

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**
455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee
Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs
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DATE: September 17, 2007

SUBJECT: Family Law: Summary Dissolution (revise forms FL-800
and FL-810) (Action Required)

Issue Statement

The summary dissolution forms are being amended to reflect statutory cost-of-living increases and to make minor clarifying changes.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2008, amend forms FL-800 and FL-810.

The forms proposed for amendment are attached at pages 4–28.

Rationale for Recommendation

Joint Petition for Summary Dissolution of Marriage (form FL-800) would be modified to add warning language regarding the need to file for a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820) before the dissolution can be granted. It also increases the limitation for assets from \$33,000 to \$36,000 and the limitation for debts from \$5,000 to \$6,000 to reflect the California Consumer Price Index as required by Family Code section 2400(b).

The instructional booklet entitled *Summary Dissolution Information* (form FL-810) would be modified to reflect the changes to FL-800. It also would be modified with other clarifying changes to make it easier for self-represented litigants to understand. This booklet will be translated into Spanish upon approval of the English version by the Judicial Council.

Petition—Marriage (form FL-100), *Petition—Domestic Partnership* (form FL-103), *Response—Marriage* (form FL-120), and *Response--Domestic Partnership* (form FL-123), were circulated with proposed amendments intended to make it clear to litigants that their legal separation, dissolution, or annulment will not be completed until they file and receive a file-stamped form *Notice of Entry of Judgment* (form FL-190), from the court. Comments received indicated that the warning was not clear and that it would be challenging to make it clear, legally accurate, and understandable. A number of thoughtful suggestions were made regarding major changes to the forms. Based on these suggestions, the committee recommends that no changes be made to those forms at this time and that the forms be considered for major revision in the future.

Alternative Actions Considered

The committee considered adding the modifications proposed in the invitation for comment to forms FL-100, FL-103, FL-120 and FL-123, but based on the comments received, it appears those changes are not likely to accomplish the objective of notifying litigants of the importance of taking additional steps to complete their cases. The committee is mindful of the impact on courts of making changes to forms—particularly those as commonly used as the initial petition. It also believes that the thoughtful comments received should be thoroughly considered and incorporated into a revised draft of the forms to be recirculated for comment.

Given the statutory requirement that summary dissolution forms be reviewed biannually to reflect changes in the cost of living, changes to those forms cannot be deferred. It also appears that the commentators did not believe that these forms required significant modification as they were initially designed to be completed by self-represented litigants.

Comments From Interested Parties

The invitation to comment on the proposal was circulated from April 25, 2007, through June 20, 2007, to the regular rules and forms mailing list as well as the standard mailing list for family and juvenile law proposals. Included on the lists were judges, court administrators, attorneys, mediators, social workers, and other family professionals, such as family court services directors, managers, supervisors, and staff. The invitation to comment also was sent to legal services providers, self-help providers, and family law facilitators.

The committee received a total of 22 comments. Of that number, 5 commentators agreed with the proposal, 13 agreed with the proposal if modified and suggested some changes and 3 disagreed with the proposal.

Nineteen of the comments referenced only forms *Petition—Marriage* (form FL-100), *Petition—Domestic Partnership* (form FL-103), *Response—Marriage* (form FL-120), and *Response—Domestic Partnership* (form FL-123). Nine of the commentators suggested that the proposed warning language regarding completing the forms was

confusing and not legally accurate in all cases. Other commentators raised concerns regarding the way property is listed, difficulties with requiring litigants to request that parentage be established for children born before the marriage, language choice on the forms, and many other provisions. Based on these detailed and thoughtful suggestions, the committee is recommending that modifications to these forms not be made at this time, and that they be considered for more substantive changes and recirculation in a future forms cycle.

Only three comments were received on the summary dissolution forms, *Joint Petition for Summary Dissolution of Marriage* (form FL-800), and *Summary Dissolution Information (English)* (form FL-810). All three commentators indicated that they agreed with the proposal if amended. Their comments were primarily designed to make the language in the summary dissolution instructional booklet more precise and have been incorporated. One comment recommended changing the warning language on form FL-800, and that change has also been made.

A chart summarizing the comments and responses is attached at pages 29–74.

Implementation Requirements and Costs

The costs associated with this proposal are those for printing new summary dissolution forms.

Attachments

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;">Draft 8 09/21/07 xyz Not approved by the Judicial Council</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MARRIAGE OF HUSBAND: WIFE:	
JOINT PETITION FOR SUMMARY DISSOLUTION OF MARRIAGE	CASE NUMBER:

We petition for a summary dissolution of marriage and declare that all the following conditions exist on the date this petition is filed with the court:

1. We have read and understand the *Summary Dissolution Information* booklet (form FL-810).
2. We were married on (date):
(A summary dissolution of your marriage will not be granted if you file this petition more than five years after the date of your marriage.)
3. One of us has lived in California for at least six months and in the county of filing for at least the three months preceding the date of filing.
4. There are no minor children who were born of our relationship before or during our marriage or adopted by us during our marriage. The wife, to her knowledge, is not pregnant.
5. Neither of us has an interest in any real property anywhere. **(You may have a lease for a residence in which one of you lives. It must terminate within a year from the date of filing this petition. The lease must not include an option to purchase.)**
6. Except for obligations with respect to automobiles, on obligations incurred by either or both of us during our marriage, we owe no more than \$6,000.
7. The total fair market value of community property assets, not including what we owe on those assets and not including automobiles, is less than \$36,000.
8. Neither of us has separate property assets, not including what we owe on those assets and not including automobiles, in excess of \$36,000.
9. We each have filled out and given the other an *Income and Expense Declaration* (form FL-150).
10. We each have filled out and given the other copies of the worksheets on pages 8, 10, and 12 of the *Summary Dissolution Information* booklet (form FL-810) used in determining the value and division of our property. We have told each other in writing about any investment, business, or other income-producing opportunities that came up after we were separated based on investments made or work done during the marriage and before our separation. This meets the requirements of preliminary declaration of disclosure.
11. (Check whichever statement is true.)
 - a. We have no community assets or liabilities.
 - b. We have signed an agreement listing and dividing all our community assets and liabilities and have signed all the papers necessary to carry out our agreement. A copy of our agreement is attached to this petition.
12. Irreconcilable differences have caused the irremediable breakdown of our marriage, and each of us wishes to have the court dissolve our marriage without our appearing before a judge.
13. The wife desires to have her former name restored. Her former name is (specify name):
 The husband desires to have his former name restored. His former name is (specify name):

HUSBAND: WIFE:	CASE NUMBER:
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14. Upon entry of judgment of summary dissolution of marriage, we each give up our rights to appeal and to move for a new trial.

15. **Each of us forever gives up any right to spousal support from the other.**

16. We agree that this matter may be determined by a commissioner sitting as a temporary judge.

17. **Mailing address of husband**

Name:
Address:

City:
State:
Zip Code:

18. **Mailing address of wife**

Name:
Address:

City:
State:
Zip Code:

19. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

Date:

▶ _____
(SIGNATURE OF HUSBAND)

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

Date:

▶ _____
(SIGNATURE OF WIFE)

NOTICES

Your divorce will not be final until husband or wife files a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820) and receives a stamped copy back from the court. Either husband or wife can file form FL-820 with the court six months after you file this petition. Until husband or wife files form FL-820, either one of you can stop the divorce by filing a *Notice of Revocation of Petition for Summary Dissolution* (form FL-830).

Dissolution may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the rights of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit card accounts, other credit accounts, insurance policies, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your spouse or a court order. (See Fam. Code, §§ 231–235.)

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the Judicial Council

SUMMARY DISSOLUTION INFORMATION

This booklet is available in English and Spanish from the office of the court clerk in the superior court of each county in California, or at www.courtinfo.ca.gov/selfhelp.

Este folleto puede obtenerse en inglés y en español en la Dirección de Registro Público del Condado (Office of the Court Clerk) o en la Corte Superior (Superior Court) de cada condado en el estado de California www.sucorte.ca.gov.

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I. WHAT IS THIS BOOKLET ABOUT?

This booklet describes a way to end a marriage through a kind of divorce called **summary dissolution**.

The official word for **divorce** in California is **dissolution**. There are two ways of getting a divorce, or dissolution, in California. The usual way is called a **regular dissolution**.

Summary dissolution is a shorter and easier way. But not everybody can use it. Briefly, a summary dissolution is possible for couples who

1. have no children together;
2. have been married five years or less;
3. don't own very much;
4. don't owe very much;
5. don't want spousal support from each other; and
6. have no disagreements about how their belongings and their debts are going to be divided up once they are no longer married to each other.

With this procedure you won't have to appear in court. You may not need a lawyer, but it is in your best interest to see a lawyer about the ending of your marriage. See page 20 for more details about how a lawyer can help you.

For a summary dissolution, you prepare and file a *Joint Petition for Summary Dissolution of Marriage* (form FL-800), together with a property settlement agreement,* with the superior court clerk in your county. After a six-month waiting period—during which either of you can stop the process if you change your mind—you apply for and receive a final divorce.

This booklet will tell you

1. who can use the summary dissolution procedure;
2. what steps you must take to get a summary dissolution;
3. when it would help to see a lawyer; and
4. what risks you take when you use this procedure rather than the regular dissolution procedure.

If you wish to use the summary dissolution procedure, you must, at the time you file the joint petition, sign a statement that says you have read and understood this booklet. It's important for you to read the whole booklet very carefully.

Save this booklet for at least six months if you decide to start a summary dissolution. It will tell you how to complete the procedure.

If you fail to complete the procedure either by revoking it or obtaining a final divorce, the court may dismiss the case to clear its records.

Domestic Partners

Domestic partners who want to end their relationship in California can use either a regular dissolution or a special summary dissolution for domestic partners. The California Secretary of State prepares the forms for summary dissolution of a domestic partnership. They can be found on the Internet at www.sos.ca.gov. Do not use this guide.

SPECIAL WARNING

If you are an alien who became a lawful permanent resident on the basis of your marriage to a U.S. citizen or to a lawful permanent resident, obtaining a dissolution within two years of your marriage may lead to your deportation. You should consult a lawyer before obtaining a divorce.

* A property settlement agreement is an agreement that the two of you write or have someone write for you after you fill out the worksheets in this booklet. The agreement spells out how you will divide what you own and what you owe.

II. SOME TERMS YOU NEED TO KNOW

In the following pages you will often see the terms *community property*, *separate property*, and *community obligations*. Those terms are explained in this section.

As a married couple, the two of you are, in the eyes of the law, a single unit. There are certain things that you **own together** rather than separately. And there may be certain debts that you **owe together**. If one of you borrows money or buys something on credit, the other one can be made to pay.

If your marriage breaks up, you become two separate individuals again. Before that can happen, you have to decide what to do with the things you *own* as a couple and the money you *owe* as a couple.

The laws that cover these questions contain the terms *community property*, *separate property*, and *community obligations*. To understand what these terms mean, you should have a clear idea of **the length of time you lived together as husband and wife**. This is the period between your marriage day and the day you separated.

