

SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN

**DEFAULT
DISSOLUTION, LEGAL SEPARATION, NULLITY**

DEFAULTS MAY BE SUBMITTED IF THE FOLLOWING REQUIREMENTS ARE MET:

- 30 DAYS HAVE PASSED FROM THE DATE THE OTHER PARTY WAS SERVED WITH THE SUMMONS AND PETITION; **AND**
- PROOF OF SERVICE HAS BEEN FILED WITH THE COURT; **AND**
- NO RESPONSE HAS BEEN RECEIVED FROM THE OTHER PARTY OR FILED WITH COURT BY THE OTHER PARTY

1. **COMPLETE, SIGN/DATE FORMS, SUBMIT ORIGINALS & COPIES FOR FILING.** (Type or print in blue or black ink only) Please refer to the Judgment Checklist (FL-182), for list of forms needed in your particular case.
2. **DISCLOSURE REQUIREMENTS.** Failure to comply with the disclosure requirement will delay proceedings. Prior to Default, disclosure requirements must be met as follows:
 - Petitioner must complete and exchange Preliminary Declaration of Disclosures, and Declaration Regarding Service of Declaration of Disclosure (FL-141) with the Court.
 - If a Marital Settlement Agreement is submitted, Preliminary and Final Disclosures are required from BOTH parties, BOTH parties must file FL-141 forms to proceed with Default. **Parties may waive Final Disclosures by filing a Stipulation—see form FL-144.*
3. **DEFAULT BY HEARING- Required In Nullity Actions.**
 - Submit your request for the hearing along with all applicable documents with relevant copies
 - The clerk will send a Notice of Hearing by mail.
 - Attend Court Hearing. Absent any changes on Judgment, documents will be processed in the order received.
4. **DEFAULT BY DECLARATION.**
 - Submit all applicable documents with relevant copies.
 - The Court will review the documents. At the Court's discretion, a hearing may be set.
 - Judgment will be processed in the order received following judicial determination.

NOTICE

PERSONNEL OF THE CLERKS OFFICE OF THE SUPERIOR COURT
ARE NOT ALLOWED BY LAW TO GIVE LEGAL ADVICE OR ASSIST IN
THE PREPARATION OF ANY FORMS.

PURSUANT TO CA RULE OF COURT 2.200, A PARTY WHOSE ADDRESS CHANGES WHILE AN ACTION IS PENDING MUST SERVE ON ALL PARTIES AND FILE A WRITTEN NOTICE OF CHANGE OF ADDRESS WITH THE COURT- Ask the clerk for Notice of Change of Address and Other Contact Information form

- **Default With No Agreement (no response and no written agreement)**
- **Default With Agreement (no response, but there is a written agreement)**
- **Uncontested Case (response filed, or other appearance by respondent, and a written agreement)**

- h. ☐ *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105).
(A new form must be filed if there have been any changes since the one most recently filed.)
- i. ☐ *Petitioner's Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155). (Needed unless one has been filed within the past 90 days and there have been no changes since then.)
- j. ☐ Computer printout of guideline child support (*optional*)
- k. ☐ *Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order* (form FL-192). This may be attached by the petitioner or by the court.

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Previously Filed

- l. ☐ Child Support Order
- ☐ Stipulation to Establish or Modify Child Support and Order (form FL-350) (attach to Judgment), or
- ☐ Child Support Information and Order Attachment (form FL-342) (attach to Judgment), or
- ☐ Written agreement containing declarations required by Family Code section 4065(a) (attach to Judgment)
- m. ☐ Income Withholding for Support (form FL-195/OMB No. 0970-0154)
- n. ☐ Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341) or other proposed written order containing the information required by Family Code 3048(a) (attach to Judgment)

If spousal/partner support is requested, the marriage/partnership is over 10 years in duration, or termination of spousal/partner support for the respondent is requested:

- o. ☐ Spousal or Partnership Support Declaration Attachment (form FL-157)
- p. ☐ Income and Expense Declaration (form FL-150) (Needed unless a current financial declaration has been filed within the past 90 days and there have been no changes since then.) ☐
- q. ☐ Spousal, Partner, or Family Support Order Attachment (form FL-343) or other proposed written order (attach to Judgment)

If assets or debts need to be divided or assigned:

- r. ☐ Property Declaration (form FL-160) ☐
- s. ☐ Property Order Attachment to Judgment (form FL-345) or other proposed written order (attach to Judgment)

If attorney fees and costs are requested:

- t. ☐ Request for Attorney Fees and Costs (form FL-319)
- u. ☐ Attorney Fees and Costs Order Attachment (form FL-346) or other proposed written order (attach to Judgment)

2. ☐ **DEFAULT WITH AGREEMENT (no response and a written agreement)**

- a. ☐ Proof of Service of Summons (form FL-115) or other proof of service ☐
- b. ☐ Request to Enter Default (form FL-165), with a stamped envelope addressed to respondent and the court clerk's address as the return address ☐
- c. ☐ Petitioner's Declaration Regarding Service of Declaration of Disclosure (form FL-141) (preliminary) ☐
- d. Declaration Regarding Service of Final Declaration of Disclosure ☐
- ☐ Petitioner's Declaration Regarding Service of Declaration of Disclosure (form FL-141) (final) or
- ☐ Stipulation and Waiver of Final Declaration of Disclosure (form FL-144) or
- ☐ Separately filed waiver or waiver included in a written agreement under Family Code section 2105(d)
- e. ☐ Declaration for Default or Uncontested Dissolution or Legal Separation (form FL-170)
- f. ☐ Written agreement of the parties. Respondent's signature on the agreement must be notarized. (attach to Judgment.)
- g. ☐ Judgment (form FL-180) (5 copies)
- h. ☐ Notice of Entry of Judgment (form FL-190)
- i. ☐ 2 stamped envelopes of sufficient size and with sufficient postage to return the Judgment and Notice of Entry of Judgment, one envelope addressed to petitioner and the other to respondent

If there are minor children of the marriage or domestic partnership:

- j. ☐ Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105). (A new form must be filed if there have been any changes since the one most recently filed.) ☐
- k. ☐ Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155). (Needed unless one has been filed within the past 90 days and there have been no changes since then.)

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Previously Filed

- l. ☐ Computer printout of guideline child support (*optional*).
- m. ☐ *Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order* (form FL-192). This may be attached by the petitioner or by the court.
- n. Child Support Order
- ☐ *Stipulation to Establish or Modify Child Support and Order* (form FL-350) (*attach to Judgment*), or
- ☐ *Child Support Information and Order Attachment* (form FL-342) (*attach to Judgment*), or
- ☐ Written agreement containing declarations required by Family Code section 4065(a) (*attach to Judgment*)
- o. ☐ *Income Withholding for Support* (form FL-195/OMB No. 0970-0154)
- p. ☐ *Child Custody and Visitation Order Attachment* (form FL-341) or written agreement containing the information required by Family Code section 3048(a) (*attach to Judgment*)

3. ☐ **UNCONTESTED CASE (Response filed, or other appearance by respondent, and a written agreement)**

- a. ☐ *Proof of Service of Summons* (form FL-115) or other proof of service if you want to use the date of service as the beginning of the six-month waiting period. ☐
- b. ☐ *Appearance, Stipulations, and Waivers* (form FL-130) ☐
- c. ☐ Respondent's filing fee, if first appearance, unless respondent has a fee waiver or is currently on active duty in the military ☐
- d. ☐ *Declaration Regarding Service of Declaration of Disclosure* (**both** petitioner's and respondent's preliminary) (form FL-141) ☐
- e. Declaration Regarding Service of Final Declaration of Disclosure ☐
- ☐ *Declaration Regarding Service of Declaration of Disclosure* (**both** petitioner's and respondent's final) (form FL-141), or
- ☐ *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144), or
- ☐ Separately filed waiver or waiver included in a written agreement under Family Code section 2105(d)
- f. ☐ *Declaration for Default or Uncontested Dissolution or Legal Separation* (form FL-170)
- g. ☐ Written agreement of the parties (*attach to Judgment*)
- h. ☐ *Judgment* (form FL-180) (*5 copies*)
- i. ☐ *Notice of Entry of Judgment* (form FL-190)
- j. ☐ 2 stamped envelopes of sufficient size and with sufficient postage to return the *Judgment* and *Notice of Entry of Judgment*, one envelope addressed to petitioner and the other to respondent

If there are minor children of the marriage or domestic partnership:

- k. ☐ *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105). ☐
(*A new form must be filed if there have been any changes since the one most recently filed.*)
- l. ☐ Computer printout of guideline child support (*optional*)
- m. ☐ *Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order* (form FL-192). This may be attached by either party or by the court.
- n. Child Support Order
- ☐ *Stipulation to Establish or Modify Child Support and Order* (form FL-350) (*attach to Judgment*) or
- ☐ *Child Support Information and Order Attachment* (form FL-342) (*attach to Judgment*), or
- ☐ Written agreement which includes declarations required by Family Code section 4065(a) (*attach to Judgment*)
- o. ☐ *Income Withholding for Support* (form FL-195/OMB No. 0970-0154)
- p. ☐ *Child Custody and Visitation Order Attachment* (form FL-341) or written agreement containing the information required by Family Code section 3048(a) (*attach to Judgment*)

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:	
DECLARATION FOR DEFAULT OR UNCONTESTED ☐ DISSOLUTION ☐ LEGAL SEPARATION	
CASE NUMBER:	

(NOTE: Items 1 through 12 apply to both dissolution and legal separation proceedings.)

1. I declare that if I appeared in court and were sworn, I would testify to the truth of the facts in this declaration.
2. I agree that my case will be proven by this declaration and that I will not appear before the court unless I am ordered by the court to do so.
3. All the information in the ☐ amended ☐ Petition ☐ Response is true and correct.
4. **Type of case** (check a, b, or c):
 - a. ☐ **Default without agreement**
 - (1) No response has been filed and there is no written agreement or stipulated judgment between the parties;
 - (2) The default of the respondent was entered or is being requested, and I am not seeking any relief not requested in the petition; and
 - (3) The following statement is true (check one):
 - (A) ☐ There are no assets or debts to be disposed of by the court.
 - (B) ☐ The community and quasi-community assets and debts are listed on the **completed** current *Property Declaration* (form FL-160), which includes an estimate of the value of the assets and debts that I propose to be distributed to each party. The division in the proposed *Judgment* (form FL-180) is a fair and equal division of the property and debts, or if there is a negative estate, the debts are assigned fairly and equitably.
 - b. ☐ **Default with agreement**
 - (1) No response has been filed and the parties have agreed that the matter may proceed as a default matter without notice; and
 - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
 - c. ☐ **Uncontested**
 - (1) Both parties have appeared in the case; and
 - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
5. **Declaration of disclosure** (check a, b, c, or d):
 - a. ☐ Both the parties have filed, or are filing concurrently, a *Declaration Regarding Service of Declaration of Disclosure* (form FL-141) and an *Income and Expense Declaration* (form FL-150).
 - b. ☐ This matter is proceeding by default. I am the petitioner in this action and have filed a proof of service of the preliminary *Declaration of Disclosure* (form FL-140) with the court. I hereby waive receipt of the final *Declaration of Disclosure* (form FL-140) from the respondent.
 - c. ☐ This matter is proceeding by default. I am the petitioner in this action, and service of the summons on respondent was done by publication or posting under court order. Service of the preliminary *Declaration of Disclosure* (form FL-140) is not required. I hereby waive receipt of the final *Declaration of Disclosure* (form FL-140) from the respondent.

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- d. ☐ This matter is proceeding as an uncontested action. Service of the final *Declaration of Disclosure* (form FL-140) is mutually waived by both parties. A waiver provision executed by both parties under penalty of perjury is contained on the *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144), in the settlement agreement or proposed judgment, or in another, separate stipulation.
6. ☐ **Child custody and visitation (parenting time)** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. ☐ The information in *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA) (form FL-105) ☐ has ☐ has not changed since it was last filed with the court. (If changed, attach updated form.)
- b. ☐ There is an existing court order for custody/parenting time in another case in (county):
The case number is (specify):
- c. ☐ The current custody and visitation (parenting time) previously ordered in this case, or the current schedule is (specify):
- ☐ Contained on Attachment 6c.
- d. ☐ The facts that support the requested judgment are (In a default case, state your reasons below):
- ☐ Contained on Attachment 6d.
7. ☐ **Child support** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. If there are minor children, check and complete item (1) if applicable and item (2) or (3):
- (1) ☐ Child support is being enforced in another case in (county):
The case number is (specify):
- (2) ☐ The information in the child support calculation attached to the proposed judgment is correct based on my personal knowledge.
- (3) ☐ I request that this order be based on the ☐ Petitioner's ☐ Respondent's earning ability. The facts in support of my estimate of earning ability are (specify):
- ☐ Continued on Attachment 7a(3).
- b. Complete items (1) and (2) regarding public assistance.
- (1) I ☐ am receiving ☐ am not receiving ☐ intend to apply for public assistance for the child or children listed in the proposed order.
- (2) To the best of my knowledge, the other party ☐ is ☐ is not receiving public assistance.
- ☐ Petitioner ☐ Respondent is presently receiving public assistance, and all support should be made payable to the local child support agency at the address set forth in the proposed judgment. A representative of the local child support agency has signed the proposed judgment.
8. **Spousal, Partner, and Family Support** (If a support order or attorney fees are requested, submit a completed Income and Expense Declaration (form FL-150) unless a current form is on file. Include your best estimate of the other party's income. Check at least one of the following.)
- a. ☐ I knowingly give up forever any right to receive spousal or partner support.
- b. ☐ I ask the court to reserve jurisdiction to award spousal or partner support in the future to:
☐ Petitioner ☐ Respondent
- c. ☐ I ask the court to terminate forever spousal or partner support for: ☐ Petitioner ☐ Respondent
- d. ☐ Spousal support or domestic partner support should be ordered as set forth in the proposed *Judgment* (form FL-180) based on the factors described in:
☐ *Spousal or Partner Support Declaration Attachment* (form FL-157)
☐ written agreement
☐ attached declaration (Attachment 8d)
- e. ☐ Family support should be ordered as set forth in the proposed *Judgment* (form FL-180).
- f. ☐ Other (specify):

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9. ☐ **Parentage** of the children of the petitioner and respondent born prior to their marriage or domestic partnership should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. ☐ A voluntary declaration of parentage or paternity is attached.
- b. ☐ Parentage was previously established by the court in (*county*):
The case number is (*specify*):
☐ The written agreement of the parties regarding parentage is attached here (Attachment 9b) or to the proposed *Judgment* (form FL-180).
10. ☐ **Attorney fees** should be ordered as set forth in the proposed *Judgment* (form FL-180).
☐ The facts in support of this request are on *Request for Attorney's Fees and Costs Attachment* (form FL-319).
☐ Other (*specify facts below*):
11. ☐ The judgment should be entered nunc pro tunc for the following reasons (*specify*):
12. ☐ Petitioner ☐ Respondent requests restoration of the former name as set forth in the proposed *Judgment* (form FL-180) (*proceedings for dissolution or nullity of marriage only*).
13. Irreconcilable differences have led to the irremediable breakdown of the marriage or domestic partnership, and there is no possibility of saving the marriage or domestic partnership through counseling or other means.
14. This declaration may be reviewed by a commissioner sitting as a temporary judge, who may determine whether to grant this request or require my appearance under Family Code section 2336.

STATEMENTS IN THIS BOX APPLY ONLY TO DISSOLUTIONS

15. If this is a dissolution of a marriage or domestic partnership created in another state, the petitioner or the respondent has been a resident of this county for at least three months and of the state of California for at least six months continuously and immediately preceding the date of the filing of the petition for dissolution of marriage or domestic partnership.
16. I ask that the court grant the request for a judgment of dissolution of marriage or domestic partnership based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
17. ☐ **Status only judgment:** This declaration is only for the termination of marital or domestic partner status. I ask the court to reserve jurisdiction over all other issues not requested in this declaration for later determination.

THIS STATEMENT APPLIES ONLY TO LEGAL SEPARATIONS

18. I ask that the court grant the request of a judgment for legal separation based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
- I understand that a judgment of legal separation does not terminate a marriage or domestic partnership, and that I am still married or a partner in a domestic partnership.**

19. ☐ Other (*specify*):

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)

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SPOUSAL OR DOMESTIC PARTNER SUPPORT DECLARATION ATTACHMENT

- ☐ Declaration for Default or Uncontested Judgment (form FL-170) ☐ Supporting Declaration for Attorney's Fees and Costs Attachment (form FL-158)
- ☐ Request for Order (form FL-300)
- ☐ Other (specify):

1. Spousal or domestic partner support.

- a. I am the (specify all that apply):
- (1) ☐ petitioner ☐ respondent.
- (2) ☐ support payee (party asking for support) ☐ support payor (party being asked to pay support).
- b. I request that the court (check all that apply)
- (1) ☐ enter a judgment for spousal or domestic partner support for ☐ petitioner ☐ respondent.
- (2) ☐ modify the judgment for spousal or domestic partner support for ☐ petitioner ☐ respondent.
- (3) ☐ deny the request to modify the judgment for spousal or domestic partner support.
- (4) ☐ terminate jurisdiction to award spousal or domestic partner support to ☐ petitioner ☐ respondent.

2. ☐ Attorney fees and costs. I request that the court (check one):

- a. ☐ order my attorney fees and costs to be paid by ☐ my spouse or domestic partner ☐ a joined party (specify):
- b. ☐ deny the request for attorney fees and costs.

SECTION 1: FACTS ABOUT BOTH PARTIES

3. Length of marriage or domestic partnership (Family Code section 4320(f))

- a. (1) Date of marriage:
- (2) Date of separation:
- (3) Time from date of marriage to date of separation:..... _____ years _____ months
- b. (1) Date domestic partnership was registered:
- (2) Date of separation:
- (3) Time from date of registration of the domestic partnership to date of separation: _____ years _____ months
- c. If applicable, total combined years and months for the marriage (a(3)) and the domestic partnership (b(3))..... _____ years _____ months

4. Standard of living of the marriage or domestic partnership (Family Code section 4320(a)) ☐ See Attachment 4

The standard of living established during the marriage or domestic partnership was (describe, for example, information from your income tax return, type and frequency of vacations, value of home and other real estate, value of investments, type of vehicles owned, credit card use or nonuse, ability to save for retirement):

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5. **Age and health of the parties** (Family Code section 4320(h))

- a. The age of the party asking for support is:
- b. The age of the party being asked to pay support is:
- c. The health condition of the party asking for support is (*describe*):

☐ See Attachment 5c

- d. The health condition of the party being asked to pay support is (*describe*):

☐ See Attachment 5d

6. **Documented history of domestic violence** (Family Code section 4320(i))

☐ See Attachment 6

The court will consider all documented evidence of any history of domestic violence between the parties or perpetrated by either party against either party's child, including but not limited to the following:

- a. A plea of nolo contendere ("no contest").
- b. Emotional distress resulting from domestic violence against the party asking for support by the party being asked to pay support.
- c. Any history of violence against the party being asked to pay support by the party asking for support.
- d. A *Restraining Order After Hearing* (form DV-130).
- e. A finding by a court as part of a case involving divorce, separation, or a child custody proceeding, or any other proceeding in family court in which the court has found that the spouse or domestic partner committed domestic violence.
- f. Other evidence of any history of violence between the parties.

Attach to this form copies of the documents that you want the court to consider. Label them "Attachment 6."

7. **Documented evidence of criminal conviction** (Family Code section 4320(m))

- a. ☐ **Felony conviction of the party asking for support**

The party being asked to pay support requests that the court find that the party asking for support is prohibited by law from receiving support (including medical, life, or other insurance benefits or payments) under Family Code section 4324.5 because:

- (1) The party asking for support was convicted of a violent sexual felony or domestic violence felony against the party being asked to pay support within five years after the conviction (and any time served in custody, on probation or on parole); and
- (2) The petition for divorce was filed within five years after the spouse's or domestic partner's conviction (and any time served in custody or on parole).

- b. ☐ **Misdemeanor conviction of the party asking for support**

☐ See Attachment 7b

- (1) There is a rebuttable presumption that the party asking for support is prohibited from receiving support from the party being asked to pay support under Family Code section 4325 because:

- (A) The party asking for support was either convicted of a domestic violence misdemeanor against the party being asked to pay support in this case or convicted of a misdemeanor against the other party that resulted in a term of probation under Penal Code section 1203.097; and
- (B) The conviction was entered by the court within five years before the petition for divorce was filed (or the conviction was entered at any time during the divorce case).

- (2) Based on a preponderance of the evidence,

- (A) ☐ The party being asked to pay support asks the court to find that the presumption has not been rebutted.
- (B) ☐ The party asking for support asks the court find that the presumption has been rebutted.

Attach to this form a declaration and documents that you want the court to consider. Label them "Attachment 7b"

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SECTION 2: FACTS ABOUT THE PARTY ASKING FOR SUPPORT**8. Earning capacity** (Family Code section 4320(a)(1))

- a. The marketable skills (training, job skills, and work history) of the party asking for support (*describe*): ☐ See Attachment 8a
- b. The current job market for the job skills of the party asking for support is (*specify*): ☐ See Attachment 8b
- c. The time and expenses required for the party asking for support to acquire the appropriate education and training to develop the skills for the job market described in (b) (*specify*): ☐ See Attachment 8c
- d. The possible need for retraining or education to acquire other, more marketable skills or employment (*specify*): ☐ See Attachment 8d
- e. Indicate the extent to which the party asking for support is able to earn enough money to maintain the standard of living established during the marriage or domestic partnership.

