

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

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

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

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

Clerks Notes:

Received:

Status End:

Dates:

Fees Due Pet:

Fees Due Resp:

Case Name:

Case Number:

Document Examiner:

Date:

Returned To:

Court Box:

or U.S. Mail:

- This checklist is not a complete list of all legal requirements. The clerk or the judicial officer may require additional information or documentation based on the case, issues, and orders requested.
- **An Original and two (2) copies of all documents must be submitted. Any items listed in Clerk's notes to submitting party on the last page needs to be completed or corrected before resubmission.**

FL-100 Petition

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

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

FL-110 Summons

FL-115 Proof of Service - Completed properly.

Service Date: _____

By Publication/Posting

By Substituted Service/Certified Mail

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

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

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

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

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

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

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

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

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

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

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

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

- 3, 4 5 and 8 completed as applicable
 6 and 7 completed, if children are subject of reserved issues
 9 checked if children born prior to marriage and not previously adjudicated
 12 completed if not previously requested in Petition or adjudicated. Disso/Nullity Only FC 2080

FL-180 Judgment

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

FL -180 continued on next page

FL-180 continued

If children are the subject of reserved issues.

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

Custody/Visitation if subject of reserved issues:

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

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

- 4.k. completed as applicable.
- Terms: Start date End language Kids' names Payor Payee Amount
- Mandatory child support add-ons included. FC 4062.
- Attach Dissomaster or other court accepted support calculation. CRC 5.260
- If guideline child support is rebutted, attach FL-342(A) Non-Guideline Child Support Findings Attachment and include declaration providing 4057(b) rebuttal factors. Child support cannot be "waived," but may be set at "zero" by agreement of the parties or court order.
- If Dept. of Child Support Services is a party to this case or if child support rights have been assigned (child receiving cash aid), DCSS must sign the judgment.
DCSS prefers the following signature block:
"The Department of Child Support Services has reviewed this Judgment and has no objection to the support-related provisions contained herein.
Signed by: _____, Attorney for DCSS. Dated: _____"
- If DCSS is a party to another case and child support orders were made in that case, do not include child support in this case, but reference the other case number. DCSS does not need to sign off.
- Attach Notices: Form FL-192 and FL-020.
- Complete FL-191 Child Support Registry form from both parents unless Dept. of Child Support Service is intervened or handling child support in another case, or child support is "zero." CRC 5.330.

Spousal Support if subject of reserved issues:

- 4.l. Spousal support must be an amount, waived, terminated when appropriate, or reserved.

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

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

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

FL-180 continued

Signatures

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

Attachments

- Number of pages attached listed at Item 5.

FL-190 Notice of Entry of Judgment

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

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

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

Case Name and Number: _____ Document Examiner: _____

CLERK'S NOTES TO SUBMITTING PARTY OR JUDICIAL OFFICER:

JUDICIAL OFFICER'S NOTES TO CLERK OR SUBMITTING PARTY: