

# DIVORCE, LEGAL SEPARATION, ANNULMENT

## **HELPFUL WEBSITES**

[www.courts.ca.gov](http://www.courts.ca.gov) - State Court – forms, self -help, etc.

[www.kern.courts.ca.gov](http://www.kern.courts.ca.gov) - Kern Court Website

[www.kclawlib.org](http://www.kclawlib.org) – Kern County Law Library

[www.findlaw.com](http://www.findlaw.com) – Case Law

<http://leginfo.legislature.ca.gov> - Legislation/Codes

[www.accesslaw.com](http://www.accesslaw.com) – Forms, Cases, Codes

[www.kernbar.org](http://www.kernbar.org) – Local Bar Association

## **GETTING STARTED:**

### **① Check for existing cases:**

Check the Court’s website @ <https://odyprodportal.kern.courts.ca.gov/portalprod> or go to the Family Law Division to see if you have any other cases involving your spouse or partner and children. Take your picture id. Take money if you want to purchase copies. Take paper and pen to write down the case name and number.

### **② Statistical information:**

What is your date of marriage or domestic partnership? \_\_\_\_\_

What is your date of separation? \_\_\_\_\_

*COMPLETE AND FINAL BREAK IN THE MARITAL RELATIONSHIP – SPECIFY DATE*

### **③ File in the right court: Go to [www.kern.courts.ca.gov/local\\_rules\\_of\\_court](http://www.kern.courts.ca.gov/local_rules_of_court) >**

Appendix A to select the proper court to file in.

### **④ Did you know you can now E-File your documents without waiting in line?**

Once all forms have been completed visit our website at [www.kern.courts.ca.gov/online\\_services/efile](http://www.kern.courts.ca.gov/online_services/efile). **Read this page!** At the bottom of the page click on View E-File Providers or type: <http://www.odysseyefileca.com/service-providers.htm>. Choose any certified service providers.

## **GET ORGANIZED!**

*You will have a lot of papers. Set up your own portable office.*

**You should get:**

-  **bag or case to carry your portable office**
-  **folder or binder to hold papers**
-  **pens- black or blue ink**
-  **envelopes and 12 postage stamps**
-  **white out – the tape kind**
-  **a calendar**
-  **know your case number!**

**COMPLETE FORMS: FORMS CAN BE OBTAINED FROM THE FAMILY LAW DEPARTMENT, FACILITATOR'S OFFICE OR ONLINE AT:**

[www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) ; [www.accesslaw.com](http://www.accesslaw.com) – Forms Basic.

**If you need assistance you can attend our Family Law Workshop "Request For Order & Getting Started". Ask for flyer or sign up at [www.kern.courts.ca.gov/online\\_services/family\\_law\\_workshops](http://www.kern.courts.ca.gov/online_services/family_law_workshops) or complete forms on your own.**

1. **Summons (FL-110) *mandatory***
2. **Petition for Dissolution OR Legal Separation OR Nullity, of Marriage or Domestic Partnership (check one box) (FL-100) *mandatory***
3. If you have children:  
**UCCJEA (FL-105) *mandatory***  
Attachment 3c (additional children's residential information) (FL-105(A) if there are more than 2 children) and  
**Optional Custody/Visitation Attachments**  
Child Custody and Visitation Attachment (FL-311)  
Attachment 2e(4);  
Request for Child Abduction Prevention Order (FL-312)  
Children's Holiday Schedule Attachment (FL-341(C))  
Additional Provisions – Physical Custody Attachment (FL-341(D))  
Joint Legal Custody Attachment (FL-341(E)).
4. **Property - If you have **property or debts**, complete **Property Declaration (FL-160)**. **List community and quasi-community property and debts on one FL-160.** [property and debts acquired during marriage or domestic partnership while living in California (Fam. Code §760 & §900 et seq)].
  - **MUST LIST DATE ACQUIRED** (at least mo/year); **DOLLAR VALUES** (Yard Sale) – **AND ANY DEBT THEREON**, AS WELL AS dollar values for **PROPOSED DISTRIBUTION (WHO GETS WHAT)** and be totaled for both assets & debts.
  - **EXCEPTION FOR RETIREMENTS** - *numbers not necessary* – “community property interest in Petitioner's/Respondent's pension/retirement benefits accumulated during marriage” **AND % for PROPOSED DISTRIBUTION.****
5. **On a separate FL-160**, list **separate property and debts** (property and debts of a party acquired before marriage or domestic partnership, during marriage or domestic partnership as a gift or by inheritance, or after date of separation (Fam. Code §770 & §900 et seq). *You MUST state Date Acquired and may use % to indicate distribution.*

6. **Spousal or Partner Support** – If you want Spousal/Partner Support you MUST ask for it in your Petition. Further, *Spousal Support MAY NOT be terminated when the length of marriage > 10 years (Court must “reserve” jurisdiction over issue)*;
  - You may want to consider filing a RFO seeking Temporary Support, as it will be calculated via DissoMaster program .
    - If matter proceeds by Default, Petitioner **must provide** either a COMPLETED FL-157 **or** a Declaration setting forth the factors set forth in Family Code §4320.
    - Provide a blank FL-150, FL-157 and Sample SS Declaration at the time of filing Petition with instructions that if they need to attend a Default Workshop after 31 days, they **must** bring:
      - A completed FL-150 with proof of income for past 2 months; AND
      - Either a completed FL-157; OR
      - A completed Spousal Support Declaration.
  
7. **Marital Settlement Agreement (Optional)**  
 The Marital Settlement Agreement “MSA” (a written agreement that resolves the parties’ marital property and other rights and obligations incident to the divorce or legal separation) must contain both parties’ notarized signatures. NOTE- if an MSA was completed- attach a COPY (you will need the Original later) of the MSA to the Petition.
  
8. **Blank forms:** Response (FL-120); UCCJEA (FL-105) if you have children; Property Declaration (FL-160) if you have property or debts. (*must be attached to one set of your filed documents and served to respondent*)
  
9. **Proof of Service of Summons (FL-115) mandatory**
  
10. **Filing fees:** There is a FEE for filing these documents. If you cannot afford the filing fee, there are fee waiver forms available (Fee Waiver Request – FW-001 & Order – FW-003). For a list of current fees, see fee schedule at <https://www.kern.courts.ca.gov/forms/Fees> .
  
