

DEFAULT AND JUDGMENT WITH AGREEMENT FOR DISSOLUTION OR LEGAL SEPARATION (WITHOUT CHILDREN)

SELF-HELP FORM PACKET



SHC-D-11 (Rev. 01/01/2023)

This form packet can only be used when both parties have completed certain steps. Before starting the forms, contact Self-Help to determine whether you have completed the necessary steps to start this packet. Once your forms are complete, we can review them before you file them with the Court. To request review of your completed forms:

1. Complete the attached forms in black ink.
2. Scan your completed forms and save as a single PDF file.
3. Go to www.occourts.org/self-help (click the blue button labeled *Click Here to Contact Self-Help Services*), attach the PDF, and complete the online request form. Make sure to select FAMILY LAW as the case type on the form.

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 THE CITY DRIVE MAILING ADDRESS: CITY AND ZIP CODE: ORANGE, CA 92868 BRANCH NAME: LAMOREAUX JUSTICE CENTER	
PETITIONER: RESPONDENT:	
JUDGMENT CHECKLIST— DISSOLUTION/LEGAL SEPARATION	CASE NUMBER:

This judgment checklist is a list of documents that a court may require to complete a default or uncontested judgment. The checklist may be filed along with your judgment, but is not required. If the forms or other documents have already been filed, you should check the boxes indicating that they have been previously filed. Unless listed otherwise on this form, when you file a document with the court, you should submit an original and 2 copies. One copy is for you and one is for the other party. There are three types of default and uncontested judgments:

- **Default With No Agreement (no response and no written agreement)**
- **Default With Agreement (no response, but there is a written agreement)**
- **Uncontested Case (response filed, or other appearance by respondent, and a written agreement)**

1. **DEFAULT WITH NO AGREEMENT (no response and no written agreement)**
(Please check the box by each document being filed) Previously Filed
- | | | |
|----|--|--------------------------|
| a. | <input type="checkbox"/> <i>Proof of Service of Summons</i> (form FL-115) or other proof of service | <input type="checkbox"/> |
| b. | <input type="checkbox"/> <i>Request to Enter Default</i> (form FL-165), with a stamped envelope addressed to respondent and the court clerk's address as the return address | <input type="checkbox"/> |
| c. | <input type="checkbox"/> <i>Petitioner's Declaration Regarding Service of Declaration of Disclosure</i> (form FL-141) | <input type="checkbox"/> |
| d. | <input type="checkbox"/> <i>Declaration for Default or Uncontested Dissolution or Legal Separation</i> (form FL-170) | |
| e. | <input type="checkbox"/> <i>Judgment</i> (form FL-180) (5 copies) | |
| f. | <input type="checkbox"/> <i>Notice of Entry of Judgment</i> (form FL-190) | |
| g. | <input type="checkbox"/> 2 stamped envelopes of sufficient size and with sufficient postage to return the <i>Judgment</i> and <i>Notice of Entry of Judgment</i> , one envelope addressed to petitioner and the other to respondent. | |
- If there are minor children of the marriage or domestic partnership:**
- | | | |
|----|--|--------------------------|
| h. | <input type="checkbox"/> <i>Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)</i> (form FL-105). <i>(A new form must be filed if there have been any changes since the one most recently filed.)</i> | <input type="checkbox"/> |
| i. | <input type="checkbox"/> <i>Petitioner's Income and Expense Declaration</i> (form FL-150) or <i>Financial Statement (Simplified)</i> (form FL-155). <i>(Needed unless one has been filed within the past 90 days and there have been no changes since then.)</i> | <input type="checkbox"/> |
| j. | <input type="checkbox"/> Computer printout of guideline child support <i>(optional)</i> | |
| k. | <input type="checkbox"/> <i>Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order</i> (form FL-192). This may be attached by the petitioner or by the court. | |

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

Previously Filed

- l. Child Support Order
 - Stipulation to Establish or Modify Child Support and Order (form FL-350) (attach to Judgment), or
 - Child Support Information and Order Attachment (form FL-342) (attach to Judgment), or
 - Written agreement containing declarations required by Family Code section 4065(a) (attach to Judgment)
- m. Income Withholding for Support (form FL-195/OMB No. 0970-0154)
- n. Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341) or other proposed written order containing the information required by Family Code 3048(a) (attach to Judgment)

If spousal/partner support is requested, the marriage/partnership is over 10 years in duration, or termination of spousal/partner support for the respondent is requested:

- o. Spousal or Partnership Support Declaration Attachment (form FL-157)
- p. Income and Expense Declaration (form FL-150) (Needed unless a current financial declaration has been filed within the past 90 days and there have been no changes since then.)
- q. Spousal, Partner, or Family Support Order Attachment (form FL-343) or other proposed written order (attach to Judgment)

If assets or debts need to be divided or assigned:

- r. Property Declaration (form FL-160)
- s. Property Order Attachment to Judgment (form FL-345) or other proposed written order (attach to Judgment)

If attorney fees and costs are requested:

- t. Request for Attorney Fees and Costs (form FL-319)
- u. Attorney Fees and Costs Order Attachment (form FL-346) or other proposed written order (attach to Judgment)

2. **DEFAULT WITH AGREEMENT (no response and a written agreement)**

- a. Proof of Service of Summons (form FL-115) or other proof of service
- b. Request to Enter Default (form FL-165), with a stamped envelope addressed to respondent and the court clerk's address as the return address
- c. Petitioner's Declaration Regarding Service of Declaration of Disclosure (form FL-141) (preliminary)
- d. Declaration Regarding Service of Final Declaration of Disclosure
 - Petitioner's Declaration Regarding Service of Declaration of Disclosure (form FL-141) (final) or
 - Stipulation and Waiver of Final Declaration of Disclosure (form FL-144) or
 - Separately filed waiver or waiver included in a written agreement under Family Code section 2105(d)
- e. Declaration for Default or Uncontested Dissolution or Legal Separation (form FL-170)
- f. Written agreement of the parties. Respondent's signature on the agreement must be notarized. (attach to Judgment.)
- g. Judgment (form FL-180) (5 copies)
- h. Notice of Entry of Judgment (form FL-190)
- i. 2 stamped envelopes of sufficient size and with sufficient postage to return the Judgment and Notice of Entry of Judgment, one envelope addressed to petitioner and the other to respondent

If there are minor children of the marriage or domestic partnership:

- j. Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (form FL-105). (A new form must be filed if there have been any changes since the one most recently filed.)
- k. Income and Expense Declaration (form FL-150) or Financial Statement (Simplified) (form FL-155). (Needed unless one has been filed within the past 90 days and there have been no changes since then.)