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9. **Earning capacity** (Family Code section 4320(a)(2)) ☐ See Attachment 9
- a. The party asking for support ☐ has ☐ has not had periods of unemployment because of the time needed to attend to domestic duties. *(Complete (b) if there were periods of unemployment.)*
- b. Specify the extent to which the present or future earning capacity of the party asking for support is impaired by periods of unemployment to devote time to domestic duties during the marriage or domestic partnership.
-
10. **Contributions to the education and training of the party being asked to pay support** ☐ See Attachment 10
- a. The party asking for support ☐ did ☐ did not contribute to the education, training, career position, or license of the party being asked to pay support *(If the party asking for support did contribute, complete item b below.)*
- b. Specify the extent to which the party asking for support contributed to the education, training, career position, or license of the party being asked to pay support.
-
11. **Care for children** (Family Code section 4320(g)) ☐ See Attachment 11
- a. The party asking for support ☐ has ☐ has not had periods of unemployment to care for the children of the marriage or domestic partnership. *(Complete (b) if there were periods of unemployment.)*
- b. The party asking for support ☐ is ☐ is not able to be gainfully employed without unduly interfering with the interests of the children in the care of the party asking for support *(specify):*
-
12. **Needs of the party asking for support** (Family Code section 4320(d)) ☐ See Attachment 12
- Specify the needs of the party asking for support based on the standard of living established during the marriage or domestic partnership, as described in question 4.
-
13. **Assets and debts** (Family Code section 4320(e)) ☐ See Attachment 13
- a. The assets, including separate property, of the party asking for support are *(specify):*

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b. The debts, including separate property, of the party asking for support are *(specify)*:

14. **Tax consequences** (Family Code section 4320(j))

☐ See Attachment 14

The immediate and specific tax consequences for the party asking for support are *(specify)*:

15. **Goal to become self-supporting** (Family Code section 4320(l))

☐ See Attachment 15

Notice: When ordering spousal or domestic partner support in a judgment, the court may advise (warn) the party asking for support to make reasonable efforts to become self-supporting within a reasonable period of time, considering all the factors in Family Code section 4320. The court may decide that this warning (often called a “Gavron” warning) is not appropriate if the case involves a marriage or domestic partnership of long duration (about 10 years or longer). Generally, failure to become self-supporting after the court gives the warning can result in an order to reduce the amount of the support award.

- a. This ☐ is ☐ is not a marriage or domestic partnership of long duration (ten years or more).
- b. The party asking for support ☐ is ☐ is not self-supporting *(If not, specify below what steps, if any, the party asking for support will take to become self-supporting within a reasonable period of time):*

c. Other *(specify below)*:

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SECTION 3: FACTS ABOUT THE PARTY BEING ASKED TO PAY SUPPORT**16. Ability to pay support / earning capacity** (Family Code sections 4320(a) and (c))☐ See Attachment 16

- a. The earned income of the party being asked to pay support is *(specify)*: ☐ unknown
- b. The unearned income of the party being asked to pay support is *(specify)*: ☐ unknown
- c. This party ☐ does ☐ does not have the ability to earn enough money to maintain the standard of living described in 4 for both spouses or domestic partners. *(If not, explain why below.)*

- d. Based on the above responses, this party ☐ is ☐ is not able to pay spousal or domestic partner support.

17. Needs of the party being asked to pay support (Family Code section 4320(d))☐ See Attachment 17

Specify the needs of the party being asked to pay support based on the standard of living established during the marriage or domestic partnership, as described in question 4.

18. Assets and debts (Family Code section 4320(e))☐ See Attachment 18

- a. The assets, including separate property, of the party being asked to pay support are *(specify)*:
- b. The debts, including separate property, of the party being asked to pay support are *(specify)*:

19. Tax consequences (Family Code section 4320(j))☐ See Attachment 19

The immediate and specific tax consequences for the party being asked to pay support *(specify)*:

PETITIONER: RESPONDENT:	CASE NUMBER:
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SECTION 4: BALANCE OF HARDSHIPS AND OTHER FACTORS**20. Balance of hardships** (Family Code section 4320(k))☐ See Attachment 20

Describe below any special financial difficulties to the party if ordered to pay support compared to the hardship to the party who is asking for support. *(For example, consider the ability of a party to pay support versus the need of the other an party to receive financial support).*

21. Indicate below other factors, if any, that the court should consider that are just and equitable in ordering spousal or domestic partner.(Family Code section 4320(n))☐ See Attachment 21

Number of pages attached: _____

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 (Juvenile cases only):	
<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	☐ Confidential (list state only)	☐ 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:
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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. ☐ Family						
b. ☐ Probate Guardianship						
c. ☐ Other						

Proceeding	Case Number	Court (name, state, location)
d. ☐ Juvenile		
e. ☐ 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. ☐ Criminal				
b. ☐ Family				
c. ☐ Juvenile				
d. ☐ 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	☐ Confidential (list state only)	☐ 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	☐ Confidential (list state only)	☐ Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

Page

PARTY WITHOUT ATTORNEY OR 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:	
PETITIONER: RESPONDENT:	
REQUEST TO ENTER DEFAULT	CASE NUMBER:

1. **To the clerk:** Please enter the default of the respondent who has failed to respond to the petition.
2. A completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155)
☐ is attached ☐ is not attached.
3. A completed *Property Declaration* (form FL-160) ☐ is attached ☐ is not attached
 If a completed *Property Declaration* (form FL-160) is not attached, check at least one of the following boxes to indicate the reason:
 - a. ☐ there have been no changes since the previous filing.
 - b. ☐ the issues subject to disposition by the court in this proceeding are the subject of a written agreement.
 - c. ☐ there are no issues of child, spousal, or partner support or attorney fees and costs subject to determination by the court.
 - d. ☐ the petition does not request money, property, costs, or attorney fees.
 - e. ☐ there are no issues of division of community property.
 - f. ☐ this is an action to establish parental relationship.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF [ATTORNEY FOR] PETITIONER)

4. Declaration

- a. ☐ No mailing is required because service was by publication or posting and the address of the respondent remains unknown.
- b. ☐ A copy of this *Request to Enter Default*, including any attachments and an envelope with sufficient postage, was provided to the court clerk, with the envelope addressed as follows (*address of the respondent's attorney or, if none, the respondent's last known address*):

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)

FOR COURT USE ONLY ☐ <i>Request to Enter Default</i> mailed to the respondent or the respondent's attorney on (date): ☐ Default entered as requested on (date): ☐ Default not entered. Reason:	Clerk, by _____, Deputy
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PETITIONER: RESPONDENT:	CASE NUMBER:
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5. Memorandum of costs

- a. ☐ Costs and disbursements are waived.
- b. Costs and disbursements are listed as follows:
- | | |
|--|-----------------|
| (1) ☐ Clerk's fees | \$ |
| (2) ☐ Process server's fees | \$ |
| (3) ☐ Other (<i>specify</i>): | \$ |
| | \$ |
| | \$ |
| | \$ |
| TOTAL | \$ |

c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

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)

6. Declaration of nonmilitary status (*required for a judgment*).

The respondent is not in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that the respondent is not in the U.S. military service because (*check all that apply*):

- a. ☐ the search results that I received from scra.dmdc.osd.mil/ say the respondent is not in the U.S. military service.
- b. ☐ I am in regular communication with the respondent and know that they are not in the U.S. military service.
- c. ☐ I recently contacted the respondent, and they told me that they are not in the U.S. military service.
- d. ☐ I know that the respondent was discharged from U.S. military service on or about (*date*):
- e. ☐ the respondent is not eligible to serve in the U.S. military because they are incarcerated (in jail or prison).
- f. ☐ other (*specify*):

Note

- U.S. military status can be checked online at scra.dmdc.osd.mil/.
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see selfhelp.courts.ca.gov/military-defaults.

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)

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: OTHER PARTY/PARENT/CLAIMANT:	
INCOME AND EXPENSE DECLARATION	CASE NUMBER:

1. Employment (Give information on your current job or, if you're unemployed, your most recent job.)

Attach copies of your pay stubs for last two months (black out Social Security numbers).	a. Employer: b. Employer's address: c. Employer's phone number: d. Occupation: e. Date job started: f. If unemployed, date job ended: g. I work about _____ hours per week. h. I get paid \$ _____ gross (before taxes) ☐ per month ☐ per week ☐ per hour.
---	--

(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.)

2. Age and education

- 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): _____

3. Tax information

- a. ☐ I last filed taxes for tax year (specify year): _____
- b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
☐ married, filing jointly with (specify name): _____
- c. I file state tax returns in ☐ California ☐ other (specify state): _____
- d. I claim the following number of exemptions (including myself) on my taxes (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): _____

(If you need more space to answer any questions on this form, attach an 8 1/2-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: _____

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: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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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) ☐ currently receiving	\$	
e. Spousal support ☐ from this marriage ☐ from a different marriage ☐ federally taxable*	\$	
f. Partner support ☐ from this domestic partnership ☐ from a different domestic partnership	\$	
g. Pension/retirement fund payments	\$	
h. Social Security retirement (not SSI)	\$	
i. Disability: ☐ Social Security (not SSI) ☐ State disability (SDI) ☐ 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 ☐ 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, ☐ real and ☐ 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:
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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.				☐ Yes	☐ No
b.				☐ Yes	☐ No
c.				☐ Yes	☐ No
d.				☐ Yes	☐ No
e.				☐ Yes	☐ No

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

a. Home:

- | | |
|---|---|
| (1) ☐ Rent or ☐ 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): \$ |
|---|---|

r. TOTAL EXPENSES (a-q) (do not add in the amounts in a(1)(a) and (b)) \$
--

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:
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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 expenses for the children in this case

Amount per month

- a. Child care 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 *(specify below)*: \$ _____

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 *(examples: fire, theft, other insured loss)* \$ _____
- c. (1) Expenses for my minor children who are from other relationships and are living with me \$ _____
 (2) Names and ages of those children *(specify)*:

(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	
☐ PETITIONER'S ☐ RESPONDENT'S ☐ COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION ☐ 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>.

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:	
MARRIAGE OR PARTNERSHIP OF PETITIONER: RESPONDENT:	
JUDGMENT ☐ DISSOLUTION ☐ LEGAL SEPARATION ☐ NULLITY ☐ Status only ☐ Reserving jurisdiction over termination of marital or domestic partnership status ☐ Judgment on reserved issues Date marital or domestic partnership status ends:	CASE NUMBER:

1. ☐ This judgment ☐ contains personal conduct restraining orders ☐ modifies existing restraining orders.
 The restraining orders are contained on page(s) _____ of the attachment. They expire on (date): _____

 2. This proceeding was heard as follows: ☐ Default or uncontested ☐ By declaration under Family Code section 2336
☐ Contested ☐ Agreement in court
 - a. Date: _____ Dept.: _____ Room: _____
 - b. Judicial officer (name): _____ ☐ Temporary judge
 - c. ☐ Petitioner present in court ☐ Attorney present in court (name): _____
 - d. ☐ Respondent present in court ☐ Attorney present in court (name): _____
 - e. ☐ Claimant present in court (name): _____ ☐ Attorney present in court (name): _____
 - f. ☐ Other (specify name): _____

 3. The court acquired jurisdiction of the respondent on (date): _____
 - a. ☐ The respondent was served with process.
 - b. ☐ The respondent appeared.
- THE COURT ORDERS, GOOD CAUSE APPEARING**
4. a. ☐ Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
 - (1) ☐ on (specify date): _____
 - (2) ☐ on a date to be determined on noticed motion of either party or on stipulation.
 - b. ☐ Judgment of legal separation is entered.
 - c. ☐ Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): _____

 - d. ☐ This judgment will be entered nunc pro tunc as of (date): _____
 - e. ☐ Judgment on reserved issues.
 - f. The ☐ petitioner's ☐ respondent's former name is restored to (specify): _____
 - g. ☐ Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
 - h. ☐ This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME (Last name, first name of each party): 	CASE NUMBER:
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4. i. ☐ The children of this marriage or domestic partnership are:
- (1) ☐ Name Birthdate
- (2) ☐ Parentage is established for children of this relationship born prior to the marriage or domestic partnership
- j. ☐ Child custody and visitation (parenting time) are ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement which contains the information required by Family Code section 3048(a).
- (2) ☐ *Child Custody and Visitation Order Attachment* (form FL-341).
- (3) ☐ *Stipulation and Order for Custody and/or Visitation of Children* (form FL-355).
- (4) ☐ Previously established in another case. Case number: Court:
- k. ☐ Child support is ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement which contains the declarations required by Family Code section 4065(a).
- (2) ☐ *Child Support Information and Order Attachment* (form FL-342).
- (3) ☐ *Stipulation to Establish or Modify Child Support and Order* (form FL-350).
- (4) ☐ Previously established in another case. Case number: Court:
- l. ☐ Spousal, domestic partner, or family support is ordered:
- (1) ☐ Reserved for future determination as relates to ☐ petitioner ☐ respondent
- (2) ☐ Jurisdiction terminated to order spousal or partner support to ☐ petitioner ☐ respondent
- (3) ☐ As set forth in the attached *Spousal, Partner, or Family Support Order Attachment* (form FL-343).
- (4) ☐ As set forth in the attached settlement agreement, stipulation for judgment, or other written agreement.
- (5) ☐ Other (specify):
- m. ☐ Property division is ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement.
- (2) ☐ *Property Order Attachment to Judgment* (form FL-345).
- (3) ☐ Other (specify):
- n. ☐ Attorney fees and costs are ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement.
- (2) ☐ *Attorney Fees and Costs Order* (form FL-346).
- (3) ☐ Other (specify):
- o. ☐ Other (specify):

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date: _____

JUDICIAL OFFICER

5. Number of pages attached: _____ ☐ SIGNATURE FOLLOWS LAST ATTACHMENT

NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar property interest. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner'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.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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CHILD CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT

- TO ☐ **Findings and Order After Hearing** (form FL-340) ☐ **Judgment** (form FL-180) ☐ **Judgment** (form FL-250)
☐ **Stipulation and Order for Custody and/or Visitation (Parenting Time)** (form FL-355)
☐ **Other** (specify):

1. **Jurisdiction.** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (Fam. Code, §§ 3400–3465).
2. **Notice and opportunity to be heard.** The responding party was given notice and an opportunity to be heard, as provided by the laws of the State of California.
3. **Country of habitual residence.** The country of habitual residence of the child or children in this case is
☐ the United States ☐ Other (specify):
4. **Penalties for violating this order.** If you violate this order, you may be subject to civil or criminal penalties, or both.
5. ☐ **Child abduction prevention.** There is a risk that one of the parties will take the children out of California without the other party's permission. (*Child Abduction Prevention Order Attachment* (form [FL-341\(B\)](#)) is attached and must be obeyed.)
6. ☐ The court refers the parties to child custody mediation or child custody recommending counseling as follows:

7. ☐ **Child custody.** Custody of the minor children of the parties is awarded as follows:

a. <u>Child's Name</u>	<u>Birth Date</u>	Legal custody to: (<i>person who decides about the child's health, education, and welfare</i>)	Physical custody to: (<i>person the child regularly lives with</i>)
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- b. ☐ Joint legal custody of the child or children will be exercised as specified in the following order:
☐ [Attachment 7b](#) (form [MC-025](#) may be used for this purpose)
☐ *Joint Legal Custody Attachment* (form FL-341(E))
8. ☐ **Child custody and visitation (parenting time) involving allegations of a history of abuse or substance abuse**
 - a. Allegations have been raised in form FL-311, other documents filed in the court, or in a court hearing that
 - (1) ☐ Petitioner ☐ Respondent ☐ Other parent/party is (or are) alleged to have a history of abuse against any of the following persons: a child, the other parent, their current spouse, or the person they live with or are dating or engaged to.
 - (2) ☐ Petitioner ☐ Respondent ☐ Other parent/party is (or are) alleged to have the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.
 - b. ☐ The court does NOT grant sole or joint custody of the minor children to:
☐ Petitioner ☐ Respondent ☐ Other parent/party
 - c. ☐
 - (1) Even though there are allegations of a history of abuse or substance abuse, the court GRANTS sole or joint custody of the minor child as set out in item 7.
 - (2) As required by Family Code section 3011(a)(5)(A), the court's reasons for making the orders:
 - (A) ☐ Are in writing and filed separately (form [FL-351](#) may be used for this purpose).
 - (B) ☐ Were recorded as follows: ☐ In a minute order ☐ By a court reporter
☐ Other (specify):
 - (3) The court finds that the order is in the best interests of the child, protects the safety of the parties and the child, and is specific as to time, day, place, and manner of transfer (exchange) of the child as Family Code sections 3011(a)(5)(A) and 6323(c) require.

THIS IS A COURT ORDER.



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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9. ☐ **Visitation (parenting time)**
- a. ☐ Reasonable right of visitation to the party without physical custody (**not appropriate in cases involving domestic violence**)
- b. ☐ See the attached _____-page document
- c. ☐ No visitation (parenting time)
- d. ☐ The visitation (parenting time) will be supervised as specified in the attached *Supervised Visitation (Parenting Time) and Exchanges Order* ([FL-341\(A\)](#)).
- e. ☐ Visitation (parenting time) for the ☐ petitioner ☐ respondent ☐ other (name):
 will be in person, by virtual visitation (not in person), and/or other ways as specified below:

(1) ☐ **In person**, as follows

(a) ☐ **Weekends starting** (date):

(Note: The first weekend of the month is the first weekend with a Saturday.)

Weekend	Day(s)	Times	Start of (or After) School (if applicable)
☐ 1st	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 2nd	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 3rd	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 4th	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 5th	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after

- (i) ☐ The parties will alternate the fifth weekends, with the ☐ petitioner ☐ respondent ☐ other parent/party having the initial fifth weekend, starting (date):

- (ii) ☐ The ☐ petitioner ☐ respondent ☐ other parent/party will have the fifth weekend in ☐ odd ☐ even numbered months.

(b) ☐ **Alternate weekends starting** (date):

from _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

to _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

(c) ☐ **Weekdays starting** (date):

from _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

to _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

- (d) ☐ **Other visitation (parenting time) days and restrictions are** ☐ listed in [Attachment 9e\(1\)\(d\)](#)
 (form [MC-025](#) may be used for this purpose) ☐ as follows:

(2) ☐ **Virtual visitation**, as follows:

THIS IS A COURT ORDER.



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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9. e. (3) ☐ **Other ways visitation can happen** that are in the best interests of the child are as follows:

10. ☐ **Supervised visitation (parenting time)**

Until ☐ further order of the court ☐ other (*specify*):

☐ petitioner ☐ respondent ☐ other parent/party (*name*):

will have supervised visitation (parenting time) with the minor children according to the attached *Supervised Visitation (Parenting Time) and Exchanges Order* (form [FL-341\(A\)](#)).

11. ☐ **Transportation for visitation (parenting time) and place of exchange**

a. The children must be driven only by a licensed and insured driver. The vehicle must be legally registered with the Department of Motor Vehicles, and must have child restraint devices properly installed, as required by law.

b. ☐ Transportation **to** begin the visits will be provided by the ☐ petitioner ☐ respondent
☐ other (*specify*):

c. ☐ Transportation **from** the visits will be provided by the ☐ petitioner ☐ respondent
☐ other (*specify*):

d. ☐ The exchange point at the beginning of the visit will be at (*address*):

e. ☐ The exchange point at the end of the visit will be at (*address*):

f. ☐ During the exchanges, the party driving the children will wait in the car and the other party will wait in the home (or exchange location) while the children go between the car and the home (or exchange location).

g. ☐ Other (*specify*):

12. ☐ **Travel with children.** The ☐ petitioner ☐ respondent ☐ other parent/party (*name*):
must have written permission from the other parent or a court order to take the children out of

a. ☐ The state of California.

b. ☐ The following counties (*specify*):

c. ☐ Other places (*specify*):

THIS IS A COURT ORDER.



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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13. ☐ **Holiday schedule.** The children will spend holiday time as listed ☐ below ☐ in the attached schedule.
(Children's Holiday Schedule Attachment (form [FL-341\(C\)](#)) may be used for this purpose.)
14. ☐ **Additional custody provisions.** The parties will follow the additional custody provisions listed ☐ below ☐ in the attached schedule. *(Additional Provisions—Physical Custody Attachment (form [FL-341\(D\)](#)) may be used for this purpose.)*
15. **Access to children's records.** Both the custodial and noncustodial parent have the right to access records and information about their minor children (including medical, dental, and school records) and consult with professionals who are providing services to the children.
16. ☐ **Other (specify):**

Attachment to: ☐ Findings and Order After Hearing (form FL-340) ☐ Judgment (form FL-180)
☐ Judgment (form FL-250) ☐ Restraining Order After Hearing (form DV-130)
☐ Other (specify):

1. ☐ A printout of a computer calculation and findings is attached and incorporated in this order for all required items not filled out below.