11. **PRELIMINARY DECLARATION of DISCLOSURE (PDD)**  
 You may complete the PRELIMINARY DECLARATION of DISCLOSURE and SERVE your spouse or partner with the PDD at this STAGE or WITHIN 60 DAYS OF FILING THE PETITION – ask for the “Declaration of Disclosure” handout.

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**HAVE FORMS REVIEWED FOR COMPLETENESS & ACCURACY:** You may visit the Family Law Facilitator’s office to have your papers reviewed ***BEFORE*** you make copies:

**FAMILY LAW FACILITATOR’S OFFICE LOCATION AND HOURS:**

**1215 Truxtun Ave., First Floor, Bakersfield, Ca.**

**8 a.m. – 4 p.m., Monday – Thursday,**

**8 a.m. – 12:00 p.m. Friday.**

**Closed weekends and holidays**

**WEB:** [www.kern.courts.ca.gov/divisions/family\\_law](http://www.kern.courts.ca.gov/divisions/family_law)

**EMAIL:** [WMFacil@kern.courts.ca.gov](mailto:WMFacil@kern.courts.ca.gov)

***NO PHONE SERVICE AT THIS TIME***

**COPY FORMS**

12. Make **2 copies** of the Summons, Petition and other forms for a **total of 3 sets**.
13. Attach a Blank Response (FL-120) plus any other blank forms to the set of forms to be served on your spouse or partner.

**FILE FORMS**

14. a. Take completed forms, filing fee/fee waiver to the Family Law Division.

The Family Law Clerks will:

- Check the forms for completeness;
- Approve/ deny or schedule fee waiver hearing;
- Issue a case number;
- Stamp and file your documents.

**OR**

- b. Submit filings via electronically:

- Save all forms in a PDF format and submit electronically at [https://www.kern.courts.ca.gov/online\\_services/efile](https://www.kern.courts.ca.gov/online_services/efile) . After reading this page, at the bottom of the page click on View E-File Providers or type: <http://www.odysseyfileca.com/service-providers.htm>
- Choose any certified service providers
- Please note every service provider has their own fees
- Select Start a New Case
- Choose your location
- Select Category (Family)
- Select Case Type
- Save Changes
- Enter all party information IN CAPS (including minors –**ONLY** if petition includes minors)
  - You are the Petitioner

○ You must enter your address information

- Save Changes
- Select filing code
- Enter filing description
- Select the party who is filing the document(s)
- Upload Petition (FL-100) and any attachments as one lead document
- Upload Summons (FL-110) as a separate lead document
- If filing additional documents, each document are to be submitted as a separate lead document. Example: Request to Waiver Court Fees (FW-001) and Order on Court Fee Waiver (FW-003), submit each as a separate lead document
- Filing fee(s) will be collected at the time of submission. Please note additional service fees may apply.
- Select Summary
- Submit
- Confirmation of submission will be emailed to you
- Once document(s) have been accepted by the Family Law Clerk's Office, document(s) will be returned as electronically filed.
- You may print a copy of your filed documents.

15. You may have to return to the Family Law Division to pick up your filed paperwork.

For e-filers: you will need to print 2 copies of your electronically filed documents.

**YOU ARE NOW THE “PETITIONER” – always!!!**

**SERVE FORMS:**

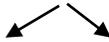
16. The Respondent must be **personally served** with the paperwork, NOT BY YOU, but by a 3<sup>rd</sup> person, 18 years or older and not a party or witness to the case. If you are having trouble locating and/or serving the Respondent you can hire a professional process server, or use other methods of service of process. If unsure, please ask for help.
17. The person who serves your spouse or partner (**server**) completes pages 1 and 2 of the **Proof of Service of Summons (FL-115)**.
18. Make 1 copy of the Proof of Service of Summons and file the original and 1 copy with the Family Law Clerk. ***KEEP your endorsed copy – you will need it later!***

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## **THEN WAIT 30 DAYS**

19. 🕒 While you are waiting, complete the PRELIMINARY DECLARATION OF DISCLOSURE (separate handout), unless you already did so (see step #9).  
**\*\*\*DISCLOSURE IS MANDATORY (even if there are no property or support issues). YOU MUST COMPLETE THIS STEP BEFORE YOU CAN CONTINUE.**

## **AFTER 30 DAYS**



### **IF NO RESPONSE WAS FILED:**

18. File Declaration re: Service of Declaration of Disclosure (FL-141) if you haven't already.

19. File a Default for Default Judgment.  
**The Self Help Center conducts weekly \*WORKSHOPS\***

*Ask for a schedule OR sign up at:*

[www.kern.courts.ca.gov/onlineservices/family\\_law\\_workshops](http://www.kern.courts.ca.gov/onlineservices/family_law_workshops)

### **IF A RESPONSE WAS FILED:**

18. Both parties **must** complete Preliminary Declaration of Disclosure and file Declaration of Service re Declaration of Disclosure (FL-141) with the Family Law Clerk. If the respondent does not file Preliminary Declaration of Disclosure within 60 days of filing response you may need to go to court. Ask Family Law Facilitator's Office for help.

19. File At-Issue Memorandum (separate handout/local form).

20. The Clerk of the Court will send out *Notice of Mandatory Settlement & Trial Setting Conference*.

21. Prepare – Mandatory Settlement Conference Statement (separate handout/local form).

22. Prepare Final Declaration of Disclosures, or both parties sign a Stipulation and Waiver of Final Disclosures (FL-144).

