FL-700-INFO Information Sheet for Joint Petition for Dissolution or Legal Separation

Use this form to learn more about the process of getting a judgment of divorce, dissolution of domestic partnership, or legal separation through a joint petition with your spouse or domestic partner. This form also has instructions for revoking a joint petition for dissolution or legal separation that you already filed. If you would like information on how to get a judgment of divorce, dissolution of domestic partnership, or legal separation without filing jointly, see form FL-107-INFO.

1 Start Your Case

Step 1: Fill out these forms:

- *Joint Petition—Marriage or Domestic Partnership* (form FL-700); and
- *Summons—Joint Petition* (form FL-710);

And if you and your spouse or domestic partner have children together:

- *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105).

On form FL-700, one party will be listed as Petitioner 1 and the other will be listed as Petitioner 2. For any forms that you must file in your case that say "Petitioner" and "Respondent," Petitioner 1 should identify themselves as "Petitioner" and Petitioner 2 should identify themselves as "Respondent."

Step 2: File your court papers. Filing is when you turn in your completed papers to the court. To file your papers, you can call the court clerk to find out which courthouse to go to. If you want to file online (e-file), check your local court's website for more information. To find your local court or their website go to: courts.ca.gov/find-my-court.

Both you and your spouse or domestic partner must also pay your court fees. For information about fee waivers, see selfhelp.courts.ca.gov/fee-waiver.

2 Disclose Financial Information

Within 60 days of filing the Joint Petition, you and your spouse or domestic partner must fill out and serve your financial disclosures.

Step 1: Fill out these forms:

- *Declaration of Disclosure* (form FL-140); and
- *Income and Expense Declaration* (form FL-150) (you should also file this form with the court); and
- *Schedule of Assets and Debts* (form FL-142) or *Property Declaration* (form FL-160).

Step 2: Serve your financial documents.

Have someone 18 years or older (not you) mail a copy of the completed forms in Step 1, along with all tax returns you filed in the last two years, to your spouse or domestic partner, or to their lawyer if they have one in this case. Only file form FL-150 with the court. Do not file the other documents listed in Step 1 with the court.

Step 3: Inform the court that you served your financial disclosures.

You and your spouse or domestic partner must each file a completed *Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration* (form FL-141) with the court saying the financial disclosures were served.

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3 Come to an Agreement

You and your spouse or domestic partner need to come to an agreement about all of the issues in your case (you may skip to Step 4 if you already came to an agreement before you began this process). If you need help coming to an agreement, the following private services are available:

Lawyers. Also called attorneys, lawyers can help work out agreements between the parties and represent you at court hearings and trials if necessary.

Collaborative Lawyers. Lawyers who represent each party but do not go to court. They try to reach an agreement. If court is necessary, the parties must hire new lawyers.

Mediators. A lawyer or licensed counselor who helps the parties communicate to explore options and reach a mutually acceptable resolution.

Find more information at selfhelp.courts.ca.gov/divorce/make-decisions/propose-negotiate-agreements.

4 Finalize Your Case

To finalize your case, you must put your agreement in the proper form for the court to accept it and turn in your judgment paperwork to the court. You must fill out and turn in at least the following documents:

- *Appearance, Stipulations, and Waivers* (form FL-130) signed by both of you;
- *Declaration for Default or Uncontested Dissolution or Legal Separation* (form FL-170) signed by either you or your spouse or domestic partner; and
- *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144) signed by both you and your spouse or domestic partner. If you do not want to waive your final declaration of disclosure, you and your spouse or domestic partner must repeat the steps in 2.
- A proposed *Judgment* (form FL-180) with signed, written agreements attached; and
- A proposed *Notice of Entry of Judgment* (form FL-190) with your updated contact information and your spouse or domestic partner's updated contact information.

If you and your spouse or domestic partner have children together or agreements about support, you may need to fill out and turn in additional documents. For a complete list of the forms that you will need, see selfhelp.courts.ca.gov/divorce/finalize-divorce.

5 What if You Change Your Mind and Cannot Agree?

You can change your mind and revoke the joint petition **before the court enters a judgment in your case**. You may do this without the approval of the judge or the other party.

Revoking the joint petition will not dismiss (close) your case or revoke your general appearance. It will move your case to a different process and allow you to ask the judge to make orders without the other party's agreement.

a. **Step 1**: Fill out and sign both:

- *Petition—Marriage/Domestic Partnership* (form FL-100) (if you are Petitioner 1) or *Response—Marriage/Domestic Partnership* (form FL-120) (if you are Petitioner 2). Check the box for "Amended" in the caption; and
- *Notice of Revocation of Joint Petition* (form FL-720).

