



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-155

For business meeting on October 24, 2025

Title

Family Law: Joint Petition for Dissolution or Legal Separation

Report Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92; adopt forms FL-700, FL-710, and FL-720; approve form FL-700-INFO

Effective Date

January 1, 2026

Date of Report

October 8, 2025

Recommended by

Family and Juvenile Law Advisory Committee

Hon. Tari L. Cody, Cochair

Hon Stephanie E. Hulsey, Cochair

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Executive Summary

To implement Senate Bill 1427 (Stats. 2024, ch. 190), the Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend four rules of court, adopt three mandatory forms, and approve one optional form. Effective January 1, 2026, SB 1427 authorizes parties who do not qualify to use the current summary dissolution process to file a joint summons and a joint petition to ask the court for a dissolution of marriage or domestic partnership or for a legal separation. The legislation requires the Judicial Council to adopt or amend any rules or forms necessary for implementation no later than January 1, 2026.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

1. Amend California Rules of Court, rules 5.16, 5.50, 5.68, and 5.92;
2. Adopt *Joint Petition—Marriage or Domestic Partnership* (form FL-700);

3. Adopt *Summons—Joint Petition* (form FL-710);
4. Adopt *Notice of Revocation of Joint Petition* (form FL-720); and
5. Approve *Information Sheet for Joint Petition for Dissolution or Legal Separation* (form FL-700-INFO).

Relevant Previous Council Action

The Judicial Council has not taken any relevant previous action on the joint petition process as it is a new process effective January 1, 2026.

Analysis/Rationale

Currently, and until SB 1427 (Link A) is implemented, most proceedings for dissolution or legal separation generally follow an adversarial process, in which one spouse or domestic partner is required to file an initial petition, serve the other party, and then wait to see whether the other spouse or domestic partner files a response within 30 days, or proceed with a default. The only exception is if parties qualify for the summary dissolution process, which is a simplified joint process in which parties have fewer disclosure requirements and must waive their rights to support and to appeal.¹ Parties qualify for this process only if they have been married for less than five years, have no children, and do not possess property or debt exceeding specified limits.²

SB 1427 allows parties who do not meet the criteria for summary dissolution to initiate their case in a collaborative manner through the joint petition process. Family Code section 2330 prescribes the manner in which a party may commence an action for dissolution or legal separation. SB 1427 amends section 2330 to add section 2330(c), which establishes the required content of a joint petition. In addition to facts as required in all dissolution and legal separation proceedings, new section 2330(c) requires that parties include in their joint petition a list of all issues that they intend to resolve by agreement. If there are any issues that the parties intend for the court to resolve outside of an agreement, the parties are precluded from using the joint petition process.

SB 1427 adds subdivision (b) to Family Code section 2331, stating that, in joint petition cases, filing a joint petition and joint summons completes service requirements and effectuates a general appearance by both parties.

SB 1427 also adds section 2342.5 to the Family Code to provide the procedures relating to the joint petition and joint summons. Under the joint petition process, either party may seek discovery, and parties may jointly amend the petition. Section 2342.5 includes a process for parties to withdraw from the joint petition process without leave of the court by filing an amended pleading. The joint petition is deemed revoked when a joint petitioner files an amended

¹ Fam. Code, §§ 2400, 2404(b).

² Fam. Code, § 2400.

petition or an amended response. After service of this amended pleading, the other party is required to file their own amended petition (if they were the first joint petitioner) or amended response (if they were the second joint petitioner). If either party to a joint petition files a request for order before entry of judgment, that party must also simultaneously revoke the joint petition by filing an amended petition or amended response, removing the matter from the joint petition process.

To implement SB 1427 the committee recommends the following rule amendments and new forms.

