

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____

[Petitioner]

Case No. XXXXX

vs.

**REQUEST FOR INTERNATIONAL
JUDICIAL ASSISTANCE FOR SERVICE
OF PROCESS ABROAD**

[Respondent]

FROM THE SUPERIOR COURT OF CALIFORNIA, IN AND FOR THE COUNTY OF
XXXXXXXX, UNITED STATES OF AMERICA, TO THE APPROPRIATE JUDICIAL AUTHORITY
IN THE REPUBLIC OF MEXICO IN REGARD TO THE SERVICE OF PROCESS IN VERACRUZ,
VERACRUZ, MEXICO.

This court presents its compliments to the appropriate judicial authority of Veracruz,
Veracruz, Mexico, C. Juez de Primera Instancia de lo Familiar, and requests international judicial
assistance for the service of process in a family law proceeding before this court in the above captioned
matter, as necessary in the interests of justice. This request is made under the Inter-American Convention
on Letters Rogatory, the Mexican Federal Code of Civil Procedure, Sections 549 - 551, 568-571, the
Code of Civil Procedure for the State of Veracruz, Sections 68-72 and upon principles of international
reciprocity.

The facts of the case pending before the requesting court are as follows: On _____, 2009, a

1 petition for dissolution of marriage was filed by _____, Petitioner, against _____, Respondent,
2 in Case No. XXXXXX. The petition requests dissolution of marriage on the grounds of irreconcilable
3 differences. The address of Petitioner _____ is _____.

4 The undersigned judicial authority has the honor to transmit the documents listed below, in
5 duplicate, and requests prompt service of process of one copy thereof on Respondent _____, at the
6 address of _____, Veracruz, Ver., México. The undersigned judicial authority further requests that
7 the service be carried out in the following manner: (a) by personal service on the Respondent as the
8 identified addressee, or (b) if personal service is not possible, in accordance with the laws of the State of
9 destination.

10
11 The documents to be served are authenticated copies of (1) Summons, (2) Petition for Dissolution
12 of Marriage, (3) Declaration of Disclosure, (4) Schedule of Assets and Debts, (5) Income and Expense
13 Declaration, (6) Petitioner's Community and Quasi-Community Property Declaration, (7) Notice of
14 Family Law Case Conference, (8) this letter rogatory (Request for International Judicial Assistance for
15 Service of Process Abroad), (9) Essential Information for the Respondent and blank copies of (10)
16 Response to Petition for Dissolution of Marriage, (11) Declaration of Disclosure, (12) Schedule of Assets
17 and Debts, (13) Income and Expense Declaration, (14) Community and Quasi-Community Property
18 Declaration, and (15) Case Management Questionnaire.

19 This court further requests that the judicial authority of the State of destination complete, sign and
20 return to this court the Certificate of Execution attached hereto. The requesting court agrees to willingly
21 provide similar assistance to the judicial authorities of the receiving State, Veracruz, México.

22 Dated: April __, 2010

23 _____
24 Honorable _____, Judge
25 Superior Court of California, County of _____

1 AUTHENTICATION

2 As Clerk of the Court for the Superior Court of California, County of _____, I do hereby
3 certify that the Honorable _____, whose signature is affixed to the Request for International
4 Judicial Assistance for Service of Process Abroad annexed hereto, was at that time and date thereof, Judge
5 of the Superior Court of California, County of _____; that the official acts and doings of said Judge are
6 entitled to full faith and credit; and that the attestation to said Request is in due form of law. I further
7 certify that the seal attached to said Request is the seal of the court.

8 WITNESS my hand and seal of said Court in the City/County of _____, California, on this
9 _____ day of April, 2010.

11 _____
12 _____, Clerk of the Court

13 Seal

14
15
16 AUTHENTICATION

17 As Judge of the Superior Court of California, County of _____, I do hereby certify that
18 _____, whose signature is affixed hereto, was at that time and date thereof, Clerk of the Court
19 for the Superior Court of California, County of _____; that the official acts and doings of said Clerk
20 are entitled to full faith and credit; and that the attestation to said Request is in due form of law.

21 WITNESS my hand and seal of said Court in the City/County of _____, California, on this
22 _____ day of April, 2010.

23 _____
24 _____, Judge
25 Superior Court of California, County of _____

1 ESSENTIAL INFORMATION FOR THE RESPONDENT

2 TO: [Respondent]

3 You are hereby informed that on _____, a petition for dissolution of marriage was filed by
4 _____, Petitioner, against you as Respondent, in Case No. _____. The petition requests
5 dissolution of marriage on the grounds of irreconcilable differences. The address of Petitioner
6 _____ is _____, United States.

7
8 The summons grants you 30 calendar days from the date of service to file the Response to Petition
9 for Dissolution of Marriage at the requesting court. If you fail to do so, the issues in your case may be
10 determined without your input, and the court may make orders affecting your children, your property, and
11 child and spousal support rights. The court may also order you to pay attorney's fees and costs. [if
12 applicable In addition, you are required by the local rules of the _____ County Superior County to
13 file a _____].

14 Attached are copies of the summons and petition initiating the action and other documents filed
15 with the court in this case. A copy of the letter rogatory requesting international judicial assistance for
16 service of process on you in Mexico is also attached hereto.

17 The initial filing fee is \$_____ (US). You may be entitled to an order waiving this and other
18 filing fees. Information about obtaining a fee waiver and necessary forms are attached hereto.

19 Legal information and assistance is available to you at the _____[self-help center, family
20 law facilitator], Superior Court of California, _____, CA _____. The telephone number
21 is (with country and area code): 001-XXX-XXXX_____
22

CERTIFICATE OF EXECUTION

To: Clerk of the Court, [Family Law Filing Department]
Superior Court of California, County of _____

_____, CA, _____

1.- The undersigned authority has the honor to certify that the following documents:

1) Summons FL-110, (2) Petition for Dissolution of Marriage, FL-100, (3) Declaration of Disclosure FL-140, (4) Schedule of Assets and Debts FL-142, (5) Income and Expense Declaration FL-150, (6) Petitioner's Community and Quasi-Community Property Declaration FL-160, (7) [If applicable, Notice of Family Law Case Conference], (8) letter rogatory (Request for International Judicial Assistance for Service of Process Abroad), (9) Essential Information for the Respondent, and blank copies of (1) Response to Petition for Dissolution of Marriage FL-120, (2) Declaration of Disclosure FL-140, (3) Schedule of Assets and Debts FL-142, (4) Income and Expense Declaration FL-150, (5) Respondent's Community and Quasi-Community Property Declaration and (6) [If applicable, Case Management Questionnaire],

- Have been served on Respondent by one of the following methods authorized by the letter rogatory (Please mark with X):

() By personal service on Respondent,

() In the following method which is in accordance with the laws of the State of [destination]_____

- On (date) _____ at (time) _____ am/pm at (address) _____

2. If personal service was not made, the documents referred to in the request were delivered to:

- (Identity and description of the person) _____

- Relationship to the addressee (family, business or other): _____

3. That the documents have not been served, by reason of the following facts: _____

1 Dated: _____

2 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

3 _____
4 Printed Name and Signature

5 Stamp of the Receiving Authority of the State of [destination]_____

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25