It may not be easy to decide exactly when you separated. In most cases, the day of the separation is the day the couple stopped living together. However, you may want to choose the day when you definitely decided to get a divorce and took some action to show this (like telling your spouse that you wanted a divorce).

Community Property

Community property is everything a husband and a wife **own together**.

In most cases that includes

1. money you now have that either of you earned during the time you were living together as husband and wife; and
2. anything either of you bought with money earned during that period. It doesn't matter if only one of you earned or spent the money.

Separate Property

Separate property is everything a husband or a wife **owns separately**.

In most cases that includes

1. anything either of you owned before you got married;
2. anything either of you earned or received after your separation; and
3. anything either of you received, as a gift or by inheritance, at any time.

Community Obligations

Community obligations are the debts a husband and a wife **owe together**.

In most cases that includes anything you still owe on any debts either of you acquired during the time you were living together as husband and wife. (For instance, if you bought furniture on credit while you were married and living together, the unpaid balance is a part of your community obligations.) It usually doesn't matter if the debt was in the name of one spouse only, like on a credit card.

NOTE: If you lived together before your marriage, you may wish to see a lawyer about possible additional rights either of you may have.

III. WHO CAN USE THE SUMMARY DISSOLUTION PROCEDURE?

You can use the summary dissolution procedure only if **all** of the following statements are true about you at the time you file the *Joint Petition for Summary Dissolution of Marriage* (form FL-800). Check this list very carefully. If even *one* of these statements is not true for you, you cannot get a divorce in this way.

- ___ 1. We have both read this booklet, and we both understand it.
- ___ 2. We have been married five years or less.
- ___ 3. No children were born to the two of us together before or during our marriage.
- ___ 4. We have no adopted children under 18 years of age.
- ___ 5. The wife is not pregnant.
- ___ 6. Neither of us owns any part of any land or buildings.
- ___ 7. Our community property is not worth more than \$36,000.*
- ___ 8. Neither of us has separate property worth more than \$36,000.*
- ___ 9. The total of our community obligations (other than vehicles) is \$6,000 or less.**

For deciding on statements 7, 8, and 9, use the guide on pages 6–12.

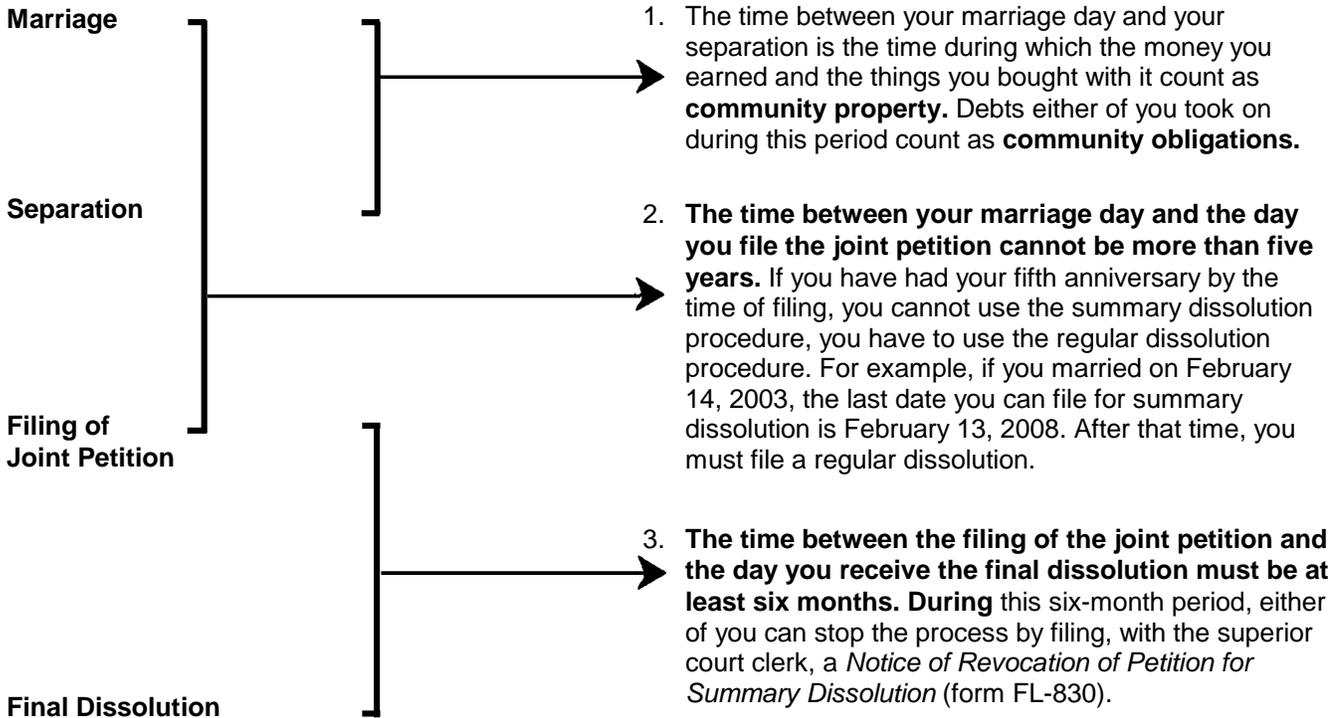
- ___ 10. At least one of us has lived in California for the past six months or longer *and* has lived in the county where we are filing for dissolution for the past three months or longer.
- ___ 11. We have prepared and signed an agreement that states how we want our possessions and debts to be divided between us (or states that we have no community property or community obligations).
- ___ 12. We have both signed the joint petition and all other papers needed to carry out this agreement.
- ___ 13. We both want to end the marriage because of serious, permanent differences.
- ___ 14. We have both agreed to use the summary dissolution procedure rather than the regular dissolution procedure.
- ___ 15. We are both aware of the following facts:
 - a. There is a six-month waiting period, and either of us can stop the divorce at any time during this period.
 - b. Our marriage will be completely ended only if, after the waiting period, one of us files with the superior court clerk a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820).
 - c. After the dissolution becomes final, neither of us has any right to expect money or support from the other except that which is included in the property settlement agreement.
 - d. By choosing the summary dissolution procedure, we give up certain legal rights that we would have if we had used the regular dissolution procedure. (These rights are explained on page 5.)

*Do not count cars in this total.

**Do not count car loans in this total.

IV. SOME TIME PERIODS TO KEEP IN MIND

When working through the summary dissolution procedure, you need to have these dates clearly in mind: (1) when you were married, (2) when you separated, (3) when you plan to file the joint petition, and (4) when you can expect the final dissolution.



After this six-month period—unless the process has been stopped—either of you can complete the dissolution procedure by filing with the superior court clerk a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820).

NOTICE: If, after the six-month waiting period, neither spouse has taken steps to complete the dissolution, either spouse continues to have the right to stop it.

V. AN IMPORTANT DIFFERENCE BETWEEN SUMMARY DISSOLUTION AND REGULAR DISSOLUTION

With a regular dissolution, the husband or wife can ask for a court hearing or trial. And with a regular dissolution, if either spouse is unhappy with the judge's final decision, it is possible to challenge that decision. This can be done, for example, by asking for a new trial. It is also possible to **appeal** the decision by taking the case to a higher court.

With a summary dissolution, there is no trial or hearing. Couples who choose this method of getting a divorce do not have the right to ask for a new trial (since there is no trial) or the right to appeal the case to a higher court.

There are, however, some cases in which a divorce agreement under a summary dissolution can be challenged. You will have to see a lawyer about this. The court *may* have the power to set aside the divorce if you can show that one of the following things happened:

1. You were treated unfairly in the property settlement agreement.

This is possible if you find out the things you agreed to give to your spouse were much more valuable than you thought at the time of the dissolution.

2. You went through the dissolution procedure against your will.

This is possible if you can show that your spouse used threats or other kinds of unfair pressure to get you to go along with the divorce.

3. There are serious mistakes in the original agreement.

Some kinds of mistakes can make the dissolution invalid, but you will have to go to court to prove the mistakes. It may be that one or both of you had a lot of property that you had forgotten about when you drew up the property settlement agreement. Or maybe a bank account mentioned in the agreement had much more money or much less money in it than your agreement states.

4. You each did not complete the *Income and Expense Declaration* (form FL-150) and property worksheets on pages 8, 10, and 12 and give copies to your spouse.

California law requires that you fully share all information about your property and debts as well as your income. You have to share this information before you sign your property settlement agreement.

Correcting mistakes and unfairness in a summary dissolution proceeding can be expensive, time-consuming, and difficult. It is very important for both of you to be honest, cooperative, and careful when you or your lawyers do the paperwork for the dissolution.

VI. HOW DO YOU FIGURE OUT THE VALUE OF YOUR PROPERTY AND THE AMOUNT OF YOUR DEBTS?

Section III lists statements that must be true if you want to use the summary dissolution procedure.

Statement 7 reads: “Our community property is not worth more than \$36,000.”

Your community property is the money and things you own jointly as husband and wife. This was explained on page 2. The value of your community property is determined by adding together (1) the amount of **money** you have as community property and (2) the “fair market value” of the **possessions** you have as community property.

The **fair market value** is an estimate of the amount of money you could get if you sold these items to a stranger—for example, through a classified ad in the newspaper. It does **not** mean what you paid for it originally, and it does **not** mean how much it would cost you to replace it if you lost it.

One way of estimating the fair market value of your goods is to use prices for equivalent items in other people's classified ads for secondhand goods.

Three kinds of items go into figuring out your community property:

1. Money (as in bank accounts and credit union accounts);
2. Things you own outright (furniture that is already paid for, for example); and
3. Things you are buying on credit.

When you include things you still owe money on, subtract the amount of money you still owe on them from the fair market value.

You should not include the value of a car in this list.

Statement 8 reads: “Neither of us has separate property worth more than \$36,000.”

Separate property is property that each spouse owns separately. The term is explained on page 2. Separate property includes the same kinds of things used in determining community property. And again, you should not include cars in this list.

Statement 9 reads: “The total of our community obligations (other than cars) is \$6,000 or less.”

Your community obligations are the debts that you and your spouse owe jointly. The term is explained on page 2. List all the debts you have that you took on while you were living together as husband and wife. If you borrowed money before you got married, you do **not** have to include that in your community obligations. If you bought furniture on credit after you got married but before you separated, you **have to** include the amount of money you still owe on the furniture. If you bought a stereo after you separated, you do **not** have to include that.

Do not include car loans in this list.

NOTICE: The law for summary dissolution allows you to leave out cars when you figure out whether you are **eligible** for this kind of divorce. But if you do have cars as part of your community property, you still have to decide who is going to own them (and who is going to pay for them) after your divorce. You must include them in your property settlement agreement.

Worksheets for figuring out these amounts are found on pages 7–12. You must complete and give to your spouse the worksheets on pages 8 (Value of Separate Property), 10 (Value and Division of Community Property), and 12 (Community Obligations and Their Division) to meet the requirement that you fully disclose your assets and debts to each other. Sample worksheets showing how to fill out those forms are on pages 7, 9, and 11.