Recommended rule amendments

Rule 5.16, Designation of parties

Rule 5.16(a)³ establishes how each party in family law proceedings is designated. The committee recommends amending this rule to specify that the first joint petitioner in a joint petition case is designated “petitioner 1” and the second joint petitioner is designated “petitioner 2.” If either party revokes the joint petition, the first petitioner becomes the petitioner in the now-adversarial process, and the second petitioner becomes the respondent.⁴ For any Judicial Council forms that list the parties as “petitioner” and “respondent,” petitioner 1 would identify themselves as “petitioner” and petitioner 2 would identify themselves as “respondent.”⁵

Rule 5.50, Papers issued by the court

Rule 5.50 lists the names and numbers of each type of summons that the court clerk must issue in proceedings under the Family Code. The committee recommends adding subdivision 5.50(a)(1)(F),⁶ which states that the court clerk must issue *Summons—Joint Petition* (form FL-710) when parties file a joint petition for dissolution or legal separation pursuant to Family Code sections 2330(c) and 2331.

Rule 5.68, Manner of service of summons and petition; response; jurisdiction

Rule 5.68 sets forth the procedures for serving a summons in a family law case. The committee recommends amending this rule to establish the service requirements for an amended pleading when a joint petitioner revokes the joint petition and the case becomes contested. No amended summons would be issued, but the revoking party would be required to file and serve *Notice of Revocation of Joint Petition* (form FL-720).

³ The committee’s recommendation in this report relates only to rule 5.16(a). However, rule 5.16(b) is part of the Family and Juvenile Law Advisory Committee’s companion report *Family Law: Rules and Forms to Determine Parental Relationship Based on Gestational Carrier Agreement* (item 25-037).

⁴ Fam. Code, § 2342.5(b).

⁵ Fam. Code, § 2342.5(a)(1).

⁶ The committee’s recommendation is to add a new subpart (F) to rule 5.50(a)(1). Rule 5.50 is also part of the committee’s companion report (item 25-037) and adds a new subpart (E) to subdivision (a)(1).

Rule 5.92. Request for court order; responsive declaration

Rule 5.92 establishes the procedures for requesting an order from the court during the pendency of a family law proceeding. The committee recommends amending this rule to comply with Family Code section 2342.5(e) by requiring that, in joint petition cases in which judgment has not yet been entered, a party wishing to file a request for order must first revoke the joint petition process either before filing the request for order or simultaneously with the request for order.

Recommended new forms

Effective January 1, 2026, the committee recommends that three new forms be adopted, and one new form be approved to implement the joint petition process. This includes providing the forms necessary for parties to file a joint petition and joint summons for dissolution of marriage or domestic partnership or legal separation, as mandated by Family Code section 2342.5. The committee recommends including a notice form for a party revoking a joint petition to serve on the other party notifying them that the court may make orders without their agreement and informing them of next steps. Also, to assist parties in completing the joint petition and understanding their rights, the committee recommends the approval of an information sheet.

To avoid confusion, the committee recommends using the FL-700 series for the recommended new joint petition forms. This would not preclude parties from using other forms in the FL-100 series in the joint petition case. To make this clear, the recommended information sheet would reference the names of the forms in the FL-100 series that are needed, such as *Declaration Under Uniform Child Custody and Jurisdiction Act (UCCJEA)* (form FL-105).

Joint Petition—Marriage or Domestic Partnership (form FL-700)

The committee recommends adopting this new mandatory form for filing a joint petition. Like *Petition—Marriage/Domestic Partnership* (form FL-100), this form would be mandatory to ensure that parties include the facts required by statute in the joint petition. In item 8, the form explains what legal rights parties would be waiving if they file a joint petition. The recommended form is in plain-language format and was drafted with user-friendly principles in mind.

Summons—Joint Petition (form FL-710)

The committee recommends adopting this new mandatory joint summons form to incorporate the requirements for a joint summons under section 2342.5 and the temporary restraining orders in *Summons* (form FL-110) under Family Code section 2040 (Link B).

Parties cannot be defaulted in a joint petition process, so the committee recommends including a general statement about the parties' legal obligations instead of including language regarding the potential for default that is contained on other summons forms pursuant to Code of Civil Procedure section 412.20.

Notice of Revocation of Joint Petition (form FL-720)

The committee recommends adopting this new mandatory form to provide notice in cases in which a party withdraws from the joint petition process. It contains instructions with next steps

for the party receiving the notice. The notice would also contain language stating that the automatic temporary restraining orders issued on the joint summons remain in full force and effect. This form would be mandatory to ensure that parties receive information about the effect of the revocation and how to proceed with the case.

