

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

Civil and Family Law Courthouse
3055 Cleveland Avenue
Santa Rosa, CA 95403

Family Law Clerk 707 521 6630
Family Law Facilitator 707 521 6545
<http://sonoma.courts.ca.gov> <http://www.courts.ca.gov>

CHECKLIST 12 JUDGMENT ON RESERVED ISSUES by AGREEMENT DISSOLUTION, DOMESTIC PARTNERSHIP

Clerks Notes:

Received:

Status End:

Dates:

Fees Due Pet:

Fees Due Resp:

Case Name:

Case Number:

Document Examiner: Date:

Returned To:

Court Pick-up drawer at letter:

or U.S. Mail:

- **Any items listed highlighted herein needs to be addressed, completed and/or corrected before resubmission.**

FL-100 Petition

- 1 Legal Relationship: a, b or c completed.
- 2 Residency: a, b, or c completed as appropriate, unless Legal Separation. Family Code 2320
- 3 Statistical Facts: a or b. Family Code 2330
- 4 Children: a or b.
- 5 Grounds: a, b or c as appropriate.
- 6 Custody and Visitation/Parenting: Children born prior to marriage, 6.d. must be checked.
- 7 Child Support: Guideline child support is mandatory unless parties stipulate to a different amount. Child support may not be waived, parties may stipulate to zero. "Other" may be used to attach proposed guideline child support calculation and supporting financial documents.
- 8 Spousal Support: a, b, c or d must be checked.
- 9 Separate Property: a or b must be checked.
- 10 Community/Quasi-Community: a or b must be checked.
- 11 Other: May be used for alternative pleading, providing notice requesting leave to amend from Legal Separation to Dissolution upon attaining residency requirements, etc. FC 2321
- If name restoration requested, state name. Dissolution and nullity only. Family Code 2080).

- FL-105 Declaration Under Uniform Child Custody Jurisdiction Act** (Required with children. Update if children's residence changed since previous filing). CRC 5.52 FC 3429

- FL-110 Summons**

FL-115 Proof of Service - Completed properly.

Service Date:

By certified mail/substituted service – CCP § 415.40 By Publication/Posting-CCP § 415.50, GC §6064

****Reminder:** Unless exempt, anyone who performs more than 10 services of process in a year must register, pay fees, and file a \$2000 bond. Failure to register is a misdemeanor. CA B&P §22350 – 22360

NOTE: PREVIOUS JUDGMENT RESERVING JURISDICTION OVER ISSUES MUST BE FILED.

STIPULATION to Enter Judgment – not a court form, draft on pleading paper.

Stipulation signed by both parties (may be included in FL-130 below if Respondent not previously defaulted)

FL-130 Appearance, Stipulations and Waivers – if default not previously taken.

- Sign both parties and attorneys of record, if any.
- First paper fee required if not previously paid.

FL-141 PETITIONER'S Declaration Regarding Service of Preliminary and Final Declaration of Disclosure FC 2103, 2104

- Preliminary submitted
- Final submitted: A final declaration of disclosure may be mutually waived (not filed) per Family Code 2105. However, Box 5.b. must be checked on form FL-170. Use FL-144.
- Boxes under title of form completed
- 1 Completed
- 2 Preliminary: Date of service party who served party served type of service
- 3 Final, if served: Date of service party who served party served type of service.
- 4. Optional additional waiver of final declaration of disclosure – must still use FL-144.

FL-141 RESPONDENT'S Declaration Regarding Service of Preliminary and Final Declaration of Disclosure FC 2103, 2104 – NOT REQUIRED IF NO RESPONSE FILED

- Preliminary submitted
- Final submitted: A final declaration of disclosure may be mutually waived (not filed) per Family Code 2105. However, Box 5.b. must be checked on form FL-170. Use FL-144.
- Boxes under title of form completed
- 1 Completed
- 2 Preliminary: Date of service party who served party served type of service
- 3 Final, if served: Date of service party who served party served type of service.
- 4. Optional additional waiver of final declaration of disclosure – must still use FL-144.

FL-144 Stipulation and Waiver of Final Declaration of Disclosure FC 2105

- File if parties waiving service of final disclosure.
- If not, complete FL-141 above as to service of final declarations of disclosures from both parties.
- Waiver of final disclosure including all language under FC 2105(d) is contained in attached Marital Settlement Agreement.

FL-170 Declaration for Default or Uncontested Dissolution FC 2336.

For nullity cases, a declaration on pleading paper establishing grounds or making requests for other findings may be submitted on pleading paper.

