



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 25, 2013

Title	Agenda Item Type
Family Law: Revisions to Family Law Summons	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise form FL-110	January 1, 2014
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	October 1, 2013
Hon. Jerilyn L. Borack, Cochair	Contact
Hon. Kimberly J. Nystrom-Geist, Cochair	Donna Clay-Conti, 415-865-7911 donna.clay-conti@jud.ca.gov
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Executive Summary

The Family and Juvenile Law Advisory Committee proposes revisions to the family law summons, form FL-110. The changes address the requirements of Assembly Bill 792 (Stats. 2012, ch.851), which, effective January 1, 2014, requires courts to provide a notice upon filing of a petition for divorce, legal separation, or annulment, or a petition for adoption, informing the petitioner and respondent that they may be eligible for reduced or no-cost insurance coverage through the California Health Benefit Exchange or no-cost coverage through Medi-Cal. The changes further respond to Senate Bill 1206, which requires that the standard restraining orders in a summons for dissolution, legal separation, or annulment include a notice informing the parties that they are restrained from applying for a new or replacement passport for the minor child or children of the parties without the prior written consent of the other party or an order of the court. To address commentators' requests that the summons be kept to two pages, a number of changes were made to tighten up language and to remove boxes that asked the petitioner to

note whether the respondent was served as an individual, on behalf of a minor, or as a conservator.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2014, revise form FL-110, *Summons (Family Law)*, as follows:

- On page 2, add language notifying the parties of their possible eligibility for health insurance coverage. As required by law, Covered California provided the appropriate language as follows, “[d]o you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.” The Spanish translation would direct readers to the Spanish language line, 1-800-300-0213.
- On page 2, in the box entitled STANDARD FAMILY LAW RESTRAINING ORDERS, include the revised statutory language preventing a party from “applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court.”
- On page 1, remove the box indicating the capacity in which the person being served is being served—whether as an individual, on behalf of a minor, or as a conservator.
- Simplify and clarify language in the restraining orders and notices.
- On page 1, add, “Read [the] information below [and on the next page]” after “You are being sued.” (Code of Civil Procedure section 412.20(a)(6) requires that the summons contain “read information below” in the header).
- Incorporate technical changes, including updating web addresses.

A copy of the revised form is attached at pages 8–9.

Previous Council Action

The Judicial Council last revised this form effective July 1, 2009, to include a notice to the parties that the family court may order either party to pay previously waived court fees and, if so, will notify the party ordered to pay and give that party an opportunity to request a hearing on the matter.

Rationale for Recommendation

AB 792, which adds sections 2024.7 and 8613.7 to the Family Code, requires a court, upon the filing of a petition for dissolution of marriage, nullity of marriage, legal separation, or adoption

on and after January 1, 2014, to provide a specified notice informing the petitioner and respondent that they may be eligible for health insurance coverage at a reduced cost through the California Health Benefit Exchange (Exchange) or no-cost coverage through Medi-Cal. The legislation requires the notice to include information about obtaining coverage through those programs and requires the notice to be developed by the Exchange. The form is revised to include that notice.

Senate Bill 1206 (Stats. 2011, ch. 276), amends section 2040 of the Family Code relating to child abduction prevention. It requires that a summons issued at the commencement of a proceeding for dissolution, nullity of marriage, or legal separation of the parties contain, in addition to the existing restraining orders, an order restraining the parties from applying for a new or replacement passport for the minor child or children of the parties without the prior written consent of the other party or a court order. The committee has incorporated this new provision into the standard restraining order on the family law summons.

Code of Civil Procedure section 412.20(a)(6) requires that the summons contain the following introductory legend in both English and Spanish: “Notice! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read information below.” Since information on both pages of the form is critical, that language has been modified to state “Read the information below and on the next page.”

Given strong concerns raised about challenges for the courts and the public if the form was expanded to more than two pages, the committee carefully reviewed a number of suggestions received about what might be eliminated from the form and incorporated many of those suggestions. These included revising language about fee waivers, combining the restraining orders regarding leaving the state of California to more closely mirror the statutory construction, shortening web addresses, and simplifying the language of some of the restraining orders. All changes are intended to encourage litigants to read and understand the critical information conveyed on the summons.

Comments, Alternatives Considered, and Policy Implications

Responses to external comments received

The invitation to comment on the proposal was circulated for public comment from April 22, 2013, through June 19, 2013, to the standard mailing list for family and juvenile law proposals, as well as to the regular rules and forms mailing list, which included judges, court administrators, attorneys, mediators, family law facilitators and self-help attorneys, and other family and juvenile law professionals and attorney organizations. After the comment period, the committee sought additional comment from self-help attorneys as discussed below.

Eight comments were received. Four of the commentators, the California Judges Association and the Superior Courts of Los Angeles, Riverside, and Shasta Counties, agreed with the proposed revisions without modification. The remaining commentators agreed with the proposal if the form is modified. The suggested modifications were to retain the form’s current two-page layout

including the new statutory language, rather than the three-page format proposed, and that the form include additional notices informing the user that forms filed must be in English and that not all of the family law forms are available in Spanish.

One commentator, the Family Law Unit Manager of the Superior Court of Orange County, agreed with the revisions if modified. She suggested reformatting the document so that the English version and the Spanish translations appear side-by-side, in vertical columns, rather than in the existing format, thereby improving the form's readability. The committee reviewed a prepared mockup of the form in the suggested format and asked that both versions of the form be circulated to self-help centers to get feedback from those attorneys and the litigants that they serve about which formatting promoted readability.

Two commentators, on behalf of the Superior Courts of San Bernardino and San Diego Counties, also agreed with the proposed revisions if modified. Both expressed concern about the operational impact of expanding the two-page form into a three-page form. The San Bernardino commentator acknowledged the challenge of including the statutorily required notices without exceeding two pages and suggested posting the notice on court websites instead. The committee agreed with this concern and asked for additional feedback from self-help center attorneys on how to shorten the document.

The committee considered the suggestion that courts post the notice on their websites, rather than including the notice on the summons. This does not appear to comply with sections 2024.7 and 8613.7 of the Family Code, particularly for those parties who do not have access to computers or the Internet.

