



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

INSTRUCTIONS FOR DISSOLUTION OF MARRIAGE, LEGAL SEPARATION OR NULLITY

Note: The way you mark the boxes on these forms, and the information you provide, may permanently determine your rights, now and in the future. You may also be limiting the court's ability to make orders on your behalf. You should consult an attorney regarding your rights and obligations. Family Law Facilitators hold workshops to help you complete the forms in this packet. See additional information on the other side of this sheet.

1. Before you begin, read the forms and this instruction sheet completely. **Remember to type or print clearly.**

2. To start your case you must fill out the following forms:

- FAMILY LAW CERTIFICATE OF ASSIGNMENT (SDSC Form #D-049)
- SUMMONS (Family Law) (JC Form #FL-110)
- PETITION-MARRIAGE (Family Law) (JC Form #FL-100)
- PROPERTY DECLARATION (Family Law) (JC Form #FL-160)
- INCOME AND EXPENSE DECLARATION (JC Form #FL-150)

If you have minor children from this marriage, you must also fill out a DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA) (JC Form #FL-105). In addition, fill out and exchange with your spouse a DECLARATION OF DISCLOSURE (Family Law) (JC Form #FL-140) and a SCHEDULE OF ASSETS AND DEBTS (Family Law) (JC Form #FL-142).

3. You must mark the box selecting the type of case you are filing. A dissolution of marriage and a legal separation are similar. The court will divide your property and issue orders on child custody, visitation, child support and/or spousal support in either type of case.
 - File for dissolution of marriage if you want the court to make you a single person again. You must have been a resident of California for the last 6 months and of the County of San Diego for the last 3 months, immediately before you file.
 - File for legal separation if you want to remain married but want to live separately from your spouse.
 - Before requesting a nullity of marriage (annulment) read the categories listed on page 2 of the petition. The length of your marriage does not automatically qualify you for a nullity. You must qualify under one of the listed categories.
4. The packet also contains forms for your spouse. Do not write on the forms after the page marked "Respondent." These forms are for your spouse to complete. You will have these forms served on your spouse along with copies of your completed forms.
5. Remember to write your name as the "petitioner." Write the name of your spouse as the "respondent."
6. Once you complete the forms, make two copies of each form. Go to the business office of the court closest to your home and present the original and both copies to the clerk.
7. The clerk will use the original of each form to open the court file and will return two file-stamped copies of each form to you. Keep one set of copies for yourself. The other set of copies must be served on your spouse. It is your responsibility to have one copy of each of the forms filed with the court, and the blank forms marked for "Respondent," served on your spouse. Anyone over the age of 18, **other than you**, may personally serve the forms.
8. If your spouse lives in California, he/she must be personally served. If your spouse lives outside California, he/she may be served by certified mail, restricted delivery, return receipt.

9. The person who served your spouse must complete a PROOF OF SERVICE OF SUMMONS (JC Form #FL-115). Make two copies of the completed form. Take the original and the two copies to the business office of the same court where you filed the papers to start the case.
10. Even though you have filed and asked for a dissolution of marriage or a nullity of marriage, **you will remain married to your spouse until a judgment has been entered by the court.**
11. A legal separation will not become effective until a judgment has been entered by the court. Remember, a judgment of legal separation does **NOT** end your marriage.
12. **Entry of a judgment is not automatic.** A judgment will not be entered unless you follow the proper procedures and not until you obtain and file the additional forms contained in the Dissolution Judgment packet.

- **FAMILY LAW FACILITATOR** - Assistance at no cost is provided on a first come, first served basis. The Superior Court operates this program.

Family Court
1555 Sixth Avenue
San Diego CA 92101

North County
325 S. Melrose Drive
Vista CA 92081

East County
250 E. Main Street
El Cajon CA 92020

South County
500 Third Avenue
Chula Vista CA 91910

WORKSHOPS to assist you in completing the forms in this packet are held at each of the above Facilitator's Office locations. Please visit the court's website at www.sdcourt.ca.gov for further information on the days and hours the workshops are held at each location.

- **FAMILY LAW MEDIATION PROJECT**

Mediation assistance is available to resolve contested issues between you and your spouse. Note: In this program, mediation is not provided for child custody or visitation issues. Both you and your spouse must be willing to attend mediation. Often, when parties are able to reach an agreement, no court appearance is necessary.

In the southern part of San Diego County, this program is operated by the National Conflict Resolution Center* located at 625 Broadway, Suite 1221, San Diego, CA 92101 (619) 238-2400. In the northern part of San Diego County, LIFELINE* (760) 940-6676 or (760) 726-4900 provides similar services. LIFELINE mediation is located in the North County Courthouse.

**These programs are not affiliated with the court, and each program is independently responsible for compliance with any and all applicable legal requirements. The court does not endorse, evaluate, supervise, or monitor these programs.*