PETITIONER:	CASE NUMBER:
RESPONDENT:	

Previously Filed

- l. Computer printout of guideline child support (*optional*).
- m. *Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order* (form FL-192). This may be attached by the petitioner or by the court.
- n. Child Support Order
 - Stipulation to Establish or Modify Child Support and Order* (form FL-350) (*attach to Judgment*), or
 - Child Support Information and Order Attachment* (form FL-342) (*attach to Judgment*), or
 - Written agreement containing declarations required by Family Code section 4065(a) (*attach to Judgment*)
- o. *Income Withholding for Support* (form FL-195/OMB No. 0970-0154)
- p. *Child Custody and Visitation Order Attachment* (form FL-341) or written agreement containing the information required by Family Code section 3048(a) (*attach to Judgment*)

3. **UNCONTESTED CASE (Response filed, or other appearance by respondent, and a written agreement)**

- a. *Proof of Service of Summons* (form FL-115) or other proof of service if you want to use the date of service as the beginning of the six-month waiting period.
- b. *Appearance, Stipulations, and Waivers* (form FL-130)
- c. Respondent's filing fee, if first appearance, unless respondent has a fee waiver or is currently on active duty in the military
- d. *Declaration Regarding Service of Declaration of Disclosure* (**both** petitioner's and respondent's preliminary) (form FL-141)
- e. Declaration Regarding Service of Final Declaration of Disclosure
 - Declaration Regarding Service of Declaration of Disclosure* (**both** petitioner's and respondent's final) (form FL-141), or
 - Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144), or
 - Separately filed waiver or waiver included in a written agreement under Family Code section 2105(d)
- f. *Declaration for Default or Uncontested Dissolution or Legal Separation* (form FL-170)
- g. Written agreement of the parties (*attach to Judgment*)
- h. *Judgment* (form FL-180) (*5 copies*)
- i. *Notice of Entry of Judgment* (form FL-190)
- j. 2 stamped envelopes of sufficient size and with sufficient postage to return the *Judgment* and *Notice of Entry of Judgment*, one envelope addressed to petitioner and the other to respondent

If there are minor children of the marriage or domestic partnership:

- k. *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105).
(*A new form must be filed if there have been any changes since the one most recently filed.*)
- l. Computer printout of guideline child support (*optional*)
- m. *Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order* (form FL-192). This may be attached by either party or by the court.
- n. Child Support Order
 - Stipulation to Establish or Modify Child Support and Order* (form FL-350) (*attach to Judgment*) or
 - Child Support Information and Order Attachment* (form FL-342) (*attach to Judgment*), or
 - Written agreement which includes declarations required by Family Code section 4065(a) (*attach to Judgment*)
- o. *Income Withholding for Support* (form FL-195/OMB No. 0970-0154)
- p. *Child Custody and Visitation Order Attachment* (form FL-341) or written agreement containing the information required by Family Code section 3048(a) (*attach to Judgment*)

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

4. Memorandum of costs

- a. Costs and disbursements are waived.
- b. Costs and disbursements are listed as follows:
- | | |
|--|-----------------|
| (1) <input type="checkbox"/> Clerk’s fees | \$ |
| (2) <input type="checkbox"/> Process server’s fees | \$ |
| (3) <input type="checkbox"/> Other (<i>specify</i>): | \$ |
| | \$ |
| | \$ |
| | \$ |
| TOTAL | \$ |
- c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF DECLARANT)

5. Declaration of nonmilitary status (*required for a judgment*).
 The respondent is not in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

- I know that the respondent is not in the U.S. military service because (*check all that apply*):
- (a) the search results that I received from <https://scra.dmdc.osd.mil/> say the respondent is not in the U.S. military service.
 - (b) I am in regular communication with the respondent and know that they are not in the U.S. military service.
 - (c) I recently contacted the respondent, and they told me that they are not in the U.S. military service.
 - (d) I know that the respondent was discharged from U.S. military service on or about (*date*):
 - (e) the respondent is not eligible to serve in the U.S. military because they are incarcerated (in jail or prison).
 - (f) other (*specify*):

Note

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>.
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____</p> <p>E-MAIL ADDRESS (<i>Optional</i>): _____</p> <p>ATTORNEY FOR (<i>Name</i>): _____</p>	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 THE CITY DRIVE MAILING ADDRESS: CITY AND ZIP CODE: ORANGE, CA 92868 BRANCH NAME: LAMOREAUX JUSTICE CENTER	
PLAINTIFF/ PETITIONER: DEFENDANT/ RESPONDENT: OTHER:	
STIPULATION AND WAIVER OF FINAL DECLARATION OF DISCLOSURE	CASE NUMBER:

1. Under Family Code section 2105(d), the parties agree to waive the requirements of Family Code section 2105(a) concerning the final declaration of disclosure.

2. The parties agree as follows:

- a. We have complied with Family Code section 2104, and the preliminary declarations of disclosure have been completed and exchanged.
- b. We have completed and exchanged a current *Income and Expense Declaration* (form FL-150) that includes all material facts and information on each party's earnings, accumulations, and expenses.
- c. We have fully complied with Family Law section 2102 and have fully augmented the preliminary declarations of disclosure, including disclosure of all material facts and information on
 - (1) the characterization of all assets and liabilities,
 - (2) the valuation of all assets that are community property or in which the community has an interest, and
 - (3) the amounts of all community debts and obligations.
- d. Each of the parties enters into this waiver knowingly, intelligently, and voluntarily.
- e. Each party understands that this waiver does not limit the legal disclosure obligations of the parties but rather is a statement under penalty of perjury that those obligations have been fulfilled.
- f. The parties also understand that if they do not comply with these obligations, the court will set aside the judgment.

The petitioner and respondent declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

(SIGNATURE OF RESPONDENT)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 THE CITY DRIVE MAILING ADDRESS: CITY AND ZIP CODE: ORANGE, CA 92868 BRANCH NAME: LAMOREAUX JUSTICE CENTER	
PETITIONER: RESPONDENT:	
DECLARATION FOR DEFAULT OR UNCONTESTED <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> LEGAL SEPARATION	CASE NUMBER:

(NOTE: Items 1 through 12 apply to both dissolution and legal separation proceedings.)

1. I declare that if I appeared in court and were sworn, I would testify to the truth of the facts in this declaration.
2. I agree that my case will be proven by this declaration and that I will not appear before the court unless I am ordered by the court to do so.
3. All the information in the amended Petition Response is true and correct.
4. **Type of case (check a, b, or c):**
 - a. **Default without agreement**
 - (1) No response has been filed and there is no written agreement or stipulated judgment between the parties;
 - (2) The default of the respondent was entered or is being requested, and I am not seeking any relief not requested in the petition; and
 - (3) The following statement is true (check one):
 - (A) There are no assets or debts to be disposed of by the court.
 - (B) The community and quasi-community assets and debts are listed on the **completed** current *Property Declaration* (form FL-160), which includes an estimate of the value of the assets and debts that I propose to be distributed to each party. The division in the proposed *Judgment* (form FL-180) is a fair and equal division of the property and debts, or if there is a negative estate, the debts are assigned fairly and equitably.
 - b. **Default with agreement**
 - (1) No response has been filed and the parties have agreed that the matter may proceed as a default matter without notice; and
 - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
 - c. **Uncontested**
 - (1) Both parties have appeared in the case; and
 - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
5. **Declaration of disclosure (check a, b, c, or d):**
 - a. Both the parties have filed, or are filing concurrently, a *Declaration Regarding Service of Declaration of Disclosure* (form FL-141) and an *Income and Expense Declaration* (form FL-150).
 - b. This matter is proceeding by default. I am the petitioner in this action and have filed a proof of service of the preliminary *Declaration of Disclosure* (form FL-140) with the court. I hereby waive receipt of the final *Declaration of Disclosure* (form FL-140) from the respondent.
 - c. This matter is proceeding by default. I am the petitioner in this action, and service of the summons on respondent was done by publication or posting under court order. Service of the preliminary *Declaration of Disclosure* (form FL-140) is not required. I hereby waive receipt of the final *Declaration of Disclosure* (form FL-140) from the respondent.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

- d. This matter is proceeding as an uncontested action. Service of the final *Declaration of Disclosure* (form FL-140) is mutually waived by both parties. A waiver provision executed by both parties under penalty of perjury is contained on the *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144), in the settlement agreement or proposed judgment, or in another, separate stipulation.

