

\$5.00
(If purchased at window)

RESPONSE TO DIVORCE/ LEGAL SEPARATION/ ANNULMENT of MARRIAGE/DOMESTIC PARTNESHIP

These are the forms you will need. You can find them at www.courts.ca.gov/forms
Response-Marriage/Domestic Partnership (FL-120)
Declaration Under UCCJEA (FL-105)
Proof of Service by Mail (FL-335)

If you have been served with a Summons, Petition and Declaration Under UCCJEA (if there are kids involved), you have at least 30 days from the date the paperwork was handed to you to file a Response with the court. If you disagree with what your spouse/partner has requested, you may wish to file a Response.

STEP 1: Fill Out the Forms

Response-Marriage/Domestic Partnership (FL-120): Fill this form out completely. You are the “Respondent” in the case. Your spouse/partner is the “Petitioner”. This lets the court know that you do not agree with everything in your spouse’s Petition, and/or that you want to participate actively in your case. Do not forget to answer the question about spousal support. You do not need to file a Response if you agree with everything in the Petition, or if you are sure that you and your spouse will come to an agreement on all the issues. If you do not know exactly what your “separate property” and “community property” are, you may say “To Be Determined.” However, the more specific you can be the better. Only list children from THIS marriage/partnership
Declaration Under UCCJEA (FL-105): (KIDS ONLY) If you have children from this marriage, you must fill out this form. The court needs to know where the children have been living for the past 5 years and if anyone else has a custody claim on them.

STEP 2: File the Forms

Make 2 copies of each of the forms. Paper clip and two-hole punch at the top of the original of each of the forms. (Do not staple the originals) Please staple the copies only. Group the original plus copies of the same documents together for filing (i.e. you should have separate stacks for Response and Declaration Under UCCJEA, if using). Get a number ticket for “Family Law” at the kiosk on the 1st floor of the Courthouse. File the paperwork with the clerk when your number is called. There is a \$435.00 fee to respond to this case. The Court accepts cash, check, Visa, MasterCard, AMEX and Discover Card. If you cannot afford to pay the filing fee, you may submit the forms to request a fee waiver.

The Court is located at: The Gibson Courthouse at 10820 Justice Center Drive, Roseville, CA 95678.

STEP 3: Serve a Copy to Your Spouse

You must have a copy of your forms mailed to the other parent by someone other than you who is over the age of 18.

STEP 4: File the Proof of Service

The person who mails the forms to your spouse/partner needs to fill out a Proof of Service by Mail (FL-335). Make 2 copies of the Proof of Service and get a number for “Family Law” at the kiosk on the 1st floor of the Courthouse to file the form. There is no fee to file this form.

STEP 5: Do Your “Homework” (Financial Disclosures)

Exchanging information about your income, expenses, assets and debts is the next step. Please refer to the Financial Disclosure instruction sheet.