23. Prepare – Trial Brief (separate handout).

24. Go to Trial.

25. Prepare Judgment, Notice of Entry of Judgment. You will need Envelopes and postage stamps.

These materials have been compiled through a grant from the Judicial Council of California. The opinions and findings in this publication are those of the author and not necessarily those of the Judicial Council of California. All rights reserved, April 2009, rev. 2/28/2017.  
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN, FAMILY LAW FACILITATOR, 1215 TRUXTUN AVE., BAKERSFIELD CA 93301; [WMFACIL@KERN.COURTS.CA.GOV](mailto:WMFACIL@KERN.COURTS.CA.GOV)

# FAMILY LAW VENUE BY CITY Eff. July 1, 2011

CITY	ZIP	VENUE	CITY	ZIP	VENUE
Alta Sierra	93285	Ridgecrest	Kernville	93238	Ridgecrest
Arvin	93203	July 2011-METRO	Lake Isabella	93240	Ridgecrest
Bakersfield	93301	METRO	Lake of the Woods	93225	METRO
Bakersfield	93304	METRO	Lamont	93241	July 2011-METRO
Bakersfield	93305	METRO	Lebec	93243	METRO
Bakersfield	93306	METRO	Lost Hills	93249	Shafter
Bakersfield	93307	METRO	Maricopa	93252	METRO
Bakersfield	93308	METRO	McFarland	93250	Delano
Bakersfield	93309	METRO	McKittrick	93251	METRO
Bakersfield	93311	METRO	Mettler	93301	July 2011-METRO
Bakersfield	93312	METRO	Mojave	93501	Mojave
Bakersfield	93314	METRO	Mountain Mesa	93240	Ridgecrest
Bakersfield	93303	METRO	North Edwards	93523	Mojave
Bakersfield	93302	METRO	Oildale	93308	METRO
Bear Valley Springs	93561	Mojave	Onyx	93255	Ridgecrest
Belridge	93251	Shafter	Pine Mountain	93225	METRO
Bodfish	93205	Ridgecrest	Pond	93280	Delano
Boron	93596	Mojave	Pumpkin Center	93313	July 2011-METRO
Brady	93527	Ridgecrest	Pumpkin Center	93383	July 2011-METRO
Buttonwillow	93206	Shafter	Randsburg	93554	Ridgecrest
Caliente	93518	Mojave	Richgrove	93261	Delano
California City	93505	Mojave	Ridgecrest	93555	Ridgecrest
Canebrake	93255	Ridgecrest	Rosamond	93560	Mojave
Cantil	93519	Mojave	Shafter	93263	Shafter
China Lake	93555	Ridgecrest	South Taft	93268	METRO
Delano	93215/6	Delano	Southlake	93240	Ridgecrest
Derby Acres	93268	METRO	Squirrel Mountain Valley	93240	Ridgecrest
DiGiorgio	93203	July 2011-METRO	Stallion Springs	93561	Mojave
Dustin Acres	93268	METRO	Taft	93268	METRO
Edison	93220	METRO	Taft Heights	93268	METRO
Edwards	93523	Mojave	Tehachapi	93561	Mojave
Elmo	93250	Delano	Tupman	93276	METRO
Famoso	93250	Delano	Twin Oaks	93518	Mojave
Fellows	93224	METRO	Valley Acres	93268	METRO
Ford City	93268	METRO	Vineland	93250	Delano
Fort Tejon	93268	METRO	Walker Basin	93518	Ridgecrest
Frazier Park	93225	METRO	Wasco	93280	Shafter
Fremont Valley	93519	Mojave	Weedpatch	93307	July 2011-METRO
Garlock	93519	Mojave	Weldon	93283	Ridgecrest
Glennville	93226	METRO	Wheeler Ridge	93302	METRO
Golden Hills	93561	Mojave	Willow Springs	93560	Mojave
Granite Station	93287	METRO	Wofford Heights	93285	Ridgecrest
Grapevine	93301	METRO	Woody	93287	METRO
Greenfield	93307	July 2011-METRO			
Havilah	93518	Ridgecrest			
Inyokern	93527	Ridgecrest			
Johannesburg	93528	Ridgecrest			
Keene	93531	Mojave			
Kern River Valley	93238	Ridgecrest			

**FAMILY LAW COURTHOUSES IN KERN COUNTY**

1215 Truxtun Avenue  
Bakersfield, CA 93301  
Branch Name: Metro-Justice Building  
(661) 868-5393

1122 Jefferson Street  
Delano, CA 93215  
Branch Name: North Kern Division – Delano Branch  
(661) 720-5800

325 Central Valley Highway  
Shafter, CA 93263  
Branch Name: North Kern Division – Shafter/ Wasco Branch  
(661) 746-7500

1773 Highway 58  
Mojave, CA 93501  
Branch Name: East Kern Division – Mojave Branch  
(661) 824-7100

132 East Coso Street  
Ridgecrest, CA 93555  
Branch Name: East Kern Division – Ridgecrest Branch  
(760) 384-5900

SUMMONS (Family Law)

CITACIÓN (Derecho familiar)

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)

NOTICE TO RESPONDENT (Name):

AVISO AL DEMANDADO (Nombre):

RESPONDENT'S NAME

You have been sued. Read the information below and on the next page. Lo han demandado. Lea la información a continuación y en la página siguiente.

Petitioner's name is:

Nombre del demandante:

PETITIONER'S NAME

CASE NUMBER (NÚMERO DE CASO):

LEAVE BLANK

You have 30 calendar days after this Summons and Petition are served on you to file a Response (form FL-120) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.

If you do not file your Response on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs.

For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), at the California Legal Services website (www.lawhelpca.org), or by contacting your local county bar association.

Tiene 30 días de calendario después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales.

Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio web de los Servicios Legales de California (www.lawhelpca.org) o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE—RESTRAINING ORDERS ARE ON PAGE 2:

These restraining orders are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. They are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

AVISO—LAS ÓRDENES DE RESTRICCIÓN SE ENCUENTRAN EN LA PÁGINA 2:

Las órdenes de restricción están en vigencia en cuanto a ambos cónyuges o miembros de la pareja de hecho hasta que se despida la petición, se emita un fallo o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.

