

STARTING THE CASE – PACKET #1

NOTICE: THESE FORMS ONLY START YOUR CASE. YOU MUST TAKE MORE STEPS TO BE DIVORCED OR LEGALLY SEPARATED.

1. FILE: The completed forms and 2 copies at the Clerk's office.
2. SERVE: Have a copy and BLANK RESPONSE served personally on the RESPONDENT.
3. WAIT: 30 DAYS from date of Service
4. COMPLETE: The Preliminary Declaration of Disclosure (Packet #2)
5. SUBMIT: Your FINAL JUDGMENT to finish up your case. You must fill out and file these judgment papers to receive your divorce. (Packet #3)

YOU MAY RECEIVE ASSISTANCE AT THE LOCATIONS ON THE BACK OF THE FORM

RECOMMENDED: Attend the INITIAL DISSOLUTION WORKSHOP on THURSDAYS, 8:30 A.M., at the FAMILY LAW SELF HELP CENTER in the Ventura Courthouse or TUESDAYS at 8:30 A.M. in Simi to understand the legal process for obtaining a Divorce or Separation.

En Español:

AVISO: Estas formas solamente comienzan su caso. Es necesario de completar y archivar mas formas para finalizar su divorcio o separación legal.

1. Archivar: Llene y complete sus formas y haga 2 copias y archive en el Tribunal (Packet #1)
2. Entregar: Efectuar la entrega legal de una copia al Demandado (Respondent). Cualquier persona mayor de la edad de 18 años puede entregarle la demanda al Demandado. **Usted no puede hacerlo.** Archivar el "Proof of Service" con el tribunal.
3. Esperar: 30 días después del día que se le entrego la demanda al Demandado.
4. Completar: Documents titulados 'Preliminary Declaration of Disclosure - Packet #2
5. Resolver: Completar documentos titulados "Final Judgment – Packet #3" para poder finalizar su accion. Si no llena y archiva estos documentos SU DIVORICIO NO ESTA FINALIZADO.

PUEDE RECIBIR ASISTENCIA EN LOS LOCALES DETRÁS DE ESTA FORMA

Recomendamos: Atender a la clase todos los miércoles a las 9:00 a.m. en el Tribunal Juvenil localizado en 4353 Vineyard Ave. Room 206, Oxnard, CA 93036 para poder entender la ley sobre el divorcio y el proceso legal.

You may obtain assistance at the following locations:
Usted puede recibir ayuda en los siguientes lugares:

Family Law Workshops:

Tuesdays in East County Courthouse / Thursdays in Ventura Main Courthouse:

Step 1	Starting your case	8:30 -10:15
	Order to Show Cause	10:30 - noon
Step 2	Disclosures.....	1:30 – 2:30
Step 3	Final Judgment	2:30 – 4:30

[Las clases que se ofrecen los jueves son solamente en inglés]

In Ventura:

Family Law Facilitator/ Self Help

Superior Court Hall of Justice
Edificio del Tribunal Superior
800 South Victoria Ave. Room 30
Ventura

Tues/ Weds/ Fri:

Martes/ Miércoles/ Viernes:

8:00- noon and 1:30-4:00

(Limit 40 people per day / *Limite 40 personas*)

Monday document review 1:30-4:30

In Simi Valley:

Family Law Facilitator/ Self Help

East County Courthouse
Edificio del Tribunal Superior
3855-F Alamo Street, upstairs
Simi Valley

Thursdays/ Jueves:

8:00- noon and 1:30-4:00

(Limit 35 people per day / *Limite 35 personas*)

Monday document review 1:30-4:30

In Oxnard (La Colonia):

Family Law Facilitator/ Self Help

Oxnard Center
1500 Colonia Road # 20
Oxnard

Tuesdays/ Martes:

8:30 - noon and 1:30 -4:30

(Limit 25 people per day)

(Limite 25 personas por día)

Thursdays by appointment only Call 805-483-4842

Jueves solamente con cita Llame 805- 483-4842

In Santa Paula:

Mobile Self Help / Centro Movil

Job & Career Center / *Centro Laboral*
725 E. Main Street
Santa Paula

Mondays / Lunes

1:30 – 4:30

In Oxnard (Juvenile Courthouse):

Family Resource Center:

4353 Vineyard Ave Room 206
Oxnard (El Río)

Mondays / Lunes

1:00 – 4:00

Tues / Thurs Martes y Jueves

9:00 – 4:00

Attorney assistance is not available except during workshops, see schedule below.

Ayuda de Abogado solamente estará disponible durante las clases, revise el horario.

Workshops at Juvenile Courthouse Start at 9:00 Am / Comienzan a las 9:00 A.m.

Domestic Violence Restraining Orders / *Orden de Restricción*.....Monday / *Lunes*

Starting a Divorce / Legal Separation / *Comenzar Divorcio / Sep. Legal*.....Weds / *Miércoles*

[This workshop is in Spanish only – Esta clase es en español solamente]

Guardianship Orientation / *Orientación de Tutela* Friday / *Viernes*

Classes are in English and Spanish (except Weds class) and start at 9:00 a.m. You will receive instructions and forms at the workshop. Bring a black pen and information about any case you already have on file. *Clases son en español e inglés y comienzan a las 9:00. Usted recibirá instrucciones y formas durante la clase. Traiga una pluma, tinta negra y cual quiere información que tenga en su caso (ejemplo: # de caso, documentos archivados etc.)*

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	Telephone Number	FOR COURT USE ONLY
E-MAIL ADDRESS ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA <input type="checkbox"/> 800 SOUTH VICTORIA AVE. VENTURA, CA 93009 <input type="checkbox"/> 3855 – F ALAMO ST. SIMI VALLEY, CA 93063-2110		
PETITIONER: RESPONDENT:		
CONSENT FOR COURT ASSIGNMENT (FAMILY LAW)		CASE NUMBER:

The undersigned hereby consents that the cause titled and numbered above may be tried by _____, Court Commissioner of the Ventura County Superior Court, as temporary judge, in accordance with Article 6, Section 21 of the Constitution of the State of California.

