

|   |                   |                           |
|---|-------------------|---------------------------|
| PARTY WITHOUT ATTORNEY OR ATTORNEY<br>NAME:<br>FIRM NAME:<br>STREET ADDRESS:<br>CITY: STATE: ZIP CODE:<br>TELEPHONE NO.: FAX NO.:<br>E-MAIL ADDRESS:<br>ATTORNEY FOR (name):  | STATE BAR NUMBER: | <b>FOR COURT USE ONLY</b> |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b><br>STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME:   |                   |                           |
| PETITIONER:<br>RESPONDENT:  |                   |                           |
| <b>RESPONSE</b> <input type="checkbox"/> <b>AND REQUEST FOR</b> <input type="checkbox"/> <b>AMENDED</b><br><input type="checkbox"/> <b>Dissolution (Divorce) of:</b> <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership<br><input type="checkbox"/> <b>Legal Separation of:</b> <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership<br><input type="checkbox"/> <b>Nullity of:</b> <input type="checkbox"/> Marriage <input type="checkbox"/> Domestic Partnership |                   | CASE NUMBER:              |

**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**

- 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

**4. MINOR CHILDREN**

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

|                     |                  |            |
|---------------------|------------------|------------|
| <u>Child's name</u> | <u>Birthdate</u> | <u>Age</u> |
|---------------------|------------------|------------|

(1)  continued on Attachment 4b.      (2)  a child who is not yet born.

- c. If any children 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.)

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**Respondent requests that the court make the following orders:**

**5. LEGAL GROUNDS** (Family Code sections 2200–2210; 2310–2312)

- a.  **Respondent contends** that the parties never legally married or registered a domestic partnership.
- b.  **Respondent denies** the grounds set forth in item 5 of the petition.
- c.  **Respondent requests**
  - (1)  Divorce       Legal separation      of the marriage or domestic partnership based on
    - (a)  irreconcilable differences.      (b)  permanent legal incapacity to make decisions.
  - (2)  Nullity of void marriage or domestic partnership based on
    - (a)  incest.      (b)  bigamy.
  - (3)  Nullity of voidable marriage or domestic partnership based on
    - (a)  respondent’s age at time of registration of domestic partnership or marriage.      (d)  fraud.
    - (b)  prior existing marriage or domestic partnership.      (e)  force.
    - (c)  unsound mind.      (f)  physical incapacity.

**6. CHILD CUSTODY AND VISITATION (PARENTING TIME)**

|  |                   |                   |              |              |
|--|-------------------|-------------------|--------------|--------------|
|  | <b>Petitioner</b> | <b>Respondent</b> | <b>Joint</b> | <b>Other</b> |
|--|-------------------|-------------------|--------------|--------------|

- |  |                          |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 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 (parenting time) be granted to ..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- As requested in     form FL-311       form FL-312       form FL-341(C)  
 form FL-341(D)     form FL-341(E)       Attachment 6c(1)

**7. CHILD SUPPORT**

- a. If there are minor children born to or adopted by Petitioner and Respondent before or during this marriage or domestic partnership, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party.
- b. An earnings assignment may be issued without further notice.
- c. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.
- d.  Other (*specify*):

**8. SPOUSAL OR DOMESTIC PARTNER SUPPORT**

- a.  Spousal or domestic partner support payable to     Petitioner     Respondent
- b.  Terminate (end) the court's ability to award support to     Petitioner     Respondent
- c.  Reserve for future determination the issue of support payable to     Petitioner     Respondent
- d.  Other (*specify*):

**9. SEPARATE PROPERTY**

- a.  There are no such assets or debts that I know of to be confirmed by the court.
- b.  Confirm as separate property the assets and debts in     *Property Declaration* (form [FL-160](#)).     [Attachment 9b](#).  
 the following list.      Item      Confirm to

|                            |              |
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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
  - Property Declaration* (form [FL-160](#)).  [Attachment 10b.](#)
  - as follows (*specify*):

**11. OTHER REQUESTS**

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

Continued on Attachment 11c..

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)

**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.

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