- 6. **Child custody and visitation (parenting time)** should be ordered as set forth in the proposed *Judgment* (form FL-180).
 - a. The information in *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA) (form FL-105) has has not changed since it was last filed with the court. (If changed, attach updated form.)
 - b. There is an existing court order for custody/parenting time in another case in (county):
The case number is (specify):
 - c. The current custody and visitation (parenting time) previously ordered in this case, or the current schedule is (specify):

 - Contained on Attachment 6c.
 - d. The facts that support the requested judgment are (In a default case, state your reasons below):

 - Contained on Attachment 6d.

- 7. **Child support** should be ordered as set forth in the proposed *Judgment* (form FL-180).
 - a. If there are minor children, check and complete item (1) if applicable and item (2) or (3):
 - (1) Child support is being enforced in another case in (county):
The case number is (specify):
 - (2) The information in the child support calculation attached to the proposed judgment is correct based on my personal knowledge.
 - (3) I request that this order be based on the Petitioner's Respondent's earning ability. The facts in support of my estimate of earning ability are (specify):

 - Contained on Attachment 7a(3).
 - b. Complete items (1) and (2) regarding public assistance.
 - (1) I am receiving am not receiving intend to apply for public assistance for the child or children listed in the proposed order.
 - (2) To the best of my knowledge, the other party is is not receiving public assistance.
 Petitioner Respondent is presently receiving public assistance, and all support should be made payable to the local child support agency at the address set forth in the proposed judgment. A representative of the local child support agency has signed the proposed judgment.

- 8. **Spousal, Partner, and Family Support** (If a support order or attorney fees are requested, submit a completed Income and Expense Declaration (form FL-150) unless a current form is on file. Include your best estimate of the other party's income. Check at least one of the following.)
 - a. I knowingly give up forever any right to receive spousal or partner support.
 - b. I ask the court to reserve jurisdiction to award spousal or partner support in the future to:
 Petitioner Respondent
 - c. I ask the court to terminate forever spousal or partner support for: Petitioner Respondent
 - d. Spousal support or domestic partner support should be ordered as set forth in the proposed *Judgment* (form FL-180) based on the factors described in:
 - Spousal or Partner Support Declaration Attachment* (form FL-157)
 - written agreement
 - attached declaration (Attachment 8d)
 - e. Family support should be ordered as set forth in the proposed *Judgment* (form FL-180).
 - f. Other (specify):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

9. **Parentage** of the children of the petitioner and respondent born prior to their marriage or domestic partnership should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. A voluntary declaration of parentage or paternity is attached.
- b. Parentage was previously established by the court in (*county*):
 The case number is (*specify*):
- The written agreement of the parties regarding parentage is attached here (Attachment 9b) or to the proposed *Judgment* (form FL-180).
10. **Attorney fees** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- The facts in support of this request are on *Request for Attorney's Fees and Costs Attachment* (form FL-319).
- Other (*specify facts below*):

11. The judgment should be entered nunc pro tunc for the following reasons (*specify*):

12. Petitioner Respondent requests restoration of the former name as set forth in the proposed *Judgment* (form FL-180) (*proceedings for dissolution or nullity of marriage only*).

13. Irreconcilable differences have led to the irremediable breakdown of the marriage or domestic partnership, and there is no possibility of saving the marriage or domestic partnership through counseling or other means.

14. This declaration may be reviewed by a commissioner sitting as a temporary judge, who may determine whether to grant this request or require my appearance under Family Code section 2336.

STATEMENTS IN THIS BOX APPLY ONLY TO DISSOLUTIONS

15. If this is a dissolution of a marriage or domestic partnership created in another state, the petitioner or the respondent has been a resident of this county for at least three months and of the state of California for at least six months continuously and immediately preceding the date of the filing of the petition for dissolution of marriage or domestic partnership.
16. I ask that the court grant the request for a judgment of dissolution of marriage or domestic partnership based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
17. **Status only judgment:** This declaration is only for the termination of marital or domestic partner status. I ask the court to reserve jurisdiction over all other issues not requested in this declaration for later determination.

THIS STATEMENT APPLIES ONLY TO LEGAL SEPARATIONS

18. I ask that the court grant the request of a judgment for legal separation based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.

I understand that a judgment of legal separation does not terminate a marriage or domestic partnership, and that I am still married or a partner in a domestic partnership.

19. Other (*specify*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)



 (SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SPOUSAL OR DOMESTIC PARTNER SUPPORT DECLARATION ATTACHMENT

- Declaration for Default or Uncontested Judgment (form FL-170)**
 Supporting Declaration for Attorney's Fees and Costs Attachment (form FL-158)
 Request for Order (form FL-300)
 Other (specify):

1. Spousal or domestic partner support.

- a. I am the (specify all that apply):
- (1) petitioner respondent.
- (2) support payee (party asking for support) support payor (party being asked to pay support).
- b. I request that the court (check all that apply)
- (1) enter a judgment for spousal or domestic partner support for petitioner respondent.
- (2) modify the judgment for spousal or domestic partner support for petitioner respondent.
- (3) deny the request to modify the judgment for spousal or domestic partner support.
- (4) terminate jurisdiction to award spousal or domestic partner support to petitioner respondent.

2. Attorney fees and costs. I request that the court (check one)

- a. order my attorney fees and costs to be paid by my spouse or domestic partner a joined party (specify):
- b. deny the request for attorney fees and costs.

SECTION 1: FACTS ABOUT BOTH PARTIES

3. Length of marriage or domestic partnership(Family Code section 4320(f))

- a. (1) Date of marriage:
- (2) Date of separation:
- (3) Time from date of marriage to date of separation:..... years months
- b. (1) Date domestic partnership was registered:
- (2) Date of separation:
- (3) Time from date of registration of the domestic partnership to date of separation: years months
- c. If applicable, total combined years and months for the marriage (a(3)) and the domestic partnership (b(3))..... years months

4. Standard of living of the marriage or domestic partnership (Family Code section 4320(a)) [See Attachment 4](#)

The standard of living established during the marriage or domestic partnership was (describe, for example, information from your income tax return, type and frequency of vacations, value of home and other real estate, value of investments, type of vehicles owned, credit card use or nonuse, ability to save for retirement):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

5. Age and health of the parties (Family Code section 4320(h))

- a. The age of the party asking for support is:
- b. The age of the party being asked to pay support is:
- c. The health condition of the party asking for support is *(describe)*: [See Attachment 5c](#)

- d. The health condition of the party being asked to pay support is *(describe)*: [See Attachment 5d](#)

6. Documented history of domestic violence (Family Code section 4320(i))

[See Attachment 6](#)

- The court will consider all documented evidence of any history of domestic violence between the parties or perpetrated by either party against either party's child, including but not limited to the following:
- a. A plea of nolo contendere ("no contest").
 - b. Emotional distress resulting from domestic violence against the party asking for support by the party being asked to pay support.
 - c. Any history of violence against the party being asked to pay support by the party asking for support.
 - d. A *Restraining Order After Hearing* (form DV-130).
 - e. A finding by a court as part of a case involving divorce, separation, or a child custody proceeding, or any other proceeding in family court in which the court has found that the spouse or domestic partner committed domestic violence.
 - f. Other evidence of any history of violence between the parties.

Attach to this form copies of the documents that you want the court to consider. Label them "Attachment 6."