It is understood by the undersigned that by order of the Presiding Judge of the Ventura County Superior Court, Commissioner _____ has been appointed to act as temporary judge to try the above referenced case, hear and decide all motions and make any orders including sentencing connected with this case. It is understood that Commissioner JoAnn Johnson, has been appointed to try the case referred to, and has taken the necessary oath of office to try the case as temporary judge.

Dated: _____

Signature of litigant or attorney

Petitioner: Respondent:	CASE NUMBER:
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4. **DECLARATION REGARDING SEPARATE PROPERTY AS CURRENTLY KNOWN**
- a. There are no such assets or debts subject to disposition by the court in this proceeding.
- b. All such assets and debts listed are listed in *Property Declaration* (form FL-160) Attachment 4b and should be confirmed as petitioner's or respondent's separate property as indicated in form FL-160 or Attachment 4b.
5. **DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN**
- a. There are no such assets or debts subject to disposition by the court in this proceeding.
- b. All such assets and debts are listed in *Property Declaration* (form FL-160) Attachment 5b and should be divided between petitioner and respondent as indicated in form FL-160 or Attachment 5b.

6. **Petitioner requests**

- a. dissolution of the domestic partnership marriage based on
 (1) irreconcilable differences. (Fam. Code, § 2310(a).) (2) incurable insanity. (Fam. Code, § 2310(b).)
- b. legal separation of the domestic partnership marriage based on
 (1) irreconcilable differences. (Fam. Code, § 2310(a).) (2) incurable insanity. (Fam. Code, § 2310(b).)
- c. nullity of void domestic partnership marriage based on
 (1) incest. (Fam. Code, § 2200.) (2) bigamy. (Fam. Code, § 2201.)
- d. nullity of voidable domestic partnership marriage based on
 (1) petitioner's age at time of registration of domestic partnership or marriage. (Fam. Code, § 2210(a).) (3) unsound mind. (Fam. Code, § 2210(c).)
 (2) prior existing marriage or domestic partnership. (Fam. Code, § 2210(b).) (4) fraud. (Fam. Code, § 2210(d).)
 (5) force. (Fam. Code, § 2210(e).) (6) physical incapacity. (Fam. Code, § 2210(f).)

7. **Petitioner requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 7c. | | | | |
| d. <input type="checkbox"/> Determination of parentage of any children born to the petitioner and respondent prior to the domestic partnership or marriage. | | | | |
| e. Attorney fees and costs payable by | <input type="checkbox"/> | <input type="checkbox"/> | | |
| f. Partner or spousal support payable to | <input type="checkbox"/> | <input type="checkbox"/> | | |
| g. <input type="checkbox"/> Terminate the court's jurisdiction (ability) to award partner or spousal support to respondent. | | | | |
| h. <input type="checkbox"/> Determine property rights. | | | | |
| i. <input type="checkbox"/> Restore petitioner's former name (<i>specify</i>): | | | | |
| j. <input type="checkbox"/> Other (<i>specify</i>): | | | | |
| <input type="checkbox"/> Continued on Attachment 7j. | | | | |

8. **Child support:** If there are minor children who were born to or adopted by the petitioner and respondent before or during this domestic partnership or marriage, the court will make orders for the support of the children on request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

9. **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: _____

 (TYPE OR PRINT NAME)

Date: _____

 (TYPE OR PRINT NAME)

▶ _____
 (SIGNATURE OF PETITIONER)

▶ _____
 (SIGNATURE OF ATTORNEY FOR PETITIONER)

NOTICE: 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. However, some changes may require the agreement of your partner or spouse or a court order (see Fam. Code, §§ 231–235).

SUMMONS (Family Law)

CITACIÓN (Derecho familiar)

NOTICE TO RESPONDENT (Name):
AVISO AL DEMANDADO (Nombre):

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

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:

CASE NUMBER (NÚMERO DE CASO):

You have **30 calendar days** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-120 or FL-123) 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 o FL-123) 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):
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):

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. 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. 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.

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 STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: <i>(This section applies only to family law cases.)</i> RESPONDENT: OTHER PARTY:	
GUARDIANSHIP OF <i>(Name):</i> Minor <i>(This section applies only to guardianship cases.)</i>	CASE NUMBER:
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	

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):* _____ 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		Place of birth	Date of birth	Sex
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with <i>(name and complete current address)</i> <input type="checkbox"/> Confidential		Relationship
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
b. Child's name		Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i>				
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with <i>(name and complete current address)</i> <input type="checkbox"/> Confidential		Relationship
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		

- 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.)*

SHORT TITLE: _____	CASE NUMBER: _____
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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 <i>(name, state, location)</i>	Court order or judgment <i>(date)</i>	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court <i>(name, state, location)</i>
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 <i>(if known)</i>	Orders expire <i>(date)</i>
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
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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)

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.