[SEAL]

1. The name and address of the court are (El nombre y dirección de la corte son):

SUPERIOR COURT OF CALIFORNIA

(SEE ATTACHED LIST OF KERN COURT'S ADDRESSES)

2. The name, address, and telephone number of the petitioner's attorney, or the petitioner without an attorney, are: (El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son):

YOUR NAME

YOUR ADDRESS

YOUR CITY, STATE, AND ZIP CODE

YOUR PHONE NUMBER

Date (Fecha):

Clerk, by (Secretario, por) \_\_\_\_\_, Deputy (Asistente)

**STANDARD FAMILY LAW RESTRAINING ORDERS**

**Starting immediately, you and your spouse or domestic partner are restrained from:**

1. removing the minor children of the parties from the state or applying for a new or replacement passport for those minor children without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

**ÓRDENES DE RESTRICCIÓN ESTÁNDAR DE DERECHO FAMILIAR**

**En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:**

1. *llevarse del estado de California a los hijos menores de las partes, o solicitar un pasaporte nuevo o de repuesto para los hijos menores, sin el consentimiento previo por escrito de la otra parte o sin una orden de la corte;*
2. *cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);*
3. *transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, excepto en el curso habitual de actividades personales y comerciales o para satisfacer las necesidades de la vida; y*
4. *crear o modificar una transferencia no testamentaria de manera que afecte la asignación de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.*

*Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto por lo menos cinco días hábiles antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado que lo ayude o para pagar los costos de la corte.*

**NOTICE—ACCESS TO AFFORDABLE HEALTH**

**INSURANCE:** Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay towards high quality affordable health care. For more information, visit [www.coveredca.com](http://www.coveredca.com). Or call Covered California at 1-800-300-1506.

**AVISO—ACCESO A SEGURO DE SALUD MÁS ECONÓMICO:**

¿Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir el costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite [www.coveredca.com](http://www.coveredca.com). O llame a Covered California al 1-800-300-0213.

**WARNING—IMPORTANT INFORMATION**

California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

**ADVERTENCIA—INFORMACIÓN IMPORTANTE**

*De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.*

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: <b>YOUR NAME</b> FIRM NAME: STREET ADDRESS: <b>YOUR ADDRESS</b> CITY: <b>YOUR CITY, STATE ZIP CODE</b> STATE: ZIP CODE: TELEPHONE NO.: <b>YOUR PHONE NUMBER</b> FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): <b>IN PRO PER</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN</b> STREET ADDRESS: MAILING ADDRESS: <b>(SEE ATTACHED LIST OF KERN COURT ADDRESSES)</b> CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: <b>PETITIONER'S NAME</b> RESPONDENT: <b>RESPONDENT'S NAME</b>	
<b>PETITION FOR</b> <input type="checkbox"/> <b>Dissolution (Divorce) of:</b> <input type="checkbox"/> <b>Legal Separation of:</b> <input type="checkbox"/> <b>Nullity of:</b> <b>CHOOSE ONE</b>	<input type="checkbox"/> <b>AMENDED</b> <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership <b>CHOOSE ONE: MARRIAGE OR DOMESTIC PARTNERSHIP</b>
CASE NUMBER:  <b>LEAVE BLANK</b>	

1. **LEGAL RELATIONSHIP** (check all that apply):

- a.  We are married.
- b.  We are domestic partners and our domestic partnership was established in California.
- c.  We are domestic partners and our domestic partnership was NOT established in California.

2. **RESIDENCE REQUIREMENTS** (check all that apply):

- a.  Petitioner  Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*. (For a divorce, unless you are in the legal relationship described in 1b., at least one of you must comply with this requirement.)
- b.  Our domestic partnership was established in California. Neither of us has to be a resident or have a domicile in California to dissolve our partnership here.
- c.  We are the same sex, were married in California, but currently live in a jurisdiction that does not recognize, and will not dissolve, our marriage. This *Petition* is filed in the county where we married.  
 Petitioner lives in (specify): Respondent lives in (specify):

3. **STATISTICAL FACTS**

**COMPLETE AND FINAL BREAK IN THE MARITAL RELATIONSHIP - SPECIFY DATE**

- a.  (1) Date of marriage (specify): (2) Date of separation (specify):
- (3) Time from date of marriage to date of separation (specify):                      Years                      Months
- b.  (1) Registration date of domestic partnership with the California Secretary of State or other state equivalent (specify below):
- (2) Date of separation (specify):
- (3) Time from date of registration of domestic partnership to date of separation (specify):                      Years                      Months

**CHOOSE ONE**

4. **MINOR CHILDREN**

- a.  There are no minor children.
- b.  The minor children are:

**CHOOSE ONE**

<u>Child's name</u>	<u>Birthdate</u>	<u>Age</u>
CHILD'S NAME	DATE OF BIRTH	AGE

**IF MORE THAN THREE (3) CHILDREN, INCLUDE AN ATTACHMENT 4b.**

- (1)  continued on Attachment 4b.
- (2)  a child who is not yet born.
- c. If any children listed above were born before the marriage or domestic partnership, the court has the authority to determine those children to be children of the marriage or domestic partnership.
- d. If there are minor children of Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
- e.  Petitioner and Respondent signed a voluntary declaration of parentage or paternity. (Attach a copy if available.)



PETITIONER: PETITIONER'S NAME RESPONDENT: RESPONDENT'S NAME	CASE NUMBER:
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**10. COMMUNITY AND QUASI-COMMUNITY PROPERTY**

- a.  There are no such assets or debts that I know of to be divided by the court.
- b.  Determine rights to community and quasi-community assets and debts. All such assets and debts are listed
  - in *Property Declaration* (form FL-160)       in Attachment 10b.
  - as follows (*specify*):

**CHOOSE ONE**

**IF ANY COMMUNITY (C.P.) ASSETS AND DEBTS, INCLUDE DATE AQUIRED, GROSS FAIR MARKET VALUE (FMV), DEBT OWED AND PROPOSED DISTRIBUTION (WHO GETS WHAT). DO NOT LIST S.P AND C.P. TOGETHER.**

**WHEN LISTING PENSION OR RETIREMENT BENEFITS, YOU MAY USE THE FOLLOWING LANGUAGE:**  
*Community property interest in Petitioner/Respondent's retirement/pension benefits accumulated during marriage, and may use percentages (%) to indicate distribution*

**11. OTHER REQUESTS**

- a.  Attorney's fees and costs payable by  Petitioner     Respondent
- b.  Petitioner's former name be restored to (*specify*):
- c.  Other (*specify*): **IF ANY**

**MARITAL SETTLEMENT AGREEMENT**

**IF YOU AND THE OTHER PARTY WILL BE SIGNING A SETTLEMENT AGREEMENT YOU MAY ATTACH A COPY TO THE PETITION. YOU WILL NEED TO HAVE THE ORIGINAL AGREEMENT, WITH RESPONDENT'S NOTARIZED SIGNATURE WHEN YOU FILE THE JUDGMENT.**

Continued on Attachment 11c.