7. Documented evidence of criminal conviction (Family Code section 4320(m))

- a. **Felony conviction of the party asking for support**

The party being asked to pay support requests that the court find that the party asking for support is prohibited by law from receiving support (including medical, life, or other insurance benefits or payments) under Family Code section 4324.5 because:

 - (1) The party asking for support was convicted of a violent sexual felony or domestic violence felony against the party being asked to pay support within five years after the conviction (and any time served in custody, on probation or on parole); and
 - (2) The petition for divorce was filed within five years after the spouse's or domestic partner's conviction (and any time served in custody or on parole).

- b. **Misdemeanor conviction of the party asking for support** [See Attachment 7b](#)
 - (1) There is a rebuttable presumption that the party asking for support is prohibited from receiving support from the party being asked to pay support under Family Code section 4325 because:
 - (A) The party asking for support was either convicted of a domestic violence misdemeanor against the party being asked to pay support in this case or convicted of a misdemeanor against the other party that resulted in a term of probation under Penal Code section 1203.097); and
 - (B) The conviction was entered by the court within five years before the petition for divorce was filed (or the conviction was entered at any time during the divorce case).
 - (2) Based on a preponderance of the evidence,
 - (A) The party being asked to pay support asks the court to find that the presumption has not been rebutted.
 - (B) The party asking for support asks the court to find that the presumption has been rebutted.

Attach to this form a declaration and documents that you want the court to consider. Label them "Attachment 7b"

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SECTION 2: FACTS ABOUT THE PARTY ASKING FOR SUPPORT

8. Earning capacity (Family Code section 4320(a)(1))

a. The marketable skills (training, job skills, and work history) of the party asking for support (*describe*): [See Attachment 8a](#)

b. The current job market for the job skills of the party asking for support is (*specify*): [See Attachment 8b](#)

c. The time and expenses required for the party asking for support to acquire the appropriate education and training to develop the skills for the job market described in (b) (*specify*): [See Attachment 8c](#)

d. The possible need for retraining or education to acquire other, more marketable skills or employment (*specify*): [See Attachment 8d](#)

e. Indicate the extent to which the party asking for support is able to earn enough money to maintain the standard of living established during the marriage or domestic partnership.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

9. **Earning capacity** (Family Code section 4320(a)(2)) [See Attachment 9](#)

- a. The party asking for support has has not had periods of unemployment because of the time needed to attend to domestic duties. *(Complete (b) if there were periods of unemployment.)*
- b. Specify the extent to which the present or future earning capacity of the party asking for support is impaired by periods of unemployment to devote time to domestic duties during the marriage or domestic partnership.

10. **Contributions to the education and training of the party being asked to pay support** [See Attachment 10](#)

- a. The party asking for support did did not contribute to the education, training, career position, or license of the party being asked to pay support *(If the party asking for support did contribute, complete item b below.)*
- b. Specify the extent to which the party asking for support contributed to the education, training, career position, or license of the party being asked to pay support.

11. **Care for children** (Family Code section 4320(g)) [See Attachment 11](#)

- a. The party asking for support has has not had periods of unemployment to care for the children of the marriage or domestic partnership. *(Complete (b) if there were periods of unemployment.)*
- b. The party asking for support is is not able to be gainfully employed without unduly interfering with the interests of the children in the care of the party asking for support *(specify):*

12. **Needs of the party asking for support** (Family Code section 4320(d)) [See Attachment 12](#)

Specify the needs of the party asking for support based on the standard of living established during the marriage or domestic partnership, as described in question 4.

13. **Assets and debts** (Family Code section 4320(e)) [See Attachment 13](#)

- a. The assets, including separate property, of the party asking for support are *(specify):*

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

b. The debts, including separate property, of the party asking for support are *(specify)*:

14. **Tax consequences** (Family Code section 4320(j))

[See Attachment 14](#)

The immediate and specific tax consequences for the party asking for support are (specify):

15. **Goal to become self-supporting** (Family Code section 4320(l))

[See Attachment 15](#)

Notice: When ordering spousal or domestic partner support in a judgment, the court may advise (warn) the party asking for support to make reasonable efforts to become self-supporting within a reasonable period of time, considering all the factors in Family Code section 4320. The court may decide that this warning (often called a “Gavron” warning) is not appropriate if the case involves a marriage or domestic partnership of long duration (about 10 years or longer). Generally, failure to become self-supporting after the court gives the warning can result in an order to reduce the amount of the support award.

a. This is is not a marriage or domestic partnership of long duration (ten years or more).

b. The party asking for support is is not self-supporting *(If not, specify below what steps, if any, the party asking for support will take to become self-supporting within a reasonable period of time):*

c. Other *(specify below)*:

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SECTION 3: FACTS ABOUT THE PARTY BEING ASKED TO PAY SUPPORT

16. **Ability to pay support / earning capacity** (Family Code sections 4320(a) and (c)) [See Attachment 16](#)

- a. The earned income of the party being asked to pay support is *(specify)*: unknown
- b. The unearned income of the party being asked to pay support is *(specify)*: unknown
- c. This party does does not have the ability to earn enough money to maintain the standard of living described in 4 for both spouses or domestic partners. *(If not, explain why below.)*

d. Based on the above responses, this party is is not able to pay spousal or domestic partner support.

17. **Needs of the party being asked to pay support** (Family Code section 4320(d)) [See Attachment 17](#)

Specify the needs of the party being asked to pay support based on the standard of living established during the marriage or domestic partnership, as described in question 4.

18. **Assets and debts** (Family Code section 4320(e)) [See Attachment 18](#)

a. The assets, including separate property, of the party being asked to pay support are *(specify)*:

b. The debts, including separate property, of the party being asked to pay support are *(specify)*:

19. **Tax consequences** (Family Code section 4320(j)) [See Attachment 19](#)

The immediate and specific tax consequences for the party being asked to pay support *(specify)*:

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SECTION 4: BALANCE OF HARDSHIPS AND OTHER FACTORS

20. **Balance of hardships** (Family Code section 4320(k)) [See Attachment 20](#)

Describe below any special financial difficulties to the party if ordered to pay support compared to the hardship to the party who is asking for support. *(For example, consider the ability of a party to pay support versus the need of the other party to receive financial support).*

21. Indicate below other factors, if any, that the court should consider that are just and equitable in ordering spousal or domestic partner support. (Family Code section 4320(n)) [See Attachment 21](#)

Number of pages attached: _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 THE CITY DRIVE MAILING ADDRESS: CITY AND ZIP CODE: ORANGE, CA 92868 BRANCH NAME: LAMOREAUX JUSTICE CENTER	
MARRIAGE OR PARTNERSHIP OF PETITIONER: RESPONDENT:	
<div style="text-align: center;">JUDGMENT</div> <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> LEGAL SEPARATION <input type="checkbox"/> NULLITY <input type="checkbox"/> Status only <input type="checkbox"/> Reserving jurisdiction over termination of marital or domestic partnership status <input type="checkbox"/> Judgment on reserved issues Date marital or domestic partnership status ends:	CASE NUMBER:

1. This judgment contains personal conduct restraining orders modifies existing restraining orders.
 The restraining orders are contained on page(s) _____ of the attachment. They expire on (date): _____
2. This proceeding was heard as follows: Default or uncontested By declaration under Family Code section 2336
 Contested Agreement in court
 - a. Date: _____ Dept.: _____ Room: _____
 - b. Judicial officer (name): _____ Temporary judge
 - c. Petitioner present in court Attorney present in court (name): _____
 - d. Respondent present in court Attorney present in court (name): _____
 - e. Claimant present in court (name): _____ Attorney present in court (name): _____
 - f. Other (specify name): _____
3. The court acquired jurisdiction of the respondent on (date): _____
 - a. The respondent was served with process.
 - b. The respondent appeared.