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 STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PROOF OF SERVICE OF SUMMONS	CASE NUMBER:

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: *Petition—Marriage* (form FL-100), *Summons* (form FL-110), and blank *Response—Marriage* (form FL-120)
 - or—
 - b. Family Law—Domestic Partnership: *Petition—Domestic Partnership* (form FL-103), *Summons* (form FL-110), and blank *Response—Domestic Partnership* (form FL-123)
 - or—
 - c. 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—
 - d. 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**
- e. (1) Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (form FL-105)
 - (5) Completed and blank *Financial Statement (Simplified)* (form FL-155)
 - (2) Completed and blank *Declaration of Disclosure* (form FL-140)
 - (6) Completed and blank *Property Declaration* (form FL-160)
 - (3) Completed and blank *Schedule of Assets and Debts* (form FL-142)
 - (7) *Request for Order* (form FL-300), and blank *Responsive Declaration to Request for Order* (form FL-320)
 - (4) Completed and blank *Income and Expense Declaration* (form FL-150)
 - (8) Other (*specify*):
2. Address where respondent was served:
3. I served the respondent by the following means (*check proper box*):
- a. **Personal service.** I personally delivered the copies to the respondent (Code Civ. Proc., § 415.10) on (*date*): _____ at (*time*): _____
 - 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.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

3. b. (cont.) 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.
- 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.)
- d. **Other** (specify code section): _____
 Continued on Attachment 3d.
4. The "NOTICE TO THE PERSON SERVED" on the *Summons* was completed as follows (Code Civ. Proc., §§ 412.30, 415.10, 474):
- a. As an individual **or**
- b. On behalf of respondent who is a
- (1) minor. (Code Civ. Proc., § 416.60.)
- (2) ward or conservatee. (Code Civ. Proc., § 416.70.)
- (3) other (specify): _____

5. **Person who served papers**

Name:

Address:

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): \$ _____

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

—or—

7. **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

Date:

 (NAME OF PERSON WHO SERVED PAPERS)

▶ _____
 (SIGNATURE OF PERSON WHO SERVED PAPERS)

ALTERNATIVE METHODS OF RESOLVING DISPUTES IN FAMILY LAW CASES

The business of the Ventura County Superior Court, like all court systems, is “dispute resolution”, which includes those disputes which arise in actions for Dissolution of Marriage, to Establish a Parental Relationship, for Civil Domestic Violence Restraining Orders, and other Family Law cases. These disputes may center upon the custody and visitation of children; the division, ownership, and use of personal or real property; and financial support.

As you begin the process of dealing with these kinds of matters in a formal lawsuit, you should be aware that the court system is a very complex process which is founded on the “adversarial” nature of litigation. While this process works well for many kinds of disputes, it may not always be the best or easiest or most comfortable way to resolve a very personal dispute which involves you, your children, your property, and your finances.

Over the past decade, a number of effective, alternative methods of resolving disputes in Family Law matters have arisen and, undoubtedly, other methods will emerge in the future. While it would be improper to recommend a specific group or individual, the Court and the Bar Association support the establishment of these new approaches and sincerely endorse the following alternatives to traditional litigation. Therefore, we invite you to consider the following as potential methods of resolving your dispute in a way which may make you more comfortable with the process and, therefore, more satisfied with the outcome.

* In the **COLLABORATIVE FAMILY LAW** process, experienced family lawyers, specially trained in negotiations and conflict resolution, represent each party, but only for purpose of helping them to settle the case. You, the other party, and your lawyers agree in writing not to go to court for a trial or hearing. As such, the collaborative lawyers’ only goal is to help you and the other party settle your case in a way that is mutually satisfactory to both sides.

* The **FAMILY LAW FACILITATOR** of the Ventura County Superior Court is a “self help center” which provides litigants with information, forms, and instructions on how to complete their case without going to court. Workshops are available for help in preparing or responding to the Dissolution or Legal Separation action or an Order to Show Cause and for completing the Final Judgment. The hours of the center and the schedule for the classes are available at the Clerk’s Office or on the Court’s website.

* Many attorneys offer “**LIMITED SCOPE**” or “**UNBUNDLED**” **SERVICES** to parties who can do some of the work on their own but need an attorney for a limited purpose, such as writing up an agreement or appearing in court, if necessary. You and the attorney will sign a paper stating exactly what the attorney will do for you. The attorney will only do the agreed upon work and you will only be billed for those services. When the task is over, you will sign another paper releasing the attorney from the case.

* Together, the parties agree to use a **NEUTRAL ARBITRATOR**, who is selected and empowered by the parties to decide the dispute at arranged times and places in a private setting which is not open to the public and which may be far less formal than a public courtroom.

* Disputes can be resolved by **PRIVATE MEDIATION** outside of court. Mediation is non-adversarial. You and the other party will work together with an attorney, counselor, or other specially trained mediator to develop a written agreement resolving all aspects of the case. Professional counselors in the mental health field can also provide Mediation or special expertise for child custody and visitation issues or to address the parenting problems of and parenting solutions for separated and separating families.