The State Bar Standing Committee on the Delivery of Legal Services (SCDLS) also agreed with the form revisions if modified to include statements indicating that all forms must be submitted in English and not all forms are translated. SCDLS noted that the proposed form does not include that information, which results in confusion for Spanish speakers and court staff. The SCDLS also suggested creating a separate translated summons that could be attached as needed, with the goal of making the English summons form more legible and creating an opportunity for summons attachments in other languages (e.g. Chinese, Vietnamese, Russian, etc.). The committee considered this suggestion and concluded that the option of creating two summonses—one in English, the other in Spanish (or another language)—was not feasible because the instructions in the statutorily required language compels a Spanish translation of the entire form. Code of Civil Procedure section 412.20(a)(6) requires that the summons contain the following introductory legend in both English and Spanish: “Notice! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. *Read information below.*” (Emphasis added.) Thus, under the two-form approach suggested by the commentator, the English form would continue to include the introductory legend in both English and Spanish, as would the Spanish version. While it appears this would comply with subdivision (a)(6), the second sentence of the notice, “read information below,” leads to the opposite conclusion. It directs the litigant to read the remaining information on the rest of the

form. Thus, it follows that the remaining information on the form must also be in English *and* Spanish. While additional informational translations of summons materials should certainly be considered as funds permit, it is unclear whether we can reasonably expect petitioners requesting divorce, the majority of whom are self-represented, to serve additional pages with the appropriate translations along with the summons.

The committee also considered the commentator's suggestion to include additional statements on the summons to the effect that all forms are not translated into Spanish and that all documents must be filed in English. The summons already contains a tremendous amount of information, and the committee recommends focusing on statutorily required information at this time. The committee has asked AOC staff to ensure that this information is on the California Courts Online Self-Help Center website, which is fully translated into Spanish.

At the direction of the committee, following the formal comment period staff sent two versions of the summons form, one in the current format and one showing the Spanish translation in a side-by-side format, to self-help centers throughout the state for comments on which version was most useful for litigants. Self-help staff were extremely conscientious in reviewing the document and submitted 17 additional comments on the form. Many centers tested it with both English- and Spanish-speaking litigants, and it was reviewed by literally hundreds of persons. The overwhelming majority of reviewers preferred the revised side-by-side content.

In addition, there was a strong appeal to maintain the form as a two-page form, and many suggestions were provided about how to do that. The committee carefully reviewed those suggestions and the proposed revision to the form contains edits (some of which deleted content) to maintain the two-page format.

The major change recommended would remove the provision at the bottom of the current version of the form that asks the petitioner to identify whether the respondent is being served as an individual, in their capacity as a conservator, or on behalf of a minor. This information does not appear to be statutorily mandated. Code of Civil Procedure section 412.20 notes what the summons must contain and does not set out a requirement for notification that "you are being served as..."

Code of Civil Procedure section 412.30 sets out a requirement for the civil summons to designate the basis for service: "In an action against a corporation or an unincorporated association (including a partnership) the copy of the summons that is served shall contain a notice stating in substance: 'To the person served: You are hereby served in the within action (or special proceeding) on behalf of (here state the name of the corporation or the unincorporated association) as a person upon whom a copy of the summons and of the complaint may be delivered to effect service on said party under the provisions of (here state appropriate provisions of Chapter 4 (commencing with Section 413.10) of the Code of Civil Procedure).' If service is also made on such person as an individual, the notice shall also indicate that service is being made on such person as an individual as well as on behalf of the corporation or the

unincorporated association. [¶] If such notice does not appear on the copy of the summons served, no default may be taken against such corporation or unincorporated association or against such person individually, as the case may be.”

This language is clearly aimed at civil actions and does not appear to apply to family law matters. There is no similar code section for family law actions. Code of Civil Procedure sections 416.60 and 416.70 provide that the summons can be served on a minor, guardian, etc. (the language addressed in each specific section) but do not state that the summons form must contain that language. Those code sections appear to designate who can be served, not what must appear on the summons. Thus, the committee recommends removing this section of the summons based on comments that litigants find it confusing and that it is not mandated by statute.

A number of self-help center commentators suggested that language indicating that a party might be required to repay a fee waiver should be removed from the summons as that warning is also on the order for fee waiver. The committee considered this but decided to retain the warning since the order for fee waiver is only provided to the person requesting the fee waiver. The other party, who might be ordered to repay the waived fees and costs to the court, might not have such an order. However, the committee recommends removing the information indicating that there is a process to challenge an order for repayment of fees since that information would be provided if, in fact, such an order for repayment is made.

The committee agreed with a commentator’s suggestion to change the restraining order from the current, “Removing the minor child or children of the parties, if any” to “removing the minor children of the parties” for clarity. Other minor suggestions were incorporated to make the form shorter and more understandable.

Responses to request for specific comments

During the formal comment period, in addition to comments on the proposal as a whole, the advisory committee sought comment on the following:

- Does the proposal appropriately address the stated purpose?
- Would this proposal have an impact on public’s access to the courts? If a positive impact, please describe. If a negative impact, what changes might lessen the impact?

The advisory committee also sought comments from courts on the following cost and implementation matters:

- Will the proposal provide cost savings? If so please quantify.
- What are the implementation requirements for courts? For example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems.

- Would 2 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

The Superior Courts of Los Angeles and Orange Counties responded to these specific inquiries. They agreed that the proposal appropriately addressed its stated purpose; that the proposal will probably not provide any cost savings to the courts; and that two months is sufficient time for implementation. The Superior Court of Orange County added that implementation requirements would include advising staff of form changes and modifying the SmartForm version of FL-110. Los Angeles pointed out that courts will need to print new forms.

The comment chart is attached at pages 10–36.

Implementation Requirements, Costs, and Operational Impacts

The committee does not anticipate that the recommendations in this report will result in any costs to the branch other than the one-time cost of revising the forms. The committee does not anticipate any substantive requirements for implementation or fiscal and operational impacts on the courts. The committee expects that incorporating the required warnings into existing forms will save courts money by not requiring development of additional notices. The committee is aware that some courts are already printing a separate page with the required warnings pending revision of this form and that has led to additional burdens on clerks who would prefer that all required information be contained on the form.

Attachments

1. Form FL-110, at pages 8–9.
2. Comment chart, at pages 10–36.
3. Link to AB 792 at:
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB792&search_keywords=.](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB792&search_keywords=)
4. Link to SB 1206 at:
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB1206&search_keywords=.](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB1206&search_keywords=)

SUMMONS (Family Law)

CITACIÓN (Derecho familiar)

NOTICE TO RESPONDENT (Name):

AVISO AL DEMANDADO (Nombre):

You have been sued. Read the information below and on the next page.
Lo han demandado. Lea la información a continuación y en la página siguiente.

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**DRAFT
NOT APPROVED BY THE
JUDICIAL COUNCIL**

Petitioner's name is:

Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):

You have **30 calendar days** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.