**12. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.**

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

Date: **TODAY'S DATE**

\_\_\_\_\_  
 PRINT PETITIONER'S NAME  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 PETITIONER SIGN'S HERE  
 (SIGNATURE OF PETITIONER)

Date: \_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF ATTORNEY FOR PETITIONER)

**FOR MORE INFORMATION:** Read *Legal Steps for a Divorce or Legal Separation* (**form FL-107-INFO**) and visit "Families Change" at [www.familieschange.ca.gov](http://www.familieschange.ca.gov) — an online guide for parents and children going through divorce or separation.

**NOTICE:** You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child, spousal or partner support.

**NOTICE—CANCELLATION OF RIGHTS:** Dissolution or legal separation may automatically cancel the rights of a domestic partner or spouse under the other domestic partner's or spouse's will, trust, retirement plan, power of attorney, pay-on-death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a domestic partner or spouse as beneficiary of the other partner's or spouse'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. Some changes may require the agreement of your partner or spouse or a court order.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): YOUR FIRST AND LAST NAME YOUR STREET ADDRESS CITY, STATE AND ZIP CODE  TELEPHONE NO.: YOUR PHONE NUMBER      FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): IN PRO PER	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN</b> STREET ADDRESS: COURT ADDRESS MAILING ADDRESS: COURT CITY, STATE AND ZIP CODE CITY AND ZIP CODE: BRANCH NAME:	
(This section applies only to family law cases.) PETITIONER: PETITIONER'S NAME RESPONDENT: RESPONDENT'S NAME OTHER PARTY: OTHER PARTY'S NAME (DCSS CASE TYPE ONLY)	
(This section applies only to guardianship cases.) GUARDIANSHIP OF (Name): _____ Minor	CASE NUMBER:  CASE NUMBER
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>	

1. I am a party to this proceeding to determine custody of a child.
2.  My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are (specify number): NUMBER OF CHILDREN minor children who are subject to this proceeding, as follows: **(Insert the information requested below. The residence information must be given for the last FIVE years.)**

a. Child's name NAME OF CHILD #1	Place of birth CITY AND STATE OF BIRTH	Date of birth DATE OF BIRTH	Sex M/F
Oldest child first  Period of residence 1/1/2012 to present  Address 1215 TRUXTUN AVE, BAKERSFIELD, CA <input type="checkbox"/> Confidential 93301	Person child lived with (name and complete current address) JANE DOE 1215 TRUXTUNE AVE. <input type="checkbox"/> Confidential BAKERSFIELD, CA 93301	Relationship MOTHER	
BIRTH to 1/1/2012  Child's residence (City, State) 1234 L STREET BAKERSFIELD, CA 93301	Person child lived with (name and complete current address) JANE DOE - SAME AS CHILD JOHN DOE:1234 L STREET, BAKERSFIELD, CA 93301	PARENTS	
to  Child's residence (City, State) **MUST GIVE ADDRESS FOR THE LAST 5 YEARS OR SINCE BIRTH IF CHILD IS YOUNGER THAN 5 YEARS OF AGE**	Person child lived with (name and complete current address)		
to  Child's residence (City, State)	Person child lived with (name and complete current address)		
b. Child's name NAME OF CHILD #2	Place of birth CITY AND STATE OF BIRTH	Date of birth DATE OF BIRTH	Sex M/F
<input checked="" type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence 1/1/2012 to present  Address ADDRESS FOR CHILD #2 IF DIFFERENT FROM CHILD #1 <b>AND</b> <input type="checkbox"/> Confidential	Person child lived with (name and complete current address) NAME OF PARENT CHILD LIVES WITH <input type="checkbox"/> Confidential AND CURRENT ADDRESS	Relationship FATHER	
*CHECK THIS BOX ONLY IF CHILD #2 LIVED WITH CHILD #1 FOR ALL DATES LISTED	Person child lived with (name and complete current address)		
to  Child's residence (City, State) **MUST GIVE ADDRESS FOR THE LAST 5 YEARS OR SINCE BIRTH IF CHILD IS YOUNGER THAN 5 YEARS OF AGE**	Person child lived with (name and complete current address)		
CHECK C OR D IF NEEDED	Child's residence (City, State)	Person child lived with (name and complete current address)	

- c.  Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d.  Additional children are listed on form FL-105(A)/GC-120(A). (Provide all requested information for additional children.) Page 1 of 2

SHORT TITLE: LAST NAME VS LAST NAME	CASE NUMBER: CASE NUMBER
--	-----------------------------

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input checked="" type="checkbox"/> Guardianship	BPB-XX-00XXXX	KCSC 1215 TRUXTUN AVE. BAKERSFIELD, CA 93301	N/A	NAME OF CHILD	OBJECTOR	DISMISSED
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No (If yes, provide the following information):

a. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	b. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	c. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child
---	---	---

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

Date: DATE OF SIGNATURE

YOUR PRINTED NAME \_\_\_\_\_ YOUR SIGNATURE \_\_\_\_\_  
 (TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**



PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NO.: NAME: YOUR NAME FIRM NAME: YOUR ADDRESS STREET ADDRESS: CITY: YOUR CITY, STATE AND ZIP CODE STATE: ZIP CODE: TELEPHONE NO.: YOUR PHONE NUMBER FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): IN PRO PER	YOU WILL NEED TWO ORIGINALS OF THIS FORM IF THERE IS SEPARATE PROPERTY AND COMMUNITY PROPERTY.
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: MAILING ADDRESS: (SEE ATTACHED LIST OF CITY AND ZIP CODE: KERN COURT'S ADDRESSES) BRANCH NAME:	
PETITIONER: PETITIONER'S NAME RESPONDENT: RESPONDENT'S NAME OTHER PARENT/PARTY	
<input checked="" type="checkbox"/> PETITIONER'S <input type="checkbox"/> RESPONDENT'S <input type="checkbox"/> COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION <input checked="" type="checkbox"/> SEPARATE PROPERTY DECLARATION	CASE NUMBER:  LEAVE BLANK

See *Instructions* on page 4 for information about completing this form. For additional space, use *Continuation of Property Declaration* (form FL-161).