THE COURT ORDERS, GOOD CAUSE APPEARING

4. a. Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
 - (1) on (specify date): _____
 - (2) on a date to be determined on noticed motion of either party or on stipulation.
- b. Judgment of legal separation is entered.
- c. Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): _____
- d. This judgment will be entered nunc pro tunc as of (date): _____
- e. Judgment on reserved issues.
- f. The petitioner's respondent's former name is restored to (specify): _____
- g. Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
- h. This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME <i>(Last name, first name of each party):</i>	CASE NUMBER:
---	--------------

4. i. The children of this marriage or domestic partnership are:
- (1) Name Birthdate
- (2) Parentage is established for children of this relationship born prior to the marriage or domestic partnership
- j. Child custody and visitation (parenting time) are ordered as set forth in the attached
- (1) Settlement agreement, stipulation for judgment, or other written agreement which contains the information required by Family Code section 3048(a).
- (2) *Child Custody and Visitation Order Attachment* (form FL-341).
- (3) *Stipulation and Order for Custody and/or Visitation of Children* (form FL-355).
- (4) Previously established in another case. Case number: _____ Court: _____
- k. Child support is ordered as set forth in the attached
- (1) Settlement agreement, stipulation for judgment, or other written agreement which contains the declarations required by Family Code section 4065(a).
- (2) *Child Support Information and Order Attachment* (form FL-342).
- (3) *Stipulation to Establish or Modify Child Support and Order* (form FL-350).
- (4) Previously established in another case. Case number: _____ Court: _____
- l. Spousal, domestic partner, or family support is ordered:
- (1) Reserved for future determination as relates to petitioner respondent
- (2) Jurisdiction terminated to order spousal or partner support to petitioner respondent
- (3) As set forth in the attached *Spousal, Partner, or Family Support Order Attachment* (form FL-343).
- (4) As set forth in the attached settlement agreement, stipulation for judgment, or other written agreement.
- (5) Other (*specify*): _____
- m. Property division is ordered as set forth in the attached
- (1) Settlement agreement, stipulation for judgment, or other written agreement.
- (2) *Property Order Attachment to Judgment* (form FL-345).
- (3) Other (*specify*): _____
- n. Attorney fees and costs are ordered as set forth in the attached
- (1) Settlement agreement, stipulation for judgment, or other written agreement.
- (2) *Attorney Fees and Costs Order* (form FL-346).
- (3) Other (*specify*): _____
- o. Other (*specify*): _____

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date: _____

JUDICIAL OFFICER

5. Number of pages attached: _____ SIGNATURE FOLLOWS LAST ATTACHMENT

NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar property interest. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SPOUSAL, DOMESTIC PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT

- TO Findings and Order After Hearing (form FL-340) Judgment (form FL-180)
 Restraining Order After Hearing (CLETS-OAH) (form DV-130) Other (specify):
 Parties' Stipulation (Written Agreement) dated (specify): _____

THE COURT FINDS THE PARTIES STIPULATE (AGREE)

Specify if this attachment is about an order for temporary support or a judgment for permanent support (check either 1 or 2 below).

1. This attachment relates to temporary spousal or domestic partner support.

- a. This order attachment modifies an order or agreement for temporary support entered on (date):
 b. **Net income.** The parties' monthly income and deductions are as follows (complete (1), (2), or both):

	Total gross monthly <u>income</u>	Total monthly <u>deductions</u>	Total hardship <u>deductions</u>	Net monthly disposable <u>income</u>
(1) Petitioner: <input type="checkbox"/> receiving TANF/CalWORKS	\$	\$	\$	\$
(2) Respondent: <input type="checkbox"/> receiving TANF/CalWORKS	\$	\$	\$	\$

c. A printout of a computer calculation of the parties' financial circumstances is attached for all required items not filled out above (for temporary support only).

2. This attachment relates to a judgment for permanent spousal or domestic partner support.

- a. This order attachment modifies a judgment entered on (date):
 b. The parties were married for (specify): _____ months and _____ years.
 c. The parties were registered as domestic partners or the equivalent for (specify): _____ months and _____ years.
 d. Family Code section 4320 factors (check either (1) or (2) below, then complete (3)).
 (1) The parties agreed to some or all of the factors as stated in Spousal or Domestic Partner Support Declaration Attachment (form FL-157) or in a similar written declaration filed with the court.
 (2) The court considered the parties' declarations and supporting documents regarding each Family Code section 4320 factor as stated in testimony, in Spousal or Domestic Partner Support Declaration Attachment (form FL-157), or in a similar written declaration filed with the court.
 (3) The parties' agreement, or the court's findings, on Family Code section 4320 factors are (specify):
 (A) included in Attachment 2d(3)(A).
 (B) included in Spousal or Domestic Partner Support Factors Under Family Code Section 4320—Attachment (form FL-349).
 (C) specified below:

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

2. e. The parties are both self-supporting.
 f. The standard of living established during the marriage or domestic partnership was *(describe)*: [See Attachment 2f.](#)

g. The Court finds that the parties have knowingly, intelligently, and voluntarily entered into a stipulation.

3. Jurisdiction

- a. The issue of support for the petitioner respondent is reserved for later determination.
 b. The court terminates jurisdiction over the issue of support for the petitioner respondent.
 c. The court's jurisdiction over the issue of support will end on *(specify date)*:

4. Support amount and payment terms

- a. The petitioner respondent must pay to the petitioner respondent as temporary permanent spousal support family support domestic partner support the following amount each month: \$
 b. Support payments will begin *(date)*:
 c. Support payments are:
 (1) payable through *(specify end date)*:
 (2) payable on the: day of each month.
 (3) Other *(specify)*:

d. Support must be paid by check, money order, or cash other method *(specify)*:

5. Earnings assignment

- a. An earnings assignment for the support will issue as requested by petitioner respondent.
Note: The payor of spousal, family, or domestic partner support is responsible for the payment of support directly to the recipient until support payments are deducted from the earnings, and for any support not paid by the assignment.
 b. Service of the earnings assignment is stayed provided the payor is not more than *(specify number)*: days late in paying spousal, family, or domestic partner support.

6. Termination (end) of support

- a. By law, unless the parties otherwise agree in writing, the support payor's obligation to pay support will end when either party dies or the support payee remarries or registers a new domestic partnership.
 b. **Parties' agreement**
 The parties agree that the support payor's obligation to pay support will not end as described in 6a. Instead, the support payor's obligation to pay support will continue until *(specify below the terms of your agreement about when the support payee's obligation to pay support will end)*:

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

7. **Family support orders.** This order is for family support.
- a. Both parties must complete and file with the court a *Child Support Case Registry Form* (form [FL-191](#)) within 10 days of the date of this order.
 - b. The parents must notify the court of any change of information submitted within 10 days of the change by filing an updated form.
 - c. A *Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures) and Information Sheet on Changing a Child Support Order* (form FL-192) must be attached to the court order.
8. **Notice of change of employment**
 The parties must inform each other in writing within 10 days of any change of employment, and include the new employer's name, address, and telephone number.
9. **Duty to become self-supporting**
- a. Notice: It is the goal of this state that each party must make reasonable good-faith efforts to become self-supporting as provided in Family Code section 4320. Failure to make reasonable good-faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support.
 - b. The petitioner respondent should make reasonable good-faith efforts to become self-supporting.
 - c. Other (*specify*):
10. **Attachment to Restraining Order After Hearing (form DV-130)**
- a. This form is attached to *Restraining Order After Hearing (CLETS-OAH) (Order of Protection)* (form DV-130).
 - b. The orders issued on this form (FL-343) do not expire on termination of the restraining orders issued on form DV-130.
11. **Other orders or agreements (*specify*):**

