

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 1 DEFAULT WITHOUT AGREEMENT DISSOLUTION, LEGAL SEPARATION, NULLITY MARRIAGE/DOMESTIC PARTNERSHIP

Clerk/Reviewer's Notes:

Received:
Status End:
Hearings Set:
Fees Due Pet:

Case Name: IRMO

Case Number:

Document Examiner: Date:

Date:

Returned To:

Via: U.S. Mail (if sufficient postage provided)
 Document Pickup Drawer @ letter:

- **Any items highlighted herein need to be addressed, completed or corrected before resubmission.**

FL-100 Petition

- Dissolution Legal Separation Nullity Marriage Domestic Partnership checked in title box.
- 1. Legal Relationship: a, b or c completed.
- 2. Residency: a, b or c completed as appropriate for dissolution cases. [CFC § 2320]
- 3. Statistical Facts: a or b completed. [CFC § 2330]
- 4. Children: a or b completed.
- 5. Grounds: a, b or c marked as appropriate.
- 6. Custody and Visitation/Parenting: a, b and c marked as appropriate.
- 7. Child Support: Guideline child support is mandatory unless rebutted. Child support cannot be waived, but may be set at 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, and addressed as to both parties.
- 9. Separate Property: a or b must be checked. *If b, must list specific property or attach a completed FL-160.
- 10. Community/Quasi-Community: a or b must be checked. *If b, must list specific property or attach a completed FL-160.
- 11. Other: May be used for alternative pleading, providing notice requesting leave to amend from Legal Separation to Dissolution upon attaining residency requirements, etc. [CFC § 2321]
- If name restoration requested, state name. [Dissolution and Nullity only – CFC § 2080]

***NOTE: The relief requested in the Judgment must match (may not exceed) the relief requested in the Petition. The Petition must specify all community property to be divided and separate property to be confirmed. In the Judgment, division of property must be equal or equalized. [CFC § 4336; CCP § 580; CFC § 2330.5, 2550; CRC 5.401(c), 5.402(b), 5.415(c)]**

- FL-105 Declaration Under Uniform Child Custody Jurisdiction Act**
Required if parties have minor children. Update if children's residence changed since previous filing. [CRC

5.52; CFC § 3429]

FL-110 Summons

FL-115 Proof of Service - Completed properly.

Service Date:

- By certified mail/substituted service – CCP § 415.20 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

FL-141 Declaration Regarding Service of Preliminary and Final Declaration of Disclosure [CFC § 2103, 2110]

NOTE: Not required in nullity cases or where service was by publication or posting.

- Petitioner submitted: Prelim Final
1. Completed.
2. Preliminary completed: date of service party that was served type of service
3. Final (if served) completed: date of service party that was served type of service.
A final declaration of disclosure is not required. [CFC § 2110]
- 4.c. Matter proceeding by default, optional waiver of Respondent's final declaration of disclosure.

FL-165 Request to Enter Default

- 2 Completed:
- Financial information documents (FL-150 or FL-155) with proof of all income attached must be provided when the parties have minor children and when requesting spousal support and/or attorney fees.
 - Financial data must match data used in child support calculation attached to the Judgment.
 - If declarant has no knowledge of the estimated gross monthly income of a party, the declarant shall state why he or she has no knowledge of that information. [CFC § 2336]
 - Property Declarations: For community property, attach FL-160 or similar declaration setting forth **values** and proposed divisions for property listed in Petition, unless previously filed and there are no changes. Property division must be equal or equalized and cannot include property not in the Petition. All property set forth in the Petition must be disposed of or reserved. [CFC § 2336, 2550; CRC 5.401(c), 5.401(d)]
- 3, 4 and 5 completed (Provide address if 3.b. is checked). [CFC § 2335.5; CRC 5.407, 5.415(c)]
- All four signature areas (front and back) completed.
- Provide 1 stamped envelope addressed to Respondent at address in 3.b. Use Court address for return address. Include enough postage for mailing.

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

FOR DISSOLUTION / LEGAL SEPARATION

- Confirm jurisdiction date at 3.
- Confirm date marital status ends (dissolution only) – minimum 6 months and 1 day from jurisdiction date. [CFC § 2339] If the judgment specifies a status termination date that has already passed and no declaration in support of entry nunc pro tunc was provided, the Court will strike the already passed date and status will terminate upon entry of judgment.
- Date: Upon Entry (**leave blank, with no verbiage**)

If children:

- 4.h. if establishing or modifying child support.
- 4.i.(1) must be completed.
- 4.i.(2) must be checked if children born prior to marriage.

Custody/Visitation – may use FL-341 Child Custody and Visitation (Parenting Time) Order Attachment

- 4.j. completed as applicable.
- Terms of custody included. If including existing orders, those orders must be attached to the Judgment and incorporated therein by reference.
- Judgment must contain CFC § 3048 language. If using form FL-341, #3 must be marked.

Child Support – may use FL-342 Child Support Information and Order Attachment

NOTE: Child Support must be included and must be based on State Uniform Guideline.

- 4.k. completed as applicable.
- Terms: Start date End language Child(ren)'s name(s) 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-approved support calculation. [CRC 5.260]
A free guideline calculator from DCSS is available at: <https://childsupport.ca.gov/guideline-calculator/>
- If guideline child support is rebutted, attach FL-342(A) Non-Guideline Child Support Findings Attachment and include declaration regarding CFC § 4057(b) rebuttal factors. If stipulating below guideline, include declaration under CFC § 4065. Child support cannot be waived, but can be set at zero by stipulation of parties. [CFC §4057(b); CRC 5.260]
- 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.

Spousal Support – may use FL-343 Spousal, Domestic Partner or Family Support Order Attachment

- 4.I. Spousal support must be an amount, reserved or terminated when appropriate, and must reflect the orders for support sought in the Petition at Item 8.

Property – may use FL-345 Property Order Attachment

- If item 9.a. and 10.a. were both checked in the Petition, no property order disposing of, confirming or reserving jurisdiction over property is required.
- A Property Order Attachment (may use FL-345 or Marital Settlement Agreement) is required when:
 - Community property is listed in the Petition under 10.b.
 - A request to confirm separate property is listed in the Petition under 9.b.
- Community Property must be divided equally or equalized by offset or equalizing payment.
- All property listed in the Petition must be disposed of in the Judgment or reserved for future determination.

Attachments

- Number of pages attached listed at item 5.

FL-190 Notice of Entry of Judgment

- 1, 3, 4 or 5 needs to be checked.
- If dissolution submitted prior to expiration of 6-month waiting period, insert date marital status ends in box in lower part of form. If submitted after 6-month waiting period has expired, **leave blank**. [CFC § 2339, 2340]
- Name and address of both parties listed. Respondent's must match the address listed on FL-165 at item 3.b.
- 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); CFC §2338.5]
- Provide one large self-addressed envelope with sufficient postage to enable 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-pFpmEI7r1wxwZURDNNVlcwOENISVRJVVNEREZDRjk4MFZWTSQIQCN0PWcu