HUSBAND: WIFE:	CASE NUMBER:
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VII. SAMPLE WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY

This worksheet will help you determine whether you are eligible to use the summary dissolution procedure. The total fair market value of the **wife's separate property** cannot be more than \$36,000. The total fair market value of the **husband's separate property** cannot be more than \$36,000. Separate property is anything that either of you owned or earned before you got married, anything you earned or bought after your separation, and anything that was given to just one of you as a gift during your marriage. Do not include cars.

	Wife's Property— Fair Market Value	Husband's Property— Fair Market Value
A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.		
Item		
Credit union savings—wife (before marriage)	420	
Savings bonds—husband (bought before marriage)		250
Pension plan benefits—wife (before marriage and after separation)	1500	
Pension plan benefits—husband (before marriage and after separation)		1300
B. Items owned outright		
Item		
Clothes—wife (bought before marriage)	350	
Stocks—wife (birthday present from father)	375	
Furniture—wife (owned before marriage)	460	
Camera—husband (owned before marriage)		229
Wristwatch—husband (bought after separation)		142
Clothes—husband (bought after separation)		250
C. Items being bought on credit		
Item	Fair Market Value	Minus What's Owed
TV set—wife (after separation)	400	350 =
Clothes—wife (after separation)	220	170 =
		=
		=
		=
		=
		=
GRAND TOTALS: WIFE'S AND HUSBAND'S SEPARATE PROPERTY		
	3205	2171

HUSBAND: WIFE:	CASE NUMBER:
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VII. WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY

This worksheet will help you determine whether you are eligible to use the summary dissolution procedure. The total fair market value of the **wife's separate property** cannot be more than \$36,000. The total fair market value of the **husband's separate property** cannot be more than \$36,000. Separate property is anything that either of you owned or earned before you got married, anything you earned or bought after your separation, and anything that was given to just one of you as a gift during your marriage. Do not include cars.

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.

	Wife's Property— Fair Market Value	Husband's Property— Fair Market Value
Item		

B. Items owned outright

Item		

C. Items being bought on credit

	Fair Market Value	Minus What's Owed		
Item		=		
		=		
		=		
		=		
		=		
		=		
		=		
		=		
GRAND TOTALS: WIFE'S AND HUSBAND'S SEPARATE PROPERTY				

HUSBAND: WIFE:	CASE NUMBER:
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VII. SAMPLE WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY

This side of the sheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The grand total value of your community property cannot be more than \$36,000.

This side of the sheet will help you decide on a fair division of your property. It will help you prepare your property settlement agreement.

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.						
	Item	Amount		Wife Receives	Husband Receives	
	Savings account	150		150		
	Life insurance (cash value)	250		250		
	Pension plan—wife	600		600		
	Pension plan—husband	500			500	
	Checking account	180			180	
	Subtotal A	1680		1000	680	
B. Items you own outright (for example, stocks and bonds, sports gear, furniture, household items, tools, interests in businesses, jewelry; do not include cars)						
	Item	Fair Market Value		Wife Receives	Husband Receives	
	Furniture & furnishings— wife's apartment	775		775		
	Furniture & furnishings—husband's apartment	300			300	
	Terriers season tickets	285			285	
	Savings bonds	200		200		
	Jewelry—wife	200		200		
	Pet parrot and cage	40			40	
	Subtotal B	1800		1175	625	
C. Items you are buying on credit (for example, stereo equipment, appliances, furniture, tools; do not include cars)						
	Item	Fair Market Value	Minus Amount Owed =	Net Fair Market Value	Wife Receives	Husband Receives
	Stereo set	305	150 =	155		155
	Color television	400	100 =	300		300
	Golf clubs	350	50 =	300		300
			=			
	Subtotal C			755	0	755
Grand total value of community property = A + B + C				4235	2175	2060

HUSBAND: WIFE:	CASE NUMBER:
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VII. WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY

This side of the sheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The grand total value of your community property cannot be more than \$36,000.

This side of the sheet will help you decide on a fair division of your property. It will help you prepare your property settlement agreement.

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.							
	Item	Amount		Wife Receives	Husband Receives		
Subtotal A							
B. Items you own outright (for example, stocks and bonds, sports gear, furniture, household items, tools, interests in businesses, jewelry; do not include cars)							
	Item	Fair Market Value		Wife Receives	Husband Receives		
Subtotal B							
C. Items you are buying on credit (for example, stereo equipment, appliances, furniture, tools; do not include cars)							
	Item	Fair Market Value	Minus Amount Owed	=	Net Fair Market Value	Wife Receives	Husband Receives
				=			
				=			
				=			
				=			
Subtotal C							
Grand total value of community property = A + B + C							

HUSBAND: WIFE:	CASE NUMBER:
-----------------------	--------------

VII. SAMPLE WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION

This side of the worksheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The total amount of your community obligations (debts) cannot be more than \$6,000. Do not include car loans. Be sure you include any other debts you took on while you were living together as husband and wife. List the amount you owe on the items from your **Worksheet for Determining Value and Division of Community Property**. Then add all other debts and bills, including loans, charge accounts, medical bills, and taxes you owe.

This side of the worksheet will help you decide on a fair way to divide up your community obligations. You will use this information in preparing a **property settlement agreement**.

Item	Amount Owed	Wife Will Pay	Husband Will Pay
Stereo set	150		150
Color TV	100		100
Golf clubs	50		50
Dr. R. C. Himple	74		74
Sam's Drugs	32		32
College loan	500		500
Cogwell's charge account	275	275	
Mister Charge account	68		68
Green's Furniture	123	123	
Dr. Irving Roberts	37	37	
Wife's parents	150	150	
TOTAL	1559	585	974
		Wife's Share of Community Obligations	Husband's Share of Community Obligations

HUSBAND: WIFE:	CASE NUMBER:
-----------------------	--------------

VII. WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION

This side of the worksheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The total amount of your community obligations (debts) cannot be more than \$6,000. Do not include car loans. Be sure you include any other debts you took on while you were living together as husband and wife. List the amount you owe on the items from your **Worksheet for Determining Value and Division of Community Property**. Then add all other debts and bills including loans, charge accounts, medical bills, and taxes you owe.

This side of the worksheet will help you decide on a fair way to divide up your community obligations. You will use this information in preparing a **property settlement agreement**.

	Amount Owed	Wife Will Pay	Husband Will Pay
TOTAL			
		Wife's Share of Community Obligations	Husband's Share of Community Obligations

VIII. WHAT SHOULD BE INCLUDED IN THE PROPERTY SETTLEMENT AGREEMENT?

A property settlement agreement should contain at least five parts:

I. Preliminary Statement

This part identifies the husband and wife, states that the marriage is being ended, and states that both husband and wife agree on the details of the agreement.

II. Division of Community Property

This part has two sections:

1. What the wife receives; and
2. What the husband receives.

III. Division of Community Obligations

This part has two sections:

1. The amount the wife must pay and whom she must pay it to.
2. The amount the husband must pay and whom he must pay it to.

IV. Waiver of Spousal Support

This part states that each spouse gives up all rights of financial support from the other.

V. Date and Signature

Both husband and wife must write the date and sign the agreement.

An example of a property settlement agreement is found on pages 14–16.

IX. SAMPLE PROPERTY SETTLEMENT AGREEMENT

Below is a sample of an acceptable **property settlement agreement**. You may use it as a model for your own agreement if you wish. You can find a fill-in-the-blanks version of this agreement at www.courtinfo.ca.gov/selfhelp in the section on summary dissolution.

- The parts that are underlined will fit most cases. You can copy these parts for your own agreement. Since many of the words have special meanings in the law, you may wish to talk to a lawyer if you want to change the words.
- The parts printed in regular type (not underlined) are based on an imaginary couple. You will need to replace these parts with items that apply to your situation.
- The numbered notes in *italics* in the right-hand column are **not** part of the agreement. They are there to help you understand it. (You will not need the small ¹ and ² in the sample for your agreement.)

Remember, you can divide the items any way you want. As long as you both agree, the court will accept it. If you cannot agree about the division of your property and debts, you should file a regular dissolution.*

PROPERTY SETTLEMENT AGREEMENT

I. We are Waldo P. Smedlap, hereafter called Husband¹, and Lydia T. Smedlap, hereafter called Wife. We were married on October 7, 2003, and separated on December 5, 2004. Because irreconcilable differences² have caused the permanent breakdown of our marriage, we have made this agreement together to settle once and for all what we owe to each other and what we can expect from each other. Each of us states here that nothing has been held back and that we have honestly included everything we could think of in listing the money and goods that we own; and each of us states here that we believe the other one has been open and honest in writing up this agreement. Each of us agrees to sign and exchange any papers that might be needed to complete this agreement.

¹ *Wherever the word Husband appears in this agreement, it will stand for Waldo P. Smedlap; wherever the word Wife appears, it will stand for Lydia T. Smedlap.*

² *This means there are problems in your marriage that you think can never be solved. **Irreconcilable differences** are the only legal grounds for getting a **summary dissolution**.*

* At the trial in a regular dissolution, a judge would set a value on and divide community property and debts into two approximately equal parts as provided by California law.

Each of us also understands that even after a *Joint Petition for Summary Dissolution of Marriage* is filed, this entire agreement will be canceled if either of us revokes the dissolution proceeding.³

³ *This means that the property agreement is a part of the dissolution proceeding. If either of you decides to stop the dissolution proceeding by turning in a Notice of Revocation of Petition for Summary Dissolution (form FL-830) (see page 19), this entire agreement will be canceled.*

II. Division of Community Property⁴

We divide our community property as follows:

⁴ *Community property is property that you own as a couple (see page 2).*

1. Husband transfers to Wife as her sole and separate property:

*If you have no community property, replace part II with the simple statement "**We have no community property.**"*

- A. All household furniture and furnishings located at her apartment at 180 Needlepoint Way, San Francisco.⁵
- B. All rights to cash in savings account at Home Savings.
- C. All cash value in life insurance policy insuring life of Wife through Sun Valley Life Insurance.
- D. All retirement and pension plan benefits earned by Wife during marriage.
- E. Two U.S. Savings Bonds, Series E.
- F. Wife's jewelry.
- G. 2003 Chevrolet 4-door sedan.

⁵ *If the furniture and household goods in one apartment are to be divided, they may have to be listed item by item.*

2. Wife transfers to Husband as his sole and separate property:

- A. All household furniture and furnishings located at his apartment on 222 Bond Street, San Francisco.
- B. All retirement and pension plan benefits earned by Husband during marriage.
- C. Season tickets to Golden State Terriers basketball games.
- D. One stereo set.
- E. One set of Jock Nicklaus golf clubs.
- F. One RAC color television.
- G. 2003 Ford station wagon.
- H. One pet parrot named Arthur, plus cage and parrot food.
- I. All rights to cash in checking account in Bank of America.

III. Division of Community Property (Debts)⁶

1. Husband will pay the following debts and will not at any time hold Wife responsible for them:

- A. Mister Charge account.
- B. Debt to Dr. R. C. Himple.
- C. Debt to Sam's Drugs.
- D. Debt to UC Berkeley for college education loan to Husband.⁷
- E. Debt to Golf Store for golf clubs.
- F. Debt to Everything Electronics for color TV and stereo set.
- G. Debt to Used Ford Store for 2003 Ford.