(SEE PAGE #4 FOR INSTRUCTIONS)

**\*\*EXAMPLES ONLY\*\***

A	B	C	D	E	F	
ITEM NO.	DATE ACQUIRED	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER    RESPONDENT	
1. REAL ESTATE  N/A		\$	\$	\$	\$	\$
2. HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES  N/A						
3. JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc.  N/A	List date acquired				Use percentages to determine who gets the asset and/or debt 	
4. VEHICLES, BOATS, TRAILERS  1995 VW Beetle	↓ 2001					
5. SAVINGS ACCOUNTS  N/A						
6. CHECKING ACCOUNTS  N/A						

A		B	C	-	D	=	E	F	
ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	GROSS FAIR MARKET VALUE		AMOUNT OF DEBT		NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER RESPONDENT	
7.	CREDIT UNION, OTHER DEPOSITORY ACCOUNTS  N/A				\$		\$	\$	\$
8.	CASH  N/A								
9.	TAX REFUND  N/A								
10.	LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE  N/A								
11.	STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS  N/A								
12.	RETIREMENT AND PENSIONS PETITIONER'S 12345 RETIREMENT PLAN	1/1/2017						100%	0%
13.	PROFIT-SHARING, IRAS, DEFERRED COMPENSATION, ANNUITIES  N/A								
14.	ACCOUNTS RECEIVABLE, UNSECURED NOTES  N/A								
15.	PARTNERSHIP, OTHER BUSINESS INTERESTS  N/A								
16.	OTHER ASSETS								
17.	ASSETS FROM CONTINUATION SHEET								
18.	TOTAL ASSETS							TBD	TBD

A		B	C	D	
ITEM NO.	DEBTS - SHOW TO WHOM OWED	DATE INCURRED	TOTAL OWING	PROPOSAL FOR DIVISION	
				Award or Confirm to: PETITIONER	RESPONDENT
19.	STUDENT LOANS N/A		\$	\$	\$
20.	TAXES N/A				
21.	SUPPORT ARREARAGES N/A				
22.	LOANS-UNSECURED N/A				
23.	CREDIT CARDS N/A				
24.	OTHER DEBTS N/A				
25.	OTHER DEBTS FROM CONTINUATION SHEET				
26.	TOTAL DEBTS			TOTAL AMOUNT OF DEBTS	TOTAL AMOUNT OF DEBTS

A Continuation of Property Declaration (form FL-161) is attached and incorporated by reference.

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date: TODAY'S DATE

PRINT PETITIONER'S NAME \_\_\_\_\_

(TYPE OR PRINT NAME)

▶ PETITIONER SIGNS HERE \_\_\_\_\_

SIGNATURE

## INFORMATION AND INSTRUCTIONS FOR COMPLETING FORM FL-160

*Property Declaration* (form FL-160) is a multipurpose form, which may be filed with the court as an attachment to a *Petition* or *Response* or served on the other party to comply with disclosure requirements in place of a *Schedule of Assets and Debts* (form FL-142). Courts may also require a party to file a *Property Declaration* as an attachment to a *Request to Enter Default* (form FL-165) or *Judgment* (form FL-180).

**When filing a *Property Declaration* with the court, do not include private financial documents listed below.**

### Identify the type of declaration completed

1. Check "Community and Quasi-Community Property Declaration" on page 1 to use *Property Declaration* (form FL-160) to provide a combined list of community and quasi-community property assets and debts. Quasi-community property is property you own outside of California that would be community property if it were located in California.
2. Do not combine a separate property declaration with a community and quasi-community property declaration. Check "Separate Property Declaration" on page 1 when using *Property Declaration* to provide a list of separate property assets and debts.

### Description of the Property Declaration chart

#### Pages 1 and 2

1. Column A is used to provide a brief description of each item of separate or community or quasi-community property.
2. Column B is used to list the date the item was acquired.
3. Column C is used to list the item's gross fair market value (an estimate of the amount of money you could get if you sold the item to another person through an advertisement).
4. Column D is used to list the amount owed on the item.
5. Column E is used to indicate the net fair market value of each item. The net fair market value is calculated by subtracting the dollar amount in column D from the amount in column C ("C minus D").
6. Column F is used to show a proposal on how to divide (or confirm) the item described in column A.

#### Page 3

1. Column A is used to provide a brief description of each separate or community or quasi-community property debt.
2. Column B is used to list the date the debt was acquired.
3. Column C is used to list the total amount of money owed on the debt.
4. Column D is used to show a proposal on how to divide (or confirm) the item of debt described in column A.

### When using this form only as an attachment to a *Petition* or *Response*

1. Attach a *Separate Property Declaration* (form FL-160) to respond to item 9. Only columns A and F on pages 1 and 2 and columns A and D on page 3 are required.
2. Attach a *Community or Quasi-Community Declaration* (form FL-160) to respond to item 10, and complete column A on all pages.