If you do not file your *Response* on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs.

For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), at the California Legal Services website (www.lawhelpca.org), or by contacting your local county bar association.

Tiene **30 días de calendario** después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120 o FL-123) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales.

Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio web de los Servicios Legales de California (www.lawhelpca.org) o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE—RESTRAINING ORDERS ARE ON PAGE 2:

These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

AVISO—LAS ÓRDENES DE RESTRICCIÓN SE

ENCUENTRAN EN LA PÁGINA 2: Las órdenes de restricción están en vigencia en cuanto a ambos cónyuges o miembros de la pareja de hecho hasta que se despidan la petición, se emita un fallo o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.

[SEAL]

1. The name and address of the court are (*El nombre y dirección de la corte son*):
2. The name, address, and telephone number of the petitioner's attorney, or the petitioner without an attorney, are: (*El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son*):

Date (*Fecha*): _____ Clerk , by (*Secretario, por*) _____ , Deputy (*Asistente*)

STANDARD FAMILY LAW RESTRAINING ORDERS

Starting immediately, you and your spouse or domestic partner are restrained from:

1. removing the minor children of the parties from the state or applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

NOTICE—ACCESS TO AFFORDABLE HEALTH

INSURANCE: Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.

WARNING—IMPORTANT INFORMATION

California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

ÓRDENES DE RESTRICCIÓN ESTÁNDAR DE DERECHO FAMILIAR

En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:

1. llevarse del estado de California a los hijos menores de las partes, o solicitar un pasaporte nuevo o de repuesto para los hijos menores, sin el consentimiento previo por escrito de la otra parte o sin una orden de la corte;
2. cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);
3. transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, excepto en el curso habitual de actividades personales y comerciales o para satisfacer las necesidades de la vida; y
4. crear o modificar una transferencia no testamentaria de manera que afecte la asignación de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.

Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto por lo menos cinco días hábiles antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado que lo ayude o para pagar los costos de la corte.

AVISO—ACCESO A SEGURO DE SALUD MÁS ECONÓMICO:

¿Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir el costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite www.coveredca.com. O llame a Covered California al 1-800-300-0213.

ADVERTENCIA—INFORMACIÓN IMPORTANTE

De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.

SPR13-34

Family Law: Revisions to Family Law Summons (Revise FL-110)

All comments are verbatim unless indicated by an asterisk (*)

	Commentator	Position	Comment	Committee Response
1.	California Judges Association By Lexi Howard, Legislative Director	A	<p>The proposal indicates: The Family and Juvenile Law Advisory Committee proposes revisions to form FL-110, Summons-Family Law. The changes address the requirements of Assembly Bill 792 (Stats. 2011.ch.851), which, effective January 1, 2014, requires courts to provide a notice upon filing of a petition for divorce, legal separation or annulment, or a petition for adoption, informing the petitioner and respondent that they may be eligible for reduced or no-cost insurance coverage through the California Benefit Exchange (Exchange) or no-cost coverage through Medi-Cal. The changes further respond to SB 1206, which requires that the standard restraining orders in a summons for dissolution, legal separation or annulment include a notice informing the parties that they are restrained from applying for a new or replacement passport for the minor child or children of the parties without the prior written consent of the other party or an order of the court.</p> <p>The California Judges Association supports the proposed form changes, as specified in Invitation to Comment SPR13-34, because these revisions appear to be needed and appropriate given the new passport restrictions and the full implementation of the Affordable Care Act.</p>	No response required.

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	Commentator	Position	Comment	Committee Response
2.	Debbie Kruse Family Law Unit Manager Superior Court of Orange County	AM	<ul style="list-style-type: none"> • Agree with page 3 (Covered California addition) • Agree with page 2 insertion re: new or replacement passports for minor child/children. • Agree with technical changes; update web address • We second the concern about the impact of a 3 page summons but the alternative is not desirable; not possible to return format to 2 pages <p>Format suggestions: Instead of having English/Spanish language boxes vertical and some horizontal, we propose carrying the side by side format through the document. The English/Spanish language is separated in three different formats throughout the document (side by side, vertical and half page Spanish/half page English). Change to the language separation methods will improve the document flow and make the form easier</p> <p>Request for Specific Comments</p> <ul style="list-style-type: none"> • Does the proposal reasonably achieve the stated purpose? Yes 	<p>No response required.</p> <p>No response required.</p> <p>No response required.</p> <p>No response required.</p> <p>The committee directed staff to ask for the opinion of self-help centers and the litigants they serve regarding the original version and a side-by-side presentation as suggested by the commenter. The side-by-side presentation was strongly preferred and the committee recommends that this change be made.</p> <p>No response required.</p>

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	Commentator	Position	Comment	Committee Response
			<ul style="list-style-type: none"> • Would this proposal have an impact on public’s access to the courts? Yes; If a positive impact, please describe. Simplified access through expanded language within the form. If a negative impact, what changes might lessen the impact? The advisory committee also seeks comments from courts on the following cost and implementation matters: • Would the proposal provide cost savings? No; If so, please quantify. If not, what changes might be made that would provide savings, or greater savings? • What are the implementation requirements for courts? Advise staff of form changes. Docket code changes not required; modification of SmartForm will be required (minimal level of effort/CTS impact to complete updates). For example, training staff (please identify position and expected hours of training), revising processes and procedures 	<p>No response required.</p> <p>No response required.</p> <p>No response required.</p>

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	Commentator	Position	Comment	Committee Response
			<p>(please describe), changing docket codes in case management systems, or modifying case management systems.</p> <ul style="list-style-type: none"> • Would 2 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes • If this proposal would be cumbersome or difficult to implement in a court of your size, what changes would allow the proposal to be implemented more easily or simply in a court of your size? Not cumbersome or difficult to implement 	<p>No response required.</p> <p>No response required.</p>
3.	Superior Court of Los Angeles County	A	<p>In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following: Does the proposal reasonably achieve the stated purpose? Yes Would this proposal have an impact on public’s access to the courts? Probably not. The advisory committee also seeks comments from courts on the following cost and implementation matters: Would the proposal provide costs savings? No What are the implementation requirements for courts? Printing new forms. Would 2 months from Judicial Council approval of this proposal until its effective date</p>	<p>No response required.</p>