2. Wife will pay the following debts and will not at any time hold Husband responsible for them:

- A. Cogwell's charge account.
- B. Debt to Wife's parents, Mr. and Mrs. Joseph Smith.
- C. Debt to Green's Furniture.
- D. Debt to Dr. Irving Roberts.
- E. Debt to Friendly Finance Company for 2003 Chevrolet 4-door Sedan.

IV. Waiver of Spousal Support⁸

Each of us waives any claim for spousal support now and for all time.

V. Dated: _____ Dated: _____

Waldo P. Smedlap

Lydia T. Smedlap

⁶ If you have no unpaid debts, replace part III with the simple statement "**We have no unpaid community obligations.**"

⁷ A general rule for dividing debts is to give the debt over to the person who benefited more from the item. In the sample agreement, because the husband received the education, he should pay off the loan.

⁸ You each give up the right to have your spouse support you.

X. WHAT STEPS DO YOU HAVE TO TAKE TO GET A SUMMARY DISSOLUTION?

If after reviewing the information in this booklet you feel your marriage will qualify for a summary dissolution, you should carefully go through the following 15 steps. You can fill out the forms, worksheets, and agreements in the summary dissolution section

- online, for free, at www.courtinfo.ca.gov/selfhelp;
- with a typewriter; or
- with neat printing.

1. ____ Turn to page 8 and complete the Worksheet for Determining Value of Separate Property. See page 7 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse and keep one for your records.
2. ____ Turn to page 10 and complete the Worksheet for Determining Value and Division of Community Property. See page 9 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse and keep one for your records.
3. ____ Turn to page 12 and complete the Worksheet for Determining Community Obligations and Their Division. See page 11 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse and keep one for your records.
4. ____ Fill out an *Income and Expense Declaration* (form FL-150). You both need to fill out this form and give it to your spouse before you sign your property settlement agreement or complete your divorce. Make one extra copy of your form after it has been completed. Give one copy to your spouse and keep one for your records.
5. ____ Type or print your property settlement agreement if you have any property or debts to divide. Both of you must date and sign it. Make two extra copies. See pages 13–16 for an example and instructions. You can also find a version that you can fill in online at www.courtinfo.ca.gov/selfhelp in the information on summary dissolution.
6. ____ Fill out a *Joint Petition for Summary Dissolution of Marriage* (form FL-800). *Both* of you must sign and date this petition. Make two extra copies of this form. (This is the form you need to **START** the process.)

***Note:** When signing your joint petition and your property settlement agreement, you are signing these documents under penalty of perjury under the law of the state of California, which is the same as being sworn to testify in court. You may not sign each other's name.*
7. ____ Make three sets of forms that include copies of your property settlement agreement and a copy of your *Joint Petition for Summary Dissolution of Marriage* (form FL-800). Staple each set together.
8. ____ Make one extra copy of a blank *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820). (This is the form you need to **COMPLETE** the process.) Each of you should keep one copy for future use. See instructions later in this section.
9. ____ Make one extra copy of a blank *Notice of Revocation of Petition for Summary Dissolution* (form FL-830). (This is the form you would need to **STOP** the process.) You may wish to use it during the waiting period if you change your mind and want to stop the process. You should keep one copy. See page 19 for more information.
10. ____ Bring all of your copies to the superior court clerk's office. The location of your superior court clerk's office can be found in the phone book or online at www.courtinfo.ca.gov/courts/trial/courtlist.htm. The clerk will stamp the date on all copies, will keep one copy of each document, and will return the other two to you. One is for the husband and one is for the wife.

11. ____ Pay the superior court clerk's filing fee. If you cannot afford to pay the filing fee, you may qualify for a fee waiver based upon your income. To request a fee waiver, see *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO). You will need to prepare an *Application for Waiver of Court Fees and Costs* (form FW-001), and an *Order on Application for Waiver of Court Fees and Costs* (form FW-003).
12. ____ Put your copies of all the documents in a safe place.
13. ____ Wait for six months.
14. ____ After the waiting period, if you have decided to go through with the dissolution and neither of you has stopped it by filing the revocation form, fill out a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820) and make two extra copies of the completed form.
15. ____ Bring all copies of the form FL-820 to the superior court clerk, along with two preaddressed and stamped envelopes. One envelope must be addressed to you and the other to your spouse.
The clerk will (1) take the document, (2) record it in the court's records, (3) keep one copy, and (4) mail one of the other two copies to you and one to your spouse after it is signed by the judge.
On the day the judge signs your *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment*:
 - a. your marriage is ended;
 - b. the agreements you made in your property settlement agreement are binding—you will then own the property assigned to you, and you will have to pay the bills assigned to you;
 - c. except for those agreements, you and your spouse have no further obligations to each other; and
 - d. you are legally free to remarry.

NOTICE: The filing of the *Joint Petition for Summary Dissolution of Marriage* (form FL-800) must be done by both husband and wife. The filing of the *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820) can be done by either husband or wife.

REMEMBER: Either of you can stop the process by filling out a *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) and bringing it to the superior court clerk, either during the six-month waiting period or at any time before the other person files a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820).

XI. WHAT YOU SHOULD KNOW ABOUT REVOCATION

It is important to realize that the *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) is not just another form you are supposed to fill out and turn in.

Do not fill it out and do not bring it to the superior court clerk unless you want to stop the divorce!

What is the notice of revocation for?

This is the form you need if you want to stop the divorce. **Revoking** the agreement is canceling or stopping it.

What reasons are there for revoking?

There are three reasons you might have for wanting to stop the summary dissolution:

1. You have decided to return to your spouse and continue the marriage;
2. You want to change over to the regular dissolution as a better way of getting your divorce; or
3. The wife discovers she is pregnant.

Why might you want to change over to the regular dissolution?

You may come to believe that you will get a better settlement if you go to court than with the agreement you originally made with your spouse. (Maybe, after thinking it over, you feel you aren't receiving a fair share of the community property.)

How do you do it?

At the time you picked up the joint petition forms, you and your spouse also received three copies of the *Notice of Revocation of Petition for Summary Dissolution* (form FL-830). Fill out all three copies of that form, sign them, and bring them to the superior court clerk's office. You can do this alone. This form does not need your spouse's signature.

If you do this at any time during the six-month waiting period, you will stop the divorce proceeding.

Can the dissolution be stopped once the waiting period is over?

If neither you nor your spouse has yet filed a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* (form FL-820), you can still revoke the dissolution after the waiting period by filing the revocation form.

If you change over to a regular dissolution, what happens to the part of the waiting period that has passed?

You can apply the amount of time you waited on the summary dissolution to your regular dissolution. For example, if four months went by before you decided to revoke the summary dissolution, the waiting period for the regular dissolution will be shortened by four months.

However, you can save this time **only** if you file for a regular dissolution within 90 days of revoking the summary dissolution.

XII. SHOULD YOU SEE A LAWYER?

Must you have a lawyer to use the summary dissolution procedure?

No. You can do the whole thing by yourselves. But it would be wise to see a lawyer before you decide to do it yourselves. You should not rely on this booklet only. It is not intended to take the place of a lawyer.

If you want legal advice, does that mean you have to hire a lawyer?

No. You may hire a lawyer, of course, but you can also just visit a lawyer once or twice for advice on how to carry out the dissolution proceeding. Don't be afraid to ask the lawyer in advance what fee will be charged. It may be surprisingly inexpensive to have a lawyer handle your divorce.

Do you have to accept your lawyer's advice?

No, you don't. And if you are not pleased with what one lawyer advises, you can feel free to go to another one.

How can a lawyer help you with the summary dissolution procedure?

First, a lawyer can advise you, on the basis of your personal situation, whether you ought to use the regular dissolution procedure rather than the summary dissolution procedure.

Second, a lawyer can read your property settlement agreement to help you figure out if you've thought of everything you should have. (It is easy to forget things you don't see very often, such as savings bonds and safe deposit boxes.)

Third, there are many situations in which it is not easy to figure out what should count as community property and what should count as separate property. Suppose one of you had money before the marriage and put it into a bank account in both of your names and then both of you used money from that account. It may not be easy to decide how the money remaining in that account should be divided. A lawyer can advise you on how to make these decisions.

Fourth, there may be special situations in which your property settlement is not covered by the sample agreement on pages 14–16.

A lawyer can help you put the agreement in words that are legally precise and cannot be challenged or misinterpreted later.

Where can you find a lawyer?

The yellow pages of your telephone directory will list, under "Attorneys," "Attorney Referral Service," or "Lawyer Referral Service," organizations that can help you find a lawyer. In many cases you will be able to find an attorney who will charge only a small fee for your first visit. You can get information about free or low-cost legal services through the county bar association in your county. You can find information about certified lawyer referral services at www.courtinfo.ca.gov/selfhelp.

XIII. SOME GENERAL INFORMATION

What about income taxes?

If you have filed a joint tax return, both of you will still be responsible for paying any unpaid taxes even after your divorce.

If you are receiving a tax refund, you should agree in the property settlement agreement on how it should be divided.

The amount of money that you will owe, or that will be taken out of your paycheck, for income taxes may be greater after you are single again. If that is the case, you should prepare yourself for a bigger tax obligation.

It would be a good idea to consult the Internal Revenue Service or a tax expert on how the divorce is going to affect your taxes. You should probably do this before you make your property settlement agreement.

What about bank accounts and credit cards?

If you have a joint bank account, it may be a good idea to close it when you separate and get two individual bank accounts. That way it will be easier to keep your money separate.

If you have credit card accounts that you both have been using, you should destroy the cards and take out separate accounts.

What about cars?

If both of your names are on a title to a car and you agree that one of you is going to own the car, you need to take action to change the ownership. You should call or visit the Department of Motor Vehicles to find out how to do that. You should also talk to the lender to get the debt into one person's name and change the insurance coverage after both the title and debt are transferred.

What if your spouse doesn't pay his or her debts?

If your spouse doesn't pay a debt that is his or her responsibility, the person who loaned the money may be able to collect it from you. But then a court may order your spouse to reimburse you. If you have any reason to worry about this, a lawyer can explain your rights to you.

Can you take back your former name?

If you changed your name when you were married, you have the right to give up that name and get your former name back. You can do this by requesting it in the joint petition. If you don't request this in the joint petition, you can still do it in the request for final judgment. But, in that case, you must sign the request for final judgment. Your spouse can't make you change your name.

What if I'm not happy with my final judgment?

When your divorce is final, all your rights and duties connected with your marriage have ended and you cannot appeal. But if you decide later that you were cheated or pressured by your spouse, or if you believe that a mistake was made in the paperwork connected with the divorce, the court may be able to set aside the divorce. An attorney can explain your rights.