Information Sheet for Joint Petition for Dissolution or Legal Separation (form FL-700-INFO)

This recommended information sheet is based on *Legal Steps for a Divorce or Legal Separation* (form FL-107-INFO). The new information sheet would describe the procedures relating to the joint petition process and include a list of resources that parties can use to help resolve issues in their case, such as the Self-Help Guide to the California Courts on the courts’ website, the State Bar of California, and a website that directs to legal services organizations by legal and geographical area. The form would also have instructions specifying the procedures for revoking a joint petition.

Policy implications

The committee is making these recommendations to comply with a recent legislative mandate. In addition to implementing legislative changes, this recommendation helps implement Goal I, “Access, Fairness, Diversity, and Inclusion,” of the Judicial Council’s strategic plan by creating a simple and uniform process to jointly petition for dissolution of marriage or domestic partnership or for legal separation. The forms are designed to be user-friendly for all court users, including self-represented litigants.

Comments

The recommended rules and forms circulated for public comment from April 15 to May 23 in the spring 2025 invitation-to-comment cycle. The committee received 15 comments.⁷ In general, commenters supported the changes to implement SB 1427, but several commenters suggested modifications to the rules and forms. Five commenters agreed with the proposal, four agreed if modified, and six did not indicate a position. A chart of comments is attached at pages 27–69.

Removing references to default and eliminating alternate service requirements

As circulated, proposed rule 5.68 contained alternate service requirements for represented and unrepresented parties. For unrepresented parties, the proposed rule prescribed that service of the pleading revoking the joint petition should be in the same manner as a summons pursuant to Code of Civil Procedure section 415.40 et seq. For represented parties, it prescribed that service should be via counsel in the same manner as a notice and motion pursuant to Code of Civil Procedure section 1010 et seq. The purpose of these alternate service requirements was to decrease the likelihood of unrepresented parties having default judgments entered against them when they did not receive actual notice of the potential for default.

⁷ The comment authored by attorneys Jennifer Winestone and Jeffrey Jacobson was submitted jointly by 50 individuals. Two organizations also submitted comments separately and attached the comment authored by Ms. Winestone and Mr. Jacobson, indicating their support of that comment.

Two organizations and 50 individuals jointly commented that, as circulated, the proposal incorrectly interpreted the legislation. The comments said that contrary to the language of the proposal, revoking the joint petition does not give the revoking party the opportunity to enter default if the other party does not file an amended petition or an amended response within the statutory time frame of 30 days. The commenters also pointed out that if there is no risk of default then there is no need for alternate service requirements of the pleading revoking the default for represented and unrepresented parties.

The committee agrees and recommends not including language regarding potential default on the forms. The committee also recommends adding language to forms FL-720 and FL-700-INFO to accurately characterize the effect of the revocation and changing the title of form FL-720 from *Notice of Revocation (Cancellation) of Joint Petition* to *Notice of Revocation of Joint Petition*.

Additionally, as there is no potential for default, the committee does not recommend including alternate service requirements for represented and unrepresented parties or a new proof of service form as proposed in the invitation to comment. Instead, the committee recommends that service of the pleading revoking the joint petition be effectuated in the same manner as a notice and motion pursuant to Code of Civil Procedure section 1010 et seq.

The commenters also suggested adopting a new rule that specifies that revoking the joint petition does not revoke the general appearance of a party. The committee believes that sufficient language to this effect is already in the statute and thus unnecessary in the rule. However, to put parties on notice of the effect of the revocation of the joint petition, the committee recommends adding language to form FL-720 as follows: “Revoking the joint petition does not dismiss (close) your case or revoke your general appearance. It moves your case to a different process, where each of you must file a separate petition or response and either of you may ask for orders of the court without the agreement of the other.”

Joint Petition—Marriage or Domestic Partnership (form FL-700)

Items regarding marriage, domestic partnership, and residency

Several superior courts, organizations, and individuals commented that the structure and organization of the items on marriage, domestic partnership, and residency on proposed form FL-700 were confusing. They suggested separating the marriage and domestic partnership items, simplifying the language of these items, and using language and structure similar to form FL-100 for the residency item. The committee agrees and has made these changes to the recommended form.

