

# LA FAMILY LAW

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## DISSOLUTION: FORMS & FORM GUIDES

This guide contains instructions and samples of the forms needed to start a divorce, legal separation, or annulment.

Note: This guide is supposed to give you enough information so that you can represent yourself. It is **NOT** designed to give you legal advice and **DOES NOT** take the place of speaking with a lawyer.

### TABLE OF CONTENTS

LIST OF MANDATORY AND OPTIONAL FORMS FOR A DISSOLUTION	2
LIST OF OPTIONAL FORMS FOR A DISSOLUTION WITH CHILDREN	3
PRELIMINARY OR FINAL DECLARATION OF DISCLOSURE ACCOMPANYING DOCUMENTS	5
REQUEST TO ENTER DEFAULT	8
DEFAULT JUDGMENT WITH CHILDREN	11
CONTESTED JUDGMENT WITH CHILDREN	13
UNCONTESTED JUDGMENT WITH CHILDREN	15
RESPONSE TO DISSOLUTION OF MARRIAGE (DIVORCE)	17
INFORMATION SHEET FOR PROOF OF SERVICE BY MAIL	25
ADDITIONAL RESOURCES	27

## LIST OF MANDATORY AND OPTIONAL FORMS FOR A DISSOLUTION

These are the mandatory and optional forms that you will need in order to file for a divorce, legal separation, or nullity of marriage.

If you decide to use the optional forms, the list below shows where the optional form should be inserted in the mandatory forms. For easy reference, the optional form is in BOLD.

1. FL-100      Petition for Dissolution, Legal Separation, or Nullity of Marriage
2. **FL-160**    **Property Declaration-Optional**
3. FL-110      Summons
4. FAM020     Family Law Case Cover Sheet
5. FL-115      Proof of Service of Summons

You will need to serve a copy of all documents that YOU file on the other party. You must also include the following blank forms in the packet that you serve on the other party.

6. FL-120      Response-Marriage
7. **FL-160**    **Property Declaration-Optional**
8. FL-335      Proof of Service by Mail

If you choose to use the optional form, you must have two. One is for you to complete, and the other is left blank and included in the "service package," the blank documents (items 6, 7, 8 above) that you serve on the other party. Leave the forms in the same order as listed above.

### BLANK FORMS:

- Notice of Other Cases Involving Minor Children (LASC 2.6)
- FL-100
- FL-110
- Family Law Case Cover Sheet (FAM 020)
- FL-105/GC-120
- FL-115

## LIST OF OPTIONAL FORMS FOR A DISSOLUTION WITH CHILDREN

If you decide to use any of the optional forms, the list below shows where the forms should be inserted into mandatory forms. You can use the optional form without using the others. For easy reference, all optional forms are in **BOLD**.

<b>FORM NUMBER</b>	<b>COURT FORMS</b>
A. UCF 001	Notice of Other Cases Involving Minor Children
B. FL-100	Petition for Dissolution, Legal Separation, or Nullity of Marriage
C. FL-110	Summons
<b>D. FL-160</b>	<b>Property Declaration – OPTIONAL</b>
<b>E. FL-311</b>	<b>Child Custody and Visitation Application Attachment – OPTIONAL</b>
<b>F. FL-312</b>	<b>Request for Child Abduction Prevention Orders – OPTIONAL</b>
<b>G. FL-341(C)</b>	<b>Children’s Holiday Schedule Attachment – OPTIONAL</b>
<b>H. FL-341(D)</b>	<b>Additional Provisions – Physical Custody Attachment – OPTIONAL</b>
<b>I. FL-341(E)</b>	<b>Joint Legal Custody Attachment – OPTIONAL</b>
J. FAM020	Family Law Case Cover Sheet
K. FL-105	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
L. FL-105(A)	Continuation of Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (if more than two children of the relationship)
M. FL-115	Proof of Service of Summons

You will serve a copy of all the forms you filed on the other party. You also need to include the following blank forms in the packet you serve on the other party.