More information about these and other alternatives is available in the following locations:

The **Ventura Courthouse** [the Clerk’s Office (2nd floor), the Mediation Department (3rd floor), and the Family Law Self Help Center (4th floor) ; the **East County Courthouse** [the Clerk’s Office and the Self Help Center]; the **Oxnard Self-Help Legal Access Center** [1500 Colonia Road, Suite 20, Oxnard]; the **Mobile Self-Help Legal Access Center**; and the **Ventura County Bar Association** [4475 Market Street, Suite B, Ventura (805-650-7599)].

John R. Smiley
Supervising Judge,
Family Law Division
Ventura County Superior Court

Edward T. Buckle
Chairman,
Mediation, Arbitration and Collaborative
Ventura County Bar Association

METODOS ALTERNATIVOS PARA RESOLVER DISPUTAS EN CASOS DE DERECHO DE FAMILIAS.

La función del Tribunal Superior del Condado de Ventura es “resolver disputas”, inclusive las que resultan de las demandas de Divorcio, Relación entre Padres e Hijos, Ordenes de Alejamiento por Violencia Intra-familiar, y otros casos de Derecho Familiar. Estas disputas se centran en la tutela de los niños y el derecho a visitarlos, la separación de bienes personales y propiedad raíz, y la pensión alimenticia.

Cuando usted empiece el proceso para resolver su caso es importante que entienda que el sistema judicial es muy complicado y que se basa en litigios entre adversarios. Este proceso funciona bien para muchos casos, pero no siempre es el mejor, el más fácil o el más cómodo para resolver casos tan personales como el suyo, que involucra a sus hijos, sus bienes y sus asuntos financieros.

En los últimos 10 años han surgido varios métodos alternativos que han resultado efectivos para resolver casos de Derecho de Familias. El Tribunal y la Asociación de Abogados respaldan los siguientes métodos alternativos y le invitamos a que los considere para resolver su caso. Al usar un proceso que lo haga sentir más cómodo, quizás usted se sienta más satisfecho con los resultados.

- **Colaboración en Derecho de Familias**, es un proceso en el que a cada parte la representa un abogado con mucha experiencia en Derecho Familiar, entrenado para hacer negociaciones y resolver conflictos, y su único propósito es ayudarlos a que lleguen a un acuerdo en el caso. Usted, la parte opuesta y sus respectivos abogados dejan constancia por escrito de que están de acuerdo en no pasar su caso a juicio o a audiencia en el Tribunal
- Los **Gestores en Derecho de Familias** son parte del Centro de Ayuda Legal del Tribunal. Ellos le darán información, documentos e instrucciones sobre cómo completar su caso sin pasar ante el Juez. Ofrecen cursos para ayudarlos a preparar o a responder a una demanda de divorcio o de separación legal, Orden para Fundamentar la Causa, y para completar el Fallo de la demanda. Puede obtener el horario del Centro de Ayuda y de las clases en la Oficina 208 del Tribunal o en el Website del Tribunal.
- **Servicios Específicos y con Enfoque Limitado**. Muchos abogados ofrecen estos servicios a quienes necesiten a un abogado únicamente para algunas cosas, tales como redactar un acuerdo o para presentarse en el tribunal si fuera necesario. Usted y el abogado firman un documento que diga exactamente lo que el abogado hará por usted. El abogado únicamente hará el trabajo al que se comprometió por escrito y sólo le cobrará por dichos servicios.
- Un **Arbitro**, a quien lo seleccionan de común acuerdo entre las partes en el caso, y lo autorizan para tomar las decisiones necesarias para resolver la disputa en un sitio privado, que sea menos formal que una sala del Tribunal.
- Una **mediación privada** fuera del Tribunal. Usted y la parte opuesta trabajarán en conjunto con un abogado, un consejero, u otra persona especialmente entrenada como mediador para llegar a un acuerdo por escrito en el que se resuelven todos los aspectos del caso. Los consejeros profesionales en el área de salud mental también pueden llevar a cabo mediaciones y otros servicios especializados en casos de tutela o visitas con los hijos.

Para mayor información sobre estos métodos alternativos y otras opciones diríjase a los siguientes sitios: el Edificio del Tribunal en Ventura (Oficinas 208 y 210), el Departamento de Mediación (3 piso) y el Centro de Ayuda Legal (4 piso); el Edificio del Tribunal en Simi Valley; el Centro de Ayuda Legal (1500 Calle Colonia) el Centro Móvil de Ayuda Legal y la Asociación de Abogados (4475 Calle Market, oficina B en Ventura, 805-650-7599)

John R. Smiley
Juez Supervisor
Departamento de Derecho de Familias
Tribunal Superior del Condado de Ventura

Edward T. Buckle
Director
Comité de Mediación, Arbitraje y
Colaboración - Asociación de Abogados

NOTICE

**ALL OF THE FOLLOWING FORMS ARE LEFT
BLANK AND MUST BE SERVED
ON THE RESPONDENT
ALONG WITH A COPY OF THE DOCUMENTS
YOU HAVE FILED**

RESPONDING – PACKET #1

NOTICE: These forms only respond to the Petition. You must take more steps to be divorced or legally separated. If you disagree with what has been requested in the Petition, you must file a Response.

1. COMPLETE: The forms (Response)
2. SERVE: Have a copy of the completed RESPONSE served on the Petitioner.
3. FILE: The original RESPONSE and PROOF OF SERVICE at the court.
4. COMPLETE: The Preliminary Declaration of Disclosure
5. SUBMIT: Your FINAL JUDGMENT to finish up your case. You must fill out and file more papers to receive your divorce.