Item regarding minor children of the parties

One superior court requested that the committee add a checkbox to form FL-700 for parties to indicate that there is a voluntary declaration of parentage (VDOP) and to attach a copy if they have one, similar to language existing on form FL-100. The committee does not recommend adding this checkbox because if parties jointly list a child that they are both the parents of on form FL-700, parentage is not contested in the case and there would be no need for the parties to

include information about a VDOP in the petition. This differs from dissolutions brought under Family Code section 2330(b) and filed on form FL-100, where each party files a separate pleading and separately lists the children. If parties would like the court to consider a VDOP when deciding whether to enter their proposed stipulated judgment, they may attach it to form FL-170.

Item regarding issues in the case

As circulated, form FL-700 contained a list of issues and parties were instructed to check “yes” if the issue applied to their case, or “does not apply” if it did not. Multiple commenters expressed concern that self-represented litigants may not know whether an issue applies to their case or not. Two organizations and 50 individuals jointly commented that most of the issues specified in Family Code section 2030(c)(3)(A), which mandates that parties include a list of issues that they intend to resolve by agreement, apply to every dissolution case.⁸ To address this concern, the recommended form identifies issues that parties must agree on at item 7a and provides space at item 7b for parties to list other issues that the parties agree to or plan to agree to.

“Other” item

One superior court expressed concern that self-represented parties would use the item titled “Other” to request court orders, even though such is not permitted in joint petition cases; the committee agrees. However, because the item is required by statute, the committee recommends titling item 9 “Other Matters” to mirror the statutory language and removing the fillable space. The form now requires the petitioners to attach an extra page if they would like to include information about other matters pursuant to Family Code section 2330(c).

Incorporating form FL-130

One superior court requested that the committee incorporate the language of *Appearance, Stipulations, and Waivers* (form FL-130) on the joint petition form. The committee does not recommend this change because it would assume that parties already have a written agreement, which is not required at the time parties file their joint petition. Incorporating this language would also make the form longer and more complicated.

Summons—Joint Petition (form FL-710)

One legal services organization requested that the committee add an advisory on form FL-710 notifying parties that by making a general appearance while residing outside the United States, they may be waiving their right to service pursuant to the Hague Service Convention. The committee does not recommend adding this language to the form because by making a general appearance in any case, not just a joint petition case, a party waives this right.

⁸ See Fam. Code, § 2010 (listing issues within the court’s subject matter jurisdiction in dissolution cases); see also *In re Marriage of Liss* (1992) 10 Cal.App.4th 1426, 1429 (holding that a trial court did not err when it made an order reserving jurisdiction on a matter within its subject matter jurisdiction, even though that matter was not raised in the petition or response).

Moreover, this language does not appear on any other Judicial Council summons form. The committee believes that the language on form FL-700 sufficiently addresses this concern: “By filing this form, each of you makes a general appearance. This means that you accept the power of this court to make decisions in your case and agree to participate in the case.”

Information Sheet for Joint Petition for Dissolution or Legal Separation (form FL-700-INFO)

Two commenters, an individual and an organization, requested that the committee include information about Legal Document Assistants (LDAs) on form FL-700-INFO.⁹ The commenter pointed out that LDAs are regulated pursuant to Business and Professions Code sections 6400–6415, while mediators (who were defined as lawyers or counselors on form FL-700-INFO) are not. While the committee is mindful of the benefits that many LDAs provide to self-represented litigants, it believes that the inclusion of mediators, lawyers, and collaborative lawyers is sufficient and does not recommend including LDAs as a separate category at this time.

Alternatives considered

Because the Judicial Council is required to adopt or amend any rules or forms to implement SB 1427 on or before January 1, 2026, the committee did not consider taking no action.

The committee considered alternative ways to number the proposed joint petition forms. For example, the committee considered using forms FL-100(JP) and FL-110(JP) for the joint petition and joint summons. However, the committee believed that doing so may cause confusion among form users.

