined as completed within the past three months providing no facts have changed. (Cal. Rules of Court, rule 5.260.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____



(TYPE OR PRINT NAME)

SIGNATURE

NOTE: File this document with the court.
 Do not file a copy of the Preliminary or Final Declaration of Disclosure or any attachments to either declaration of disclosure with this document.