SPR13-34**Family Law: Revisions to Family Law Summons (Revise FL-110)**

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	Commentator	Position	Comment	Committee Response
			provide sufficient time for implementation? Yes	
4.	Superior Court of Riverside County By Carrie Snuggs, Family Law & Juvenile Director	A	No specific comment	No response required.
5.	Superior Court of San Bernardino County By Monica Mitchell, Supervising Attorney	AM	<p>Changing the summons to 3 pages increases the costs to the courts and to the public. According to the 2012 case statistics, almost 300,000 marital petitions were filed. When you consider that for every petition, at least 2 copies are made of the documents, it means that a one page increase in a form adds up to 900,000 pieces of paper state-wide. In San Bernardino County, the court costs for copying sheets is 50 cents per page. If it is possible to limit the summons to 2 pages, it would be of benefit to the court and the community.</p> <p>But with FC 2024.7 requiring that the court give notice to both the petitioner and respondent, it is a challenge to figure out the most efficient method of providing the notice to both parties. Is the answer as simple as a notice on every court's website rather than adding it to the Summons? If there needs to be a more targeted notice, is there another form which could be the vehicle for the change? For example, the Petition and/or Response may have some room for the language.</p>	<p>The committee has carefully examined the form in light of the many helpful comments received to make it a two–page form.</p> <p>It does not appear that posting a notice on the courts website would comply with the statutory requirement that “upon the filing of a petition for dissolution of marriage, nullity of marriage, or legal separation, the court shall provide to the petitioner and the respondent a notice informing him or her that he or she may be eligible for reduced–cost coverage.” ...” Local courts’ websites would not provide immediate access to litigants who do not have computer and internet access. This would impose additional burdens on already overburdened court staff and potentially result in inconsistent implementation.</p>
6.	Superior Court of San Diego County By Mike Roddy, Court Executive	AM	Our court believes that if there is a way to keep the form down to two pages that would be best,	The committee has carefully examined the form in light of the many helpful comments received to

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	Commentator	Position	Comment	Committee Response
	Officer		because three pages for a summons makes the document cumbersome. Perhaps there is some language that could be excluded and/or reworded to make the document more compact.	make it a two–page form.
7.	Superior Court of Shasta County By Stacy Larson, Family Law Facilitator	A	No specific comment	No response required.
8.	The State Bar of California Standing Committee on the Delivery of Legal Services (SCDLS) By Sharon Ngim, Program Developer and Staff Liaison	AM	Form FL-100 which is in English and Spanish does not explain that not all Judicial Council forms are available in Spanish and that those which are in Spanish are informational only and creates confusion for Spanish speakers as well as court staff. At a minimum, this form should include a statement that all forms must be submitted in English and not all forms are translated. Separate translated Summons form which could be attached as needed would: a) make the English Summons form more legible, and b) create an opportunity for other Summons language attachments (e.g. Chinese, Vietnamese, Russian, etc.)	The committee concluded that the option of creating two summonses—one in English, the other in Spanish (or another language) was not feasible. Code of Civil Procedure section 412.20 (a)(6) requires that the summons contain the following introductory legend in both English and Spanish: “Notice! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read information below.” Under the two–form approach, the English form would continue to include the introductory legend in both English and Spanish, as would the Spanish version. While it appears this would comply with subsection (a)(6), the second sentence of the notice, “read information below” leads to the opposite conclusion. It directs the litigant to read the remaining information on the form. It follows that the remaining information on the form must also be in English and Spanish. Therefore, the committee opted for the summons containing both English and the Spanish translation.

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	Commentator	Position	Comment	Committee Response
				<p>The committee considered the commentator's suggestion to include two additional notices on the summons—one to the effect that all forms are not translated into Spanish; the other, that all documents must be filed in English, but as these are not mandatory fields, the committee is concerned about adding more text to the summons other than what is statutorily required. Also, the committee concluded that the suggested notices are better provided as information on the California Courts Self-Help website and by local court staff.</p> <p>The committee has carefully reviewed the language in the summons to eliminate items not required by statute to retain a two-page format.</p>

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Subsequent comments

	Commentator	Position	Comment	Committee Response
9.	Sheila Ballin Family Law Facilitator Superior Court of California, County of San Joaquin	AM	I passed the forms around to court staff, interns and court customers and approximately 90% preferred the two column format. I then passed the forms around at our Spanish workshops and 100% preferred the two column format.	The committee will make the change as suggested.
10.	Melanie Snider, S.H.A.R.P. Managing Attorney Family Law Facilitator-Butte and Lake County	AM	Our staff all felt that the vertical [side by side] columns were preferable to the version where the information is first in English then Spanish. All felt the vertical columns were easier to follow and that version seems “cleaner” and “neater”.	The committee will make the change as suggested.
11.	Cristina Llop Attorney and Certified Court Interpreter San Francisco	AM	I vote for the version that has the languages side by side. There’s a small edit that I think would be helpful. At the very beginning, where it says “You are being sued. Read information below”... I think it would benefit from a “the” as in “the information”... there’s room for it. The Spanish already has it. I decided to see if I could find any way to shorten the language already on the form without making any substantive changes. For	The committee will make the change as suggested. Agree to add the word “the”. The committee will amend the website address to shorten it.

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	Commentator	Position	Comment	Committee Response
			<p>one, the lawhelp link is actually longer than it needs to be... they now just use “ca” instead of “California” and we don’t need the “www” for either website, in case you want to cut that out.</p> <p>For page 1: You have 30 calendar days after this Summons and Petition are served on you to file a Response (form FL-120 or FI-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you. If you do not file your Response on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. For legal advice, contact a lawyer right away. Find a lawyer at the California Courts Online Self-Help Center (courts.ca.gov/selfhelp) , the California Legal Services Website (lawhelpca.org), or by contacting your local county bar association.</p> <p>NOTICE – RESTRAINING ORDERS ARE ON PAGE 2 These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable in California by any law enforcement officer who has received or seen a</p>	<p>The committee recommends retaining the notification about a potential fee waiver in the form to ensure that low-income litigants are not denied access to justice. It has shortened the guidance regarding finding a lawyer, as suggested.</p> <p>This has been shortened as recommended.</p>

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	Commentator	Position	Comment	Committee Response
			<p>copy.</p> <ul style="list-style-type: none"> ➤ Court address space. Wondering if we can put a box under the filing box on the top right corner, like some JC forms sometimes have, instead of taking this much space here. Look at the box and court address box on the fee waiver http://www.courts.ca.gov/documents/fw001.pdf ➤ In WARNING-IMPORTANT INFO box, last sentence may be shortened, maybe, and save a line by doing this: <p>Talk to a lawyer to have the community property presumption written into the recorded title to the property.</p> <p>There are a few typos in the Spanish. See attached form for notes.</p>	<p>Moving the case number shortens the space for the mandatory warnings.</p> <p>The committee has shortened this, but changed “talk to” to “get help from” a lawyer since talking in itself will not fix the problem.</p> <p>Those typos will be corrected.</p>
12.	Trinidad Ocampo Attorney Legal Aid Foundation of Los Angeles	AM	The changed version appears much easier to read and distinguish the Spanish from the English text. During my time at the self help center we have frequently encountered litigants who did not properly understand or read the	The committee will make the change as suggested.

