

FL-107-INFO Legal Steps for a Divorce (Dissolution)

STEP 1. Petitioner files a *Summons* (form FL-100) and *Petition for Dissolution* (form FL-110). If there are minor children, also file a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (FL-105). These and all other forms and instruction packets listed below are available from the clerk's office or on the internet for FREE at www.courts.ca.gov/selfhelp



STEP 2. A person 18 or over (not the Petitioner) serves the spouse or domestic partner (Respondent) with the papers listed in Step 1 which have been filed and stamped by the court clerk. A blank *Response* (form FL-120) and this information sheet must also be served with the papers. A *Proof of that service* is filed with the court (form FL-115).



STEP 3. The petitioner and respondent fill out *Declarations of Disclosure* (FL-140) with an *Income and Expense Declaration* (FL-150), and *Schedule of Assets and Debts* (FL-142) (see DECLARATIONS OF DISCLOSURE PACKAGE for forms and instructions) and give them to each other with the last two years of tax returns. They must file a *Declaration Regarding Service of Declaration of Disclosure* (form FL-141) with the court.



STEP 4. THE CASE IS FINISHED IN ONE OF FOUR WAYS:



STEP 4 A. Respondent does not file a Response



STEP 4 B. Respondent files a Response



Petitioner can file default papers 30 days after step 2. See DEFAULT PACKAGE for forms and instructions.



If parties have written agreement - file *Appearance, Stipulation & Waivers* (form FL-130) along with final papers and proposed *Judgment* (form FL-180). Attach written agreement to proposed final *Judgment*. See UNCONTESTED PACKAGE for forms and instructions.



If no agreement, the court may try to help you reach an agreement. If no agreement, you will need to go to Trial. See TRIAL PACKAGE for forms and instructions.



If no agreement, Petitioner prepares a proposed *Judgment* (form FL-180) asking only for the orders requested in the *Petition* and submits to the court with other DEFAULT PACKAGE forms.



If agreement, petitioner attaches agreement to the proposed final *Judgment* (form FL-180).

IMPORTANT NOTICES

- The soonest you can be divorced is 6 months and 1 day from the date the Respondent was served, filed a *Response* (form FL-120) or filed an *Appearance Stipulation and Waivers* (form FL-130). You must complete step 4 to get your divorce.
- If you need orders for child support, child custody, visitation, spousal support, restraining orders or other orders before then, you can file a *Request for Order* (form FL-300) asking for temporary orders. See REQUEST FOR ORDER PACKAGE for forms and instructions.
- You or your lawyer prepares all the papers for the court to review and sign (including the proposed *Judgment* - step 4.) It is really helpful to have a lawyer's help with this process. See "Where Can I Get Help?" on the other side of this form.
- You must keep the court informed of your address so you can get your final *Judgment* signed by the judge. File *Notice of Change of Address* (form MC-040) to tell the court if you have moved.

All packages listed are available for free at www.courts.ca.gov/selfhelp.



Methods for Resolving Family Law Cases

Some people prefer to resolve some or all of their issues without having the court decide. The court does not prefer one method of case resolution over another. People can prepare written agreements to file in their divorce case. The following services provide help.

In Court: The following services are provided without charge:

- **Family Court Services.** Provides mandatory mediation to parents who are unable to agree on issues related to child custody and parenting. Financial issues and divisions of property are not addressed.
- **Family Law Facilitators and Self-Help Centers.** Can help with mediation in some cases and provide you with samples of agreements and other information.
- **Settlement Conferences and Discussions.** An informal process in which a judge and/or experienced attorneys meet with the parties and their attorneys, hear the facts and issues in dispute, and suggest a resolution that the parties may accept or use as a basis for further negotiations.

Out of Court: People can choose to hire outside professionals to assist them in resolving their case:

- **Attorneys.** Attorneys can help you work out agreements with the other party.
- **Mediator.** A mediator helps the parties communicate to explore options and arrive at a mutually acceptable resolution of the dispute. The mediator does not make a decision.
- **Collaborative Law.** Lawyers represent each party but do not go to court. They try to reach an agreement. If court is necessary, new lawyers must be hired.

For more information about these services see <http://www.courts.ca.gov/1004.htm>.

Where Can I Get Help?

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

1. Contact the family law facilitator or self-help center for information, court forms, and referrals to local legal resources.
2. Find a lawyer through your local bar association, the State Bar of California at <http://calbar.ca.gov>, or the Lawyer Referral Service at 866-442-2529.
3. Hire a private mediator. A mediator may be a lawyer or counselor. Contact your local bar association, court ADR (Alternative Dispute Resolution) program, or family court services for a referral to local resources.
4. Find information on the California Courts Online Self-Help Center website: www.courts.ca.gov/selfhelp.
5. For free and low-cost legal help (if you qualify), go to www.lawhelpcalifornia.org.
6. Find information at your local law library or ask at your public library.
7. Ask the court clerk about resources in your area.

What If There Is Domestic Violence or a Protective Order?

If there is domestic violence or a protective order, talk with 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).