<b>FORM NUMBER</b>	<b>COURT FORMS</b>
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N. FL-120	Response – Marriage
O. FL-160	<b>Property Declaration – OPTIONAL</b>
P. FL-311	<b>Child Custody and Visitation Application Attachment – OPTIONAL</b>
Q. FL-312	<b>Request for Child Abduction Prevention Orders – OPTIONAL</b>
R. FL-341(C)	<b>Children’s Holiday Schedule Attachment – OPTIONAL</b>
S. FL-341(D)	<b>Additional Provisions – Physical Custody Attachment – OPTIONAL</b>
T. FL-341(E)	<b>Joint Legal Custody Attachment – OPTIONAL</b>
U. FL-105	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
V. FL-105(A)	Continuation of Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (if more than two children of the relationship)
W. FL-335	Proof of Service by Mail
X.	Notice of Case Assignment

## PRELIMINARY OR FINAL DECLARATION OF DISCLOSURE ACCOMPANYING DOCUMENTS

If you use any of the optional forms, you must have two. One you complete. The other copy gets left blank and is included in the “service package” you have served on the other party. Leave forms in the same order as listed above.

If both parties want to waive the FINAL "Declaration of Disclosure," each should talk to an attorney and get legal advice. If you decide to waive this FINAL "Declaration of Disclosure," you need to file form FL-144, "Stipulation and Waiver of Final Declaration of Disclosure." You can purchase this form from the Filing Window in Room 426 or find it on the Internet at <https://www.courts.ca.gov/forms.htm>

FORM NUMBER	COURT FORMS
1. FL-140	Declaration of Disclosure
2. FL-142	Schedule of Assets and Debts – 4pgs
3. FL-150	Income and Expense Declaration (I&E) – 4pgs <b>OR</b> FL-155 Financial Statement (Simplified) – 2 pages
4. FL-141	Declaration Regarding Service of Declaration of Disclosure

### **Filling Out the Forms:**

The forms should be typed (preferred method) or completed using black ink (printing neatly and legibly). These forms are available (and fillable) on the Internet at <https://www.courts.ca.gov/forms.htm>. To help you, a sample is attached to the back of this packet.

1. Complete Form FL-140, the "Declaration of Disclosure." Check boxes 1 and 2 because you will be completing and including the "Schedule of Assets and Debts" and the "Income and Expense Declaration" with it. Statements 3, 4, and 5 do not have forms to go with them.
2. Complete Form FL-142, the "Schedule of Assets and Debts": In the left-hand column labeled "Assets Description," list any assets under the appropriate

category. In the column labeled "Sep. Prop." put a P (for Petitioner) next to any separate property that belongs to Petitioner. Put an R (for Respondent) next to any separate property that belongs to Respondent. If the property is community, meaning that it was acquired during the marriage, leave the column blank. In the "Date Acquired" column, list a date if the property was acquired before the date of marriage or after the date of separation. If the property was acquired during the marriage, you can list the date acquired, or state "during marriage." If you know the "Current Gross Fair Market Value" and the "Amount of Money Owed or Encumbrance" list them in these columns. If you don't know the values, you do not have to complete these columns now. You can complete them when you are preparing the "Final Declaration of Disclosure Documents." You must, however, list the items on the "Preliminary Declaration of Disclosure." If there are no assets in one of the categories, you can write "none" or list 0 (zero) for the values. On page 4, list any debts using the same procedure as above.

3. The next form is an Income Statement. You will complete either FL-150, the "Income and Expense Declaration" or the FL-155, the "Financial Statement (Simplified)." You do NOT need to fill out both forms. You may NOT use FL-155 if you are asking for spousal support from the other party or if you are self-employed. There are other limitations as well. Read page two of FL-155 to see if you are eligible to use this form before completing it.
4. Complete Form FL-141, the "Declaration Regarding Service of Declaration of Disclosure." Write the judge's name and the courtroom number on this form. The "Declaration of Disclosure" forms can be served personally or by mail. Check the appropriate box to indicate how you serve the forms on your spouse or your spouse's attorney.

Copies of the following forms must be provided to your spouse:

- Completed Declaration of Disclosure
- Completed Schedule of Assets and Debts
- Completed Income and Expense Declaration OR Financial Statement (Simplified)
- Completed Declaration Regarding Service of Declaration of Disclosure

## **WARNING:**

Until the property has been distributed by agreement or Court order, each party must update the disclosures whenever there are any material changes.

## DIRECTIONS TO COMPLETE FORMS:

### **FL-140 Declaration of Disclosure**

- You can complete both the Preliminary and Final Declarations at the same time by selecting (adding an “X”) both the *Preliminary & Final* boxes. You must check at least 1 box.

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

- If you are doing the Preliminary and Final Declarations of Disclosure together, “X” both boxes and complete sections 1-3.
- If you are doing only the Preliminary Declaration of Disclosure. “X” Preliminary Dec box and complete sections 1 and 2.
- If you are doing only the Final declaration of Disclosure, “X” Final Dec box and complete sections 1 and 3.
- If you and the other party AGREE to waive the FINAL, “X” Preliminary box, complete sections 1, 2, and 4.

