

FLOW CHART – DISSOLUTION OF MARRIAGE PROCESS
(Summary Dissolution Not Included – see reverse side)

PETITIONER

1. Prepare PETITION, SUMMONS, CONFIDENTIAL DECLARATION OF SOCIAL SECURITY NUMBER, any additional local forms, and (if applicable) DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT and PROPERTY DECLARATION.
2. File prepared documents with, and have the Summons issued by, the superior court clerk’s office.
3. Serve **conformed copies** of SUMMONS, PETITION, CONFIDENTIAL DECLARATION OF SOCIAL SECURITY NUMBER, blank RESPONSE and, if applicable, DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT and PROPERTY DECLARATION. Service can be accomplished personally or by NOTICE AND ACKNOWLEDGMENT OF RECEIPT.
4. File PROOF OF SERVICE, NOTICE AND ACKNOWLEDGMENT OF RECEIPT (if applicable) of Summons and other documents served.
5. Waiting period - Respondent has 30 days within which to file a Response.

RESPONDENT

CONTESTED

1. Prepare RESPONSE and, if applicable, DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT.
2. File and serve documents no later than 30 days from date of service.
3. Prepare and serve PRELIMINARY DECLARATION OF DISCLOSURE.

DISCOVERY by both parties

1. Prepare and serve FINAL DECLARATION OF DISCLOSURE.
2. Prepare and file AT ISSUE MEMORANDUM and CERTIFICATE OF READINESS (local court form). Proceed as in any civil trial.

UNCONTESTED (Response filed)

1. Prepare RESPONSE and, if applicable, DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT.
2. Timely file and serve documents no later than 30 days from date of service.
3. Prepare and serve PRELIMINARY DECLARATION OF DISCLOSURE.

MARITAL SETTLEMENT AGREEMENT
or
STIPULATED JUDGMENT

1. Prepare, execute and notarize MARITAL SETTLEMENT AGREEMENT.
2. Prepare and file APPEARANCE, STIPULATION AND WAIVERS.
3. Prepare and file DECLARATION FOR DEFAULT OR UNCONTESTED DISSOLUTION (Family Code §2336).
4. Prepare and serve FINAL DECLARATION OF DISCLOSURE or mutual WAIVER OF FINAL DECLARATION OF DISCLOSURE.

DEFAULT – (Day 31 - Response Not Filed)

1. Prepare and serve PRELIMINARY DECLARATION OF DISCLOSURE and WAIVER OF FINAL DECLARATION OF DISCLOSURE.
2. Prepare, serve and file REQUEST TO ENTER DEFAULT.
3. Request hearing date from court clerk.

1. Prepare, serve and file REQUEST TO ENTER DEFAULT.
2. Prepare and file DECLARATION FOR DEFAULT OR UNCONTESTED DISSOLUTION (Fam. Code §2336).
3. Prepare and serve FINAL DECLARATION OF DISCLOSURE or WAIVER OF FINAL DECLARATION OF DISCLOSURE.

1. Prepare JUDGMENT and NOTICE OF ENTRY OF JUDGMENT (include a return addressed, stamped envelope to each party in care of that party’s attorney).
2. Submit to court for signature, filing and entry.

NOTE: The Judgment will “automatically” become final on the date indicated on the judgment, and that in the event of reconciliation, a dismissal will have to be entered before the date the dissolution becomes final.

**FLOW CHART – DISSOLUTION OF MARRIAGE PROCESS
(Summary Dissolution Only)**

PETITIONER and RESPONDENT

1. Determine that parties QUALIFY to file for Summary Dissolution Proceeding.
 - a. The parties have no children together.
 - b. The parties have been married for less than 5 years.
 - c. The wife is not pregnant.
 - d. Neither party owns land or buildings.
 - e. Community property is valued less than \$32,000 (exclusive of automobiles).
 - f. Each party's separate property is valued less than \$32,000 (exclusive of automobiles).
 - g. Community debts are less than \$4,000.
 - h. The parties are willing to sign an Agreement.



1. Both parties read SUMMARY DISSOLUTION BOOKLET.
2. Prepare the JOINT PETITION FOR SUMMARY DISSOLUTION OF MARRIAGE.
3. Prepare WORKSHEET for determining value and division of community property.
4. Prepare WORKSHEET for determining value of separate property of HUSBAND.
5. Prepare WORKSHEET for determining value of separate property of WIFE.
6. Prepare WORKSHEET for determining obligations and division of obligations.
7. Prepare MARITAL SETTLEMENT AGREEMENT, if necessary.
8. Submit to court for filing.



6 MONTH WAITING PERIOD



1. Prepare REQUEST FOR ENTRY OF JUDGMENT OF DISSOLUTION OF MARRIAGE AND NOTICE OF ENTRY OF JUDGMENT.
- or
2. NOTICE OF REVOCATION OF PETITION FOR SUMMARY DISSOLUTION.
 3. Submit to court for filing and entry.

NOTE: After the filing of a joint Petition for Summary Dissolution, either party can automatically terminate the proceeding without the other party's consent by filing a NOTICE OF REVOCATION OF PETITION FOR SUMMARY DISSOLUTION before the dissolution becomes final.