YOU MAY RECEIVE ASSISTANCE AT THE LOCATIONS ON THE BACK OF THE FORM

RECOMMENDED: Attend the INITIAL DISSOLUTION WORKSHOP on THURSDAYS, 8:30 A.M., at the FAMILY LAW SELF HELP CENTER in the Ventura Courthouse or TUESDAYS at 8:30 A.M. in SIMI to understand the legal process for obtaining a Divorce or Separation.

AVISO: Estas formas solamente comienzan su caso. Es necesario de completar y archivar mas formas para finalizar su divorcio o separación legal. Si no esta de acuerdo con lo que escrito en la Petición, debe de archivar una Respuesta (Response).

1. Completar: Llene y complete sus formas (Response – Packet #1) y hago 2 copias
2. Entregar: Efectuar la entrega legal de una **copia** al Demandante (Petitioner). Cualquier persona mayor de 18 anos puede entregarle la repuesta (Response). **Usted no puede hacerlo.**
3. Archivar: Llevar sus formas titulados “Response y Proof of Service” y archivar con el tribunal.
4. Completar: Documentos titulados “Preliminary Declaration of Disclosure – Packet #2”
5. Resolver: Completar documentos titulados “Final Judgment – Packet #3” . para poder finalizar su acción. Si no llena y archiva estos documentos SU DIVORICIO NO ESTA FINALIZADO

PUEDE RECIBIR ASISTENCIA EN LOS LOCALES DETRÁS DE ESTA FORMA

Recomendamos: Atender a la clase todos los miércoles a las 9:00 a.m. en el Tribunal Juvenil localizado en 4353 Vineyard Ave. Room 206, Oxnard, CA 93036 para poder entender la ley sobre el divorcio y el proceso legal.

You may obtain assistance at the following locations:
Usted puede recibir ayuda en los siguientes lugares:

Family Law Workshops:

Tuesdays in East County Courthouse / Thursdays in Ventura Main Courthouse:

Step 1: Starting your case8:30 -10:15
Order to Show Cause 10:30 - noon
Step 2 Disclosures.....1:30 – 2:30
Step 3 Final Judgment2:30 – 4:30

[Las clases que se ofrecen los jueves son solamente en inglés]

In Ventura:

Family Law Facilitator/ Self Help
Superior Court Hall of Justice
Edificio del Tribunal Superior
800 South Victoria Ave. Room 30
Ventura

Tues/ Weds/ Fri:
Martes/ Miércoles/ Viernes:
8:00- noon and 1:30-4:00
(Limit 40 people per day / *Limite 40 personas*)
Monday document review 1:30-4:30

In Simi Valley:

Family Law Facilitator/ Self Help
East County Courthouse
Edificio del Tribunal Superior
3855-F Alamo Street, upstairs
Simi Valley

Thursdays/ Jueves:
8:00- noon and 1:30-4:00
(Limit 35 people per day / *Limite 35 personas*)
Monday document review 1:30-4:30

In Oxnard (La Colonia):

Family Law Facilitator/ Self Help
Oxnard Center
1500 Colonia Road # 20
Oxnard

Tuesdays/ Martes:
8:30 - noon and 1:30 -4:30
(Limit 25 people per day)
(*Limite 25 personas por día*)
Thursdays by appointment only Call 805-483-4842
Jueves solamente con cita Llame 805- 483-4842

In Santa Paula:

Mobile Self Help / Centro Movil
Job & Career Center / *Centro Laboral*
725 E. Main Street
Santa Paula

Mondays / Lunes
1:30 – 4:30

In Oxnard (Juvenile Courthouse):

Family Resource Center:
4353 Vineyard Ave Room 206
Oxnard (El Río)

Mondays / Lunes
1:00 – 4:00
Tues / Thurs Martes y Jueves
9:00 – 4:00

Attorney assistance is not available except during workshops, see schedule below.
Ayuda de Abogado solamente estará disponible durante las clases, revise el horario.

Workshops at Juvenile Courthouse Start at 9:00 Am / Comienzan a las 9:00 A.m.

Domestic Violence Restraining Orders / *Orden de Restricción*.....Monday / *Lunes*
Starting a Divorce / Legal Separation / *Comenzar Divorcio / Sep. Legal*.....Weds / *Miércoles*
[This workshop is in Spanish only – Esta clase es en español solamente]
Guardianship Orientation / *Orientación de Tutela* Friday / *Viernes*

Classes are in English and Spanish (except Weds class) and start at 9:00 a.m. You will receive instructions and forms at the workshop. Bring a black pen and information about any case you already have on file. *Clases son en español e inglés y comienzan a las 9:00. Usted recibirá instrucciones y formas durante la clase. Traiga una pluma, tinta negra y cual quiere información que tenga en su caso (ejemplo: # de caso, documentos archivados etc.)*

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 _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
<input type="checkbox"/> DOMESTIC PARTNERSHIP OF _____ <input type="checkbox"/> MARRIAGE OF _____ PETITIONER: _____ RESPONDENT: _____	
RESPONSE <input type="checkbox"/> and REQUEST FOR <input type="checkbox"/> AMENDED <input type="checkbox"/> Dissolution of <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage <input type="checkbox"/> Legal Separation of <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage <input type="checkbox"/> Nullity of <input type="checkbox"/> Domestic Partnership <input type="checkbox"/> Marriage	CASE NUMBER: _____

NOTICE: Use this form to respond to *Petition—Domestic Partnership/Marriage* (form FL-103).