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

GENERAL POSITIONS AND COMMENTS					
List of All Commentators and Their Overall Positions on the Proposal					
	Commentator	Position	Comment on behalf of group?	Please see comment excerpts and summaries under specific topic headings below	Please see committee responses under specific topic headings below
1	Sandy Almansa Supervising Legal Clerk II, Family Law, Probate and IV-D Division, Superior Court of Stanislaus County	A	Y	No narrative comments.	No response required.
2	Jacqueline A. Anderson Attorney San Jose	AM	N	See comments on specific items below.	See response below.
3	Grace Andres Program Manager Superior Court of Solano County	A	N	No narrative comments.	No response required.
4	Hon. Ronald Bauer Chair, Rules and Forms Committee Superior Court of Orange County	AM	Y	See comments on specific items below.	See response below.
5	Caron Caines Managing Attorney Neighborhood Legal Services of Los Angeles County	AM	Y	See comments on specific items below.	See response below.
6	Joseph Chairez President Orange County Bar Association	A	Y	No narrative comments.	No response required.
7	Commissioner John Chemeleski Executive Committee of the Family Law Section of the Los Angeles County Bar Association	N	Y	See comments on specific items below.	See response below.
8	Christine Copeland Staff Attorney Self-Service Center, Superior Court of Santa Clara County	AM	N	See comments on specific items below.	See response below.

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

GENERAL POSITIONS AND COMMENTS					
List of All Commentators and Their Overall Positions on the Proposal					
	Commentator	Position	Comment on behalf of group?	Please see comment excerpts and summaries under specific topic headings below	Please see committee responses under specific topic headings below
9	Rolanda Pierre Dixon Assistant District Attorney Santa Clara County District Attorney's Office	A	Y	No narrative comments.	No response required.
10	Hon. Mary Ann Grilli Judge Superior Court of Santa Clara County	AM	N	See comments on specific items below.	See response below.
11	Irwin Joseph Commissioner Superior Court of Santa Cruz County	AM	Y	See comments on specific items below.	See response below.
12	Robert E. Marmor Certified Family Law Specialist Santa Rosa	N	N	See comments on specific items below.	See response below.
13	Suma Mathai Supervising Family Law Attorney Los Angeles Center for Law and Justice	AM	Y	See comments on specific items below.	See response below.
14	Sasha Morgan Attorney Office of the Family Law Facilitator Superior Court of Santa Clara County	AM	N	See comments on specific items below.	See response below.
15	Sharon Ngim Staff Liaison to the State Bar's Standing Committee on the Delivery of Legal Services	AM	Y	See comments on specific items below.	See response below.
16	Vivian Pearson Court Executive Officer	AM	N	See comments on specific items below.	See response below.

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

GENERAL POSITIONS AND COMMENTS					
List of All Commentators and Their Overall Positions on the Proposal					
	Commentator	Position	Comment on behalf of group?	Please see comment excerpts and summaries under specific topic headings below	Please see committee responses under specific topic headings below
	Superior Court of Colusa County				
17	Michael Roddy Court Executive Officer Superior Court of San Diego County	A	Y	No narrative comments.	No response required.
18	Rachel K. Rothbart Director of Legal Services Harriet Buhai Center for Family Law	AM	Y	See comments on specific items below.	See response below.
19	Hon. Alice Vilardi Judge Superior Court of Alameda County	AM	N	See comments on specific items below.	See response below.
20	Superior Court of Los Angeles County	AM	Y	See comments on specific items below.	See response below.
21	Anonymous	N	N	See comments on specific items below.	See response below.

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-800, Joint Petition for Summary Dissolution of Marriage</i>		
Commentator	Comment Excerpt or Summary	Committee Response

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-800, Joint Petition for Summary Dissolution of Marriage</i>		
Commentator	Comment Excerpt or Summary	Committee Response
<p>Hon. Ronald Bauer Chair, Rules and Forms Committee Superior Court of Orange County</p>	<p>Add language to FL-800 under Notices.</p> <p>Your divorce will not be final until you <u>I or Respondent</u> file a Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment (form FL-820) and receive a stamped copy....</p> <p>Exclude 1-5 criteria on page 1 of Summary Dissolution Information. Replace 3rd paragraph with:</p> <p>Summary dissolution is a shorter and easier way. But not everybody can use it. Briefly, a summary dissolution is possible for couples <u>who meet the criteria on page 3 of this booklet.</u></p> <p>Specify that footnote applies to regular dissolution on page 14 of the booklet.</p> <p>*At the trial in a <u>regular dissolution</u>, a judge would set a value on and divide community property and debts into two approximately equal parts as provided by California law.</p>	<p>Language has been changed to note that either Husband or Wife may file the forms. There is no “Respondent” in a summary dissolution case.</p> <p>Recommend that this be left as is. It seems cumbersome for litigants to go back and forth between pages and this is a quick screen for litigants to determine if it’s worth proceeding.</p> <p>Agree – that clause has been added.</p>

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-800, Joint Petition for Summary Dissolution of Marriage</i>		
Commentator	Comment Excerpt or Summary	Committee Response
	Specify that the forms shall be completed with neat printing in ink on page 17 of the booklet. With neat printing <u>in ink.</u>	This proposed change does not comply with Rule 2-135.

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-810, Summary Dissolution Information</i>		
Commentator	Comment Excerpt or Summary	Committee Response
Hon. Mary Ann Grilli Judge Superior Court of Santa Clara County	Summary Dissolution Information – FL-810 The term “regular dissolution” is problematic. It might be better to distinguish between a summary and just the term dissolution. On page 1, please add number 6 in third paragraph: Do not seek spousal support from each other. In the next paragraph, replace the terms “ to carry out” with the word “for” and at the end of that sentence, it should read: “clerk in the county of your residence.” Right above Domestic Partners, please consider changing “action” to “case.”	Just using the term “dissolution” seems to be confusing. Agree – that change has been made. Agree – that change has been made. Agree – that change has been made.

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-810, Summary Dissolution Information</i>		
Commentator	Comment Excerpt or Summary	Committee Response
	<p>On page 2, in the first highlighted section, there should be a comma after the word “cases.”</p> <p>Also in the sentence that begins with “however” I think that the law would have it say that day when you definitely decided to get a divorce and told the other party – this is because it is required to be a communicated statement.</p> <p>Under community property, the term “own together” is problematic. Suggested wording would be after wife: obtained during marriage other than by gift or inheritance. (The problem with “own together” is that it looks like they have to hold it jointly.)</p> <p>Under separate property, the language does not appear to be correct. I would take out the first part and use the last section, so it reads: separate property includes:</p> <p>Community obligations are not necessarily owed together. One party can cause the other to owe debts, even if in only one name. Perhaps it could read “community debts are generally debts incurred during the marriage.” (Again the later language of the section could be used.)</p>	<p>Agree – that change has been made.</p> <p>Agree – wording has been changed to reflect taking an action such as telling the other party</p> <p>Agree – wording has been changed.</p> <p>Agree – wording has been changed.</p> <p>Agree – wording has been changed.</p>

SPRING 07-26

Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
FL-810, <i>Summary Dissolution Information</i>		
Commentator	Comment Excerpt or Summary	Committee Response
	<p>In section X, there is discussion about paying the filing fee, query: do we want to say anything about the fee waiver option?</p> <p>In 15 of that section, there is language about the notice of entry triggering the end of the marriage. Isn't it really triggered by the date of judgment?</p>	<p>Agree – information regarding obtaining a fee waiver has been added.</p> <p>Agree – wording has been changed.</p>
<p>Hon. Alice Vilardi Judge Superior Court of Alameda County</p>	<p>Comments are to the noted pages of the proposal – FL-810</p> <p>p. 14: Should a comma follow “or dissolution...”? [There are two ways of getting a divorce, or dissolution, in California.]</p> <p>p. 16: The use of the same, single asterisk in lines 7, 8, and 9 may be confusing given the text of the footnote provided. One option might be to edit the footnote text to read: “Do not count cars or car loans in this total.” Alternatively, lines 7 and 8 could be footnoted with a single asterisk and text reading “Do not count the value of cars in this total.” And then line 9 could be footnoted with a double asterisk and text reading “Do not count car loans in this total.”</p> <p>p. 20: The use of the single and double asterisks on this form is inconsistent with the use of asterisks in other portions of the information</p>	<p>Agree – change has been made.</p> <p>Agree – will change to have one asterisk for 7 and 8 reading “Do not count cars in this total.” And two asterisks for 9 reading “Do not count car loans in this total.”</p> <p>Agree – will omit the asterisks</p>

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-810, Summary Dissolution Information</i>		
Commentator	Comment Excerpt or Summary	Committee Response
	<p>booklet to indicate footnoted material. The chart itself is clear that the first column is Wife’s data and the second Husband’s; the asterisk on the final entries of the two columns does not add clarity or avoid potential confusion. Consider omitting use of the asterisks on this form or, if retained, using a different way to designate footnotes from describing Wife’s and Husband’s entries, for instance, using superscripted numerals for all footnotes in the instruction booklet and asterisks in the included forms.</p> <p>p. 21: The use of full caps for CANNOT and NOT in the introduction to this form is not consistent with font used in similar forms (see, e.g., the introduction on the following form at page 22).</p> <p>p. 22 & 23: Use of the asterisk following “grand total value” in the introduction is inconsistent with use of asterisks elsewhere to designate footnotes material (see similar comment re p. 20). In addition, it is hard to find the asterisk on the form. Consider, perhaps, using shading in the full length of column of values to be added to determine eligibility to use summary dissolution and then reversing the order of the text at the bottom so that it reads “Grand total value of community property = A + B + C”</p>	<p>Agree – will use lowercase.</p> <p>Agree – will remove asterisks and reverse order of text at bottom.</p>

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
<i>FL-810, Summary Dissolution Information</i>		
Commentator	Comment Excerpt or Summary	Committee Response
	<p>p. 27: “Superscript” is a word that self-represented litigants may not know. If retained, an explanatory clause [perhaps “that is, the small ¹ and ² in the sample”?]</p> <p>However a more substantive comment is that it is actually possible the parties would appropriately retain the text in the first footnote. Given both the language level and content concerns, perhaps the following editing would be appropriate:</p> <ol style="list-style-type: none"> 1. Delete the third indented instruction in its entirety. 2. Edit the first sentence of the sample MSA and add a second to read: “We are Waldo P. Smedlap, Husband, and Lydia T. Smedlap, Wife. Whenever the word Husband appears in this agreement, it will stand for Waldo P. Smeldap; whenever the word Wife appears, it will stand for Lydia T. Smedlap.” * 3. Add a double asterisk (if asterisks are retained to designate footnotes (after the words “irreconcilable differences” – and add a footnote to the page (rather than to the MSA) reading “Irreconcilable differences means that there are problems in the marriage that the wife and husband think can never be solved. Irreconcilable differences are the only legal 	<p>Agree – wording has been changed as suggested.</p> <p>After making the changes suggested in the paragraph immediately above, the numbered notes do not need to be incorporated into the body of the text of the agreement.</p>

