



# Respond to a 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

<b>What is this for?</b>	This packet contains the forms you need to fill out and file to respond to a Dissolution (Divorce), Legal Separation, Nullity or Domestic Partnership Dissolution case that was started by your spouse.
<b>Step 1: Fill out the forms</b>	<p><a href="#">Response – Marriage/Domestic Partnership</a> (FL-120)</p> <p>Fill out this form only if you have minor children from this marriage: <a href="#">Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)</a> (FL-105)</p> <p><b>See page two and three of these instructions for definitions and important things to know.</b></p>
<b>Step 2: Make copies</b>	<p>Take each form and make 2 copies. Paperclip (do not staple) the <u>original</u>. The copies may be stapled. Put the copies right behind each original.</p> <p>Note: If you file electronically, copies are not required (see Step 3).</p>
<b>Step 3: File the forms</b>	<p>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. 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/partner.</p>
<b>eFiling</b>	Alternatively, the Court has the option to file electronically through its eFile Service. For filing and more information, please visit <a href="http://placer.courts.ca.gov">placer.courts.ca.gov</a> and select "eFiling" under the Online Services tab. This webpage contains instructions and FAQs to assist with the process. There is a service fee for eFiling paid to the third-party vendor and cannot be waived by the Court. Note: each form must be a separate PDF unless it contains attachments.
<b>Filing fee</b>	<p>There is a \$435.00 fee to file the Response 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><a href="#">Request to Waive Court Fees</a> (FW-001) <a href="#">Order on Court Fee Waiver</a> (FW-003)</p>



<b>Step 4: Serve your spouse</b>	<p>You must have a filed copy of your forms mailed (“served by mail”) to your spouse. Someone 18 or older must serve the forms for you. You cannot serve the forms yourself. Copies from eFiling may be printed from your eFiling account.</p> <p>The person who serves the papers to your spouse needs to fill out a <a href="#">Proof of Service by Mail</a> (FL-335).</p>
<b>Step 5: File the Proof of Service</b>	<p>Make 1 copy 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. The court will file-stamp your form and give you back the copy for your records.</p>
<b>Step 6: Financial Disclosures</b>	<p>Giving information about your income, expenses, assets and debts is the next step in your case. Please refer to the <i>Financial Disclosure</i> instruction sheet.</p>
<b>Next step – Options to finish your case</b>	<p>If you and the other parent <u>disagree</u> on issues like custody, parenting time, child support and paternity, you may file a <i>Request for Order</i> to get a court hearing. Please ask for the <i>Request for Order</i> packet to get a court hearing about these issues.</p> <p>If you and the other parent <u>agree</u> with each other, set up an appointment with the Self-Help Center for assistance on drafting an agreement that can be submitted to the Judge.</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 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, emancipates, 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 [Fam. Code sec. 4320](#).



## Should I file a Response?

If you have questions about whether you should file a Response, or not, talk to a private attorney or visit the Self-Help Center to talk about your options.

## Can I Access My Court Case Electronically?

Court users can now receive access to their file/orders electronically by three different methods:

Online Portal: You can come to the courthouse and show ID to gain access;

eFiling: If you check the box on eFiling, you will receive your orders via email; you will also receive portal access if you pay for a filing (so you do not need to come into the courthouse to show ID);

eService: You may consent to receive notice and orders by email. This can be done by submitting Judicial Council Form [EFS-005-CV](#).

## Where can I get the forms?

1. **For an app that helps you fill out the forms, go to [caguideandfile.com](http://caguideandfile.com)**
  - Click “Start Your Legal Process”, then
  - Click “Divorce, Separation, or Nullity”
  - Answer the questions, save, your work, and print your forms at the end.
2. The blank forms listed in these instructions can be found **online** at [www.courts.ca.gov/forms](http://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?

- 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. Schedule a telephone or video appointment online at [www.placer.courts.ca.gov](http://www.placer.courts.ca.gov) and search for **online appointments** on the home page.
- Visit [www.courts.ca.gov](http://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)