### **FL-150 Income and Expense Declaration**

- If employed, answer 1a-e and 1g-h
- If unemployed, answer 1f
- For section 4: If you are requesting a support order you must estimate the other party’s income and print how you know this information (ex. He/she told you; saw a paycheck)
- Section 21: Complete this section if there is any additional financial information you believe the court should know about you or the other party.

## REQUEST TO ENTER DEFAULT

You will need the following forms:

1. FL-165 Request to Enter Default

You MAY need the following forms:

1. FL-150 Income and Expense Declaration – Optional
2. FL-160 Property Declaration – Optional
3. FL-161 Continuation of Property Declaration – Optional

### **Filling out the forms:**

The forms should be typed (which is preferred) or printed using black ink {printing neatly and legibly). You can purchase the forms from the Family Law Forms Window in Room 426 or get them on the Internet at <https://www.courts.ca.gov/forms.htm>. Forms from the Internet are fillable but cannot be saved.

Complete both sides of the "Request to Enter Default" (FL-165). If there are financial issues (child support, spousal support, fees and costs), you must submit a current "Income and Expense Declaration" (FL-150).

You do not need to complete FL-150 if:

- There are no issues of child support, spousal support, fees and costs for the Court to decide; -OR-
- The Petition does not request money, property, costs, or attorney fees; -OR-
- The financial issues are subject to a written agreement (Marital Settlement Agreement or Judgment; -OR-
- You have previously filed an Income and Expense Declaration and there have been no changes since the previous filing.

Complete the "Property Declaration" (FL-160) regarding any property you want the court to make orders about. If there is both community and separate property, fill out one Property Declaration for the community property, and a section Property Declaration for the separate property. Community property is any asset or debt acquired from the date of marriage to the date of separation. Separate property is any



asset or debt acquired before the date of marriage, after the date of separation, or by gift or inheritance.

You do not need to complete FL-160 if:

- There is no community property to be divided; - OR-
- The property issues are divided in a written agreement (Marital Settlement Agreement).

Form FL-161, the "*continuation of Property Declaration*" is used only if you need more space to continue your assets and debts.

On the **Request to Enter Default** (FL-165) in section 2, check either of boxes that say whether or not you are attaching FL-150 or FL-160. In the subsections, (a)-(e), check the boxes that explain why you are not attaching these forms. For example, if you did not list any property on the Petition, you should check subsections (d) and (e). If you have no children of the relationship, you should check subsection (c).

### **COPYING:**

Once all the original documents have been completed, make two copies of all documents.

### **FILING THE FORMS:**

Take the original and 2 copies to the Family Law Filing Window, Room 426 on the fourth floor. Take two envelopes with enough postage addressed to:

1. Respondent's last known address (generally, address where Respondent is served).
2. Addressed to yourself.

The return address located in the upper left-hand corner of the envelope addressed to the Respondent should be:

Los Angeles Superior Court

111 N. Hill St., Los Angeles, CA 90012

(Case No.: \_\_\_\_\_)

It may take several weeks to a few months to get your copy of the "Request to Enter Default" in the mail.

YOU ARE NOT DONE YET. When you get the "Request to Enter Default" in the mail, you can either file a "Request for Default Setting" (where there will be a Court hearing) or fill out and submit a Judgment for the court to sign. Default Judgment Workshops are held at the Resource Center for Self-Represented Litigants. Check with Resource Center staff to sign up for a workshop after receiving your conformed copy of the "Request for Enter of Default" in the mail.

**WARNING:**

If you are requesting a Judgment of Nullity, spousal support, or monitored visitation (or no visitation) for the other party, you must file a **Request for Default Setting**. There must be a hearing before the Court will grant this type of relief.