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
FL-810, <i>Summary Dissolution Information</i>		
Commentator	Comment Excerpt or Summary	Committee Response
	<p>grounds for getting a summary dissolution.”</p> <p>p. 30: The instructions following 6 may be obscure for self-represented litigants, particularly the words “... this procedure, otherwise an affidavit is required.” Consider editing the text to plainer English or providing a cite to a self-help resource.</p> <p>p. 31: The sentence would be clearer if <i>what</i> the instruction deals with is stated explicitly. Consider: “Bring all copies of the <i>FL-820 form</i> to the superior court clerk... One <i>envelope</i> must be....”</p>	<p>Agree – wording has been changed as the document will be signed under penalty of perjury under the laws of the State of California.</p> <p>Agree – wording has been changed.</p>

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
Ms. Jacqueline A. Anderson Attorney San Jose	<p>Warning that that dissolution won’t be final until FL-180 is received is confusing.</p> <p>Disagree with having to list assets and debts in the Petition and Response because most people have no clue when they first start their case.</p>	The committee will consider this comment as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
<p>Hon. Ronald Bauer Chair, Rules and Forms Committee Superior Court of Orange County</p>	<p>Add judgment to information under #9 of FL-100:</p> <p>9. I understand that my divorce, legal separation, or annulment will not be final until I or the respondent file a <u>Judgment (FORM FL-180)</u> and Notice of Entry of Judgment (FORM FL-190) with the Court and receive a stamped copy back from the Court. Until I receive these completed forms, I am still married.</p> <p>Add judgment to information under #9 of FL-103:</p> <p>9. I understand that my divorce, legal separation, or annulment will not be final until I or the respondent file a <u>Judgment (FORM FL-180)</u> and Notice of Entry of Judgment (FORM FL-190) with the Court and receive a stamped copy back from the Court. Until I receive these completed forms, I am still married.</p> <p>Add judgment to information under #10 of FL-120:</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>10. I understand that my divorce, legal separation, or annulment will not be final until I or the petitioner file a <u>Judgment (FORM FL-180)</u> and Notice of Entry of Judgment (FORM FL-190) with the Court and receive a stamped copy back from the Court. Until I receive these completed forms, I am still married.</p> <p>Add judgment to information under #10 of FL-123:</p> <p>10. I understand that my divorce, legal separation, or annulment will not be final until I or the petitioner file a <u>Judgment (FORM FL-180)</u> and Notice of Entry of Judgment (FORM FL-190) with the Court and receive a stamped copy back from the Court. Until I receive these completed forms, I am still married.</p>	
<p>Caron Caines Managing Attorney Neighborhood Legal Services of Los Angeles County</p>	<p>We would agree with the proposal if it is modified. We are commenting primarily on family law form: FL-100. If you adopt any of our proposed changes to the FL-100, we recommend that similar changes be made to all related forms FL-103, FL-120, and FL-123.</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>I. Create New Petition for Nullity We recommend that the Petition for Nullity be separate from the Petition for Dissolution / Petition for Legal Separation. The legal standard for obtaining a nullity of a void marriage or nullity of a voidable marriage is stringent and requires a trial.</p> <p>Although some self-represented litigants may prefer “nullity” rather than divorce for cultural or religious reasons, few actually meet the legal standard qualifying for nullity at time of trial. Inclusion of the Petition for Nullity with the Petition for Divorce / Legal Separation is confusing to self-represented litigants and may inadvertently suggest that obtaining a nullity is simply a matter of checking the appropriate box.</p> <p>Litigants who have a colorable claim for nullity will still be able to file the Petition for Nullity on the newly created form. Litigants who otherwise wouldn’t consider nullity or who don’t have the requisite basis for nullity won’t be tempted to request nullity.</p> <p>We recommend that the new Petition for Nullity mirror our suggested changes to the Petition for Dissolution / Petition for Legal Separation.</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>II. Simplify FL-100 We recommend a more significant and extensive revision of the Petition for Dissolution. The current Petition is difficult for self-represented litigants to read and understand. To the extent possible, we recommend that the Petition function as a stand alone document and that the need for attachments be eliminated as much as possible.</p> <p>A. Font, Format, and Readability We recommend that the Petition for Dissolution be revised to look and operate more like the Domestic Violence Restraining Order forms, which are more user-friendly overall. The grade level of the current form is too high. We recommend that the grade level be between third and sixth grade. Also, we recommend that the use of legal terms be minimized and that, where possible, equivalent nonlegal words be used. If a legal word is needed this word should appear in parentheses after the more common word. When the legal word is critical, we recommend that these terms be explained or defined. Our specific recommendations are as follows:</p> <ul style="list-style-type: none">• The current font is too small. We recommend the use of Ari,1 in at	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>least 12-pt. font.</p> <ul style="list-style-type: none"> • The title of the document appears at the middle and bottom of the form. We recommend that the name of the document appear at the very top of the form in bold and in all caps. • The current form is titled “Petition for Dissolution of Marriage / Legal Separation / Nullity of Marriage.” To the extent possible, we recommend that the title be changed to “Request for Divorce or Legal Separation.” • The current Petition is divided between facts and relief sought. The facts appear on page one and the relief appears on page two. We recommend that the facts and relief appear together in each section. It is easier for litigants to understand the form and for fewer mistakes / oversights to occur if the form is structured so that the litigant states a particular fact and then requests relief related to that fact immediately thereafter. 	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<ul style="list-style-type: none"> • We recommend that the caption be eliminated and that the form follow a question and answer fill in the blank model. (<i>See</i> para. 1-4 on proposed FL-100.) • We recommend that the terms Petitioner / Respondent be changed to Husband / Wife throughout the form. <p>B. Specific Recommendations to FL-100</p> <p>1. Residence The word “residence” in the title of this section is a legal term with specific legal significance. Many unrepresented litigants do not know this term and may not use it correctly. We recommend that the title of this section be eliminated entirely.</p> <p>We suggest that the wording of this section be simplified. The word “lived” or “living” should be substituted for the word “resident” or “resided.” If the word resided or resident is necessary, then we suggest that it be put in parentheses as (resided) or (resident) after the words “lived” or “is living.” (<i>See</i> para. 4 on proposed FL-100)</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>2. Statistical Facts We recommend that the title of this section be either eliminated entirely or changed to “Facts about our Marriage” instead of “statistical” facts.</p> <p>Paragraph 2(c) The Family Code does not require the litigant to plead the specific number of years and months of the marriage. Section 2(c) of the current Petition is confusing and difficult for self-represented litigants who have difficulty with this mathematical computation. We recommend that this section be eliminated entirely. Judicial officers can easily compute the length of the marriage from the date of marriage and date of separation data provided by the litigant.</p> <p>We suggest that a litigant’s request to restore their former name be included in this section of the form rather than in section 6(i) where it often gets overlooked.</p> <p>We also recommend that the language of this request be simplified. (<i>See</i> para. 7 on proposed FL-100)</p> <p>3. Declaration regarding minor children We recommend that the title of this section be changed to “Children” and that all facts and</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>requests related to parentage, UCCJEA, child custody, visitation, and child support be consolidated together after the section “Children.”</p> <p>The current petition does not provide enough space for the litigant to write the names of children. We recommend that at least six rows of lines be provided on which the litigant can write the name and birthdate of up to six children. The law does not require the litigant to plead the age or sex of the children. We recommend that the “Age” and “Sex” be eliminated from the Petition.</p> <p>In the event that the parties have a child over the age of 18 who was born before the marriage for whom parentage has not yet been determined, or an adult disabled child for whom custody or support could be awarded, we recommend that the Petition not refer only to “minor” children.</p> <p>a. Parentage Section 3(d) of the current petition asks the litigant to state whether there is a voluntary declaration of paternity and to attach a copy to the petition. The law does not require the litigant to plead whether or not there is already a voluntary declaration of paternity or to</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>provide a copy with the initial pleading. The existence of the voluntary declaration of paternity can be evidence of paternity that can be presented at the time of a contested hearing or trial on the issue of paternity. The litigant does not need to attach a copy to the petition or state whether or not such a declaration exists at the time of filing the petition. Moreover, many self-represented litigants do not understand this section and often check it off or leave it blank in error. We recommend that this section be eliminated entirely.</p> <p>We suggest that paragraph 6(d) of the current petition be moved to this section under the subtitle "Parents of Children" and reworded. This paragraph is frequently overlooked by both represented and unrepresented litigants. Failure to check this box results in an amendment of the petition at a later date, a new paternity case for children born before the marriage, or children for whom parentage is never determined. This important section regarding children should not be placed on the back page between a paragraph regarding property and a paragraph regarding other.</p> <p>We recommend that paragraph 6(d) be reworded to reflect that the court will</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>automatically make an order of parentage for any children that are listed. The litigant will not be required to affirmatively check a box. If the litigant does not want the court to make a determination of parentage, the litigant can “opt out” of a finding of parentage by not listing the child on the petition in this section. (See para. 9 on proposed FL-100.)</p> <p>b. UCCJEA The current petition requires all litigants with minor children to fill out a separate <i>Declaration Under Uniform Child Custody Jurisdiction an Enforcement Act (UCCJEA)</i> (form FL-105). We believe that this requirement is cumbersome. To the extent possible, we believe that all critical UCCJEA information should be pled in the petition itself. We also believe that it is preferable to reduce the number of additional forms attached to the petition.</p> <p>We recommend that the required provisions of the UCCJEA be incorporated into the petition and that the need for a separate UCCJEA form be eliminated. Currently, the <i>Request for Child Custody, Visitation, and Support</i>(form DV-105) used when requesting a domestic violence restraining order incorporates these elements</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>into the request itself rather than requiring a separate UCCJEA court form. We suggest that the language and form used on DV-105 be incorporated into the petition for dissolution.</p> <p>We suggest that four new sections related to the UCCJEA be created: (1) Children’s addresses are the same, (2) Children’s addresses are different, (3) Other custody cases about our children, and (4) other people who claim to have custody of our children. (<i>See</i> para. 10 -13 on proposed FL-100.)</p> <p>c. Child Custody Paragraph 6 of the current petition includes requests regarding mandatory issues that must be determined by the court in a divorce (legal custody, physical custody, property rights) with optional issues which the party may choose to put at issue in a divorce (attorneys fees, spousal support, name restoration).</p> <p>The current petition includes requests for legal custody at paragraph 6(a) and requests for physical custody at section 6(b) along with a list of other non-child-related requests. We recommend that all facts and requests related to children (parentage, UCCJEA, child custody, visitation, and child support) be grouped</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>together in the petition in one section.</p> <p>The form does not make it clear that the court is required to make determinations regarding custody of children. Moreover, the current form does not explain or define the legal significance of these terms. We recommend that the form include a brief explanation or description of both physical custody and legal custody. (<i>See</i> para. 14 on proposed FL-100.)</p> <p>We recommend that the child custody section of the petition for dissolution / legal separation roughly follow the format of paragraph 5 of form DV-105 regarding child custody. The DV-105 provides a separate heading regarding child custody and includes a brief definition of legal and physical custody.</p> <p>d. Visitation To the extent possible, we believe the petition should be a stand-alone document and should provide space and options for litigants to make basic choices related to visitation without the need for additional attachments. We believe that the custody / visitation attachments developed by the Judicial Council are very helpful and should still be used for more detailed requests.</p> <p>Paragraph 6(c) of the current petition regarding</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>visitation currently states “visitation to Petitioner / Respondent/ Other” and then lists six possible attachments. The current petition lists only a series of form numbers and does not state the name of the form or possible use for any of the forms. Self-represented litigants looking at the face of the petition would not know which, if any, of the possible attachments might be helpful just by looking at a form number. We recommend that a minimum the name of the forms be included on the petition before the form number. For example, instead of a box with “FL-311” we suggest that you use “<i>Child Custody and Visitation Application Attachment (FL-311)</i>” (See para. 15 on proposed FL-100.)</p> <p>Currently, the petition does not contemplate or provide an option for “no visitation” or “supervised visitation” unless an attachment is used. Self-represented litigants may not know that it is possible to request no visitation or supervised visitation under the appropriate circumstances. Consequently, litigants who choose not to use the attachments, forget, or get overwhelmed by the number of possible additional forms may not provide sufficient notice to the opposing party that they are in fact requesting no visitation or supervised visitation.</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>We suggest that a box be provided to request no visitation. We recommend the inclusion of specific information regarding supervised visitation including the type of supervision being requested (professional or unprofessional) and who will be responsible for paying the supervisor. These sections should be modeled on the DV-105, paragraph 11, FL-311 paragraph 2 and 3, and FL-341(A) paragraphs 4, 5, and 8. (<i>See</i> para. 15 on proposed FL-100.)</p> <p>The current petition does not provide any space for requesting a visitation schedule. We suggest that the petition include a section for requesting a basic schedule. As mentioned before, it is cumbersome for self-represented litigants to fill out additional forms and many do not use the custody / visitation attachments for one reason or another. As a result, the opposing party, the court, and the mediators have little or no information regarding the type and extent of visitation being requested. (<i>See</i> para. 15 on proposed FL-100.)</p> <p>e. Child Support Paragraph 7 of the current petition includes a statement regarding the fact that the court is mandated to make child support orders in a divorce. We recommend that this statement be</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>incorporated with the other sections regarding children and not be placed so near the end of the petition. We also recommend that the language of this statement be simplified significantly and that the rate of interest be updated for any change when the forms are reviewed each year. (<i>See</i> para. 16 on proposed FL-100.)</p> <p>f. Automatic Restraining Order regarding Children The automatic restraining orders on the back of the Summons are often overlooked by self-represented and represented litigants. To the extent possible, we suggest that the language of these restraining orders be simplified and incorporated into the body of the petition whenever appropriate. We recommend that a new paragraph be added to the children section of the petition making it clear to litigants that they are forbidden from leaving the state with their children without the other parent’s permission or an order from the court. (<i>See</i> para. 17 of the proposed FL-100.)</p> <p>4. Declaration regarding property We recommend that the title of this section be changed to “Property and Debts” and that all facts and requests related to separate property</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>and community property be consolidated together in this section.</p> <p>The current petition does not explain or define the terms “property” or “debts” in a general sense. The concepts “separate property and debts” or “community property and debts” are unexplained in the current petition. We recommend that the petition inform litigants that all property and debts must be listed and that the court is required to divide all of the property as part of the divorce. We also suggest that the petition give some basic information and common examples for the terms property and debts (<i>See</i> para. 18 of the proposed FL-100).</p> <p>a. Separate property and debts</p> <p>The current petition requires the litigant to list any property on a separate <i>Property Declaration</i> (FL-160) or on a separate page. No space is provided on the petition itself for litigants to provide information regarding separate or community property. In order to eliminate the need for additional attachments to the petition wherever possible, we recommend that separate property be explained and space provided to list each party’s separate property and separate debts. (<i>See</i> para. 19 of the proposed FL-100.)</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>b. Community property and debts Likewise, we recommend that community property be explained and space provided to list the community property, community debts, and a proposal as to whom it should be awarded. (See para. 20 of the proposed FL-100.)</p> <p>c. Delete Paragraph 6(h) We strongly recommend that paragraph 6(h) be deleted. The court is required by law to make a determination regarding property as part of the divorce. This should be automatic and the default position. Litigants should not be required to check a box affirmatively requesting the court to make a determination regarding property.</p> <p>If a litigant does not want property rights to be determined, then perhaps there should be an “opt-out” box asking that the court <u>not</u> determine property rights.</p> <p>d. Automatic Restraining Order regarding insurance and property As discussed above, the automatic restraining orders on the back of the Summons are often overlooked by self-represented and represented litigants. To the extent possible, we suggest that the language of these restraining orders be</p>	