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	Commentator	Position	Comment	Committee Response
			standard restraining orders because they were overwhelmed by the text on the second page. I think the formatting will definitely help this issue.	
13.	Leigh Parsons Supervising Attorney, Self-Help Center/Family Law Facilitator's Office Superior Court of Santa Clara	AM	<p>I think it is much easier to read in the new format. Spanish speakers don't think the form has Spanish on it because they don't get that far. They must start looking at it and at first glance just see English and don't read further.</p> <p>Page 1:</p> <ul style="list-style-type: none"> The biggest problem people have filling out this form is that they want to put their name first and the other party's name 2nd. Can we make a change? (The other biggest problem is that NO ONE reads it...ever...but I digress) <p>Can the top be modified to something low lit like:</p> <p>Option #1</p> <p>To: [Respondent Name]</p> <p>You are being sued by: [Petitioner Name]. Read all the information below and on pages 2 and 3.</p>	<p>The committee will make the change as suggested.</p> <p>The committee has proposed a potential change to the top of the form.</p>

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	Commentator	Position	Comment	Committee Response
			<p>Option #2 Petitioner: [Petitioner Name] is suing you, [Respondent Name] Read all the information below and on pages 2 and 3.</p> <p>Can we get rid of the last portion of the 1st page? It's really not useful and people don't know how to mark it anyway. It might help get the form back to 2 pages:</p> <div data-bbox="863 727 1339 987" style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p>[REDACTED]</p> <p>NOTICE TO THE PERSON SERVED: You are served AVISO A LA PERSONA QUE RECIBIÓ LA ENTREGA: Esta entrega se realiza</p> <p>a. <input type="checkbox"/> as an individual. (a usted como individuo)</p> <p>b. <input type="checkbox"/> on behalf of respondent who is a (en nombre de un respondedor que es):</p> <p>(1) <input type="checkbox"/> minor (menor de edad)</p> <p>(2) <input type="checkbox"/> ward or conservatee (dependiente de la corte o pupilo)</p> <p>(3) <input type="checkbox"/> other (specify) (otro - especifique):</p> <p style="text-align: center; font-size: small;">(Read all pages for important information.) (Lea todas las páginas para obtener información importante.)</p> <p style="text-align: right; font-size: x-small;">Page 1 of 3</p> </div>	<p>The committee recommends that this language be removed. It is not statutorily required as compared to the language required by the Code of Civil Procedure for civil summons forms.</p> <ol style="list-style-type: none"> 1. Code of Civil Procedure section 412.20 notes what the summons must contain but does not state anything about the portion on “ you’re being served as...”. 2. Code of Civil Procedure section 412.30 addresses that section, but only in: <i>In an action against a corporation or an unincorporated association (including a partnership)</i>, the copy of the summons that is served shall contain a notice stating in substance: "To the person served: You are hereby served in the within action (or special proceeding) on behalf of (here state the name of the corporation or the unincorporated association) as a person upon whom a copy of the summons and of the complaint may be delivered to effect service on said party under the

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	Commentator	Position	Comment	Committee Response
			<p>Page 2: The language restricts a child’s passport access</p>	<p>provisions of (here state appropriate provisions of Chapter 4 (commencing with Section 413.10) of the Code of Civil Procedure)." If service is also made on such person as an individual, the notice shall also indicate that service is being made on such person as an individual as well as on behalf of the corporation or the unincorporated association. If such notice does not appear on the copy of the summons served, no default may be taken against such corporation or unincorporated association or against such person individually, as the case may be."</p> <p>This language is clearly aimed at civil actions and does not appear to apply to family law matters. There is not a similar code section for family law actions.</p> <p>3. Code of Civil Procedure section 416.60 and 416.70 provide that the summons can be served on a minor, guardian, etc (the language addressed in that specific section) but do not state that the summons form must contain that language. Those sections seem related to who can be served, not what must appear on the summons.</p> <p>Family Code section 2040 (a)(1) provides that the</p>

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	Commentator	Position	Comment	Committee Response
			<p>with exceptions. The first exception works fine but the 2nd exception “an order of the court” seems too vague. The U.S. Department of State describes on the following chart what’s required to get a passport for a child under 16. I think my issue may be more with their confusing requirements since we have people come back and say that the court order to get a passport for the child doesn’t work and it will be in a case where the other parent has visits, for example...</p> <p>“With”, below, seems to mean “and.” So the party needs “primary evidence of sole authority to apply for the child” (is that sole legal and physical custody? Or just proof that you are the child’s parent?) “with”:</p>	<p>summons should provide a temporary restraining order: “ Restraining both parties from removing the minor child or children of the parties, if any, from the state, or from applying for a new or replacement passport for the minor child or children, without the prior written consent of the other party or an order of the court.” While the committee recognizes that the State Department may have additional requirements on their website, it has determined to follow the text of the Family Code.</p>