## DEFAULT JUDGMENT WITH CHILDREN

1. Complete the judgment. It must match the "Petition" (FL-100). There may be more forms in the judgment packet than you used for the custody/visitation orders on the "Petition." If you did not use them when you started the action, discard them. If you are requesting monitored or limited visitation for the other party, you must request a default hearing. Make four copies of the forms completed. The original and three copies will be given to the court for processing. The fourth copy is for you to keep until you get the filed copies back from the court.
2. The judgment must discuss child support. You must have a Dissomaster printout for what child support should be. This Dissomaster printout can be obtained from the Facilitator's Office. If there is already an order for child support through Child Support Services Department you can state on the "Child Support Information and Order Attachment" form (Form FL-342) that child support is reserved as there is another action regarding child support through Child Support Services Department and list the other case number.
3. The judgment must discuss spousal support. See "Spousal or Family Support Order Attachment" (Form FL-343) which is included with this packet. If you are requesting a spousal support amount, you must request a default hearing.
4. Complete the "Notice of Entry of Judgment" (Form FL-190). Make two copies. You also need two legal-sized self-addressed stamped envelopes, one addressed to you and one addressed to the other party.
5. Complete the "Declaration for Default" (Form FL-170). Make a copy. If you have property that is being divided in the judgment, complete the "Property Declaration" (Form FL-160). Make a copy. If you do not use it, throw it away.
6. Complete the "Order/Notice to Withhold Income for Child Support" (Form FL-195) if there is a child support order in the judgment. Make two copies.
7. Complete the "Child Support Case Registry Form" (FL-191). Make a copy.
8. Take the originals, copies and envelopes to Room 426. If you want the court to mail a conformed copy of the judgment and other forms to you, provide another self-addressed stamped envelope with enough postage.
9. After the judgment has been entered, you should serve the other party with a copy. You have been provided with a " Personal Proof of Service" (Form FL-330) and a " Proof of Service by Mail" (Form FL-335). Someone other than you over

the age of 18 should hand deliver or mail the judgment to the other party. File the completed Proof of Service at the Filing Window in Room 426.

Below is a list of the forms you need:

<b>FORM NUMBER</b>	<b>COURT FORMS</b>
1. FL-180	Judgment
2. FL-170	Declaration for Default or Uncontested Dissolution or Legal Separation
3. FL-190	Notice of Entry of Judgment
4. FL-341	Child Custody and Visitation Order Attachment
5. FL-160	Property Declaration
6. FL-195	Order/Notice to Withhold Income for Child Support
7. FL-191	Child Support Case Registry Form
8. FL-330	Proof of Personal Service
9. FL-335	Proof of Service by Mail

## CONTESTED JUDGMENT WITH CHILDREN

1. Complete the judgment following the minute order. If forms included in the judgment packet do not apply to your case, throw them away. Also, there are two different versions of the last page of the judgment. You need to select one and throw away the others:
  - Version # 1: You will use this last page if the court ordered you to prepare the judgment and send a copy to the other side before turning it into the court for filing. You can also use this version if you were told just to turn in the judgment for filing without sending it to the other party.
  - Version # 2: You will use this last page if the court ordered you to prepare the judgment and send a copy to the other side for his/her approval as to form and content.
2. Make a copy of the completed judgment. A third person (over the age of 18 and not a party to this action) needs to complete the Proof of Service by Mail showing that the "Proposed Judgment of Dissolution of Marriage" was mailed to the other party. The third person mails a copy of the judgment and the Proof of Service by Mail to the other party. Ignore this instruction if it does not apply to your case.
3. Complete the Notice of Entry of Judgment. Make two copies. You also need two legal-sized self-addressed stamped envelopes, one addressed to you and one addressed to the other party. Hold on to them.
4. Complete the Order/Notice to Withhold Income for Child Support (if there was a child support order made). Make two copies. Hold on to them.
5. Complete the Child Support Case Registry form. Follow the instructions that are provided with the form. Make one copy. Hold on to them.
6. Wait ten (10) days from the date the proposed judgment was mailed to the other party. If there is no written response (ex. objection) from the other party, make four copies of judgment. Return to the courtroom where the trial/hearing was held with the following:
  - Original and three copies of the judgment along with one self-addressed stamped envelope addressed to you for the return of the conformed judgment;
  - Original and two copies of the Notice of Entry of Judgment along with the two stamped self-addressed envelopes (the fourth copy of the judgment

should be kept by you until you receive the stamped judgment from the court);

- Original and one copy of the Proof of Service by Mail; and
  - Original and two copies of the Order/Notice to Withhold Income for Child Support.
  - Original and copy of the Child Support Case Registry form.
7. Once you receive the judgment and other forms stamped "filed" from the court, you need to send a copy of the judgment, Order/Notice to Withhold Income for Child Support and blank Child Support Case Registry form to the other party. You have been given a Proof of Service by Mail and a Proof of Personal Service. A third person (over the age of 18) can either mail or personally serve the other party. Have the person complete the proof of service, take the original and one copy to Room 426 for filing. If the other party is served by mail, the other party should also receive a copy of the completed Proof of Service by Mail along with the other documents.