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Family Law: Forms to Assist in Completing Dissolutions (revise forms FL-100, FL-103, FL-120, FL-123, FL-800, and FL-810)

COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>simplified and incorporated into the body of the petition whenever appropriate. We recommend that a new paragraph be added to the property and debts section of the petition making it clear to litigants that they are forbidden from changing, transferring, selling, borrowing against insurance, property, title of property, etc. (<i>See</i> para. 21 of the proposed FL-100.)</p> <p>5. Spousal Support We recommend that all requests related to spousal support be grouped together under a heading called, “Spousal Support.” We recommend that the language of paragraph 6(f) and 6(g) be simplified. (<i>See</i> para. 22 and 23 of the proposed FL-100.)</p> <p>6. Attorneys Fees We recommend that paragraph 6(h) of the current petition be placed under a heading called, “Attorneys Fees.” We recommend that the language of paragraph 6(h) be simplified to the extent possible. (<i>See</i> para. 24 of the proposed FL-100.)</p> <p>7. Other We believe that the other section currently contained in paragraph 6(j) of the current</p>	

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p>petition should remain. This section should be reworded and space provided for the litigant to write in additional requests. (<i>See</i> para. 25 of the proposed FL-100.)</p> <p>8. Automatic Restraining Orders We agree with paragraph 8 of the current petition regarding the restraining orders on the back of the Summons. We recommend that this section be reworded and simplified. (<i>See</i> para. 27 of the proposed FL-100.)</p> <p>9. Notice that Notice of Entry of Judgment Required to Finalize Process We agree with paragraph 9 of the current petition regarding the fact that the legal process is not finalized until the Notice of Entry of Judgment is signed and stamped by the court. We recommend that this section be reworded and simplified. (<i>See</i> para. 26 of the proposed FL-100.)</p> <p>10. Notices The current petition includes a notice at the bottom of page 1 regarding the redaction of social security numbers and on page 2 regarding the consequence of legal separation and divorce for spousal rights to property, rights of survivorship, etc. We recommend that these</p>	

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>notices be eliminated from the petition. The font of both notices is small and the language of each dense. These notices appear at the bottom of the page and are easily overlooked. We think that this important information would be best placed on an information sheet or instruction sheet that is separate from the petition. More space could be provided to better explain the importance of each of the notices.</p>	
<p>John Chemeleski Executive Committee of the Family Law Section of the Los Angeles County Bar Association</p>	<p>Objections to proposed changes to Judicial Council forms FL-100, FL-103, FL-120 and FL-123:</p> <p>1. Final Judgment Admonition: The proposed language in these forms concerning the finality of a judgment and termination of the marriage (par. 9 of the petition forms and par. 10 of the response forms) is a misstatement of existing law and is likely to lead to additional confusion for litigants and others.</p> <p>The finality of termination of the marital or domestic partnership status in a dissolution or nullity proceeding may occur on the date stated in the judgment which may be the same date of the filing of the judgment, a latter date or even an earlier date if there is a nunc pro tunc entry.</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>It may not occur at all if jurisdiction is reserved but never exercised. It may also be extended beyond the stated date of termination if an appeal is filed on that issue. It is not dependent of the receipt of the <i>Notice of Entry</i> form as stated in the proposed language. It will not occur at all in a legal separation judgment as implied by the proposed language.</p> <p>Proposed draft language (not recommended but submitted for discussion purposes);</p> <p>“A Legal Separation Judgment will not terminate the marital/domestic partnership status. The following only applies to a valid final Dissolution or Nullity Judgment. You will still be a married person/registered domestic partner until the date stated as the effective date of the termination of the marital/domestic partnership status on the <i>Notice of Entry of Judgment</i> (form FL-190) if the form (FL-180) has been signed by a judge and filed by the clerk and if an appeal has not been filed in the time limits allowed by law.”</p> <p>Or:</p> <p>“Do not assume that your marriage/registered domestic partnership has ended until you have</p>	

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>confirmed that a valid final judgment of dissolution or nullity has been filed and a specific date for termination has been set forth therein and has passed.”</p> <p>2. Space for property allegations: The proposed forms eliminate space for listing property under the separate as well as the community property sections. This would require a litigant with just a few assets to file an additional two-page form or forgo proceeding on that issue. This may result in unnecessary hardship or additional expense for many litigants who fall into this category as well as requiring additional pages to be read, understood, prepared, copied, filed, and served by litigants, attorneys, document preparers, process servers, clerks or others at a time when the volume of forms required is already overwhelming to many self-represented litigants and others.</p>	
Christine Copeland Staff Attorney Self-Service Center Superior Court of Santa Clara County	Item 4b on FL-100 and FL-103 and corresponding response documents: I disagree with the language “none to be divided.” The average self-represented litigant (SRL) takes this to mean that there is no disagreement over who gets what; they do not read this as it is intended: no community assets or debts exists. In a “true default” case where no response is filed and no	The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>settlement agreement exists, the judgment is limited to the scope of relief requested by petitioner. Most of our SRL petitioners are shocked to learn that they cannot get a judgment that includes community asset/debt orders because they failed to inventory such items in their petition.</p> <p>Accordingly, I suggest different language such as “no community assets or debts exist” still vague, but perhaps a better prompt to a SRL litigant than “none to be divided.”</p> <p>Would it be possible to require (without legislation) and have a form prompt on FL-100, FL-103 and FL-800 that a copy of the marriage or DP certificate be attached? I had a few cases this year where parties filed for dissolution and obtained a judgment and then, after the fact, because of paternity presumption issues in a DCSS case, it was revealed that the “divorced” parents had never been married to each other.</p> <p>Item 6d on FL-100 and FL-103 – eliminate box check and instead have a mandatory warning like the one for child support. We have a ton of SRLS who do petition on their own, fail to check the parentage box (SRLS read that as they want a DNA test for preborn kids) and at default</p>	

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>or sometimes judgment stage, the clerk bounces forms because the box isn't checked. This makes the SRL petitioner amend the petition, serve and amended petition (often years after respondent's whereabouts are known) and causes heartbreaking delays. A blanket statement would help, as would, parenthetically, a blanket statement (instead of check the box) on the judgment about parentage establishment for pre-born kids.</p>	
<p>Hon. Mary Ann Grilli Judge Superior Court of Santa Clara County</p>	<p>Petition – Marriage – FL-100</p> <p>The section regarding residence should be consistent with the domestic partnership forms so that it would read: a resident of the state of California for at least six months.</p> <p>In the section on minor children under 3c, you might want to simplify this by deleting the words petitioner and respondent and substitute: "listed above."</p> <p>In 3d, my concern here is that the form requires the Voluntary Declaration Of be attached. First of all, the parties do not have the original of this document, since it was filed with the state. Second, most parties do not have a copy, at least at our court. You might want to have two boxes, one that refers to an attached copy and</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>