	Gross <u>income monthly</u>	<u>Net monthly income</u>	Receiving <u>TANF/CalWORKS</u>
a. Each parent's monthly income is as follows:			
Petitioner:	\$	\$	
Respondent:	\$	\$	
Other parent/party:	\$	\$	

(1) ☐ petitioner has the ability to earn \$ _____ per month.

(2) ☐ respondent has the ability to earn \$ _____ per month.

(3) ☐ other parent/party has the ability to earn \$ _____ per month.

(4) The factors used to calculate earning capacity under Family Code section 4058(b) are stated

(a) ☐ in *Earning Capacity Factors Attachment* (form FL-302).

(b) ☐ as follows (*specify*):

a. Number of children who are the subjects of the support order (*specify*):

b. Approximate percentage of time spent with petitioner: %
respondent: %
other parent/party: %

Hardships for the following have been allowed in calculating child support:

		<u>Petitioner</u>	<u>Respondent</u>	<u>Other Parent/Party</u>	<u>Approximate end date for the hardship</u>
a.	☐ Other minor children:	\$	\$	\$	
b.	☐ Extraordinary medical expenses:	\$	\$	\$	
c.	☐ Catastrophic losses:	\$	\$	\$	

a. ☐ The low-income adjustment applies at the lowest amount of the range.

b. ☐ The lowest amount of the low-income adjustment has been rebutted and does not apply because (*specify reasons*):

Form Adopted for Mandatory Use
Judicial Council of California
FL-342 [Rev. September 1, 2024]

Family Code, §§ 4055-4069
www.courts.ca.gov

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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6. ☐ **Child support**

a. **Base child support**

☐ Petitioner ☐ Respondent ☐ Other parent/party must pay child support beginning (date): _____ and continuing until further order of the court, or until the child marries, dies, is emancipated, reaches age 19, or reaches age 18 and is not a full-time high school student, whichever occurs first, as follows:
Child's name Date of birth Monthly amount Payable to (name):

Payable ☐ on the 1st of the month ☐ other (specify): _____

b. ☐ **Mandatory additional child support**

(1) Childcare costs related to employment or reasonably necessary job training

- | | | |
|---|---|-----------------------------|
| (a) ☐ Petitioner must pay: | % of total or ☐ \$ | per month child-care costs. |
| (b) ☐ Respondent must pay: | % of total or ☐ \$ | per month child-care costs. |
| (c) ☐ Other parent/party must pay: | % of total or ☐ \$ | per month child-care costs. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | |

(2) Reasonable uninsured health care costs for the children

- | | | |
|---|---|------------|
| (a) ☐ Petitioner must pay: | % of total or ☐ \$ | per month. |
| (b) ☐ Respondent must pay: | % of total or ☐ \$ | per month. |
| (c) ☐ Other parent/party must pay: | % of total or ☐ \$ | per month. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | |

c. ☐ **Additional child support**

(1) ☐ Costs related to the educational or other special needs of the children

- | | | |
|---|---|------------|
| (a) ☐ Petitioner must pay: | % of total or ☐ \$ | per month. |
| (b) ☐ Respondent must pay: | % of total or ☐ \$ | per month. |
| (c) ☐ Other parent/party must pay: | % of total or ☐ \$ | per month. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | |

(2) ☐ Travel expenses for visitation

- | | | |
|---|---|------------|
| (a) ☐ Petitioner must pay: | % of total or ☐ \$ | per month. |
| (b) ☐ Respondent must pay: | % of total or ☐ \$ | per month. |
| (c) ☐ Other parent/party must pay: | % of total or ☐ \$ | per month. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | |

d. ☐ **Non-Guideline Order**

This order is ☐ below ☐ above the child support guideline set forth in Family Code section 4055. *Non-Guideline Child Support Findings Attachment* (form FL-342(A)) is attached.

Total child support per month: \$

THIS IS A COURT ORDER.

CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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7. Health care expenses

- a. Health insurance coverage for the minor children of the parties must be maintained by the
☐ petitioner ☐ respondent ☐ other parent/party if available at no or reasonable cost through their respective places of employment or self-employment. Both parties are ordered to cooperate in the presentation, collection, and reimbursement of any health care claims. The parent ordered to provide health insurance must seek continuation of coverage for the child after the child attains the age when the child is no longer considered eligible for coverage as a dependent under the insurance contract, if the child is incapable of self-sustaining employment because of a physically or mentally disabling injury, illness, or condition and is chiefly dependent on the parent providing health insurance for support and maintenance.
- b. ☐ Health insurance is not available to the ☐ petitioner ☐ respondent ☐ other parent/party at a reasonable cost at this time.
- c. ☐ The party providing coverage must assign the right of reimbursement to the other party.

8. Earnings assignment

An earnings assignment order is issued. **Note:** The parent ordered to pay support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's wages and for payment of any support not paid by the assignment.

9. In the event that there is a contract between a person ordered to receive support and a private child support collector, the parent ordered to pay support must pay the fee charged by the private child support collector. This fee must not exceed 33-1/3 percent of the total amount of past due support nor may it exceed 50 percent of any fee charged by the private child support collector. The money judgment created by this provision is in favor of the private child support collector and the person ordered to receive support, jointly.

10. ☐ Employment search order (Family Code section 4505)

☐ Petitioner ☐ Respondent ☐ Other parent/party is ordered to seek employment with the following terms and conditions:

11. Other orders (specify):

12. Notices

- a. *Notice of Rights and Responsibilities Regarding Child Support* (form FL-192) must be attached and is incorporated into this order.
- b. If this form is attached to *Restraining Order After Hearing* (form DV-130), the support orders issued on this form (form FL-342) remain in effect after the restraining orders issued on form DV-130 end.

13. Child Support Case Registry Form

Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this order. Thereafter, the parties must notify the court of any change in the information submitted within 10 days of the change by filing an updated form.

NOTICE: Any parent ordered to pay child support must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.

THIS IS A COURT ORDER.

CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

PETITIONER: RESPONDENT:	CASE NUMBER:
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SPOUSAL, DOMESTIC PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT

- TO ☐ *Findings and Order After Hearing* (form FL-340) ☐ *Judgment* (form FL-180)
☐ *Restraining Order After Hearing (CLETS-OAH)* (form DV-130) ☐ *Other (specify):*
☐ *Parties' Stipulation (Written Agreement) dated (specify):* _____

- ☐ THE COURT FINDS ☐ THE PARTIES STIPULATE (AGREE)

Specify if this attachment is about an order for temporary support or a judgment for permanent support (check either 1 or 2 below).

1. ☐ This attachment relates to temporary spousal or domestic partner support.

a. ☐ This order attachment modifies an order or agreement for temporary support entered on *(date)*:

b. **Net income.** The parties' monthly income and deductions are as follows *(complete (1), (2), or both)*:

		Total gross monthly <u>income</u>	Total monthly <u>deductions</u>	Total hardship <u>deductions</u>	Net monthly disposable <u>income</u>
(1) Petitioner:	☐ receiving TANF/CalWORKS	\$	\$	\$	\$
(2) Respondent:	☐ receiving TANF/CalWORKS	\$	\$	\$	\$

c. ☐ A printout of a computer calculation of the parties' financial circumstances is attached for all required items not filled out above *(for temporary support only)*.

2. ☐ This attachment relates to a judgment for permanent spousal or domestic partner support.

a. ☐ This order attachment modifies a judgment entered on *(date)*:

b. ☐ The parties were married for *(specify):* _____ years and _____ months.

c. ☐ The parties were registered as domestic partners or the equivalent for *(specify):* _____ years and _____ months.

d. Family Code section 4320 factors *(check either (1) or (2) below, then complete (3))*.

(1) ☐ The parties agreed to some or all of the factors as stated in *Spousal or Domestic Partner Support Declaration Attachment* (form FL-157) or in a similar written declaration filed with the court.

(2) ☐ The court considered the parties' declarations and supporting documents regarding each Family Code section 4320 factor as stated in testimony, in *Spousal or Domestic Partner Support Declaration Attachment* (form FL-157), or in a similar written declaration filed with the court.

(3) The parties' agreement, or the court's findings, on Family Code section 4320 factors are *(specify)*:

(A) ☐ included in Attachment 2d(3)(A).

(B) ☐ included in *Spousal or Domestic Partner Support Factors Under Family Code Section 4320—Attachment* (form FL-349).

(C) ☐ specified below:

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
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2. e. ☐ The parties are both self-supporting.
- f. ☐ The standard of living established during the marriage or domestic partnership was *(describe)*: ☐ See Attachment 2f.
- g. ☐ The Court finds that the parties have knowingly, intelligently, and voluntarily entered into a stipulation.
3. **Jurisdiction**
- a. ☐ The issue of support for the ☐ petitioner ☐ respondent is reserved for a later determination.
- b. ☐ The court terminates jurisdiction over the issue of support for the ☐ petitioner ☐ respondent.
- c. ☐ The court's jurisdiction over the issue of support will end on *(specify date)*:
4. **Support amount and payment terms**
- a. The ☐ petitioner ☐ respondent must pay to the ☐ petitioner ☐ respondent as ☐ temporary ☐ permanent ☐ spousal support ☐ family support ☐ domestic partner support the following amount each month: \$
- b. Support payments will begin *(date)*:
- c. Support payments are:
- (1) ☐ payable through *(specify end date)*:
- (2) ☐ payable on the _____ day of each month.
- (3) ☐ Other *(specify)*:
- d. ☐ Support must be paid by ☐ check, money order, or cash ☐ other method *(specify)*:
5. **Earnings assignment**
- a. ☐ An earnings assignment for the support will issue as requested by ☐ petitioner ☐ respondent.
Note: The payor of spousal, family, or domestic partner support is responsible for the payment of support directly to the recipient until support payments are deducted from the earnings, and for any support not paid by the assignment.
- b. ☐ Service of the earnings assignment is stayed provided the payor is not more than *(specify number)*: _____ days late in paying spousal, family, or domestic partner support.
6. **Termination (end) of support**
- a. By law, unless the parties otherwise agree in writing, the support payor's obligation to pay support will end when either party dies or the support payee remarries or registers a new domestic partnership.
- b. ☐ **Parties' agreement**
The parties agree that the support payor's obligation to pay support will not end as described in 6a. Instead, the support payor's obligation to pay support will continue until *(specify below the terms of your agreement about when the support payee's obligation to pay support will end)*:

THIS IS A COURT ORDER.