NOTICE: Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

6. **Documented history of domestic violence** (Family Code section 4320(i)) [See Attachment 6](#)

- a. There is is not documented evidence of a history of domestic violence (*specify*):
- (1) between the parties.
 - (2) perpetrated by petitioner respondent against (*specify*) petitioner respondent
 either party's child.
 - (3) perpetrated by petitioner respondent against (*specify*) petitioner respondent
 either party's child.
- b. The court received the following documented evidence of domestic violence in this case:
- (1) A plea of nolo contendere ("no contest").
 - (2) Emotional distress caused by domestic violence perpetrated against the party asking for support by the party being asked to pay support.
 - (3) Any history of violence against the party asking for support by the party being asked to pay support.
 - (4) A *Restraining Order After Hearing* (form DV-130).
 - (5) A finding by a court as part of a case involving divorce, separation, or a child custody proceeding, or other proceeding in family court in which the court has found that the spouse or domestic partner has committed domestic violence.
 - (6) Other (*specify*):

7. **Criminal conviction of the party asking for support** (Family Code section 4320(m)) [See Attachment 7](#)

- a. This item does not apply to the party asking for support.
- b. **Felony conviction of the party asking for support**
 The party asking for support is prohibited by law from receiving support from the party being asked to pay support (including medical, life, or other insurance benefits or payments) under Family Code section 4324.5 because
- (1) the party asking for support was convicted of a violent sexual felony or domestic violence felony against the party being asked to pay support within five years after the conviction (and any time served in custody, on probation, or on parole); and
 - (2) the petition for divorce was filed within five years after the spouse's or domestic partner's conviction (and any time served in custody, on probation, or on parole).
- c. **Misdemeanor conviction of the party asking for support**
- (1) There is a rebuttable presumption that the party asking for support is prohibited from receiving support from the party being asked to pay support under Family Code section 4325 because
 - (A) the party asking for support was either convicted of a domestic violence misdemeanor against the party being asked to pay support in this case or convicted of a misdemeanor against that party which resulted in a term of probation under Penal Code section 1203.097); and
 - (B) the conviction was entered by the court within five years before the petition for divorce was filed (or the conviction was entered at any time during the divorce case).
 - (2) Based on a preponderance of the evidence, the party asking for support has has not rebutted the presumption in 7c(1), as follows:

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SECTION 2: FINDINGS STIPULATIONS **ABOUT THE PARTY ASKING FOR SUPPORT**

8. Earning capacity (Family Code section 4320(a)(1))

a. The marketable skills (training, job skills, and work history) of the party asking for support are (*describe*): [See Attachment 8a](#)

b. The current job market for the job skills of the party asking for support is (*specify*): [See Attachment 8b](#)

c. The time and expenses required for the party asking for support to acquire the appropriate education and training to develop the skills for the job market described in 8b are (*specify*): [See Attachment 8c](#)

d. The possible need for retraining or education to acquire other, more marketable skills or employment (*specify*): [See Attachment 8d](#)

e. The extent to which the party asking for support is able to earn enough money to maintain the standard of living established during the marriage or domestic partnership is (*specify*): [See Attachment 8e](#)

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

9. **Earning capacity** (Family Code section 4320(a)(2)) [See Attachment 9](#)

- a. The party asking for support has has not had periods of unemployment because of the time needed to attend to domestic duties. *(Complete 9b if there were periods of unemployment.)*
- b. Specify the extent to which the present or future earning capacity of the party asking for support is impaired by periods of unemployment to devote time to domestic duties during the marriage or domestic partnership.

10. **Contributions to the education and training of the party being asked to pay support** [See Attachment 10](#)

- a. The party asking for support did did not contribute to the education, training, career position, or license of the other party. *(If the party asking for support did contribute, complete item 10b.)*
- b. Specify the extent to which the party asking for support contributed to the education, training, career position, or license of the party being asked to pay support.

11. **Care for children** (Family Code section 4320(g)) [See Attachment 11](#)

- a. The party asking for support has has not had periods of unemployment to care for the children of the marriage or domestic partnership. *(Complete 11b if there were periods of unemployment.)*
- b. The party asking for support is is not able to be gainfully employed without unduly interfering with the interests of the children in the care of the party asking for support *(specify):*

12. **Needs of the party asking for support** (Family Code section 4320(d)) [See Attachment 12](#)

Specify the needs of the party asking for support based on the standard of living established during the marriage or domestic partnership, as described in item 3.

13. **Assets and debts** (Family Code section 4320(e)) [See Attachment 13](#)

- a. The assets, including separate property, of the party asking for support are *(specify):*

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

b. The debts, including separate property, of the party asking for support are *(specify)*:

14. **Tax consequences** (Family Code section 4320(j))

[See Attachment 14](#)

The immediate and specific tax consequences for the party asking for support are (specify):

15. **Goal to become self-supporting** (Family Code section 4320(l))

[See Attachment 15](#)

In considering the goal that the party asking for support will be self-supporting in a reasonable period of time, the court finds, or the parties stipulate that

- a. this is is not a marriage or domestic partnership of long duration (about 10 years or more).
- b. the party asking for support is is not currently self-supporting.
- c. advisement of the duty to become self-supporting:
 - (1) The party asking for support is advised to make good-faith efforts to become self-supporting in a reasonable period of time.
 - (2) Failure to make good-faith efforts to become self-supporting can be considered a change in circumstances that could result in a reduction in the amount of spousal or domestic partner support.
 - (3) The plan for the party to become self-supporting, including the expectation of what is a "reasonable period of time to become self-supporting" is *(specify)*:

d. Other *(specify)*:

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SECTION 3: **FINDINGS** **STIPULATIONS** **ABOUT THE PARTY BEING ASKED TO PAY SUPPORT**

16. **Ability to pay support / earning capacity** (Family Code sections 4320(c)) [See Attachment 16](#)

- a. The earned income of the party being asked to pay support is (*specify*): unknown
- b. The unearned income of the party being asked to pay support is (*specify*): unknown
- c. This party does does not have the ability to earn enough money to maintain the standard of living described in item 3 for both spouses or domestic partners. (*If not, explain why below.*)

d. Based on the above responses, this party is is not able to pay spousal or domestic partner support.

17. **Needs of the party being asked to pay support** (Family Code section 4320(d)) [See Attachment 17](#)

Specify the needs of the party being asked to pay support based on the standard of living established during the marriage or domestic partnership, as described in item 3.

18. **Assets and debts** (Family Code section 4320(e)) [See Attachment 18](#)

a. The assets, including separate property, of the party being asked to pay support are (*specify*):

b. The debts, including separate property, of the party being asked to pay support are (*specify*):

19. **Tax consequences** (Family Code section 4320(j)) [See Attachment 19](#)

The immediate and specific tax consequences for the party being asked to pay support are (*specify*):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

SECTION 4: **FINDINGS** **STIPULATIONS** **ABOUT OTHER FACTORS**

20. **Balance of hardships** (Family Code section 4320(k)) [See Attachment 20](#)
Describe below any special financial difficulties to the party being asked to pay support if ordered to pay support compared to the hardship to the party who is asking for support.

