



Start Your Divorce*

\$5.00

*"Divorce" and "Dissolution" used here also refer to Legal Separation, Nullity, or Domestic Partnership Dissolution Cases; "Spouse" also refers to Partner; "Marriage" also refers to Partnership

What is this for?	This packet contains the forms you need to fill out and file to open a court case for Dissolution (Divorce), Legal Separation, Nullity, or to dissolve a Domestic Partnership.
Step 1: Fill out the forms	<p>Petition – Marriage/Domestic Partnership (FL-100) Summons (FL-110)</p> <p>Fill out this form only if you have minor children from this marriage: Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (FL-105)</p> <p>See page two and three of these instructions for definitions and important things to know.</p>
Step 2: Make copies	Take each form and make 2 copies. Paperclip and two-hole punch the <u>original</u> at the top. Do not staple the original. The copies may be stapled. Put the copies right behind each original.
Step 3: File the forms	Get a number ticket for "Family Law" at the kiosk on the 1st floor of the courthouse. File the forms with the clerk when your number is called. The court will file-stamp all your forms and give you back the 2 copies. You will keep a filed copy for your records and have the other copy served on your spouse.
Filing fee	<p>There is a \$435.00 fee to open your 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 apply for a fee waiver by filling out and filing these forms:</p> <p>Request to Waive Court Fees (FW-001) Order on Court Fee Waiver (FW-003)</p>
Step 4: Serve your spouse	You must have a copy of your forms handed ("personally served") to your spouse, along with a blank Response (FL-120). If there are minor children, you must also serve a blank Declaration Under UCCJEA (FL-105). Someone 18 or older must serve the forms for you. You cannot serve the forms yourself.



	<p>The person who serves the forms to your spouse must fill out a Proof of Service of Summons (FL-115).</p> <p>Make sure that the DATE and TIME and ADDRESS where the Respondent was served and all other sections of the form are filled in completely and clearly.</p>
Step 5: File the Proof of Service	<p>Make 1 copy of the Proof of Service of Summons (FL-115) and get a number ticket for "Family Law" at the kiosk on the 1st floor of the courthouse. When your number is called, hand the clerk the original and the copy. The clerk will file-stamp both and give you back the copy. Keep the filed copy for your records.</p>
Next Steps:	<p>Financial Disclosures: You must fill out the mandatory Declaration of Disclosure forms within 60 days of filing your divorce Petition. This is to give information about your income, expenses, assets and debts with your spouse. Please refer to the <i>Financial Disclosures</i> instruction sheet.</p> <p>Finish your case: You are not divorced when these forms are filed. You will NOT automatically be divorced. You must file more forms.</p> <p>Once your financial disclosures have been given to your spouse (or exchanged by both spouses if you are finishing your case by agreement), sign up for an appointment with the Self-Help Center to learn how to finish your case (See "Where can I get help?" on the next page).</p>

Definitions and Important Things to Know

- **Separate Property:** Items owned/acquired before your marriage, after the date of separation or received by gift or inheritance, even if received during the marriage. This includes items like cars, houses, debts, bank accounts, retirement accounts/pensions.
- **Community Property:** Property owned/acquired from your marriage date to the date of separation, regardless of who is on title or whose name is on the account. This includes items like cars, houses, debts, bank accounts, retirement accounts/pensions. Some things like retirement plans can be both separate property *and* community property.
- **Legal Custody:** The parent(s) who makes decisions regarding the health, education and general welfare and well-being of the child(ren).
- **Physical custody:** The parent(s) with whom the child(ren) live or spend considerable time.
- **Parenting Time (Visitation):** The schedule of time that the child(ren) spend time with each parent.



- **Child Support:** Generally calculated based on parenting time and the incomes of each parent. The court has the ability to award child support 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.
- **Spousal Support:** Money paid to a (ex-)spouse to help them become self-supporting in the future. This is separate from child support. For more information, see [California Family Code section 4320](#).

What if my spouse is in the armed forces?

If your spouse is on active duty in the United States armed forces, please make an appointment with a private attorney or the Self-Help Center to talk about your options.

How long will it take to finish my divorce?

You can be divorced *at the earliest* 6 months and 1 day after your spouse was served with the divorce forms you filed to start your case or 6 months after they filed a Response. **You will NOT automatically be divorced after 6 months.** You have to file additional forms to finish your divorce. Legal separations and nullities can be finished before 6 months. Talk to an attorney for more information.

Where can I get the forms?

1. **For an app that helps you fill out the forms to start a case, go to caguideandfile.com**
 - Click “Start Your Legal Process”, then
 - Click “Divorce, Separation, or Nullity”
 - Answer the questions, save, your work, and at the end you can print out the forms.
2. The blank forms listed in these instructions can be found **online** at www.courts.ca.gov/forms
3. You can get the form packets through the court’s **Self-Help Center** or buy them at the **Court Clerk’s counter**.

Where can I get help and more information?

- You can hire a private attorney for a free or low-cost consultation.
- If you do not have an attorney, you can get help from the court’s Self-Help Center located at the Gibson Courthouse, 10820 Justice Center Dr., Roseville. Schedule an online appointment for the Finish Your Divorce Workshop at www.placer.courts.ca.gov and search for **online appointments** on the home page.



- Visit www.courts.ca.gov
 - Click “Self-Help” on the tabs and select “Divorce or Separation” in the dropdown menu
- Read:
 - [Legal Steps for a Divorce or Legal Separation](#) (FL-107-INFO)