- 4.a., 5.b., and 8 completed.
- 6 and 7 completed, if children.
 - If minor child(ren)'s residence has changed since FL-105 was last filed, attach updated FL-105.
- 9 and applicable subsection(s) completed if children are born prior to marriage.
- If requesting an award of spousal support and/or a termination of the court's jurisdiction to award spousal support to the Respondent in a marriage of 10 years or longer, must attach FL-157 or other written declaration addressing CFC § 4320 factors. A spousal support calculation is not appropriate. [CRC 5.260]
- 12 completed if not previously requested in Petition. [CFC § 2080]

Note: Appearance at default hearing may be required if proposed orders appear not to be in child's best interests, child support is set lower than the capacity of the noncustodial parent to pay, community property division is not equal/equalized, or it appears to be in the best interests of justice. [CFC § 2336]

FL-180 Judgment

- Judgment on Reserved Issues checked in heading.
- Date Marital Status Ends: Blank or "Previously entered on (put in the date)"
- Complete item 2, item 3 and 3a, 4e.
- Confirm 4.f. restoration of name was requested in the Petition and/or Declaration for Default.
- Restored name must be stated (applies to dissolution and nullity only). FC 2080.

If children are the subject of reserved issues.

- 4.h. if child support orders are being established or modified (see child support below).
- 4.i(1) must be completed.
- 4.i(2) must be checked if children born prior to marriage.

Custody/Visitation if subject of reserved issues:

- 4.j completed as applicable.
- Terms of custody included – physical and legal. If including existing orders, those orders must be attached to and incorporated into the Judgment.
- Judgment must contain Family Code 3048 language. (See #3 on FL-341).

Child Support if subject of reserved issues: May use FL-342 Child Support Information and Order Attachment. Child Support must be included and based on State Uniform Guideline.

- 4.k. completed as applicable.
- Terms: Start date End language Kids' names Payor Payee Amount
- Mandatory child support add-ons for unreimbursed health care costs and childcare must be included, pursuant to Family Code §4062, as revised effective 9/1/2024, and regardless of the child(ren)'s age.
- Attach Dissomaster or other court accepted support calculation. CRC 5.260
- If guideline child support is rebutted, attach FL-342(A) Non-Guideline Child Support Findings Attachment and include declaration providing 4057(b) rebuttal factors. Child support cannot be "waived," but may be set at "zero" by agreement of the parties or court order.
- If Dept. of Child Support Services is a party to this case or if child support rights have been assigned (child receiving cash aid), DCSS must sign the judgment.
DCSS prefers the following signature block:

“The Department of Child Support Services has reviewed this Judgment and has no objection to the support-related provisions contained herein.

Signed by: _____, Attorney for DCSS. Dated: _____”

- If DCSS is a party to another case and child support orders were made in that case, do not include child support in this case, but reference the other case number. DCSS does not need to sign off.
- Attach Notices: Form FL-192 and FL-020.
- Complete FL-191 Child Support Registry form from both parents unless Dept. of Child Support Service is intervened or handling child support in another case, or child support is “zero.” CRC 5.330.

Spousal Support if subject of reserved issues:

- 4.I. Spousal support must be an amount, waived, terminated when appropriate, or reserved and addressed as to both parties.

Family Support if subject of reserved issues: May use FL-343 Spousal, Partner or Family Support Order Attachment. Note: No Dissomaster required for family support orders.

Property if subject of reserved issues: May use FL 345 Property Order Attachment

- If item 9(a) and 10(a) in both the Petition and the Response were checked, no Property Order or Agreement disposing of, confirming, or reserving jurisdiction over property is required.
- A Property Order Attachment or Marital Settlement Agreement is required when:
 - Community property is listed in the Petition or Response under 10(b)
 - A request to confirm separate property is listed in the Petition or Response under 9(b)
- All property listed in the Petition and Response must be disposed of in the Judgment or reserved for future determination.

Signatures

- Both parties signatures
- Respondent’s signature must be notarized if default has been taken.
- Attorneys of Record must sign and approve as to form. CRC 5.411

Attachments

- Number of pages attached listed at Item 5.

FL-190 Notice of Entry of Judgment

- 7 to be checked.
- Date marital status ends to be blank or state “previously entered on (put in the date)” in box on bottom of form.
- Name and address of both parties listed.
- Provide two envelopes, 1 addressed to each party/attorney of record, with postage for mailing of FL-190 to each party or their attorney of record. Use Court’s address for return address. CRC 5.415(c), FC 2338.5.
- Provide one large self-addressed envelope with enough postage for return mailing of all other file-endorsed copies. May be combined with FL-190 envelope if addressed to party/attorney of record. Must be a separate envelope if addressed to someone other than party/attorney of record (e.g. paralegal, legal document assistant, etc.).

PLEASE NOTE: If insufficient postage is provided for the return of all documents submitted, only the FL-190 will be mailed, with others only as the postage provided allows. In that event you may pay \$.50 per page to get copies of any and all documents filed in your case, at:

https://forms.office.com/Pages/ResponsePage.aspx?id=6DJQLUBr_Eifv4AyF4vv3fo_2llgt-pFpmE17r1wxwZURDNNVlcwOENISVRJVVNEREZDRjk4MFZWTSQIQCN0PWcu

NOTE: ORDER TO PAY PREVIOUSLY WAIVED COURT FEES AND COSTS:

Upon the submission of a Judgment, after considering information in the court file and other evidence, the Court may order a party to pay all or part of the previously waived fees and costs of either party. Gov. Code Section 68637