The committee considered designating the first joint petitioner as “petitioner” and the second joint petitioner as “respondent” from the beginning of the case. However, the committee decided against doing so because such designation may cause confusion. By statute, respondents in family law cases have different obligations than petitioners. For example, a petitioner must serve their preliminary declarations of disclosure within 60 days of filing the petition; a respondent must do so within 60 days of filing a response.¹⁰ However, in a joint petition case, no response is filed unless a party revokes the joint petition.¹¹ Each party to a joint petition is a petitioner and must serve preliminary declarations of disclosure within 60 days of filing the joint petition.

The committee also considered proposing only petition and summons forms, but decided *Notice of Revocation of Joint Petition* (form FL-720) is needed to clarify procedures and ensure that proper notice is provided in cases in which one party revokes the joint petition.

⁹ The committee notes that both comments were written by the same person, one submitted on behalf of himself and one submitted on behalf of his organization.

¹⁰ Fam. Code, § 2104(f).

¹¹ Under Family Code section 2342.5(b)(3), “[t]he filing date of the joint petition shall be considered the filing date for the action and all relevant deadlines,” and therefore the deadline to serve the preliminary declaration of disclosure would not be extended.

Fiscal and Operational Impacts

Courts would incur costs to train court employees, revise internal procedures, revise local rules and forms, and update case management systems. However, the committee expects that the new joint petition process will enable a number of dissolution proceedings to move more collaboratively and quickly, potentially easing the caseload burden on the family courts.

Attachments and Links

1. Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, at pages 10–12
2. Forms FL-700, FL-700-INFO, FL-710, and FL-720, at pages 13–26
3. Chart of comments, at pages 27–69
4. Link A: Sen. Bill 1427,
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB1427
5. Link B: Fam. Code, § 2040,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM§ionNum=2040

Rules 5.16, 5.50, 5.68, and 5.92 of the California Rules of Court are amended, effective January 1, 2026, to read:

1 **Rule 5.16. Designation of parties**

2
3 **(a) Designation of parties**

4
5 In cases filed under the Family Code, use the following designations for parties. the
6 party starting the case is referred to as the “petitioner,” and the other party is the
7 “respondent.”

8
9 (1) Except as otherwise specified in this rule, the party starting the case is
10 referred to as the “petitioner,” and the other party is the “respondent.”

11
12 (2) If the parties initiate the case by joint petition under Family Code sections
13 2330 and 2331 or section 2400:

14
15 (A) The first joint petitioner is referred to as “petitioner 1,” and the second
16 joint petitioner is referred to as “petitioner 2.” For any Judicial Council
17 forms that list the parties as “petitioner” and “respondent,” petitioner 1
18 should identify themselves as “petitioner” and petitioner 2 should
19 identify themselves as “respondent.”

20
21 (B) If either party revokes the joint petition under Family Code section
22 2342.5(b), petitioner 1 will thereafter be referred to as the “petitioner”
23 and petitioner 2 will thereafter be referred to as the “respondent.”

24
25 (3) * * *

26
27 **(b) * * ***

28
29 **Rule 5.50. Papers issued by the court**

30
31 **(a) Issuing the summons; form**

32
33 If a summons is required to commence a family law case, the clerk of the court
34 must issue the summons using the same procedure for issuing a summons in civil
35 actions, generally.

36
37 (1) The clerk of the court must:

38
39 (A) Issue a *Summons (Family Law)* (form FL-110) for divorces, legal
40 separations, or annulment cases involving married persons or domestic
41 partnerships;

- (B) Issue a *Summons (Uniform Parentage—Petition for Custody and Support)* (form FL-210) for parentage or custody and support cases;
- (C) Issue a *Summons (UIFSA)* (form FL-510) when a party seeks to establish or enforce child support orders from other states; ~~and~~
- (D) Process a *Summons and Complaint or Supplemental Complaint Regarding Parental Obligations* (form FL-600) as specified in rule 5.325;
- (E) Issue *Summons—Gestational Carrier Agreement* (form SUR-110) when parties file *Petition to Determine Parental Relationship* (form SUR-100); and
- (F) Issue *Joint Summons—Joint Petition* (form FL-710) when parties file a joint petition for dissolution of marriage or domestic partnership or legal separation as specified in Family Code sections 2330(c) and 2331.