Below is a list of the forms you need:

FORM NUMBER	COURT FORMS
1. FL-180	Judgment
2. FL-341	Child Custody and Visitation Order Attachment
3. FL-342	Child Support Information and Order Attachment
4. FL-192	Notice of rights and Responsibilities
5. FL-343	Spousal, Partner or Family Support Order Attachment
6. FL-190	Notice of Entry of Judgment
7. FL-195	Order/Notice to Withhold Income for Child Support
8. FL-191	Child Support Case Registry Form
9. FL-330	Proof of Personal Service
10.FL-335	Proof of Service by Mail

## UNCONTESTED JUDGMENT WITH CHILDREN

1. Complete the judgment. The signatures must be notarized. Make four copies. The original and three copies will be given to the court for processing. The fourth copy is for you to keep until you get the filed copies back from the court.
2. The judgment must discuss child support. You must have a Dissomaster printout for what child support should be. This Dissomaster printout can be obtained from the Facilitator's Office. You can agree to a non-guideline child support order by completing the form "Non-guideline Child Support Findings Attachment" (Form FL-342(A)) which is included with this packet.
3. The judgment must discuss spousal support. See "Spousal or Family Support Order Attachment" (Form FL-343) which is included with this packet.
4. Complete the "Notice of Entry of Judgment" (Form FL-190). Make two copies. You also need two legal-sized self-addressed stamped envelopes, one addressed to you and one addressed to the other party.
5. Complete the "Appearance, Stipulations and Waivers" (Form FL-130). Check all appropriate boxes and have both parties sign the form (it does not need to be notarized). If the Respondent has not paid the first appearance fee, a check for the Respondent's appearance fee must accompany the form. Make a copy.
6. Complete the "Declaration for Default" (Form FL-170). If you have property that is being divided in the judgment, each party can complete the "Property Declaration" (Form FL-160). However, since you are submitting to the court a stipulated judgment, this form is not required. Make a copy of each form used. If you do not use the "Property Declaration" throw it away.
7. Complete the "Order/Notice to Withhold Income for Child Support" (Form FL-195) if child support will be paid from the employer to the custodial parent. Make two copies.
8. Each party should complete the "Child Support Case Registry Form" (Form FL-191). Make a copy.
9. Take the originals, copies and envelopes to Room 426. If you want the court to mail a conformed copy of the judgment and other forms to you, provide another self-addressed stamped envelope with enough postage.

**If you have requested a Judgment of Nullity, there must be a hearing. The parties cannot agree to a nullity.**

Below is a list of the forms you need:

<b>FORM NUMBER</b>	<b>COURT FORMS</b>
1. FL-180	Judgment
2. FL-342(A)	Non-Guideline Child Support Findings Attachment
3. FL-343	Spousal, Partner or Family Support Order Attachment
4. FL-190	Notice of Entry of Judgment
5. FL-130	Appearance, Stipulations, and Waivers
6. FL-170	Declaration for Default or Uncontested Dissolution or Legal Separation
7. FL-160	Property Declaration
8. FL-195	Order/Notice to Withhold Income for Child Support
9. FL-191	Child Support Case Registry Form



## RESPONSE TO DISSOLUTION OF MARRIAGE (DIVORCE)

You have been served with a "Petition for Dissolution, Legal Separation or Nullity of Marriage". Dissolution is another word for Divorce. You have 30 days from the date you received the forms to file a "Response" to these forms. If you do not file a "Response" within 30 days, the other party can file to request a default. A default means that the other side can proceed with the case without you and ask the judge to make final orders in the case.

You should have been given copies of the forms filed by the Petitioner and blank forms for you to complete. If you do not have the "Response" forms, you can purchase them in Room 426 or get them from the Internet at <https://www.courts.ca.gov/forms.htm>. Forms on the Internet are fillable so you can type the information into the forms, but they cannot be saved.

These instructions provide the information you need to respond to the "Petition for Dissolution, Legal Separation or Nullity of Marriage." The sample included with this packet shows you how to complete the forms.

These instructions DO NOT provide legal advice and DO NOT take the place of consulting with a lawyer. However, if you follow these instructions you will be able to respond to the "Petition".