1. STATISTICAL FACTS

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

2. RESIDENCE (*check all that apply*)

- a. 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.
- b. Our domestic partnership was established in a place other than California. Petitioner Respondent has been a resident of the state of California for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*.
- c. We are the same sex and are married. We are the opposite sex and are married. We are also domestic partners. Petitioner Respondent has been a resident of the state of California for at least six months and of this county for at least three months immediately preceding the filing of this *Petition*.
- d. We are the same sex and were married in California but are not residents of California. Neither of us lives in a state or nation that will dissolve the marriage. This case is filed in the county in which we married.
 Petitioner's residence (*state or nation*): _____ Respondent's residence (*state or nation*): _____

3. DECLARATION REGARDING MINOR CHILDREN (*include children of this relationship born or adopted prior to or during this domestic partnership or marriage*)

- a. There are no minor children.
- b. The minor children are
- | <u>Child's name</u> | <u>Birthdate</u> | <u>Age</u> | <u>Sex</u> |
|---------------------|------------------|------------|------------|
| | | | |

Continued on Attachment 3b.

- c. If there are minor children of the petitioner and the respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.

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 or partner support.

Petitioner:	CASE NUMBER:
Respondent:	

4. DECLARATION REGARDING SEPARATE PROPERTY AS CURRENTLY KNOWN
- a. There are no such assets or debts subject to disposition by the court in this proceeding.
- b. All such assets and debts listed are listed in *Property Declaration* (form FL-160) Attachment 4b and should be confirmed as petitioner's or respondent's separate property as indicated in form FL-160 or Attachment 4b.
5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN
- a. There are no such assets or debts subject to disposition by the court in this proceeding.
- b. All such assets and debts are listed in *Property Declaration* (form FL-160) Attachment 5b and should be divided between petitioner or respondent as indicated in form FL-160 or Attachment 5b.
6. **Respondent contends** that there is not a valid domestic partnership, marriage, or equivalent.
7. **Respondent denies** the grounds stated in item 6 of the petition.
8. **Respondent requests**
- a. dissolution of the domestic partnership marriage based on
 (1) irreconcilable differences. (Fam. Code, § 2310(a).) (2) incurable insanity. (Fam. Code, § 2310(b).)
- b. legal separation of the domestic partnership marriage based on
 (1) irreconcilable differences. (Fam. Code, § 2310(a).) (2) incurable insanity. (Fam. Code, § 2310(b).)
- c. nullity of void domestic partnership marriage based on
 (1) incest. (Fam. Code, § 2200.) (2) bigamy. (Fam. Code, § 2201.)
- d. nullity of voidable domestic partnership marriage based on
 (1) respondent's age at time of registration of domestic partnership or marriage. (Fam. Code, § 2210(a).) (3) unsound mind. (Fam. Code, § 2210(c).)
 (2) prior existing marriage or domestic partnership. (Fam. Code, § 2210(b).) (4) fraud. (Fam. Code, § 2210(d).)
 (5) force. (Fam. Code, § 2210(e).) (6) physical incapacity. (Fam. Code, § 2210(f).)
9. **Respondent requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:
- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 9c. | | | | |
| d. <input type="checkbox"/> Determination of parentage of any children born to the petitioner and respondent prior to the domestic partnership or marriage. | | | | |
| e. Attorney fees and costs payable by | <input type="checkbox"/> | <input type="checkbox"/> | | |
| f. Partner or spousal support payable to | <input type="checkbox"/> | <input type="checkbox"/> | | |
| g. <input type="checkbox"/> Terminate the court's jurisdiction (ability) to award partner or spousal support to the petitioner. | | | | |
| h. <input type="checkbox"/> Determine property rights. | | | | |
| i. <input type="checkbox"/> Restore respondent's former name (<i>specify</i>): | | | | |
| j. <input type="checkbox"/> Other (<i>specify</i>): | | | | |
| <input type="checkbox"/> Continued on Attachment 9j. | | | | |
10. **Child support:** If there are minor children who were born to or adopted by the petitioner and respondent before or during this domestic partnership or marriage, the court will make orders for the support of the children on request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

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 RESPONDENT)

Date: _____

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF ATTORNEY FOR RESPONDENT)

The original response must be filed in the court with proof of service of a copy on petitioner.

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	
STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: <i>(This section applies only to family law cases.)</i> RESPONDENT: OTHER PARTY:	
GUARDIANSHIP OF <i>(Name):</i> _____ <i>(This section applies only to guardianship cases.)</i> Minor	
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	
CASE NUMBER: _____	

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):* _____ 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		Place of birth	Date of birth	Sex
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with <i>(name and complete current address)</i> <input type="checkbox"/> Confidential	Relationship	
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
b. Child's name		Place of birth	Date of birth	Sex
<input type="checkbox"/> Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i>				
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with <i>(name and complete current address)</i> <input type="checkbox"/> Confidential	Relationship	
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		
to	Child's residence <i>(City, State)</i>	Person child lived with <i>(name and complete current address)</i>		