21. Indicate other factors that the court, or the parties, determined to be just and equitable to consider in making orders about spousal or domestic partner (Family Code section 4320(n)): [See Attachment 21](#)

Number of pages attached: _____

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

PROPERTY ORDER ATTACHMENT TO JUDGMENT

1. Division of community property assets

- a. There are no community property assets.
- b. The court finds that the net value of the community estate is less than \$5,000 and that the petitioner respondent cannot be found. Under Family Code section 2604, the entire community estate is awarded to the petitioner respondent.
- c. The petitioner will receive the following assets: [See Attachment 1c.](#)

- d. The respondent will receive the following assets: [See Attachment 1d.](#)

- e. The petitioner respondent will be responsible for preparing and filing a *Qualified Domestic Relations Order* (QDRO) to divide the following plan or retirement account(s) (*specify*):

The fee for preparation of the QDRO will be shared as follows:

- f. Other orders:

- g. Each spouse or domestic partner will receive the assets listed above as sole and separate property. The parties must execute any and all documents required to carry out this division.

2. Division of community property debts

- a. There are no community property debts.
- b. All community debts have been paid by the petitioner respondent. The petitioner respondent must reimburse the other party: \$
The payment plan is as follows:

- c. The petitioner
 - (1) is assigned the debts listed below;
 - (2) is solely responsible for paying the debts listed below; and
 - (3) will not hold the respondent legally responsible for the debts listed below. [See attachment 2c.](#)

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

2. d. The respondent
- (1) is assigned the debts listed below;
 - (2) is solely responsible for paying the debts listed below; and
 - (3) will not hold the petitioner legally responsible for the debts listed below. [See attachment 2d.](#)
- e. **Notice regarding division of community property (items c. and d.):**
 Creditors are not bound by this judgment. If a creditor seeks payment from the party who is not listed as responsible for the debt, that party can file a *Request for Order* (form FL-300) to seek reimbursement from the party who was assigned the debt.
- f. The court reserves jurisdiction to divide any community debts not listed here and to enforce the terms of this judgment. This enforcement may include ordering a defaulting party to reimburse the other party for failing to follow the terms of this judgment.
- g. Other orders:
-
3. **Equalization of division of property and debt orders.** To equalize the division of the community property assets and debts, the petitioner respondent must pay to the other the sum of: \$ _____, payable as follows:
-
4. **Separate property**
- a. The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the petitioner:
-
- b. The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the respondent:
-
5. The settlement agreement between the parties dated: _____ is attached and made a part of this judgment.
6. **Sale of property.** The following property will be offered for sale and sold for the fair market value as soon as a willing buyer can be found, and the net proceeds from the sale will be divided equally other (*specify*):
-
7. Other orders (*specify*):

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:	CASE NUMBER:
--	--------------

PENSION BENEFITS—ATTACHMENT TO JUDGMENT
(Attach to form FL-180)

This order concerns the division of retirement and survivor benefits between the following two parties:

Name of petitioner:	Name of respondent:
Address of petitioner:	Address of respondent:

Date of marriage or registration of domestic partnership:	Date of separation:
---	---------------------

TO THE EMPLOYER/PLAN ADMINISTRATOR OF EACH PLAN IDENTIFIED BELOW:

Each party identified above is provisionally awarded without prejudice, and subject to adjustment by a later domestic relations order, a separate interest equal to one-half of all benefits accrued or to be accrued under any retirement plan in which one party has accrued a benefit, including but not limited to the plans listed below, as a result of employment of the other party during the marriage or domestic partnership and before the date of separation. In addition, pending further notice, the plan must, as allowed by law, or as allowed by the terms of the plan in the case of a governmental plan, continue to treat the parties as married persons or domestic partners for purposes of any survivor rights and benefits available under the plan to the extent necessary to provide for payment to the surviving spouse or domestic partner of an amount equal to that separate interest or of all of the survivor benefits if at the time of death of the participant there is no other eligible recipient of the survivor benefit.

TO THE PARTIES:

Each party must provide the information and take the required actions listed below to protect the other party's interest in retirement benefits:

1. List below (or on a page attached) the name and address of each employer for which you or the other party work or worked where either of you participated in a retirement plan during the marriage and before your separation. Include the name (or a description if you do not have the name) of each of these plans.

See Attached

2. For each plan you listed under item 1, promptly deliver a copy of this order to the plan's administrator. You can deliver a copy of this order in person or by mail. Provide a proof of service to the court and the other party.
 If you do not know the plan's administrator, deliver a copy to
 - the employer or plan sponsor, or, if unknown,
 - the trustee or custodian of any assets of the plan.
3. Each party who is a participant in a plan listed under item 1 must join that plan as a party to this case when joinder is required by law. (See Retirement Plan Joinder—Information Sheet [*form FL-318-INFO*].)
4. If you are not the party who participated in a plan listed in item 1 and are concerned that you have not received proof that notice of your interest has been delivered to that plan, you are encouraged to deliver a copy of this order to the appropriate plan administrator as described in item 2. You also have a right to join any plan that requires joinder in the event that no joinder documents have been filed with the court or served on the plan's administrator.
5. Each party must promptly let each plan representative know of any change in that party's mailing address until all benefits due that party under the plan have been paid.

WARNING: This Attachment only includes the minimum statutory requirements at the time of entry of judgment. It does not replace the stipulated judgment or other required documents.

I. DISCLOSURE PURSUANT TO FC §§ 2104, 2105

The parties have fully complied with the disclosure requirements of FC §§2102, 2104 and 2105

a. Preliminary Declaration of Disclosures Pursuant to FC §2104

Petitioner filed the Preliminary Declaration of Service (FL-141) on: _____
 Submitted with Judgment

Respondent filed the Preliminary Declaration of Service (FL-141) on: _____
 Submitted with Judgment

b. Final Declaration of Disclosures Pursuant to FC §2105

Petitioner filed the Final Declaration of Service (FL-141) on: _____
 Submitted with Judgment

Respondent filed the Final Declaration of Service (FL-141) on: _____
 Submitted with Judgment

Mutually Waived by:

use of Stipulation and Waiver of Final Declaration of Disclosure Form (FL-144)
 Filed on: _____
 Submitted with Judgment

use of the statutory language in a separate stipulation, signed under penalty of perjury
 Stipulation submitted with Judgment
 See page _____ of Judgment

II. SPOUSAL SUPPORT PURSUANT TO FC §4336

The parties had a marriage of 10 years or more, from the date of marriage to the date of separation, and spousal support has been addressed in the Marital Settlement Agreement/Stipulated Judgment.

The parties had a marriage of less than 10 years, from the date of marriage to the date of separation, and spousal support has been addressed in the Marital Settlement Agreement/Stipulated Judgment.

The Parties agree to terminate the court’s jurisdiction (ability) to award spousal support. Both parties knowingly give up forever any right to receive spousal or partner support.

IF THERE ARE MINOR OR DEPENDENT CHILDREN OF THE MARRIAGE, COMPLETE SECTIONS III AND IV, OTHERWISE PROCEED DIRECTLY TO SECTION V, ON PAGE 5 OF THIS FORM

THERE ARE NO MINOR OR DEPENDENT CHILDREN OF THIS MARRIAGE.