(2) * * *

(b)–(c) * * *

Rule 5.68. Manner of service of summons and petition; response; jurisdiction

(a)–(b) * * *

(c) Continuing jurisdiction

The court has jurisdiction over the parties and control of all subsequent proceedings from the time of service of the summons and a copy of the petition. A general appearance of the respondent is equivalent to personal service within this state of the summons and a copy of the petition on the respondent ~~upon him or her~~.

(d) Service of pleading revoking joint petition

If either party revokes a joint petition under Family Code section 2342.5(b), the revoking party must serve a copy of the following documents on the other party in the same manner as service of a notice or motion (Code Civ. Proc. § 1010 et seq.):

- (1) A completed and filed pleading revoking the joint petition (amended *Petition—Marriage/Domestic Partnership* (form FL-100) or amended *Response—Marriage/Domestic Partnership* (form FL-120)); and

1 (2) A completed and filed *Notice of Revocation of Joint Petition* (form FL-720).
2

3 **Rule 5.92. Request for court order; responsive declaration**
4

5 **(a)** * * *

6
7 **(b) Request for order; required forms and filing procedure**
8

9 (1)–(6) * * *

10
11 (7) If the parties initiated the proceeding by joint petition under Family Code
12 sections 2330 and 2331 and judgment has not yet entered in the case, a party
13 must file a pleading revoking the joint petition under Family Code section
14 2342.5(b) and *Notice of Revocation of Joint Petition* (form FL-720) before or
15 simultaneously with filing a request for order.
16

17 **(c)–(g)** * * *
18
19
20
21
22
23

Clerk stamps date here when form is filed.

Amended Joint Petition

DRAFT
Not approved by
the Judicial Council
FL-700 2025-10-07 AD-SJ-
v27

Use this form if you and your partner:

- Are married or registered domestic partners; and
- Want to divorce, dissolve your domestic partnership, or legally separate; and
- Both agree, or plan to agree, on all issues in your case.

Do not use this form if you disagree on any legal issues. Instead use *Petition—Marriage/Domestic Partnership* (form FL-100) and *Summons* (form FL-110).

For more information and next steps, read *Information Sheet for Joint Petition for Divorce or Legal Separation* (form [FL-700-INFO](#)) or go to selfhelp.courts.ca.gov/divorce-california/joint-petition.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Who You Are

(Either of you can be Petitioner 1 or Petitioner 2, but once you choose to be Petitioner 1 or 2, the same person must be Petitioner 1 or 2 on all documents in this case. There is no legal advantage to being either Petitioner 1 or 2.)

a. Petitioner 1:

(1) Your Name:

(2) Your Lawyer *(if you have one for this case)*:

Name: _____ State Bar Number: _____

Firm Name:

(3) Your Address: *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead.)*

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____

Email Address: _____



1 b. Petitioner 2:

(1) Your Name: _____

(2) Your Lawyer (if you have one for this case):

Name: _____ State Bar Number: _____

Firm Name: _____

(3) Your Address: (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____ Fax Number: _____

Email Address: _____

(If you are married and also in a domestic partnership, ending your marriage does not end your domestic partnership. You can ask to end both legal relationships by filling out both **2** and **3** of this form.)

2 **Married***(Complete this item if you are married.)*

a. Date of marriage: _____

b. You want to (check one):

(1) Divorce(2) Legally separate (This means that you will still be married, but the court can still divide your property and debts and make other orders in a judgment.)**3** **Registered Domestic Partners***(Complete this item if you are registered domestic partners.)*

a. Date of registration: _____

b. You want to (check one):

(1) Dissolve (end) the domestic partnership.(2) Legally separate. (This means that you will still be domestic partners, but the court can still divide your property and debts and make other orders in a judgment.)

4 Residence Requirements

To qualify for this process, you must meet one of the requirements listed below. *(Check at least one.)*

- a. One or both of you have lived in California for the last six months and in the county where you are filing this petition for the last three months.
- b. You are only asking for a legal separation and not to end your marriage or domestic partnership.
- c. You are only asking to end a domestic partnership that you established in California.
- d. You are both the same sex and were married in California, but currently live somewhere that does not recognize your marriage and so will not grant you a divorce. You are also filing this case in the county where you were married.