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	Commentator	Position	Comment	Committee Response						
			<table border="1"> <tr> <td data-bbox="856 305 1010 418">Both Parents MUST:</td> <td data-bbox="1010 305 1346 418"> <ul style="list-style-type: none"> • Appear in person with the minor • Sign Form DS-11 in front of an Acceptance Agent </td> </tr> <tr> <td data-bbox="856 418 1010 561">One Parent MUST:</td> <td data-bbox="1010 418 1346 561"> <ul style="list-style-type: none"> • Appear in person with the minor • Sign Form DS-11 in front of an Acceptance Agent • Submit the second parents' notarized Statement of Consent (Form DS-3053) </td> </tr> <tr> <td data-bbox="856 561 1010 1338">One Parent (with sole legal custody) MUST:</td> <td data-bbox="1010 561 1346 1338"> <ul style="list-style-type: none"> • Appear in person with the minor • Sign Form DS-11 in front of an Acceptance Agent • Submit primary evidence of sole authority to apply for the child with one of the following: <ul style="list-style-type: none"> ◦ Minor's certified U.S. or foreign birth certificate listing only the applying parent ◦ Consular Report of Birth Abroad (Form FS-240) or Certification of Birth Abroad (Form DS-1350) listing only the applying parent ◦ Court order granting sole custody to the applying parent (unless child's travel is restricted by that order) ◦ Adoption decree (if applying parents is sole adopting parent) ◦ Court order specifically permitting applying parent's or guardian's travel with the child ◦ Judicial declaration of incompetence of non-applying parent ◦ Death certificate of non-applying parent <p>NOTE: If none of the above documentation is available, the applying parent must submit Form DS-3053 stating why the non-applying parent/guardian's consent cannot be obtained</p> </td> </tr> </table>	Both Parents MUST:	<ul style="list-style-type: none"> • Appear in person with the minor • Sign Form DS-11 in front of an Acceptance Agent 	One Parent MUST:	<ul style="list-style-type: none"> • Appear in person with the minor • Sign Form DS-11 in front of an Acceptance Agent • Submit the second parents' notarized Statement of Consent (Form DS-3053) 	One Parent (with sole legal custody) MUST:	<ul style="list-style-type: none"> • Appear in person with the minor • Sign Form DS-11 in front of an Acceptance Agent • Submit primary evidence of sole authority to apply for the child with one of the following: <ul style="list-style-type: none"> ◦ Minor's certified U.S. or foreign birth certificate listing only the applying parent ◦ Consular Report of Birth Abroad (Form FS-240) or Certification of Birth Abroad (Form DS-1350) listing only the applying parent ◦ Court order granting sole custody to the applying parent (unless child's travel is restricted by that order) ◦ Adoption decree (if applying parents is sole adopting parent) ◦ Court order specifically permitting applying parent's or guardian's travel with the child ◦ Judicial declaration of incompetence of non-applying parent ◦ Death certificate of non-applying parent <p>NOTE: If none of the above documentation is available, the applying parent must submit Form DS-3053 stating why the non-applying parent/guardian's consent cannot be obtained</p>	
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			<p>Page 3:</p> <ul style="list-style-type: none"> Space-saving... Take this off Summons and put on fee waiver? Grammar issue? "...that the court waived for you or for the other party." Instead of "yourself"? <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p style="text-align: right;">FL-110</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; font-size: small;"> <p>NOTE—REPAYMENT OF WAIVED FEES AND COSTS: If a judgment or support order is entered, the court may order you to pay all or part of the fees and costs that the court waived for yourself or for the other party. If this happens, the party ordered to pay fees shall be given notice and an opportunity to request a hearing to set aside the order to pay waived court fees.</p> </td> <td style="width: 50%; font-size: small;"> <p>AVISO—REEMBOLSO DE CUOTAS Y COSTOS PREVIAMENTE EVENTOS: Si se emite un fallo o una orden de manutención (la corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente eventos a petición de usted o de la otra parte. Si esto ocurre, la parte a la que se le ordenó que pagara estas cuotas debe recibir aviso y la oportunidad de solicitar una audiencia para anular la orden de pagar las cuotas eventas.</p> </td> </tr> </table> </div> <ul style="list-style-type: none"> I would use "toward" on the 3rd to last line: "Toward" and "towards" are both correct and interchangeable: you can use either one because they mean the same thing. Many sources say the "s" is more common in Britain than in the United States, so you should take into account what the convention is in your country, and use "towards" in Britain and "toward" in the U.S. 	<p>NOTE—REPAYMENT OF WAIVED FEES AND COSTS: If a judgment or support order is entered, the court may order you to pay all or part of the fees and costs that the court waived for yourself or for the other party. If this happens, the party ordered to pay fees shall be given notice and an opportunity to request a hearing to set aside the order to pay waived court fees.</p>	<p>AVISO—REEMBOLSO DE CUOTAS Y COSTOS PREVIAMENTE EVENTOS: Si se emite un fallo o una orden de manutención (la corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente eventos a petición de usted o de la otra parte. Si esto ocurre, la parte a la que se le ordenó que pagara estas cuotas debe recibir aviso y la oportunidad de solicitar una audiencia para anular la orden de pagar las cuotas eventas.</p>	<p>The committee is concerned that omitting the information from the summons altogether will not provide adequate warning for a party who may be ordered to reimburse the court for the other party's waived fees and costs as provided under the Government Code. It is not required that the party serve the order for fee waiver on the other party, and thus the latter would not have notice of this potential expense.</p> <p>The committee shortened the language in response to these comments.</p>
<p>NOTE—REPAYMENT OF WAIVED FEES AND COSTS: If a judgment or support order is entered, the court may order you to pay all or part of the fees and costs that the court waived for yourself or for the other party. If this happens, the party ordered to pay fees shall be given notice and an opportunity to request a hearing to set aside the order to pay waived court fees.</p>	<p>AVISO—REEMBOLSO DE CUOTAS Y COSTOS PREVIAMENTE EVENTOS: Si se emite un fallo o una orden de manutención (la corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente eventos a petición de usted o de la otra parte. Si esto ocurre, la parte a la que se le ordenó que pagara estas cuotas debe recibir aviso y la oportunidad de solicitar una audiencia para anular la orden de pagar las cuotas eventas.</p>					
14.	Susan D. Ryan	AM	The consensus from staff and litigants in	The committee will make the change as		

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	Commentator	Position	Comment	Committee Response
	Managing Self-Help Attorney Superior Court of Riverside County		<p>Riverside is the new two column version, although a few preferred the original version.</p> <p>More importantly, everyone wants to keep the form at two pages, if at all possible. I echo Leigh Parson’s suggestion about deleting the fee waiver language from the Summons.</p>	<p>suggested.</p> <p>The committee has shortened the fee waiver language, but some notice is required for the other party who may be ordered to pay the fees of the person seeking the fee waiver since the paying party likely will not have seen the order for fee waiver.</p>
15.	Mark Skinner Family Law Facilitator Superior Court of Siskiyou County	AM	<p>Parallel is preferable, hyperlinks are usually underlined even on paper. You might consider a tag (code block) on the form that links to a page that explains the summons (in other languages possibly). A tag that links to an informational web page would allow flexibility in dealing with common problems associated with the form and the process it begins.</p> <p>Although the language is probably mandatory, the restraining orders are impossible.</p> <p>Example: Removing the minor child or children, of the parties, if any, from the state without the prior written consent of the other party or an order of the court.</p> <p>(child or) is redundant. (if any) is redundant, and is called an interrupter for a reason. (of) first preposition starting a prepositional</p>	<p>Since the Summons form is served on the other party in hard copy, links would be problematic.</p> <p>The committee is aware that the statutory language is difficult.</p> <p>The committee will simplify the language by referring to “children” rather than “child” or “children” and eliminate the “if any.”</p>

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			phrase which contains (from) starting a second prepositional phrase which contains (of) third preposition starting a third compound prepositional phrase; and that is only half the compound, or is it complex sentence. Don't get me started on "hypothecate."	
16.	Gary Slossberg, Family Law Facilitator Superior Court of El Dorado County	AM	I circulated the two summons at our divorce workshop this morning and all but one preferred the side-by-side version. Our volunteers yesterday prefer the side-by-side version as well. I also agree with Leigh Parson's suggestions to cut down on text to keep the summons a 2-page document. (see	The committee will make the change as suggested. The committee has made a number of changes to retain the two-page format.
17.	Dwynne Keyes, Senior Court Examiner Superior Court of Fresno County	AM	It was unanimous here. The entire Self-Help staff choose the version with two columns.	The committee will make the change as suggested.
18.	Kathleen Dixon, Superior Court of Los Angeles County	AM	In Los Angeles, as it seems everywhere, the overwhelming majority preferred the new Summons version with the two separated columns of English and Spanish. Of litigants attending Spanish Disso 1 workshops, and some English Disso 1 workshops, late last week at four of our centers: they preferred the new column version 33 to 4.	The committee will make the change as suggested.

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			<p>In downtown Los Angeles: 100% of 14 Spanish, 9 English speaking litigants preferred new. Van Nuys: Of 6 Spanish speakers - 5 vs. 1 preferred the new. Pasadena: of the 6 English speakers - 5 vs. 1 preferred the new. Norwalk: 10 vs. 2 preferred the new, (#Spanish & English speakers was not tracked here.)</p> <p>All staff who expressed opinions also preferred the new version with columns!</p> <p>I very much encourage getting it onto two pages so it can be one sheet printed back to back! Leigh Parsons' suggestions are excellent to reduce text, but I think there should be some indication on the Summons that a fee waiver to file Response is possible.</p> <p>Finally, despite preferring the new column version, one paralegal suggests that the English and Spanish in the front page captions seem to be easier to follow in the original style - one below the other: at the top on the current version, it has the Notice to Respondent with Aviso Al Respondedor right below it. On the new columns version Notice to Respondent and Aviso Al Respondedor are side by side (as if in columns).</p>	<p>The committee tried to adapt those suggestions while mentioning the fee waiver on the form.</p> <p>The committee will revise the front page caption.</p>
19.	Superior Court of Monterey County	AM	Our Monterey Self Help Center Staff is divided	The committee will propose adoption of the side-

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	By Peggy Hill		<p>in opinion. The two attorneys in the office like the more vertical orientation that completely separates the two languages. Our paralegal and one litigant we polled liked the version that more closely resembles our current summons. I find the vertical columns to be neater and easier to read, but that is not a universally-held opinion.</p> <p>For more long term planning of future versions of forms, I have long wondered why we are so mired in the old forms that we even need a separate summons and petition. Can the petition and summons not be merged as one document? I saw one from out of state that does this. I think litigants would be happier with a longer form, but just one. The format of the summons is so different, and then if they are filling out a fee waiver, that format is different yet again.</p> <p>Litigants should be given notice on the summons that a court appearance alone will not protect their interest. Their appearance at a status conference is not sufficient and they still have to file a response if they want to protect their interest. Thus, on the last sentence in paragraph 1, I would add edit to read something to this effect:</p> <p>“A letter, phone call or court appearance will not protect you.”</p>	<p>by-side version because the overwhelming majority of responders prefer that format.</p> <p>This suggestion is beyond the scope of this proposal, but will be considered for future forms changes.</p> <p>The committee will make the change as recommended.</p>

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	Commentator	Position	Comment	Committee Response
			I took a poll (two clerks, one litigant). Both clerks agreed with the side by side one litigant preferred the current summons set up. I think it will be much easier for the public to follow the column which clearly separates both languages. With the current summons set up, the two languages are intermeshed from one paragraph to another. In my humble opinion, It is very easy for litigants to lose what the restraints even are with the current set up. With the side by side column, the information is clearly laid out in one continuous flow with no break. Thus, my vote is again the side by side column.	The committee will make the change as recommended.
20.	Superior Court of Orange County By Maria Livingston, Manager	AM	For Orange County, we surveyed our staff, 2 partnership grant attorneys from Public Law Center and the litigants at our a.m. Divorce workshop today. Only one person (long time court employee) selected the original version. For everyone else, the new version was selected as easier to read. I agree with Leigh Parsons' suggestion about omitting the fee waiver language on the Summons. It should go on the Request for Fee Waiver (FW-001) on the information sheet (FW-001 INFO) and on the Order (FW-003).	The committee will make the change as suggested. If the fee waiver language is omitted there will not be sufficient warning to a party who is ordered to repay the other person's fees if that party did not also receive a fee waiver.
21.	Monica Mitchell, Supervising Attorney Superior Court of San Bernardino	AM	We tested it in 3 different locations. I have attached the results for each center, along with	The committee will make the change as suggested.

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Family Law: Revisions to Family Law Summons (Revise FL-110)

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	Commentator	Position	Comment	Committee Response
	County		<p>the personal opinion of each bilingual staff member who did the survey.</p> <p>City of San Bernardino Total customers surveyed = 10 Spanish (speak/write) = 7 English (speak/read) = 3 It was unanimous vote with all 10 customers surveyed preferring the 2 column version [side by side]. I personally also prefer the boxed version [side by side] as it appears clear and uncluttered and language written whether it's English or Spanish is clearly and quickly identifiable.</p> <p>Comments: Original Design v2 : “appears cluttered,” “Difficult to follow,” “English language is listed on top on page 2 and form is so cluttered that the Spanish version would be missed”</p> <p>Design v4 (2 column version): “easy to read,” “able to easily follow”, “clear and concise,” “Spanish/English boxes separated and easily identified making it quick to read”</p> <p>City of Rancho Cucamonga I personally like the original version. It is easier to read. My stats: 8 total</p>	

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	Commentator	Position	Comment	Committee Response
			<p>Original Design: 5 (2 Spanish Speaking Customers; 3 English Speaking) Better flow when reading it.</p> <p>Revised Design: 3 (1 Spanish Speaking Customer; 2 English Speaking) Like the format.</p> <p>City of Victorville Most people liked the revised design of the form as opposed to the original design. Some of the comments were that the revised design format made the document easier to read and seemed as though it was less reading. Some comments on the original design was that it seemed longer and more reading, but the appearance was more appealing (professional).</p> <p>These were my stats (12 people): Original Design: 3 (1 out of 3 was a Spanish speaking customer) Revised Design: 9 (4 out of 9 were Spanish speaking customers)</p> <p>I personally like the original design. The revised design looks too “busy” with all those boxes.</p>	
22.	Superior Court of San Diego County By Susan Groves, Esq., Manager	AM	In our English divorce workshop at Family Court this morning, only 1/3 of the class picked the side by side version, which was a surprising	The committee will propose that the council adopt the side-by-side version as the overwhelming majority of those polled prefer that format.

