



10-STEP ROADMAP TO DIVORCE

General Tips Before You Start

- This Roadmap can be used to help you complete all of the steps to a divorce Judgment.
- It is designed for the person who started the case (referred to as the Petitioner). You are responsible for moving the case forward to completion of a final divorce Judgment.
- Instructional packets can be downloaded on the Court's website at www.saccourt.ca.gov.
- The legal process is complicated. If you are representing yourself, then you are your own attorney. If you need advice about your case, then you will need to ask an attorney.
- **Warning:** You are not divorced until you receive a filed Notice of Entry of Judgment from the court and the "effective date of termination" has passed.

STEP 1: Initial Filings

- You can download the complete instructions and forms packet "How to Start a Dissolution (Step 1) Packet" on the Court's website.
- File your paperwork with the Court to open your case. The clerk will stamp each form, keep the original, and return the stamped copies to you. One copy is for your records and the other is to serve your spouse.

STEP 2: Serve Your Spouse

- Once your forms have been filed, you must then have your spouse served by someone other than you who is over 18 years old.
- You can download the complete instructions and forms packets "Step 2: Service Packet" and "Documents to be Served on your Spouse" on the Court's website.
- Once your spouse has been served, you file your Proof of Service of Summons (FL-115), completed and signed by the server, with the Court.

STEP 3: Declarations of Disclosure (Preliminary and Final)

- This step **MUST** be completed even if you have no property or income.
- You can download the complete instructions and forms packet "Step 3: Declarations of Disclosure Packet" on the Court's website.
- Have your spouse served with copies of all of your completed forms.
- Only file the original and one copy of the Declaration Regarding Service of Declaration of Disclosure (FL-141) and Income and Expense Declaration (FL-150) with the Court. The other forms are not to be filed with the Court.

STEP 4: Finding the Right Path to Judgment

- Depending on which of the following four circumstance apply to your case, you will either proceed to Step 5, 6, 7, or 8
- If your spouse did not file a Response and 30 days have passed since he/she was served with your divorce paperwork...
 - and you want a Judgment without a court hearing, go to Step 5 (Option A)
 - and you want a Judgment after a court hearing, go to Step 6 (Option B)
- If your spouse filed a Response...
 - and you and your spouse agree on all issues, go to Step 7 (Option C)
 - and you and your spouse do not agree on all issues, go to Step 8 (Option D)

- STEP 5 (OPTION A): Default Judgment without a Court Hearing**
 - Submit all of your paperwork for the judge's approval. Your case will be decided based upon your paperwork without a hearing. Your request will be denied and returned to you for correction if any forms are missing or incomplete.
 - You can download the complete instructions and forms packet "How to Obtain a Judgment of Dissolution, Legal Separation, or Annulment by Default (Without a Court Hearing)" on the Court's website.
- STEP 6 (OPTION B): Default Judgment with a Court Hearing**
 - You will have a hearing at which you can request that the judge grant your divorce and make orders in your case.
 - You can download the complete instructions and forms packet "How to Request a Default and Schedule a default Hearing" on the Court's website.
 - You will then need to have a Judgment prepared that reflects the orders that the judge makes at the hearing. Your divorce is not final until the Judgment is entered. You can prepare the Judgment yourself, hire an attorney to do so, or contact the Self-Help Center for preparation of your Judgment.
- STEP 7 (OPTION C): Uncontested or Stipulated Judgment**
 - If your spouse filed a Response and the two of you agree on all issues in your case, you can submit all of the final divorce paperwork for the judge's approval. The judge will review your paperwork without a court hearing.
 - You can use the Judicial Council form Judgment Checklist—Dissolution/Legal Separation (FL-182) as a guide for all of the forms that must be completed and submitted.
- STEP 8 (OPTION D): Contested Judgment**
 - If your spouse has filed a Response and you have been unable to agree on all issues in your case, you will need to set your case for trial so that a judge can decide your case.
 - You can download the complete instructions and forms packets "Obtaining A Judgment of Dissolution, Nullity or Legal Separation When You Do Not Agree" and "Instructions for Completing the Memorandum that Family Case is At Issue" on the Court's website.
 - You will then need to have a Judgment prepared that reflects your agreement (if you settle) or the orders the judge makes at trial. Your divorce is not final until the Judgment is entered. You can prepare the Judgment yourself, hire an attorney to do so, or contact the Self-Help Center for preparation of your Judgment.
- STEP 9: Service of the Judgment**
 - Once you receive the Judgment back from the Court, you then must have someone 18 years or older, other than you, mail a copy of the Judgment to your ex-spouse.
 - Once your ex-spouse has been served, you must file your Proof of Service of By Mail (FL-335), completed and signed by the server, with the Court.
- STEP 10: Things To Do After Divorce Judgment Finalized**
 - Once you receive the Judgment back from the Court, remember to change the beneficiaries on your insurance; update your will or trust; change titles pursuant to any orders in the Judgment; and change your name with any agencies (e.g., Department of Motor Vehicles) if you changed your name.