(1) Petitioner 1 lives in *(Example: state, country)*: _____

(2) Petitioner 2 lives in *(Example: state, country)*: _____

Note: If you do not live in California, the court may be limited in the orders it can make. For more information go to selfhelp.courts.ca.gov/divorce-california.

5 Legal Grounds

You each declare that there are substantial differences in your relationship that each of you believes cannot be worked out in the future and justify ending your relationship now (irreconcilable differences).

6 Your Children Who Are Under 18

- a. Are you both the parents of any children who are under 18?
 No Yes *(If yes, complete 6b and follow the instructions in 6c):*

b. List the information of your children who are under 18 below:

| <u>Child's Name</u> | <u>Date of Birth</u> | <u>Age</u> |
|---------------------|----------------------|------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

- An unborn child
- Check here if you have more children together who are under 18. Attach a sheet of paper or use form [MC-025](#). Write “Attachment 6b—Your Children Who Are Under 18” at the top of it. List the names, dates of birth, and ages of any additional children who are under 18 there.

c. Each of you must fill out and sign a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105). Attach these completed forms to this joint petition.



- 6 d. If any of the children you listed in this item were born before the date of your marriage or domestic partnership, you understand that the court has the power to determine those children to be the children of your marriage or domestic partnership.

7 **Issues You Agree On or Plan to Agree On**

a. Issues you must agree on (*this means you will have a written agreement on all the issues listed below, which you will file with the court in the future*):

- (1) Date of separation;
- (2) Spousal or domestic partner support;
- (3) Your rights to property and how to divide assets and debts;
- (4) Lawyer's fees and costs;
- (5) If you have children listed in 6:
 - (a) Child custody and visitation (parenting time); and
 - (b) Child support.

b. Other issues you agree on or plan to agree on (*check all that apply*):

- (1) Name change: either of you may change your name back to what it was before you were married or entered into your domestic partnership.
- (2) Other (*list any other issues*):

Check here if you need more space. Attach a piece of paper or use form [MC-025](#) and write “Attachment 7b—Issues That You Agree On” at the top, then continue writing on that piece of paper.

8 **Your Agreements and the Legal Rights You Are Giving Up**



IMPORTANT! Do not skip this section. It has information about your legal rights and what you are giving up by filing this joint petition.

Both of you understand and agree that:

- a. Each of you gives up the right to be legally served with a petition and a summons in this case.
- b. All the standard temporary restraining orders listed in *Summons—Joint Petition* (form FL-710) will apply to each of you as soon as this form is filed.



- 8 c. By filing this form, each of you makes a general appearance. This means that you accept the power of the court to make decisions in your case and agree to participate in the case. The day you make a general appearance also starts the clock for some deadlines to act in your case.
- d. If you appear in court and are sworn to testify, each of you would testify that the facts in this joint petition are true.
- e. Even if one or both of you later decide to revoke the joint petition and move the case to a different process for divorce, dissolution, or legal separation, the date that the joint petition is filed will be the filing date of the case. This means that important dates in your case (such as the deadline for you to serve your financial disclosures and the earliest date the court can dissolve your marriage) will be counted from the date you first filed this joint petition.
- f. Before the court enters *Judgment* (form FL-180) in this case, neither of you may file a request for a court order in this case unless one of you first revokes this joint petition and moves the case to a different process for divorce, dissolution, or legal separation. Instructions on how to revoke this joint petition are listed on *Information Sheet for Joint Petition for Dissolution or Legal Separation* (form [FL-700-INFO](#)).

9 **Other Matters**

- Check here if you are attaching information about other matters. Attach a piece of paper or use form [MC-025](#) and write “Attachment 9—Other Matters” at the top, then continue writing on that piece of paper.

10 **Your Signatures**

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 your name



Signature of Petitioner 1

Date: _____

Type or print your name



Signature of Petitioner 2



11 Your Lawyers' Signatures

(Lawyers sign here. If neither of you has a lawyer, leave this item blank.)

Date: _____

Type or print your name



Signature of Lawyer for Petitioner 1

Date: _____

Type or print your name



Signature of Lawyer for Petitioner 2

Notice—Cancellation of Rights

Dissolution of your marriage or domestic partnership 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 benefit plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel your spouse's or domestic partner's rights as beneficiary of your life insurance policy. If these are not the results that you want, you must change your will, trust, account agreement, or other similar document to reflect your actual wishes.