### **RESPONSE TIME:**

You have THIRTY (30) DAYS from the date you were served to file the "Response". If you do not file the "Response", the Petitioner may file a default against you. The Petitioner can file a default against you anytime after the 30 days from the date you were served. A default means that you will not be able to participate in the judgment process.

### **WARNING:**

THE PETITIONER SERVED YOU WITH SEVERAL FORMS. ONE OF THE FORMS WAS A SUMMONS. ON THE BACK OF THE SUMMONS THERE ARE RESTRAINING ORDERS THAT APPLY TO BOTH PARTIES. THE RESTRAINING ORDERS ARE EFFECTIVE AGAINST THE PETITIONER UPON THE FILING OF THE PETITION. THEY

ARE EFFECTIVE AGAINST THE RESPONDENT ONCE THE RESPONDENT HAS BEEN PERSONALLY SERVED WITH THE SERVICE DOCUMENTS OR UPON THE SIGNING OF A NOTICE OF ACKNOWLEDGEMENT AND RECEIPT BY THE RESPONDENT. PLEASE READ THE BACK OF THE SUMMONS CAREFULLY.

THE RESTRAINING ORDERS ARE IN EFFECT UNTIL THE JUDGMENT IS ENTERED, THE PETITIONS DISMISSED, OR THE COURT MAKES AN ORDER MODIFYING THE RESTRAINING ORDERS.

### **Filling out the forms:**

The forms should be typed (which is the preferred method) or printed using black ink (printing neatly and legibly). It is important that you understand the terms "Petitioner" and "Respondent". The "Petitioner" is always the person who began this case by filing the first court forms. The "Respondent" is always the person who responded to the first court forms. The "Petitioner" and "Respondent" remain the same throughout the entire case, no matter who files for a hearing or trial.

To respond to the "Petition", Form FL-320, the "Response" must be filled out completely. The other forms are used only if they apply to your case. If there are minor children of the relationship you may want to use the forms that apply to custody and visitation. You do not have to fill them out if they do not apply to your case.

If you do not have enough room on your "Response" to list your property, you can use Form FL-160, the "Property Declaration". Community and Separate Property must be listed on separate forms. Community Property includes any asset or debt acquired from the date of marriage to the date of separation. Separate Property includes any asset or debt acquired before the marriage or after the date of separation, or by gift or inheritance.

If you and the Petitioner have children together, you must complete FL-105, the "Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act". If you have more than two children with the Petitioner, you must also complete FAM038, the Attachment to 3C.

You should have received a form with the judge's name and the courtroom number when you were served with the papers, "Notice of Case Assignment". Write the name of the judge and the court room number on each form you fill out.

## **COPYING:**

Make two (2) copies of the forms you filled out.

## **FILING:**

Mail one set of the copies to the Petitioner. Whoever mails the copies (someone other than you) must sign and date the FL-335, the "Proof of Service by Mail". Take the original and a copy of the "Proof of Service by Mail": along with original and copies of the "Response" forms to the Filing Window in Room 426. The clerk will keep the originals and stamp the copies with the date received. These stamped copies are called "conformed". The clerk will return the conformed copies to you.

If you have someone personally hand the copies of the "Response" forms to the Petitioner, you must have them complete the "Proof of Personal Service", Form FL-330. Make a copy of this form and take the original and copy to the Filing Window.

The fee for filing your "Response" is currently \$435.00. If you are unable to pay the filing fee, you may qualify for a "Fee Waiver." "Fee Waiver" forms are available in the Family Law Information Center, the Filing Clerk's Office or on the Internet. You must file your completed "Fee Waiver" forms when you file your originals and copies in the Clerk's Office in Room 426.

## **KEEP COPIES OF ALL OF YOUR COURT DOCUMENTS FOR YOUR OWN RECORDS**

These Forms only respond to the "Petition." If you want orders about Custody, Visitation or Support, you must file an "Order to Show Cause."

To get a final Judgment and be divorced, you must file additional forms.

Please return to the Family Law Information Center for more information.

## **Directions to fill out the forms:**

*Form FL-120: Response-Marriage/Domestic Partnership*

Section 4: Minor Children

- If there are minor children, check box 4.b. Print name of child on each line. If there are minor children of the relationship born before date of marriage, still complete info here and check box 6.d. on back page

- If no minor children, check box 4.a.

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 or spousal support.

*Form FL-105: Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)*

A. Attorney or party without attorney:

- If you are representing yourself, your name goes here.

B. Mailing address:

- You must give an address, or the court will not be able to reach you.