- 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.)*

SHORT TITLE: _____	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 <i>(name, state, location)</i>	Court order or judgment <i>(date)</i>	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court <i>(name, state, location)</i>
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 <i>(if known)</i>	Orders expire <i>(date)</i>
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: _____ _____
 (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.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	Telephone Number	FOR COURT USE ONLY
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
SHORT TITLE OF CASE:		
PROOF OF SERVICE		CASE NUMBER:

1. At the time of service, I was at least 18 years of age and not a party to this action.
2. I served the following documents:

- Summons
- Petition
- Response
- Complaint
- Answer
- UCCJEA Declaration
- Notice of Motion
- Request for Order
- Temporary Restraining Order
- Mediation/Orientation Appointment Fact Sheet

- Responsive Declaration to Request for Order
- Income & Expense Declaration
- Order After Hearing
- Blank Response
- Blank Answer
- Blank Responsive Declaration
- Blank Income and Expense Declaration
- OTHER _____
- _____
- _____

3. Party served:

4. Address:

5. Method of service:

Personal service: By personal delivery to the person identified in paragraph 3.
 Date of Service:
 Time of Service:

By Mail: By mailing copies to the person identified in paragraph 3, with postage fully prepaid, by first class mail as follows:

Date of Mailing:

Place of Deposit:

- With two copies of the Notice and Acknowledgment of Receipt and stamped return envelope addressed to me. (Attach signed Notice & Acknowledgment of Receipt)
- To an address outside of California with return receipt requested (Attach Returned Receipt)

PROOF OF SERVICE

6. Person Serving (name, address and telephone number):

7. Person serving, additional information

- Fee for service
 Not a registered California process server.
 Exempt from registration under B & P section 22350(b)
 Registered California process server:
 Employee or independent contractor
 Registration Number:
 County of Registration:

I declare under the penalty of perjury and pursuant to the laws of the State of California that the foregoing is true and correct. Executed on _____ at _____.

Signature of Declarant

I am a California sheriff, marshal or constable, and I certify that the foregoing is true and correct. Executed on _____ at _____.

Signature

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)	Telephone Number	FOR COURT USE ONLY
E-MAIL ADDRESS ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA <input type="checkbox"/> 800 SOUTH VICTORIA AVE. VENTURA, CA 93009 <input type="checkbox"/> 3855 – F ALAMO ST. SIMI VALLEY, CA 93063-2110		
PETITIONER: RESPONDENT:		
CONSENT FOR COURT ASSIGNMENT (FAMILY LAW)		CASE NUMBER:

The undersigned hereby consents that the cause titled and numbered above may be tried by _____, Court Commissioner of the Ventura County Superior Court, as temporary judge, in accordance with Article 6, Section 21 of the Constitution of the State of California.

It is understood by the undersigned that by order of the Presiding Judge of the Ventura County Superior Court, Commissioner _____ has been appointed to act as temporary judge to try the above referenced case, hear and decide all motions and make any orders including sentencing connected with this case. It is understood that Commissioner JoAnn Johnson, has been appointed to try the case referred to, and has taken the necessary oath of office to try the case as temporary judge.

Dated: _____

Signature of litigant or attorney

ALTERNATIVE METHODS OF RESOLVING DISPUTES IN FAMILY LAW CASES

The business of the Ventura County Superior Court, like all court systems, is “dispute resolution”, which includes those disputes which arise in actions for Dissolution of Marriage, to Establish a Parental Relationship, for Civil Domestic Violence Restraining Orders, and other Family Law cases. These disputes may center upon the custody and visitation of children; the division, ownership, and use of personal or real property; and financial support.

As you begin the process of dealing with these kinds of matters in a formal lawsuit, you should be aware that the court system is a very complex process which is founded on the “adversarial” nature of litigation. While this process works well for many kinds of disputes, it may not always be the best or easiest or most comfortable way to resolve a very personal dispute which involves you, your children, your property, and your finances.

Over the past decade, a number of effective, alternative methods of resolving disputes in Family Law matters have arisen and, undoubtedly, other methods will emerge in the future. While it would be improper to recommend a specific group or individual, the Court and the Bar Association support the establishment of these new approaches and sincerely endorse the following alternatives to traditional litigation. Therefore, we invite you to consider the following as potential methods of resolving your dispute in a way which may make you more comfortable with the process and, therefore, more satisfied with the outcome.

* In the **COLLABORATIVE FAMILY LAW** process, experienced family lawyers, specially trained in negotiations and conflict resolution, represent each party, but only for purpose of helping them to settle the case. You, the other party, and your lawyers agree in writing not to go to court for a trial or hearing. As such, the collaborative lawyers’ only goal is to help you and the other party settle your case in a way that is mutually satisfactory to both sides.

* The **FAMILY LAW FACILITATOR** of the Ventura County Superior Court is a “self help center” which provides litigants with information, forms, and instructions on how to complete their case without going to court. Workshops are available for help in preparing or responding to the Dissolution or Legal Separation action or an Order to Show Cause and for completing the Final Judgment. The hours of the center and the schedule for the classes are available at the Clerk’s Office or on the Court’s website.

* Many attorneys offer “**LIMITED SCOPE**” or “**UNBUNDLED**” **SERVICES** to parties who can do some of the work on their own but need an attorney for a limited purpose, such as writing up an agreement or appearing in court, if necessary. You and the attorney will sign a paper stating exactly what the attorney will do for you. The attorney will only do the agreed upon work and you will only be billed for those services. When the task is over, you will sign another paper releasing the attorney from the case.