### When serving this form on the other party as an attachment to *Declaration of Disclosure* (form FL-140)

1. Complete columns A through E on pages 1 and 2, and columns A through C on page 3.
2. Copies of the following documents must be attached and served on the other party:
  - (a) *For real estate* (item 1): deeds with legal descriptions and the latest lender's statement.
  - (b) *For vehicles, boats, trailers* (item 4): the title documents.
  - (c) *For all bank accounts* (item 5, 6, 7): the latest statement.
  - (d) *For life insurance policies with cash surrender or loan value* (item 10): the latest declaration page.
  - (e) *For stocks, bonds, secured notes, mutual funds* (item 11): the certificate or latest statement.
  - (f) *For retirement and pensions* (item 12): the latest summary plan document and latest benefit statement.
  - (g) *For profit-sharing, IRAs, deferred compensation, and annuities* (item 13): the latest statement.
  - (h) *For each account receivable and unsecured note* (item 14): documentation of the account receivable or note.
  - (i) *For partnerships and other business interests* (item 15): the most current K-1 and Schedule C.
  - (j) *For other assets* (item 16): the most current statement, title document, or declaration.
  - (k) *For support arrearages* (item 21): orders and statements.
  - (l) *For credit cards and other debts* (items 23 and 24): the latest statement.
3. Do not file copies of the above private financial documents with the court.

### When filing this form with the court as an attachment to *Request to Enter Default* (FL-165) or *Judgment* (FL-180)

Complete all columns on the form.

**For more information** about forms required to process and obtain a judgment in dissolution, legal separation, and nullity cases, see <http://www.courts.ca.gov/8218.htm>.



A		B	C	-	D	=	E	F	
ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	GROSS FAIR MARKET VALUE		AMOUNT OF DEBT		NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to:	PETITIONER RESPONDENT
7.	CREDIT UNION, OTHER DEPOSITORY ACCOUNTS N/A				\$		\$	\$	\$
8.	CASH N/A								
9.	TAX REFUND N/A								
10.	LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE N/A								
11.	STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS N/A								
12.	RETIREMENT AND PENSIONS RESPONDENT'S ABCD RETIREMENT PLAN ACCUMULATED DURING MARRIAGE	1/1/2017						50%	50%
								50%	50%
13.	PROFIT-SHARING, IRAS, DEFERRED COMPENSATION, ANNUITIES N/A								
14.	ACCOUNTS RECEIVABLE, UNSECURED NOTES N/A								
15.	PARTNERSHIP, OTHER BUSINESS INTERESTS N/A								
16.	OTHER ASSETS								
17.	ASSETS FROM CONTINUATION SHEET								
18.	TOTAL ASSETS		\$409,600		\$150,000		\$259,600	\$128,600	\$131,000

**Community Property Interest in retirement/pension accumulated during marriage**

A		B	C	D	
ITEM NO.	DEBTS - SHOW TO WHOM OWED	DATE INCURRED	TOTAL OWING	PROPOSAL FOR DIVISION	
				Award or Confirm to: PETITIONER	RESPONDENT
19.	STUDENT LOANS  N/A		\$	\$	\$
20.	TAXES  N/A				
21.	SUPPORT ARREARAGES  N/A				
22.	LOANS-UNSECURED  N/A				
23.	CREDIT CARDS  VISA	1/1/2017	\$5,000	0.00	\$5,000
24.	OTHER DEBTS  N/A				
<b>***PLEASE BE SURE TO LIST ANY DEBT ASSOCIATED WITH AN ***                  ***ASSET AND THE PROPOSED DISTRIBUTION AS TO THAT DEBT.***</b>					
25.	OTHER DEBTS FROM CONTINUATION SHEET				
26.	TOTAL DEBTS		5,000	0.00	5,000

A Continuation of Property Declaration (form FL-161) is attached and incorporated by reference.

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date: TODAY'S DATE

PRINT PETITIONER'S NAME \_\_\_\_\_

(TYPE OR PRINT NAME)

▶ PETITIONER SIGNS HERE \_\_\_\_\_

SIGNATURE

## INFORMATION AND INSTRUCTIONS FOR COMPLETING FORM FL-160

*Property Declaration* (form FL-160) is a multipurpose form, which may be filed with the court as an attachment to a *Petition* or *Response* or served on the other party to comply with disclosure requirements in place of a *Schedule of Assets and Debts* (form FL-142). Courts may also require a party to file a *Property Declaration* as an attachment to a *Request to Enter Default* (form FL-165) or *Judgment* (form FL-180).

**When filing a *Property Declaration* with the court, do not include private financial documents listed below.**

### Identify the type of declaration completed

1. Check "Community and Quasi-Community Property Declaration" on page 1 to use *Property Declaration* (form FL-160) to provide a combined list of community and quasi-community property assets and debts. Quasi-community property is property you own outside of California that would be community property if it were located in California.
2. Do not combine a separate property declaration with a community and quasi-community property declaration. Check "Separate Property Declaration" on page 1 when using *Property Declaration* to provide a list of separate property assets and debts.

### Description of the Property Declaration chart

#### *Pages 1 and 2*

1. Column A is used to provide a brief description of each item of separate or community or quasi-community property.
2. Column B is used to list the date the item was acquired.
3. Column C is used to list the item's gross fair market value (an estimate of the amount of money you could get if you sold the item to another person through an advertisement).
4. Column D is used to list the amount owed on the item.
5. Column E is used to indicate the net fair market value of each item. The net fair market value is calculated by subtracting the dollar amount in column D from the amount in column C ("C minus D").
6. Column F is used to show a proposal on how to divide (or confirm) the item described in column A.

#### *Page 3*

1. Column A is used to provide a brief description of each separate or community or quasi-community property debt.
2. Column B is used to list the date the debt was acquired.
3. Column C is used to list the total amount of money owed on the debt.
4. Column D is used to show a proposal on how to divide (or confirm) the item of debt described in column A.

### When using this form only as an attachment to a *Petition* or *Response*

1. Attach a *Separate Property Declaration* (form FL-160) to respond to item 9. Only columns A and F on pages 1 and 2 and columns A and D on page 3 are required.
2. Attach a *Community or Quasi-Community Declaration* (form FL-160) to respond to item 10, and complete column A on all pages.