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b. **Step 2**: File the forms in Step 1 with the court. File them in the same case (use the same case number) as the joint petition.

   If the amended *Petition—Marriage/Domestic Partnership* (form FL-100) or amended *Response—Marriage/Domestic Partnership* (form FL-120) is filed in a different case (with a different case number), it will not revoke *Joint Petition—Marriage or Domestic Partnership* (form FL-700).

c. **Step 3**: Have someone 18 or older who is not a party to the case serve the other party with the forms you filed in Step 2. You can serve these documents by having someone 18 or older (not you) mail a copy of your documents to your spouse or domestic partner, or their lawyer if they have one. There are also other ways to serve your spouse or domestic partner.

   More information on how to serve legal documents is available at selfhelp.courts.ca.gov/court-basics/service.

d. **Step 4**: Once you file the amended *Petition—Marriage/Domestic Partnership* (form FL-100) or amended *Response—Marriage/Domestic Partnership* (form FL-120) in your case, the joint petition will be revoked. Petitioner 1 will become the petitioner in your case, and Petitioner 2 will become the respondent in your case.

   The case will move forward like a case in which parties do not agree on one or more issues (see Family Code section 2330(b)). The court will not issue a new summons. All the standard temporary restraining orders listed on *Summons—Joint Petition* (form FL-710) will still apply until the court enters a final judgment or dismisses your case.

If the other party files to revoke the joint petition

Once the other party has you legally served with the amended *Petition—Marriage/Domestic Partnership* (form FL-100) or amended *Response—Marriage/Domestic Partnership* (form FL-120), you must file the proper court form within 30 days.

File an amended *Petition—Marriage/Domestic Partnership* (form FL-100) (if you are Petitioner 1) or a *Response—Marriage/Domestic Partnership* (form FL-120) (if you are Petitioner 2).

Important Questions

When will I be divorced?

The earliest you can be divorced is six months and one day from the date you filed the *Joint Petition—Marriage or Domestic Partnership* (form FL-700). Legal separation has no waiting period. You are **not** divorced or legally separated until the court enters a judgment in your case.

What if I need a court order before my case is finalized?

If a judgment has not been filed in your case and you need court orders for child support, custody, parenting time (visitation), spousal or partner support, discovery, or other issues, you or your spouse or domestic partner must first revoke the joint petition.

Then, file a *Request for Order* (form FL-300) asking for orders. Go to the court's website at selfhelp.courts.ca.gov/request-for-order for more information.

What if my contact information changes?

You must notify the court and other party if you change your mailing address or other contact information.

To do so, file and serve a *Notice of Change of Address or Other Contact Information* (form MC-040) on the other party or their attorney to let them know about the change in your contact information.

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What if I receive or the other parent receives public assistance (CalWORKs)?

If you or the other parent are receiving public assistance (CalWORKs), all child support should be made payable to the local child support agency. A representative of the local child support agency must also sign your proposed *Judgment* (form FL-180) before you submit it to the court.

For more information, contact your local child support agency using the contact information on the California Department of Child Support Services website at childsupport.ca.gov/find-my-local-agency.

What if there is domestic violence?

Domestic violence can be physical abuse, but it does not have to be. Abuse can also be verbal, mental, or emotional. If there has been domestic violence or a protective or restraining order, this joint petition process may not be right for you. Instead, you can use a different process for divorce, dissolution of domestic partnership, or legal separation.

More information about that process can be found on *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO).

Whether or not you file for divorce, dissolution of domestic partnership, or legal separation, you may ask the court for protection by filing for a restraining order. More information about domestic violence restraining orders can be found:

- On form DV-500-INFO (*Can a Domestic Violence Restraining Order Help Me?*);
- On form DV-505-INFO (*How to Ask for a Domestic Violence Restraining Order*); and
- At selfhelp.courts.ca.gov/DV-restraining-order.

For domestic violence help, call the National Domestic Violence Hotline: 800-799-7233; or 211 (if available in your area).

Where can I get help?

This information sheet gives you only basic information about the joint petition process and is not legal advice. If you want legal advice, ask a lawyer for help. You may also:

- Contact the family law facilitator or self-help center in your court for information, court forms, and referrals to local legal resources. For more information, see selfhelp.courts.ca.gov/court-based-self-help-services.
- Find information on the Self-Help Guide to the California Courts: selfhelp.courts.ca.gov.
- Find a lawyer through a certified lawyer referral service on the State Bar of California's website (calbar.ca.gov/LRS) or by calling 866-442-2529 (toll-free).
- Find free and low-cost legal help (if you qualify) at lawhelpca.org.
- Find information at your local law library or public library.

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FL-700-INFO

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