III. CHILD CUSTODY/VISITATION PURSUANT TO FC §3048

- (1) This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code commencing with section 3400).
- (2) The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
- (3) The country of habitual residence of the child(ren) is:
 The United States
 Other (specify country): _____
- (4) If you violate this order you may be subject to civil or criminal penalties, or both.
- (5) The judgment contains a clear description of the custody and visitation rights of each party.

IV. CHILD SUPPORT

a. FINDINGS PURSUANT TO FC §3901 and §4065

- (1) The Parties are fully informed of their rights concerning child support.
- (2) The order is being agreed to without coercion or duress.
- (3) The agreement is in the best interests of the child(ren) involved
- (4) The needs of the child(ren) will be adequately met by the stipulated amount
- (5) Unless otherwise indicated, the right to support has not been assigned to the county pursuant to Section 11477 of the Welfare and Institutions Code and no public assistance application is pending.

b. MONEY JUDGMENT IN COURT ORDER PURSUANT TO FC §5616

In the event that there is a contract between a party receiving support and a private child support collector, the party ordered to pay support must pay the fee charged by the private child support collector. This fee must not exceed 33 1/3 percent of the total amount of past due support nor may it exceed 50 percent of any fee charged by the private child support collector. The money judgment created by this provision is in favor of the private child support collector and the party receiving support, jointly.

c. BASE CHILD SUPPORT

Please check all appropriate boxes. At least one (1) box must be checked:

CHILD SUPPORT IS RESERVED (If checked, skip directly to section V)

CHILD SUPPORT SERVICES INVOLVED

The parties currently have an open case with the Child Support Services (CSS) and a CSS representative has signed the proposed judgment.

The parties currently have an open case with CSS, no child support orders are contained in this judgment, and the court reserves jurisdiction over the issue of child support, health insurance coverage, and additional child support.

If checked, skip directly to section V.

AGREED UPON SUPPORT

Petitioner Respondent shall pay to Petitioner Respondent base child support of \$ _____ per week month, payable \$ _____ on _____ and \$ _____ on _____ of each week month, commencing _____ and continuing until the child(ren) for whom support is payable: marries, dies, is emancipated, until further order of the court or, as to an unmarried child who has attained the age of 18 years old, is a full-time high school student, and who is not self-supporting, until the time the child completes the 12th grade or attains the age of 19 years old, whichever first occurs.

d. MANDATORY ADDITIONAL CHILD SUPPORT PURSUANT TO FC §4062

Petitioner Respondent shall pay child care costs related to employment or reasonably necessary education/job training:

in the amount of \$ _____ per week month or

_____ % of total.

No child care costs orders are contained in this judgment and the court reserves jurisdiction over the issue of child care costs.

Petitioner Respondent shall pay the reasonable uninsured health care costs for the child(ren): in the amount of \$ _____ per week month or

_____ % of total.

e. DISCRETIONARY ADDITIONAL CHILD SUPPORT PURSUANT TO FC §4062

Petitioner Respondent shall pay costs related to _____:

in the amount of \$ _____ per week month or _____ % of total.

f. TOTAL CHILD SUPPORT

Petitioner Respondent shall pay to Petitioner Respondent base child support of \$ _____ per week month, plus additional child support as specified in **sections (d) and/or (e)** on the previous page, for a total of \$ _____ per week month, payable \$ _____ per week month, \$ _____ on the _____ and \$ _____ on the _____ of each week month, commencing on _____ and continuing until the child(ren) for whom support is payable: marries, dies, is emancipated, until further order of the court or, as to an unmarried child has attained the age of 18 years old, is a full-time high school student, and who is not self-supporting, until the time the child completes the 12th grade or attains the age of 19 years old, whichever first occurs.

g. REQUIRED ATTACHMENT PURSUANT TO FC §4063 and §7600

The parties have attached the following form: “Notice of Rights and Responsibilities: Health Care Costs and Reimbursement Procedures and Information sheet on Changing a Child Support Order” (Form FL-192)

h. HEALTH INSURANCE COVERAGE PURSUANT TO FC §3751

If child support is not reserved, at least one (1) of the following boxes must be checked.

Health insurance coverage for the minor child(ren) must be maintained by Petitioner Respondent if that insurance is available at no cost or at reasonable cost to the parent(s) through their respective places of employment or self-employment. Both parties are ordered to cooperate in the presentation, collection, and reimbursement of any health care claims. The parent ordered to provide health insurance must seek continuation of coverage for the child after the child attains the age when the child is no longer considered eligible for coverage as a dependent under the insurance contract, if the child is incapable of self-sustaining employment because of a physically or mentally disabling injury, illness, or condition and is chiefly dependent upon the parent providing health insurance for support and maintenance.

Health Insurance is not available to the Petitioner Respondent at a reasonable cost at this time. Should health insurance coverage become available to a parent for no or for reasonable cost, that parent must apply for that coverage.

i. INCOME WITHHOLDING FOR CHILD SUPPORT PURSUANT TO FC §5230

An Income Withholding for Child Support (form FL-195) must issue. **Note:** The payor of child support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's wages, and for any support not paid by the assignment.

j. EMPLOYER INFORMATION PURSUANT TO FC §4014

The parties must notify the other parent of the name and address of his or her current employer.

V. MISCELLANEOUS PROVISIONS

The Marital Settlement Agreement/Stipulated Judgment that is also attached to the Judgment (form FL-180) contains further orders.

All provisions are deemed incorporated into the Judgment. As to the provisions that contain a checkbox () , only those provisions that are checked become part of the Judgment.

If there is any express conflict between the Marital Settlement Agreement/Stipulated Judgment and this Expedited Processing Attachment, the Expedited Processing Attachment prevails. However, this Expedited Processing Attachment is not all inclusive. The fact that this Expedited Processing Attachment is less detailed is not a conflict. The Expedited Processing Attachment only includes the minimum statutory requirements at the time of entry of judgment. It does not replace the stipulated judgment or other required documents.

VI. STIPULATION FOR JUDGMENT

The parties agree that the Judgment (form FL-180) and all attachments, including this Expedited Processing Attachment, contain the exact terms of the Judgment to be entered in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and agreed to by:

Petitioner: Date Respondent: Date

Approved as confirming to the agreement of the parties:

Date Attorney for Petitioner: Attorney for Respondent: Date

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment’s provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date Judge / Commissioner of the Superior Court

***: If Judgment is being submitted by way of a *Stipulated Default* (no Response [form FL-120] or Appearance, Stipulations and Waivers [form FL-130] has been filed), then the Respondent's signature must be notarized and must comply with Civil Code §1189.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 THE CITY DRIVE MAILING ADDRESS: CITY AND ZIP CODE: ORANGE, CA 92868 BRANCH NAME: LAMOREAUX JUSTICE CENTER	
PETITIONER: RESPONDENT:	
NOTICE OF ENTRY OF JUDGMENT	CASE NUMBER:

You are notified that the following judgment was entered on (*date*):

- 1. Dissolution
- 2. Dissolution—status only
- 3. Dissolution—reserving jurisdiction over termination of marital status or domestic partnership
- 4. Legal separation
- 5. Nullity
- 6. Parent-child relationship
- 7. Judgment on reserved issues
- 8. Other (*specify*):

Date: _____ Clerk, by _____, Deputy

—NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY—

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION

Effective date of termination of marital or domestic partnership status (*specify*):

WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Notice of Entry of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed at (*place*): _____, California, on (*date*): _____

Date: _____ Clerk, by _____, Deputy

_____ Name and address of petitioner or petitioner's attorney _____	_____ Name and address of respondent or respondent's attorney _____
_____	_____