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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>one that says that the parties signed one, but that they do not have a copy.</p> <p>On the second page, under 6c, there is an addition for child visitation, which I think is a good thing. However, it is often true that visitation or time share is to both parties, so you might want to have a joint box there.</p> <p>Under 6e, it should probably read: attorney's fees in order to be consistent with other forms.</p> <p>In 6g, it would be nice if there were an option to terminate spousal support for each party, perhaps with a box for each.</p> <p>Under 7, the wording says that the court will make a child support order upon request. That sounds like just asking for it in the petition will get an award. I think that this needs to be clarified somehow.</p> <p>Under 9, the form says that the dissolution is not filed until the filing of the Notice of Entry of Judgment. Please note that the status termination is not triggered by the Notice of Entry. For example, status could terminate months after the filing of the notice of entry, or, in some cases, before it is filed. This section</p>	

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	<p>really needs to be reworded for clarity.</p> <p><i>Petition for Dissolution of Domestic Partnership</i> (form FL-103) The comments relating to the Petition for Dissolution are applicable to this form as well.</p> <p>Response—FL-120 and FL-123 See comments for the petition.</p>	
<p>Irwin Joseph Commissioner Superior Court of Santa Cruz</p>	<p>Form FL-100 at paragraph 9 should say "...file a judgment and notice of entry of judgment..."</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>
<p>Robert E. Marmor Certified Family Law Specialist Santa Rosa</p>	<p>Paragraph #9 of the Petition and #10 of the Response are advisements regarding judgments of Dissolution, Legal Separation and Nullity. They state that "until I receive that completed form (Notice of Entry of Judgment) I am still married." This statement is accurate in a Nullity case or Dissolution of Marriage case. IT IS NOT TRUE IN THE CASE OF A JUDGMENT OF LEGAL SEPARATION. A Judgment of Legal Separation does not mean that the party is not married, i.e, that the marriage has been dissolved. A party reading the form could well conclude that he/she is no longer married and is free to remarry. THE FORMS AS DRAFTED SHOULD BE REVISED TO ELIMINATE THE CONFUSION THEY COULD CREATE.</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>

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	Likewise, there could be a problem with the distinction between a judgment of legal separation in a Domestic Partnership case versus a judgment dissolving or annulling the Domestic Partnership.	
Suma Mathai Supervising Family Law Attorney Los Angeles Center for Law and Justice	<p>We are writing to provide comments regarding proposed revisions to family law forms FL-100, FL-103, FL-120 and FL-123. These comments are substantially the same for each form listed, and though recommendations are made explicitly for FL-100, should apply as recommendations for all four forms.</p> <p>In reviewing cases at the default judgment stage, we often notice errors at the petition stage. One of the primary reasons that litigants seem to be denied entry of a default judgment, in our experience, is that they fail to check the “7d” box on their family law Petition, requesting that the Court determine parentage for children born before the marriage.</p> <p>Other issues that arise include:</p> <ul style="list-style-type: none"> · Failure to request determination of parentage for children of the marriage born after the parties’ date of separation. · Failure to check the “7h” box requesting 	The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>that property rights be determined, though the litigant may list items of separate and/or community property.</p> <ul style="list-style-type: none"> · Requesting a “Nullity of Marriage” but failing to request “Dissolution of Marriage” in the alternative · Failure to request that existing or future restraining orders or other related cases be incorporated into or consolidated with the action for dissolution. <p>For litigants who failed to request a determination of parentage in their petition, we often must assist them to file an Amended Petition, re-serve the opposing party and resubmit their Default Judgment, which burdens the Court, the litigants and those who assist litigants.</p> <p>For those who request a Nullity of Marriage who do not request a Dissolution of Marriage as an alternative and are not able to provide evidence to support a Judgment of Nullity, these litigants must then file a new case for Dissolution of Marriage if they want to proceed. This is an administrative burden on the Court, particularly when a new case may be assigned to</p>	

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	<p>a new judicial officer who may not be familiar with facts already presented to the Court regarding the parties.</p> <p>Finally, litigants often fail to alert the Court to other related cases or orders that are relevant to the issues in the Family Law case, including criminal restraining orders, family law restraining orders, child support cases or other family law cases. The Court may then proceed to rule on the family law issues without the benefit of reviewing other related cases.</p> <p>To assist litigants, the Courts and service providers, we recommend the following changes to FL-100 and related forms:</p> <ol style="list-style-type: none"> 1. In the caption box, under “PETITION FOR”, change the third option from “Nullity of Marriage” to “Nullity of Marriage or £ in the alternative, Dissolution of Marriage”. 2. In item 3, create section “e.” to read “e. Petitioner requests determination of parentage of any children born to petitioner and respondent who are listed above in item 3b. who were born prior to the marriage or after separation OR other (see Attachment 3e).” We would also recommend that this replace item 6d. 	

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>3. In section 4, create item “c.” to read “c. Petitioner requests that property rights be determined OR other (see Attachment 4c).” We would also recommend that this replace item 6h.</p> <p>4. Create item 6k, to ask litigants for related family law cases involving the same parties and the same children.</p>	
<p>Sasha Morgan Attorney Office of the Family Law Facilitator Superior Court of Santa Clara</p>	<p>Currently page 2 of the Petition for Dissolution, box 7d, has a box to Determine Parentage of preborn children. Many self-represented litigants do not mark this box. The current policy of most in our court is that if that box was not marked, and it should have been, than the customer needs to amend the petition and reserve the papers.</p> <p>Suggestion: remove that box and include a general statement, similar to #8 on the petition regarding child support, that if you have a preborn child the parties are hereby put on notice that parentage will need to be established in the dissolution action.</p>	<p>The committee will consider this comment as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>
<p>Sharon Ngim Staff Liaison to the State Bar’s Standing Committee on the Delivery of Legal Services</p>	<p>SCDLS supports this proposal with modifications. We support the reasons underlying the proposed changes—to help self-represented litigants understand and complete</p>	<p>The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.</p>

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	the steps needed to fully dissolve their marriage—as members of SCDLS have witnessed many litigants assuming that they are divorced based on receiving their child support orders. However, although we realize that dissolutions are often complicated, we believe that the proposed forms are confusing and fail to use plain language and we strongly recommend that these forms be revised before approval for use.	
Vivian Pearson Court Executive Officer Superior Court of Colusa County	“Divorce” is used in FL-100, FL-8—and FL-810. Needs to be replaced with “Dissolution.”	The committee will consider this comment as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.
Rachel Rothbart Director of Legal Services Harriet Buhai Center for Family Law	FL-100: <u>Item number 4</u> : Items 4 and 5 on the previous version of the Petition have been merged and modified such that there is no longer space to write in separate and community property debts/assets on the Petition. Instead, litigants must now attach a separate form or file their property declarations concurrently with the Petition. We understand that the change was probably made to create additional space on the reverse of the form.	The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>In our experience, many self-represented litigants fail to attach additional forms to the Petition. They routinely leave off custody and visitation attachments, and there is no reason to believe that they will be more likely to include property attachments. We worry that eliminating space to list property on the Petition could make it more likely that litigants leave off any reference to property, possibly forfeiting valuable property rights.</p> <p>The layout of Item 4 may also be confusing. Some litigants might read it and assume they need to select one of the three boxes rather than checking the first box and then making a selection between the second two boxes. It might be useful to mirror the community property format.</p> <p><u>Item number 6:</u> This is a box that litigants often miss, but it is a critically important form of relief. If possible, this box might be more effective as an opt-out option. The item could read: The court will determine parentage of any children born to the petitioner and respondent prior to the marriage unless you select this box.</p> <p>If the language is changed, the box should be moved to the end, rather than the beginning of</p>	

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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>the sentence to avoid confusion.</p> <p><u>Item number 9:</u> This language is intended to make clear to litigants that merely filing their case does not mean that they are divorced. However, litigants could read this item and think that their next step is to file a notice of entry of judgment, and that upon doing so, their case is complete. It might be more straightforward to say, “I understand that my divorce, legal separation, or annulment will not be final until I receive a stamped copy of the judgment from the court. Until I receive that completed form, I am still married.”</p> <p>Alternatively, the form could be more specific and say, “I understand that my divorce, legal separation, or annulment is not final after I file this Petition. The Respondent must receive a copy of all documents and given 30 days to respond. This case will not be final until I receive a stamped copy of the judgment from the court. Until I receive that completed form, I am still married.”</p> <p>FL-120:</p> <p><u>Item number 4:</u> Same notes as above</p>	

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COMMENTS ABOUT SPECIFIC RULES AND FORMS		
Circulated items FL-100, FL-103, FL-120 and FL-123 - now withdrawn		
Commentator	Comment Excerpt or Summary:	Committee Response
	<p><u>Item number 6:</u> There is a minor error here. This line should read “Respondent denies the grounds set forth in item 5 of the petition.” The Petition has been modified such that item 6 is now the section on other orders, not the request for dissolution as it was on the previous Petition. Item 5 is now the request for dissolution.</p> <p><u>Item number 8:</u> same notes as for item 6 on the Petition.</p> <p><u>Item number 10:</u> same notes as for item 9 on the petition</p> <p>FL-123:</p> <p><u>Item number 6:</u> The same minor error as noted above on the Response-Marriage appears here. Item 6 should read “Respondent denies the grounds set forth in item 5 of the petition.” The Petition has been modified such that item 6 is now the section on other orders, not the request for dissolution as it was on the previous Petition. Item 5 is now the request for dissolution.</p>	
Superior Court of Los Angeles County	<p>Change Form FL-100, Page 2, Section 9 to read as follows:</p> <p>I understand that my divorce, legal separation, or annulment will not be final until I or the</p>	The committee will consider these comments as part of an overall substantive review of forms FL-100, FL-103, FL-120 and FL-123.

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Commentator	Comment Excerpt or Summary:	Committee Response
	<p>respondent file a Judgment and Notice of Entry of Judgment (Form FL-190) with the court and receive a stamped copy back from the court. Until I receive that completed form, I am still married.</p> <p>Change Form FL-103, Page 2, Section 9 to read as follows:</p> <p>I understand that my dissolution, legal separation, or annulment will not be final until I or the respondent files a Judgment and Notice of Entry of Judgment (Form FL-190) with the court and receives a stamped copy back from the court. Until I receive that completed form, the domestic partnership still exists.</p> <p>Change Form FL-120, Page 2, Section 10 to read as follows:</p> <p>I understand that my dissolution, legal separation, or annulment will not be final until I or the petitioner files a Judgment and Notice of Entry of Judgment (Form FL-190) with the court and receives a stamped copy back from the court. Until I receive that completed form, I am still married.</p> <p>Change Form FL-123, Page 2, Section 10 to</p>	

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	<p>read as follows:</p> <p>I understand that my dissolution, legal separation, or annulment will not be final until I or the petitioner files a Judgment and Notice of Entry of Judgment (Form FL-190) with the court and receives a stamped copy back from the court. Until I receive that completed form, the domestic partnership still exists.</p>	
Anonymous	Concerns raised about collaborative law process	There is no reference in the forms to collaborative law process