* Together, the parties agree to use a **NEUTRAL ARBITRATOR**, who is selected and empowered by the parties to decide the dispute at arranged times and places in a private setting which is not open to the public and which may be far less formal than a public courtroom.

* Disputes can be resolved by **PRIVATE MEDIATION** outside of court. Mediation is non-adversarial. You and the other party will work together with an attorney, counselor, or other specially trained mediator to develop a written agreement resolving all aspects of the case. Professional counselors in the mental health field can also provide Mediation or special expertise for child custody and visitation issues or to address the parenting problems of and parenting solutions for separated and separating families.

More information about these and other alternatives is available in the following locations:

The **Ventura Courthouse** [the Clerk’s Office (2nd floor), the Mediation Department (3rd floor), and the Family Law Self Help Center (4th floor) ; the **East County Courthouse** [the Clerk’s Office and the Self Help Center]; the **Oxnard Self-Help Legal Access Center** [1500 Colonia Road, Suite 20, Oxnard]; the **Mobile Self-Help Legal Access Center**; and the **Ventura County Bar Association** [4475 Market Street, Suite B, Ventura (805-650-7599)].

John R. Smiley
Supervising Judge,
Family Law Division
Ventura County Superior Court

Edward T. Buckle
Chairman,
Mediation, Arbitration and Collaborative
Ventura County Bar Association

METODOS ALTERNATIVOS PARA RESOLVER DISPUTAS EN CASOS DE DERECHO DE FAMILIAS.

La función del Tribunal Superior del Condado de Ventura es “resolver disputas”, inclusive las que resultan de las demandas de Divorcio, Relación entre Padres e Hijos, Ordenes de Alejamiento por Violencia Intra-familiar, y otros casos de Derecho Familiar. Estas disputas se centran en la tutela de los niños y el derecho a visitarlos, la separación de bienes personales y propiedad raíz, y la pensión alimenticia.

Cuando usted empiece el proceso para resolver su caso es importante que entienda que el sistema judicial es muy complicado y que se basa en litigios entre adversarios. Este proceso funciona bien para muchos casos, pero no siempre es el mejor, el más fácil o el más cómodo para resolver casos tan personales como el suyo, que involucra a sus hijos, sus bienes y sus asuntos financieros.

En los últimos 10 años han surgido varios métodos alternativos que han resultado efectivos para resolver casos de Derecho de Familias. El Tribunal y la Asociación de Abogados respaldan los siguientes métodos alternativos y le invitamos a que los considere para resolver su caso. Al usar un proceso que lo haga sentir más cómodo, quizás usted se sienta más satisfecho con los resultados.

- **Colaboración en Derecho de Familias**, es un proceso en el que a cada parte la representa un abogado con mucha experiencia en Derecho Familiar, entrenado para hacer negociaciones y resolver conflictos, y su único propósito es ayudarlos a que lleguen a un acuerdo en el caso. Usted, la parte opuesta y sus respectivos abogados dejan constancia por escrito de que están de acuerdo en no pasar su caso a juicio o a audiencia en el Tribunal
- Los **Gestores en Derecho de Familias** son parte del Centro de Ayuda Legal del Tribunal. Ellos le darán información, documentos e instrucciones sobre cómo completar su caso sin pasar ante el Juez. Ofrecen cursos para ayudarlos a preparar o a responder a una demanda de divorcio o de separación legal, Orden para Fundamentar la Causa, y para completar el Fallo de la demanda. Puede obtener el horario del Centro de Ayuda y de las clases en la Oficina 208 del Tribunal o en el Website del Tribunal.
- **Servicios Específicos y con Enfoque Limitado**. Muchos abogados ofrecen estos servicios a quienes necesiten a un abogado únicamente para algunas cosas, tales como redactar un acuerdo o para presentarse en el tribunal si fuera necesario. Usted y el abogado firman un documento que diga exactamente lo que el abogado hará por usted. El abogado únicamente hará el trabajo al que se comprometió por escrito y sólo le cobrará por dichos servicios.
- Un **Arbitro**, a quien lo seleccionan de común acuerdo entre las partes en el caso, y lo autorizan para tomar las decisiones necesarias para resolver la disputa en un sitio privado, que sea menos formal que una sala del Tribunal.
- Una **mediación privada** fuera del Tribunal. Usted y la parte opuesta trabajarán en conjunto con un abogado, un consejero, u otra persona especialmente entrenada como mediador para llegar a un acuerdo por escrito en el que se resuelven todos los aspectos del caso. Los consejeros profesionales en el área de salud mental también pueden llevar a cabo mediaciones y otros servicios especializados en casos de tutela o visitas con los hijos.

Para mayor información sobre estos métodos alternativos y otras opciones diríjase a los siguientes sitios: el Edificio del Tribunal en Ventura (Oficinas 208 y 210), el Departamento de Mediación (3 piso) y el Centro de Ayuda Legal (4 piso); el Edificio del Tribunal en Simi Valley; el Centro de Ayuda Legal (1500 Calle Colonia) el Centro Móvil de Ayuda Legal y la Asociación de Abogados (4475 Calle Market, oficina B en Ventura, 805-650-7599)

John R. Smiley
Juez Supervisor
Departamento de Derecho de Familias
Tribunal Superior del Condado de Ventura

Edward T. Buckle
Director
Comité de Mediación, Arbitraje y
Colaboración - Asociación de Abogados