C. Telephone number:

- Your telephone number goes here. You may also give a number where the court can leave a message for you.
- Providing a telephone number is optional; you may leave this blank.

D. Attorney for:

- If you don't have a lawyer, write "In Pro Per." This tells the judge that you will be filing your forms without a lawyer.

E. Superior Court of California, County of:

- Ask the clerk of your court for this information, including your court's address.

F. Case name:

- Write your name and the name of the respondent. This is your case name.

G. Case number:

- The clerk of your court will fill this in. Once you get a case number, write it down and use it on all the forms you file.
- You will also have to write this number at the top of every page of this form.

H. For court use only:

- After this form is filed, the clerk will stamp this box on the copies, so everyone knows it is a copy of an official paper.

I. 1. I am a party:

- This means you have or want custody or visitation of the children under age 18 that you and the other party have together.

- J. 2. Declarant's address confidential:
- You are the declarant.
- K. 3. Number of children:
- Write how many minor children you have whose custody needs to be decided here.
- L. 3a. First child:
- Write the name of the oldest child whose custody needs to be decided here.
- M. 3a. Place of birth:
- Write the child's place of birth.
- N. 3a. Date of birth:
- Write the child's date of birth.
- O. 3a. Sex:
- Write F (for Female) if the child is a girl and M (for Male) if the child is a boy.
- P. 3a. Current residence:
- This first row asks where the child is living right now.
  - Write when the child moved to this address.
  - Write the address here or check the box marked "Confidential" if the child is living with you and you have kept your address confidential on other forms.
  - Write the name of the adult(s) with whom the child is living, and that person's address. If the child is living with you and you have kept your address confidential, write your name and write "Address Confidential."
  - Write the relationship between the child and the adult(s) taking care of the child where the child is now living.
- Q. 3a. Previous residences:
- In each row, write each address where the child has lived in the last 5 years. If you want to keep any of these addresses, write "Confidential." Even if you keep the street addresses confidential, you must at/least write the city and state for each address.
  - Write the dates when the child lived at each address. You should write the dates even if you write "Confidential" for the rest of the information here.

- Write the current address and relationship to the child of the adult who lived with the child at the time. If you do not know the person's address, write "Address Unknown."

R. 3b. Second child:

- If you have more than one child, write the name of the next child whose custody needs to be decided here.
- Write the second child's place and date of birth and the sex, as you did for the first child.

S. 3b. Same address:

- If the second child has always lived with the first child, check this box. If you check this box, you do not have to list the addresses where the child lived.
- If the second child lived at different addresses than the first child, or with different people, or moved at different times, you must fill out the complete address information for the second child.

T. 3c. More than two children:

- If you have more than two children, check this box.
- Attach a sheet of paper to this form
- On the sheet of paper, write the names of each of the other children whose custody needs to be decided here.
- For each child, write the place and date of birth and sex, as you did for the first and second child
- Give the same address information for these children as you did with the first and second child. If these children always lived at the same address as the first and second children, write "Same residence information."

U. Short Title:

- Write your last name and the last name of the other person in your case. This is the short name of your case.

V. 4. Prior custody proceedings:

- If you have been involved in any case where the custody of at least one of the children on this form was an issue, check "Yes" and answer questions 4a through 4d.

- If this is the first time that you have been involved in a case where the custody of these children was an issue, check “No” and go to question 5.
- W. 4a. Name of each child:
- If you check “yes,” write the name of each child whose custody was at issue in another case.
- X. 4b. Capacity of declarant:
- If you (the declarant) checked “Yes,” check the box that explains how you were involved (capacity) in the other case.
  - If you were a party to the case, or a witness, check the correct box.
  - If you were involved in some other way, check “other” and explain your role.
- Y. 4c. Court:
- If you checked “Yes,” write the name of the court where the other case took place and the state and city where it is located.
- Z. 4d. Date of court order or judgment:
- If you checked “Yes,” write the date when the study issue was decided
- AA. 5. Other custody proceedings:
- If you know about any case where the custody of at least one of the children on this form is an issue, check “Yes” and answer questions 5a through 5d.
  - If this is the only case where the custody of any of these children is currently an issue, check “No” and go to question 6.
- BB. 5a. Name of child:
- If you checked “Yes,” write the name of each child whose custody is at issue in another case.
- CC. 5b. Type of case:
- If you checked “yes,” check the box that describes the type of case where the custody of the child is an issue.
  - If it is a divorce case, a guardianship, or an adoption, check the correct box.
  - If it is another type of case (such as parentage, juvenile dependency case with an exit order, family support through the local child support agency), check “other” and describe the case.
- DD. 5c. Court:

- If you checked “Yes,” write the name of the court where the other case took place, and the state and city where the court is located.
- EE. 5d. Status of proceeding:
- If you checked “Yes,” explain whether the case is ongoing or whether it has been resolved.
- FF. 6. Other person with custody or visitation rights:
- If you know about any person who is not involved in this case but who might claim the right to have custody or visitation with any of the children, check “Yes.”
  - Also check “Yes,” if any of the children are living with someone who is not involved in this case.
  - If no one else will claim custody or visitation rights, check “No” and sign and date the bottom of the form.
- GG. 6a-c. Personal information:
- If you checked “Yes,” write the name and address of each person who might claim custody or visitation rights.
  - Check the box that says whether the person has physical custody (if any of the children are living with that person now), whether the person will claim the right to custody, or whether the person will claim the right to visitation. Check all the boxes that apply.
  - Write the names of all the children whose custody or visitation is at issue with this person.
- HH. Date:
- Fill in the date you sign. THIS IS VERY IMPORTANT.
- II. Type of print name:
- Type or print your name here.
- JJ. Signature:
- Sign here. THIS IS VERY IMPORTANT. YOUR FORMS WILL NOT BE PROCESSED IF YOU DO NOT SIGN THEM.
- KK. 7. Attached pages:
- If you have attached any pages to this form, check this box and write the number of pages you attached.
- LL. Notice:
- Let the court know right away if any of the information on this form changes.



## INFORMATION SHEET FOR PROOF OF SERVICE BY MAIL

<https://www.courts.ca.gov/documents/fl335info.pdf>

Use these instructions to complete the Proof of Service by Mail (form FL-335).

A person at least 18 years of age or older must serve the documents. There are two ways to serve documents:(1) personal delivery and (2) by mail. See the Proof of Personal Service (form FL-330) if the documents are being personally served. The person who serves the documents must complete a proof of service form for the documents being served. You cannot serve documents if you are a party to the action.

### **INSTRUCTIONS FOR THE PERSON WHO SERVES THE DOCUMENTS (TYPE OR PRINT IN BLACK INK)**

You must complete a proof of service for each package of documents you serve. For example, if you serve the Respondent and the Other Parent, you must complete two proofs of service, one for the Respondent and one for the Other Parent.

*Complete the top section of the proof of service forms as follows:*

**First box, left side:** In this box print the name, address, and phone number of the person for whom you are serving the documents.

**Second box, left side:** Print the name of the county in which the legal action is filed and the court's address in this box. Use the same address for the court that is on the documents you are serving.

**Third box, left side:** Print the names of the Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names listed on the documents you are serving.

**First box, top of form, right side:** Leave this box blank for the court's use.

**Second box, right side:** Print the case number in this box. This number is also stated on the documents you are serving.

**You cannot serve a temporary restraining order by mail. You must serve those documents by personal service.**

1. You are stating that you are at least 18 years old and that you are not a party to this action. You are also stating that you either live in or are employed in the county where the mailing took place.
2. Print your home or business address.
3. List the name of each document that you mailed (the exact names are listed on the bottoms of the forms).
  - a. Check this box if you put the documents in the regular U.S. mail.
  - b. Check this box if you put the documents in the mail at your place of employment.
4.
  - a. Print the name you put on the envelope containing the documents.
  - b. Print the address you put on the envelope containing the documents.
  - c. Write in the date that you put the envelope containing the documents in the mail.
  - d. Write in the city and state you were in when you mailed the envelope containing the documents.
5. You are stating under penalty of perjury that the information you have provided is true and correct.

**Print your name, fill in the date, and sign the form.**

*If you need additional assistance with this form, contact the Family Law Facilitator in your county.*

## ADDITIONAL RESOURCES

You can attend a divorce workshop if you have trouble filling out the forms. These workshops are held at the following courthouses: Stanley Mosk (Central), Norwalk, Torrance, and Long Beach. The schedule is available at the Family Law Information Center, and online at <http://www.lacourt.org/division/familylaw/familylaw.aspx>. You can also call the Family Law Information Center at (213) 893-9754 for the schedule.

There are several Self-Help Legal Access Centers and non-profit organizations in Los Angeles county that can also help you. Information about these Centers is also at the Family Law Information Center.

**If you have more questions, contact Los Angeles Family Law Center today.**