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	Commentator	Position	Comment	Committee Response
			<p>result to me since all staff like the side by side version better than the current version.</p> <p>From our South County FLF office:</p> <p>I spoke to 19 people, most from the Spanish workshop and litigants, who liked the new proposed design. However, the majority of those who liked the new version, liked the heading of the original design. See below:</p> <p> </p>	<p>The committee will revise the front page caption.</p>

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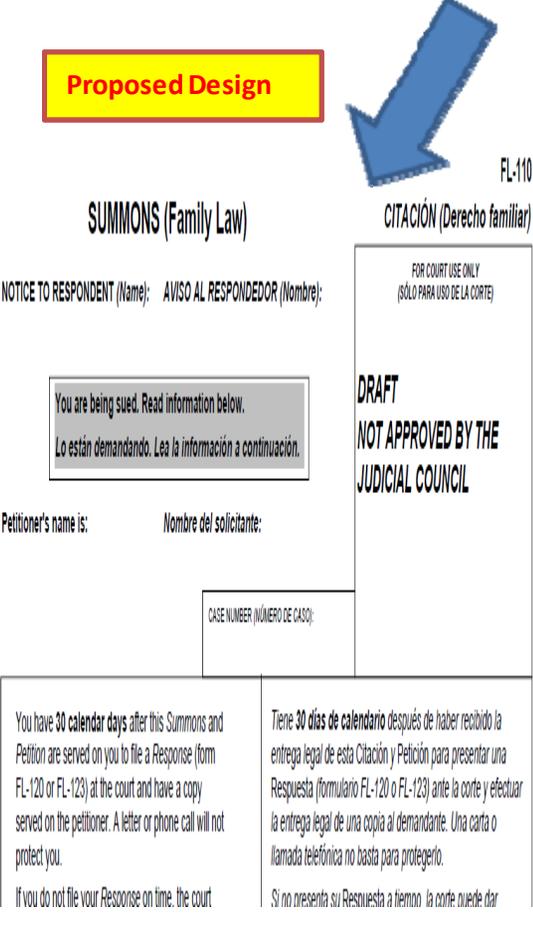
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Commentator	Position	Comment	Committee Response
		<p style="text-align: right;">FL-110</p> <p style="text-align: center;">SUMMONS (Family Law)</p> <p style="text-align: center;"><i>CITACIÓN (Derecho familiar)</i></p> <p>NOTICE TO RESPONDENT (Name): <i>AVISO AL RESPONDEDOR (Nombre):</i></p> <div style="border: 1px solid gray; padding: 5px; width: fit-content; margin: 10px auto;"> <p>You are being sued. Read information below. <i>Lo están demandando. Lea la información a continuación.</i></p> </div> <p>Petitioner's name is: <i>Nombre del solicitante:</i></p> <div style="border: 1px solid gray; padding: 2px; width: fit-content; margin: 10px auto;"> <p>CASE NUMBER (NÚMERO DE CASO):</p> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%; border: 1px solid gray; padding: 5px;"> <p>You have 30 calendar days after this Summons and Petition are served on you to file a Response (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you.</p> <p>If you do not file your Response on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and</p> </div> <div style="width: 45%; border: 1px solid gray; padding: 5px;"> <p><i>Tiene 30 días de calendario</i> después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120 o FL-123) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica no basta para protegerlo.</p> <p><i>Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales. Si no puede pagar la</i></p> </div> </div> <p>DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL</p> <p style="text-align: center; font-size: small;">FOR COURT USE ONLY (SÓLO PARA USO DE LA CORTE)</p> <p>The litigants said they didn't know where to write in the names..... on this design. However liked the formatting better on this one as it was easier to follow (especially on the 2nd page).</p>	

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	Commentator	Position	Comment	Committee Response
			 <p>Proposed Design</p> <p>SUMMONS (Family Law) FL-110 CITACIÓN (Derecho familiar)</p> <p>NOTICE TO RESPONDENT (Name): AVISO AL RESPONDEDOR (Nombre):</p> <p><i>You are being sued. Read information below. Lo están demandando. Lea la información a continuación.</i></p> <p>Petitioner's name is: Nombre del solicitante:</p> <p>CASE NUMBER (NÚMERO DE CASO):</p> <p><i>You have 30 calendar days after this Summons and Petition are served on you to file a Response (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you. If you do not file your Response on time, the court</i></p> <p><i>Tiene 30 días de calendario después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120 o FL-123) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica no basta para protegerlo. Si no presenta su Respuesta a tiempo, la corte puede dar</i></p>	
23.	Superior Court of San Mateo County By Monica Rands Preuss	AM	I ran this by several staff (including 2 bilingual that interface with public heavily). 7 out of 8, myself included, prefer the side by side version	The committee will make the change as suggested.

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	Commentator	Position	Comment	Committee Response
24.	Sigrid Twomey Family Law Facilitator Superior Court of California County of Santa Barbara	AM	We circulated the two draft Summons in our Disso Workshop I this morning, after we finished filling in the current Summons. The vertical [side by side] version was picked by all as the preferred format.	The committee will make the change as suggested.
25.	Terry Whipple Family Law Facilitator Superior Court of California County of Yuba	AM	I like “V4” [side by side version]. I think it is easier to follow and you are not jumping back and forth between English and Spanish. This way, depending on the language, you can just keep reading right down the page.	The committee will make the change as suggested.
26.	Alicia Valdez Wright, Esq. Self-Help Center Family Law Facilitator Superior Court of San Luis Obispo County San Luis Obispo	AM	I think that the changed version 4 [side by side] is easier to read. The one thing I like better about the original form is the positioning of the parties at the top left, rather than side by side. We surveyed our customers and found that 28 preferred the side by side version and only 6 preferred the original version	The committee will make the change as suggested. The committee will reconfigure the names of the parties at the top of the summons. The committee will make the change as suggested.