SPOUSAL, DOMESTIC PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT
(Family Law)

PETITIONER:
RESPONDENT:

CASE NUMBER:

7. ☐ **Family support orders.** This order is for family support.
- Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this order.
 - The parents must notify the court of any change of information submitted within 10 days of the change by filing an updated form.
 - A *Notice of Rights and Responsibilities Regarding Child Support* (form FL-192) must be attached to the court order.
8. ☐ **Notice of change of employment**
The parties must inform each other in writing within 10 days of any change of employment, and include the new employer's name, address, and telephone number.
9. ☐ **Duty to become self-supporting**
- Notice: It is the goal of this state that each party must make reasonable good-faith efforts to become self-supporting as provided in Family Code section 4320. Failure to make reasonable good-faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support.
 - ☐ The ☐ petitioner ☐ respondent should make reasonable good-faith efforts to become self-supporting.
 - Other (*specify*):
10. ☐ **Attachment to Restraining Order After Hearing (form DV-130)**
- This form is attached to *Restraining Order After Hearing (CLETS-OAH) (Order of Protection)* (form DV-130).
 - The orders issued on this form (FL-343) do not expire on termination of the restraining orders issued on form DV-130.
11. ☐ **Other orders or agreements (*specify*):**

NOTICE: Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

THIS IS A COURT ORDER.

SPOUSAL, DOMESTIC PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT
(Family Law)

PETITIONER: RESPONDENT:	CASE NUMBER:
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PROPERTY ORDER ATTACHMENT TO JUDGMENT

1. Division of community property assets

- a. ☐ There are no community property assets.
- b. ☐ The court finds that the net value of the community estate is less than \$5,000 and that the ☐ petitioner ☐ respondent cannot be found. Under Family Code section 2604, the entire community estate is awarded to the ☐ petitioner ☐ respondent.
- c. ☐ The petitioner will receive the following assets: ☐ See Attachment 1c.
- d. ☐ The respondent will receive the following assets: ☐ See Attachment 1d.
- e. The ☐ petitioner ☐ respondent will be responsible for preparing and filing a *Qualified Domestic Relations Order* (QDRO) to divide the following plan or retirement account(s) (*specify*):

The fee for preparation of the QDRO shall be shared as follows:

- f. ☐ Other orders:
- g. ☐ Each spouse or domestic partner will receive the assets listed above as sole and separate property. The parties must execute any and all documents required to carry out this division.

2. Division of community property debts

- a. ☐ There are no community property debts.
- b. ☐ All community debts have been paid by the ☐ petitioner ☐ respondent. The ☐ petitioner ☐ respondent must reimburse the other party: \$
The payment plan is as follows:
- c. ☐ The petitioner
- (1) is assigned the debts listed below;
 - (2) is solely responsible for paying the debts listed below; and
 - (3) will not hold the respondent legally responsible for the debts listed below.
- ☐ See Attachment 2c.

PETITIONER: RESPONDENT:	CASE NUMBER:
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2. d. ☐ The respondent
- (1) is assigned the debts listed below;
 - (2) is solely responsible for paying the debts listed below; and
 - (3) will not hold the petitioner legally responsible for the debts listed below.
- ☐ See Attachment 2d.
- e. **Notice regarding division of community property (items c. and d.):**
Creditors are not bound by this judgment. If a creditor seeks payment from the party who is not listed as responsible for the debt, that party can file a *Request for Order* (form FL-300) to seek reimbursement from the party who was assigned the debt.
- f. The court reserves jurisdiction to divide any community debts not listed here and to enforce the terms of this judgment. This enforcement may include ordering a defaulting party to reimburse the other party for failing to follow the terms of this judgment.
- g. ☐ Other orders:
3. ☐ **Equalization of division of property and debt orders.** To equalize the division of the community property assets and debts, the ☐ petitioner ☐ respondent must pay to the other the sum of: \$ _____, payable as follows:
4. **Separate property**
- a. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the petitioner:
- b. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the respondent:
5. ☐ The settlement agreement between the parties dated: _____ is attached and made a part of this judgment.
6. ☐ **Sale of property.** The following property will be offered for sale and sold for the fair market value as soon as a willing buyer can be found, and the net proceeds from the sale will be ☐ divided equally ☐ other (*specify*): _____
7. ☐ Other orders (*specify*): _____

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARTY:	CASE NUMBER:
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ATTORNEY'S FEES AND COSTS ORDER ATTACHMENT

Attached to:

- ☐ *Findings and Orders After Hearing* (form FL-340)
☐ *Judgment (Uniform Parentage—Custody and Support)* (form FL-250)
☐ *Judgment* (form FL-180)
☐ *Other (specify):*

THE COURT FINDS

1. ☐ An award of attorney's fees and costs is appropriate because there is a demonstrated disparity between the parties in access to funds to retain or maintain counsel and in the ability to pay for legal representation.
 - a. ☐ The party requested to pay attorney's fees and costs has or is reasonably likely to have the ability to pay for legal representation for both parties.
 - b. ☐ The requested attorney's fees and costs are reasonable and necessary.
2. ☐ An award of attorney's fees and costs is not appropriate because *(check all that apply)*:
 - a. ☐ there is not a demonstrated disparity between the parties in access to funds to retain or maintain counsel or in the ability to pay for legal representation.
 - b. ☐ the party requested to pay attorney's fees and costs does not have or is not reasonably likely to have the ability to pay for legal representation for both parties.
 - c. ☐ the requested attorney's fees and costs are not reasonable or necessary.
3. ☐ Other *(specify)*:

THE COURT ORDERS

4. a. The ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other party to pay attorney's fees and costs in this legal proceeding
- b. in the amount of:
 - (1) ☐ Fees: \$
 - (2) ☐ Costs: \$
 - (3) ☐ Interest is not included and is not waived.
- c. Payable to ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other party
- d. ☐ From the payment sources of *(if specified)*:

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARTY:	CASE NUMBER:
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4. e. With a payment schedule of *(specify)*:
- (1) ☐ Due in full, on or before *(date)*:
 - (2) ☐ Due in installments, with monthly payments of *(specify)*: \$ _____, on the *(specify)*: _____ day of each month, beginning *(date)*: _____ until paid in full.
 - (3) ☐ If any payment is not timely made and more than _____ days overdue, the entire unpaid balance will immediately become due with interest at the legal rate, which is currently 10 percent per year, from the date of default to the date payment is finally made.
 - (4) ☐ No interest will accrue as long as payments are timely made.
 - (5) ☐ Other *(specify)*:

5. ☐ This amount includes *(check all that apply)*:
- a. ☐ a fee in the amount of *(specify)* \$ _____ to hire an attorney in a timely manner before the proceedings in the matter go forward.
 - b. ☐ attorney's fees and costs incurred to date in the amount of *(specify)*: \$ _____
 - c. ☐ estimated attorney's fees and costs in the amount of *(specify)*: \$ _____
 - d. ☐ attorney's fees and costs for limited scope representation in the amount of *(specify)*: \$ _____
 - e. ☐ any amounts previously ordered that have not yet been paid *(specify)*: \$ _____
 - f. ☐ Other *(specify)*:

6. ☐ Other orders *(specify)*:

NOTICE: Any party required to pay attorney's fees and costs must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

BIFURCATION OF STATUS OF MARRIAGE OR DOMESTIC PARTNERSHIP

ATTACHMENT TO ☐ JUDGMENT (FL-180) ☐ FINDINGS AND ORDER AFTER HEARING (FL-340)

The court grants the request of ☐ petitioner ☐ respondent to bifurcate and grant a separate trial on the issue of the dissolution of the status of the marriage or domestic partnership apart from other issues.

Date marital or domestic partnership status ends (specify):

THE COURT FINDS

1. A preliminary declaration of disclosure with a completed schedule of assets and debts and income and expense declaration has been served on the nonmoving party, or the parties have stipulated in writing to defer service of the preliminary declaration of disclosure until a later time.
2. Each retirement or pension plan of the parties has been joined as a party to the proceeding for dissolution unless joinder is precluded or made unnecessary by applicable law.

THE COURT ORDERS

3. a. To preserve the claims of each party in all retirement plan benefits on entry of judgment granting a dissolution of the status of the marriage or domestic partnership, the court makes one of the following orders for each retirement plan in which either party is a participant:
 - (1) A final domestic relations order or qualified domestic relations order under Family Code section 2610 disposing of each party's interest in retirement plan benefits, including survivor and death benefits.
 - (2) An interim order preserving the nonemployee party's right to retirement plan benefits, including survivor and death benefits, pending entry of judgment on all remaining issues.
 - (3) A provisional order on *Pension Benefits—Attachment to Judgment* (form FL-348) incorporated as an attachment to the judgment of dissolution of the status of marriage or domestic partnership (*Judgment (Family Law)* (form FL-180)). This order provisionally awards to each party a one-half interest in all retirement benefits attributable to employment during the marriage or domestic partnership.

b. Name of plan:

Type of order attached

3a(1) 3a(2) 3a(3)

☐	☐	☐
☐	☐	☐
☐	☐	☐

☐ See attachment 3b for additional plans.

- c. The moving party must promptly serve on the retirement or pension plan administrator a copy of any order entered under items a and b above and a copy of the judgment granting dissolution of the status of the marriage or domestic partnership (form FL-180).
4. Jurisdiction is reserved for later determination of all other pending issues in this case.
5. The court makes the following additional orders as conditions for granting the severance on the issue of dissolution of the status of marriage or domestic partnership. In the case of the moving party's death, the order continues to be binding on that moving party's estate and will be enforceable against any asset, including the proceeds thereof, to the same extent that these obligations would have been enforceable before the person's death.
 - a. ☐ **Division of property**
 The ☐ petitioner ☐ respondent must indemnify and hold the other party harmless from any ☐ taxes, ☐ reassessments, ☐ interest, and ☐ penalties payable by the other party in connection with the division of the community estate that would not have been payable if the parties were still married or domestic partners at the time the division was made.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

5. b. ☐ **Health insurance**

Until judgment has been entered on all remaining issues and has become final, the ☐ petitioner ☐ respondent must maintain all existing health and medical insurance coverage for the other party, and that party must also maintain any minor children as named dependents, as long as that party is eligible to do so. If at any time during this period the ☐ petitioner ☐ respondent is not eligible to maintain that coverage, that party must, at his or her sole expense, provide and maintain health and medical insurance coverage that is comparable to the existing health and medical insurance coverage to the extent it is available.

