

**\$5.00**  
(If purchased at window)

## **START YOUR DIVORCE / LEGAL SEPARATION/ ANNULMENT of MARRIAGE OR DOMESTIC PARTNERSHIP**

These are the forms you will need. You can find them at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms).

Petition (FL-100)

Summons (FL-110)

Declaration Under UCCJEA (FL-105)

Proof of Service of Summons (FL-115)

### **STEP 1: Fill Out the Forms**

Petition (FL-100): Fill this out completely. Do not forget to answer the question about spousal support. 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/domestic partnership.

Summons (FL-110): Fill out the first page. You are the “Petitioner” and your spouse/partner is the “Respondent”. This form lets your spouse/partner know that they are being sued and that they have 30 days to respond. The second page has automatic restraining orders that apply to both parties during the case, so make sure that you read and follow them.

Declaration Under UCCJEA (FL-105): (KIDS ONLY) If you have children from this marriage/partnership, 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 Petition, Summons, and Declaration Under UCCJEA, if using). Get a number ticket for “Family Law” at the kiosk on the 1<sup>st</sup> floor of the Courthouse. File the paperwork with the clerk when your number is called. There is a \$435.00 fee to file the case with the court. 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 personally served on your spouse, along with a blank Response (FL-120). If there are children, you must also serve a blank UCCJEA (FL-105). The clerk will provide these forms when you file at the window. Anyone other than you, over 18, can serve the papers on your spouse. Your spouse will have at least 30 days from the date the paperwork is handed to him/her to file a Response with the court, if he/she disagrees with you.

### **STEP 4: File the Proof of Service**

The person who serves the papers to your spouse/partner needs to fill out a Proof of Service of Summons (FL-115). Make sure that the DATE and TIME and ADDRESS where the Respondent was served are filled in. Make 2 copies of the Proof of Service and get a number ticket for “Family Law” at the kiosk on the 1<sup>st</sup> floor of the Courthouse to file the 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.