### When serving this form on the other party as an attachment to *Declaration of Disclosure* (form FL-140)

1. Complete columns A through E on pages 1 and 2, and columns A through C on page 3.
2. Copies of the following documents must be attached and served on the other party:
  - (a) *For real estate* (item 1): deeds with legal descriptions and the latest lender's statement.
  - (b) *For vehicles, boats, trailers* (item 4): the title documents.
  - (c) *For all bank accounts* (item 5, 6, 7): the latest statement.
  - (d) *For life insurance policies with cash surrender or loan value* (item 10): the latest declaration page.
  - (e) *For stocks, bonds, secured notes, mutual funds* (item 11): the certificate or latest statement.
  - (f) *For retirement and pensions* (item 12): the latest summary plan document and latest benefit statement.
  - (g) *For profit-sharing, IRAs, deferred compensation, and annuities* (item 13): the latest statement.
  - (h) *For each account receivable and unsecured note* (item 14): documentation of the account receivable or note.
  - (i) *For partnerships and other business interests* (item 15): the most current K-1 and Schedule C.
  - (j) *For other assets* (item 16): the most current statement, title document, or declaration.
  - (k) *For support arrearages* (item 21): orders and statements.
  - (l) *For credit cards and other debts* (items 23 and 24): the latest statement.
3. Do not file copies of the above private financial documents with the court.

### When filing this form with the court as an attachment to *Request to Enter Default* (FL-165) or *Judgment* (FL-180)

Complete all columns on the form.

**For more information** about forms required to process and obtain a judgment in dissolution, legal separation, and nullity cases, see <http://www.courts.ca.gov/8218.htm>.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <p style="text-align: center;"><b>✓ Name &amp; Address against</b> <b><u>Odyssey</u></b></p> TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>✓ for correct County and Court Address</b> STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER: <b><u>Ensure party names</u></b> RESPONDENT: <b><u>match Odyssey</u></b>	
<b>PROOF OF SERVICE OF SUMMONS</b>	CASE NUMBER: <b><u>✓ Case Number</u></b>

1. At the time of service I was at least 18 years of age and not a party to this action. I served the respondent with copies of:
- a.  Family Law—Marriage/Domestic Partnership: *Petition—Marriage/Domestic Partnership* (form FL-100), *Summons* (form FL-110), and blank *Response—Marriage/Domestic Partnership* (form FL-120)
  - or-
  - b.  Uniform Parentage: *Petition to Establish Parental Relationship* (form FL-200), *Summons* (form FL-210), and blank *Response to Petition to Establish Parental Relationship* (form FL-220)
  - or-
  - c.  Custody and Support: *Petition for Custody and Support of Minor Children* (form FL-260), *Summons* (form FL-210), and blank *Response to Petition for Custody and Support of Minor Children* (form FL-270)
  - and
  - d.  (1)  Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (form FL-105)
  - (2)  Completed and blank *Declaration of Disclosure* (form FL-140)
  - (3)  Completed and blank *Schedule of Assets and Debts* (form FL-142)
  - (4)  Completed and blank *Income and Expense Declaration* (form FL-150)
  - (5)  Completed and blank *Financial Statement (Simplified)* (form FL-155)
  - (6)  Completed and blank *Property Declaration* (form FL-160)
  - (7)  *Request for Order* (form FL-300), and blank *Responsive Declaration to Request for Order* (form FL-320)
  - (8)  Other (specify): \_\_\_\_\_

**✓ to be sure docs served box(es) ✓ ed**

2. Address where respondent was served:

**Must be completed - address where documents handed to Respondent**

3. I served the respondent by the following means (check proper boxes):
- a.  **Personal service.** I personally delivered the copies to the respondent (Code Civ. Proc., § 415.10) on (date): DATE RESPONDENT WAS PERSONALLY SERVED at (time): TIME RESPONDENT WAS SERVED
  - b.  **Substituted service.** I left the copies with or in the presence of (name): who is (specify title or relationship to respondent):
    - (1)  **(Business)** a person at least 18 years of age who was apparently in charge at the office or usual place of business of the respondent. I informed him or her of the general nature of the papers.
    - (2)  **(Home)** a competent member of the household (at least 18 years of age) at the home of the respondent. I informed him or her of the general nature of the papers.

**Item 3. MUST BE COMPLETED**

**Trigger date for Jurisdiction**

on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  
 I thereafter mailed additional copies (by first class, postage prepaid) to the respondent at the place where the copies were left (Code Civ. Proc., § 415.20b) on (date): \_\_\_\_\_  
 A **declaration of diligence** is attached, stating the actions taken to first attempt personal service.



PETITIONER: <u>names</u>	CASE NUMBER: <u>Case Number</u>
RESPONDENT:	

**✓for  
attachments**

3. c.  **Mail and acknowledgment service.** I mailed the copies to the respondent, addressed as shown in item 2, by first-class mail, postage prepaid, on *(date)*: from *(city)*:
- (1)  with two copies of the *Notice and Acknowledgment of Receipt* (form FL-117) and a postage-paid return envelope addressed to me. **(Attach completed *Notice and Acknowledgment of Receipt* (form FL-117.)**  
(Code Civ. Proc., § 415.30.)
- (2)  to an address outside California (by registered or certified mail with return receipt requested). **(Attach signed return receipt or other evidence of actual delivery to the respondent.)** (Code Civ. Proc., §§ 415.40, 417.20.)
- d.  **Other** (*specify code section*):  
 Continued on Attachment 3d.

Item 4. - all items Must Be Completed

**4. Person who served papers**

Name: **NAME OF PERSON WHO SERVED THE DOCUMENTS - "SERVER'S NAME"**  
 Address: **ADDRESS OF PERSON WHO SERVED THE DOCUMENTS - "SERVER'S ADDRESS"**  
**Street address, City, State and Zip Code**

Telephone number: **SERVER'S TELEPHONE NUMBER**

This person is

- a.  exempt from registration under Business and Professions Code section 22350(b).
- b.  not a registered California process server.
- c.  a registered California process server:  an employee or  an independent contractor
- (1) Registration no.:
- (2) County:
- d. **The fee** for service was (*specify*): \$
5.  **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or-
6.  **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

**MUST BE DATED AND SIGNED**

Date: Date server signs

Server's Printed name

(NAME OF PERSON WHO SERVED PAPERS)



Server's signature

(SIGNATURE OF PERSON WHO SERVED PAPERS)