If that coverage is not available, the ☐ petitioner ☐ respondent is responsible for paying the health and medical care for the other party and the minor children to the extent that care would have been covered by the existing insurance coverage but for the dissolution of marital status or domestic partnership, and will otherwise indemnify and hold the other party harmless from any adverse consequences resulting from the loss or reduction of the existing coverage. "Health and medical insurance coverage" includes any coverage under any group or individual health or other medical plan, fund, policy, or program.

c. ☐ **Probate homestead**

Until judgment has been entered on all remaining issues and has become final, the ☐ petitioner ☐ respondent must indemnify and hold the other party harmless from any adverse consequences to the other party if the bifurcation results in a termination of the other party's right to a probate homestead in the residence in which the other party resides at the time the severance is granted.

d. ☐ **Probate family allowance**

Until judgment has been entered on all remaining issues and has become final, the ☐ petitioner ☐ respondent must indemnify and hold the other party harmless from any adverse consequences to the other party if the bifurcation results in the loss of the rights of the other party to a probate family allowance as the surviving spouse or surviving domestic partner.

e. ☐ **Retirement benefits**

Except for any retirement plan, fund, or arrangement identified in any order issued and attached as set out in paragraph 3, until judgment has been entered on all remaining issues and has become final, the ☐ petitioner ☐ respondent must indemnify and hold the other party harmless from any adverse consequences to the other party if the bifurcation results in the loss of the other party's rights with respect to any retirement, survivor, or deferred compensation benefits under any plan, fund, or arrangement, or to any elections or options associated with them, to the extent that the other party would have been entitled to those benefits or elections as the spouse or surviving spouse or the domestic partner or surviving domestic partner of the moving party.

f. ☐ **Social security benefits**

The moving party must indemnify and hold the other party harmless from any adverse consequences if the bifurcation results in the loss of rights to social security benefits or elections to the extent the other party would have been entitled to those benefits or elections as the surviving spouse or surviving domestic partner of the moving party.

g. ☐ **Beneficiary designation - Nonprobate transfer**

Attachment 5(g), Order Re: Beneficiary Designation for Nonprobate Transfer Assets, will remain in effect for each covered asset until the division of any community interest therein has been completed.

h. ☐ **Individual Retirement Accounts**

Attachment 5(h), Order Re: Division of IRA Under Internal Revenue Code Section 408(d)(6), has been issued to preserve the ability of ☐ petitioner ☐ respondent to defer distribution of his or her community interest on the death of the IRA owner.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

5. i. ☐ **Enforcement of community property rights**

Good cause exists to make additional orders as set out in Family Code section 2337(c)(9). See Attachment 5(i).

j. ☐ **Other conditions that are just and equitable**

Other:

6. Number of pages attached:

WARNING: *Judgment (Family Law)* (form FL-180) (status only) must be completed in addition to this form for the status of the marriage or domestic partnership to be ended.

PETITIONER/PLAINTIFF:	CASE NUMBER:
RESPONDENT/DEFENDANT:	

PENSION BENEFITS - ATTACHMENT TO JUDGMENT
(Attach to form FL-180)

This order concerns the division of retirement and survivor benefits between the following two parties:

Name of petitioner: _____ Name of respondent: _____
 Address of petitioner: _____ Address of respondent: _____

Date of marriage or registration of domestic partnership: _____ Date of separation: _____

TO THE EMPLOYER/PLAN ADMINISTRATOR OF EACH PLAN IDENTIFIED BELOW:

Each party identified above is provisionally awarded without prejudice, and subject to adjustment by a later domestic relations order, a separate interest equal to one-half of all benefits accrued or to be accrued under any retirement plan in which one party has accrued a benefit, including but not limited to the plans listed below, as a result of employment of the other party during the marriage or domestic partnership and before the date of separation. In addition, pending further notice, the plan must, as allowed by law, or as allowed by the terms of the plan in the case of a governmental plan, continue to treat the parties as married persons or domestic partners for purposes of any survivor rights and benefits available under the plan to the extent necessary to provide for payment to the surviving spouse or domestic partner of an amount equal to that separate interest or of all of the survivor benefits if at the time of death of the participant there is no other eligible recipient of the survivor benefit.

TO THE PARTIES:

Each party must provide the information and take the required actions listed below to protect the other party's interest in retirement benefits:

- List below (or on a page attached) the name and address of each employer for which you or the other party work or worked where either of you participated in a retirement plan during the marriage and before your separation. Include the name (or a description if you do not have the name) of each of these plans.
- For each plan you listed under item 1, promptly deliver a copy of this order to the plan's administrator. You can deliver a copy of this order in person or by mail. Provide a proof of service to the court and the other party.
 If you do not know the plan's administrator, deliver a copy to
 - the employer or plan sponsor, or, if unknown,
 - the trustee or custodian of any assets of the plan.
- Each party who is a participant in a plan listed under item 1 must join that plan as a party to this case when joinder is required by law. (See Retirement Plan Joinder - Information Sheet [form FL-318-INFO].)
- If you are not the party who participated in a plan listed in item 1 and are concerned that you have not received proof that notice of your interest has been delivered to that plan, you are encouraged to deliver a copy of this order to the appropriate plan administrator as described in item 2. You also have a right to join any plan that requires joinder in the event that no joinder documents have been filed with the court or served on the plan's administrator.
- Each party must promptly let each plan representative know of any change in that party's mailing address until all benefits due that party under the plan have been paid.

☐ See Attached

NOTICE OF RIGHTS AND RESPONSIBILITIES REGARDING CHILD SUPPORT

Childcare and Health Care Costs and Reimbursement Procedures

Your child support order may include a provision for payment of childcare or uninsured health care costs. Childcare costs may be included as part of the monthly child support payment or reimbursable as a percentage of the costs. If the childcare costs are included as part of the monthly child support payment, you must pay that amount each month until the court changes (modifies) the child support order. If you need to change your child support order because there has been a change in the cost of childcare, see page 2.

If you have a child support order that includes a provision for the reimbursement of a percentage of childcare costs or a portion of the child's or children's health care costs and those costs are not paid by insurance, the **law says**:

1. **Notice.** You must give the other parent an itemized statement of the charges that have been billed for any childcare costs or health care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 90 days after those costs were given to you.
2. **Proof of full payment.** If you have already paid all of the childcare costs or uninsured health care costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.
3. **Proof of partial payment.** If you have paid only your share of the childcare costs or uninsured health care costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the childcare or health care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.
4. **Payment by notified parent.** If you receive notice from a parent that a childcare or uninsured health care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.
5. **Going to court.** Sometimes parents get into disagreements about childcare and health care costs. If you and the other parent cannot resolve the situation after talking about it, you can request that the court make a decision.
 - a. **Disputed requests for payment.** If you dispute a request for payment made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay the requested amount before filing your request.
 - b. **Nonpayment.** If you claim that the other parent has failed to pay you back for a payment, or they have failed to make a payment to the provider after proper notice, you may file a request for the court to resolve the dispute.
 - c. **Paid charges.** The court will presume that if uninsured health care costs or childcare costs for employment or necessary training for job skills have been paid, those costs were reasonable. If you want to dispute paid charges, you will have to show the court that the costs were unreasonable.
 - d. **Attorney's fees.** If the court decides one parent has been unreasonable, it can order that parent to pay the other parent's attorney's fees and costs.
 - e. **Court forms.** Use forms FL-300 and FL-490 to get a court date. See form FL-300-INFO for information about completing, filing, and serving your court papers.
6. **Court-ordered insurance coverage.** If a parent provides health care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health care costs.
 - a. **Burden to prove.** The parent claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.
 - b. **Cost of additional coverage.** If a parent purchases health care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.
7. **Preferred health providers.** If the court-ordered coverage designates a preferred health care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any parent uses a health care provider other than the preferred provider, any health care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the parent incurring those costs.
8. **Need help?** Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

Information Sheet on Changing a Child Support Order

General Info

The court has made a child support order in your case. This order will remain the same unless one of the parents requests that the support be changed (modified). An order for child support can be modified by filing a request to change child support and serving the other parent. If both parents agree on a new child support amount, they can complete, sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350). (**Note:** If the local child support agency is involved in your case, it must be served with any request to change child support and approve any agreement.)

Online Self-Help Guide

For more information about how child support works, visit: <https://selfhelp.courts.ca.gov/child-support>.

When a Child Support Order May Be Changed

The court considers several things when ordering the payment of child support.

- First, the number of children is considered, along with the percentage of time each parent has physical custody of the children.
- Next, the net disposable incomes of both parents are determined (which is how much money is left each month after taxes and certain other items like health insurance, union dues, or other child support ordered and paid are subtracted from a parent's paycheck). The court can also look at a parent's earning ability.
- The court considers both parents' tax filing status and may consider hardships, such as the cost of raising the parent's child from another relationship who lives with the parent.

A parent can request to change an existing order for child support when circumstances change significantly. For example if the net disposable income of one of the parents changes, parenting time changes, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based on having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. **Remember:** You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order, you must fill out one of these forms:

- Form FL-300, *Request for Order* or
- Form FL-390, *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms, and attach proof of income for the past two months (like your paycheck stubs):

- Form FL-150, *Income and Expense Declaration* or
- Form FL-155, *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Contact the family law facilitator in your county. You can find them here: www.courts.ca.gov/selfhelp-facilitators.htm.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form. The clerk may ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form FW-001, *Request to Waive Court Fees* and
- Form FW-003, *Order on Court Fee Waiver (Superior Court)*

You must serve the other parent. If the local child support agency is involved, serve it too.

- This means someone 18 or over—not you—must deliver copies of your filed court forms to the other parent, at least **16 court days** before the hearing. Add **5 calendar days** if delivered by mail within California (see Code of Civil Procedure section 1005 for other situations).
- **Court days** are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to www.courts.ca.gov/holidays.htm.

Blank copies of both of these forms must also be served:

- Form FL-320, *Responsive Declaration to Request for Order*
- Form FL-150, *Income and Expense Declaration*

Then the server fills out and signs a *Proof of Service*. Take this form, plus one copy, to the clerk and file it at least one week before your hearing.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your proof of income for the past two months (like your paycheck stubs). The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- Form FL-340, *Findings and Order After Hearing* and
- Form FL-342, *Child Support Information and Order Attachment*

Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

Information About Child Support for Incarcerated or Confined Parents

1. **Child support.** As of September 27, 2022, child support automatically stops if the parent who has to pay is confined against their will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution.

Exception. Child support does not automatically stop if the parent who has to pay has money available to pay child support.

2. **Past confinement.** Child support also automatically stops during past confinement if it was ordered from October 8, 2015, through December 31, 2019, or January 1, 2021, through September 26, 2022, and the parent who has to pay was confined for more than 90 days in a row during the same time frame.

Exceptions for past confinement. Child support does not automatically stop if the parent who has to pay was in jail or prison for failing to pay child support or for domestic violence against the other parent or the child, or if they had money available to pay support.

3. **Timing.** The date child support automatically restarts will depend on the parent's release date. If you need to change your child support order, see page 2.

- a. **If released before January 1, 2024,** child support automatically restarts the first day of the first full month after the parent is released.
- b. **If released after January 1, 2024,** child support will automatically restart the first day of the 10th month after the parent is released.

Employment before the 10-month period ends: If the parent who has to pay support starts working before the date child support is set to automatically restart, the person who is owed support or the local child support agency can request the court restart the child support order early. The court may order a different amount of child support if appropriate.

4. **More info.** For more information about child support and incarcerated parents, see Family Code section 4007.5 or go to <https://selfhelp.courts.ca.gov/child-support/incarcerated-parent>.

You can also contact the family law facilitator in your county and can find them here: www.courts.ca.gov/selfhelp-facilitators.htm.

1. ☐ Dissolution 4. ☐ Dissolution—status only 7. ☐ Dissolution—reserving jurisdiction over termination of marital status or domestic partnership

2. ☐ Legal separation 5. ☐ Parent-child relationship

3. ☐ Nullity 6. ☐ Judgment on reserved issues 8. ☐ Other (*specify*):

—NOTICE TO ATTORNEY OR RECORD OR PARTY WITHOUT ATTORNEY—

STATEMENTS IN THIS BOX APPLY ONLY TO JUDGMENT OF DISSOLUTION

WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.

CLERK'S CERTIFICATE OF MAILING

Date: _____ Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	COURT PERSONNEL: STAMP DATE RECEIVED HERE DO NOT FILE
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	DO NOT FILE
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	
CHILD SUPPORT CASE REGISTRY FORM ☐ Mother ☐ First form completed ☐ Father ☐ Change to previous information	
CASE NUMBER:	

**THIS FORM WILL NOT BE PLACED IN THE COURT FILE. IT WILL BE
MAINTAINED IN A CONFIDENTIAL FILE WITH THE STATE OF CALIFORNIA.**

Notice: Pages 1 and 2 of this form must be completed and delivered to the court along with the court order for support. Pages 3 and 4 are instructional only and do not need to be delivered to the court. If you did not file the court order, you must complete this form and deliver it to the court within 10 days of the date on which you received a copy of the support order. Any later change to the information on this form must be delivered to the court on another form within 10 days of the change. It is important that you keep the court informed in writing of any changes of your address and telephone number.

1. Support order information (*this information is on the court order you are filing or have received*).
 - a. Date order filed:
 - b. ☐ Initial child support or family support order ☐ Modification
 - c. Total monthly base current child or family support amount ordered for children listed below, plus any monthly amount ordered payable on past-due support:

<u>Child Support:</u>	<u>Family Support:</u>	<u>Spousal Support:</u>
(1) ☐ Current \$ base child support: ☐ Reserved order ☐ \$0 (zero) order	☐ Current \$ base family support: ☐ Reserved order ☐ \$0 (zero) order	☐ Current \$ spousal support: ☐ Reserved order ☐ \$0 (zero) order
(2) ☐ Additional \$ monthly support:	☐ Additional \$ monthly support:	
(3) ☐ Total \$ past-due support:	☐ Total \$ past-due support:	☐ Total \$ past-due support:
(4) ☐ Payment \$ on past-due support:	☐ Payment \$ on past-due support:	☐ Payment \$ on past-due support:
(5) ☐ Wage withholding was ☐ ordered ☐ ordered but stayed until (date):		
2. Person required to pay child or family support (*name*):
Relationship to child (*specify*):
3. Person or agency to receive child or family support payments (*name*):
Relationship to child (*if applicable*):

TYPE OR PRINT IN INK

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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4. The child support order is for the following children:

Child's name

Date of birth

Social security number

- a.
- b.
- c.

☐ Additional children are listed on a page attached to this document.

You are required to complete the following information about yourself. You are not required to provide information about the other person, but you are encouraged to provide as much as you can. This form is confidential and will not be filed in the court file. It will be maintained in a confidential file with the State of California.

5. Father's name:

6. Mother's name:

- a. Date of birth:
- b. Social security number:
- c. Street address:

- a. Date of birth:
- b. Social security number:
- c. Street address:

City, state, zip code:

City, state, zip code:

d. Mailing address:

d. Mailing address:

City, state, zip code:

City, state, zip code:

e. Driver's license number:

e. Driver's license number:

State:

State:

f. Telephone number:

f. Telephone number:

g. ☐ Employed ☐ Not employed ☐ Self-employed

g. ☐ Employed ☐ Not employed ☐ Self-employed

Employer's name:

Employer's name:

Street address:

Street address:

City, state, zip code:

City, state, zip code:

Telephone number:

Telephone number:

7. ☐ A restraining order, protective order, or nondisclosure order due to domestic violence is in effect.

- a. The order protects: ☐ Father ☐ Mother ☐ Children
- b. From: ☐ Father ☐ Mother
- c. The restraining order expires on (date):

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)

INFORMATION SHEET FOR CHILD SUPPORT CASE REGISTRY FORM

(Do NOT deliver this Information Sheet to the court clerk.)

Please follow these instructions to complete the *Child Support Case Registry Form* (form FL-191) if you do not have an attorney to represent you. Your attorney, if you have one, should complete this form.

Both parents must complete a *Child Support Case Registry Form*. The information on this form will be included in a national database that among other things, is used to locate absent parents. When you file a court order, you must deliver a completed form to the court clerk along with your court order. If you did not file a court order, you must deliver a completed form to the court clerk **WITHIN 10 DAYS** of the date you received a copy of your court order. If any of the information you provide on this form changes, you must complete a new form and deliver it to the court clerk within 10 days of the change. The address of the court clerk is the same as the one shown for the superior court on your order. This form is confidential and will not be filed in the court file. It will be maintained in a confidential file with the State of California.

INSTRUCTIONS FOR COMPLETING THE *CHILD SUPPORT CASE REGISTRY FORM* (TYPE OR PRINT IN INK):

If the top section of the form has already been filled out, skip down to number 1 below. If the top section of the form is blank, you must provide this information.

Page 1, first box, top of form, left side: Print your name, address, telephone number, fax number, and e-mail address, if any, in this box. Attorneys must include their State Bar identification numbers.

Page 1, second box, top of form, left side: Print the name of the county and the court's address in this box. Use the same address for the court that is on the court order you are filing or have received.

Page 1, third box, top of form, left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on the court order you are filing or have received.

Page 1, fourth box, top of form, left side: Check the box indicating whether you are the mother or the father. If you are the attorney for the mother, check the box for mother. If you are the attorney for the father, check the box for father. Also, if this is the first time you have filled out this form, check the box by "First form completed." If you have filled out form FL-191 before, and you are changing any of the information, check the box by "Change to previous information."

Page 1, first box, right side: Leave this box blank for the court's use in stamping the date of receipt.

Page 1, second box, right side: Print the court case number in this box. This number is also shown on the court papers.

Instructions for numbered paragraphs:

1. a. Enter the date the court order was filed. This date is shown in the "COURT PERSONNEL: STAMP DATE RECEIVED HERE" box on page 1 at the top of the order on the right side. If the order has not been filed, leave this item blank for the court clerk to fill in.
- b. If the court order you filed or received is the first child or family support order for this case, check the box by "Initial child support or family support order." If this is a change to your order, check the box by "Modification."
- c. Information regarding the amount and type of support ordered and wage withholding is on the court order you are filing or have received.
 - (1) If your order provides for any type of current support, check all boxes that describe that support. For example, if your order provides for both child and spousal support, check both of those boxes. If there is an amount, put it in the blank provided. If the order says the amount is reserved, check the "Reserved order" box. If the order says the amount is zero, check the "\$0 (zero) order" box. Do not include child care, special needs, uninsured medical expenses, or travel for visitation here. These amounts will go in (2). Do NOT complete the Child Support Case Registry form if you receive spousal support only.
 - (2) If your order provides for a set monthly amount to be paid as additional support for such needs as child care, special needs, uninsured medical expenses or travel for visitation check the box in Item 2 and enter the monthly amount. For example, if your order provides for base child support and in addition the paying parent is required to pay \$300 per month, check the box in item 2 underneath the "Child Support" column and enter \$300. Do NOT check this box if your order provides only for a payment of a percentage, such as 50% of the childcare.

- (3) If your order determined the amount of past due support, check the box in Item 3 that states the type of past due support and enter the amount. For example, if the court determined that there was \$5000 in past due child support and \$1000 in past due spousal support, you would check the box in item 3 in the "Child Support" column and enter \$5000 and you would also check the box in item 3 in the "Spousal Support" column and enter \$1000.
 - (4) If your order provides for a specific dollar amount to be paid towards any past due support, check the box in item 4 that states the type of past due support and enter the amount. For example, the court ordered \$350 per month to be paid on the past due child support, you would check the box in Item 4 in the "Child Support" column and enter \$350.
 - (5) Check the "ordered" box if wage withholding was ordered with no conditions. Check the box "ordered but stayed until" if wage withholding was ordered but is not to be deducted until a later date. If the court delayed the effective date of the wage withholding, enter the specific date. Check only one box in this item.
2. a. Write the name of the person who is supposed to pay child or family support.
b. Write the relationship of that person to the child.
 3. a. Write the name of the person or agency supposed to receive child or family support payments.
b. Write the relationship of that person to the child.
 4. List the full name, date of birth, and social security number for each child included in the support order. If there are more than five children included in the support order, check the box below item 4e and list the remaining children with dates of birth and social security numbers on another sheet of paper. Attach the other sheet to this form.

The local child support agency is required, under section 466(a)(13) of the Social Security Act, to place in the records pertaining to child support the social security number of any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment. This information is mandatory and will be kept on file at the local child support agency.

Top of page 2, box on left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on page 1.

Top of page 2, box on right side: Print your court case number in this box. Use the same case number as on page 1, second box, right side.

You are required to complete information about yourself. If you know information about the other person, you may also fill in what you know about him or her.

5. If you are the father in this case, list your full name in this space. See instructions for a-g under item 6 below.
6. If you are the mother in this case, list your full name in this space.
 - a. List your date of birth.
 - b. Write your social security number.
 - c. List the street address, city, state, and zip code where you live.
 - d. List the street address, city, state, and zip code where you want your mail sent, if different from the address where you live.
 - e. Write your driver's license number and the state where it was issued.
 - f. List the telephone number where you live.
 - g. Indicate whether you are employed, not employed, self-employed, or by checking the appropriate box. If you are employed, write the name, street address, city, state, zip code, and telephone number where you work.
7. If there is a restraining order, protective order, or nondisclosure order, check this box.
 - a. Check the box beside each person who is protected by the restraining order.
 - b. Check the box beside the parent who is restrained.
 - c. Write the date the restraining order expires. See the restraining order, protective order, or nondisclosure order for this date.

If you are in fear of domestic violence, you may want to ask the court for a restraining order, protective order, or nondisclosure order.

You must type or print your name, fill in the date, and sign the *Child Support Case Registry Form* under penalty of perjury. When you sign under penalty of perjury, you are stating that the information you have provided is true and correct.