You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement benefit plans, and credit reports to determine whether they should be changed or whether you should take any other actions in view of the dissolution of your marriage, or your legal separation. Some changes may require the agreement of your spouse or domestic partner or a court order.

Use this form to learn more about the process of getting a judgment of divorce, dissolution of domestic partnership, or legal separation through a joint petition with your spouse or domestic partner. This form also has instructions for revoking a joint petition for dissolution or legal separation that you already filed. If you would like information on how to get a judgment of divorce, dissolution of domestic partnership, or legal separation without filing jointly, see form FL-107-INFO.

1 Start Your Case

Step 1: Fill out these forms:

- *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)); and
- *Summons—Joint Petition* (form [FL-710](#));

And if you and your spouse or domestic partner have children together:

- *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form [FL-105](#)).

On form FL-700, one party will be listed as Petitioner 1 and the other will be listed as Petitioner 2. For any forms that you must file in your case that say “Petitioner” and “Respondent,” Petitioner 1 should identify themselves as “Petitioner” and Petitioner 2 should identify themselves as “Respondent.”

Step 2: File your court papers. Filing is when you turn in your completed papers to the court. To file your papers, you can call the court clerk to find out which courthouse to go to. If you want to file online (e-file), check your local court’s website for more information. To find your local court or their website go to: courts.ca.gov/find-my-court.

Both you and your spouse or domestic partner must also pay your court fees. For information about fee waivers, see selfhelp.courts.ca.gov/fee-waiver.

2 Disclose Financial Information

Within 60 days of filing the Joint Petition, you and your spouse or domestic partner must fill out and serve your financial disclosures.

Step 1: Fill out these forms:

- *Declaration of Disclosure* (form [FL-140](#)); and
- *Income and Expense Declaration* (form [FL-150](#)) (you should also file this form with the court); and
- *Schedule of Assets and Debts* (form [FL-142](#)) or *Property Declaration* (form [FL-160](#)).

Step 2: Serve your financial documents.

Have someone 18 years or older (not you) mail a copy of the completed forms in Step 1, along with all tax returns you filed in the last two years, to your spouse or domestic partner, or to their lawyer if they have one in this case. Only file form FL-150 with the court. Do not file the other documents listed in Step 1 with the court.

Step 3: Inform the court that you served your financial disclosures.

You and your spouse or domestic partner must each file a completed *Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration* (form [FL-141](#)) with the court saying the financial disclosures were served.



3 Come to an Agreement

You and your spouse or domestic partner need to come to an agreement about all of the issues in your case (you may skip to Step 4 if you already came to an agreement before you began this process). If you need help coming to an agreement, the following private services are available:

Lawyers. Also called attorneys, lawyers can help work out agreements between the parties and represent you at court hearings and trials if necessary.

Collaborative Lawyers. Lawyers who represent each party but do not go to court. They try to reach an agreement. If court is necessary, the parties must hire new lawyers.

Mediators. A lawyer or licensed counselor who helps the parties communicate to explore options and reach a mutually acceptable resolution.

Find more information at selfhelp.courts.ca.gov/divorce/make-decisions/propose-negotiate-agreements.

4 Finalize Your Case

To finalize your case, you must put your agreement in the proper form for the court to accept it and turn in your judgment paperwork to the court. You must fill out and turn in at least the following documents:

- *Appearance, Stipulations, and Waivers* (form [FL-130](#)) signed by both of you;
- *Declaration for Default or Uncontested Dissolution or Legal Separation* (form [FL-170](#)) signed by either you or your spouse or domestic partner; and
- *Stipulation and Waiver of Final Declaration of Disclosure* (form [FL-144](#)) signed by both you and your spouse or domestic partner. If you do not want to waive your final declaration of disclosure, you and your spouse or domestic partner must repeat the steps in **2**.

- A proposed *Judgment* (form [FL-180](#)) with signed, written agreements attached; and
- A proposed *Notice of Entry of Judgment* (form [FL-190](#)) with your updated contact information and your spouse or domestic partner's updated contact information.

If you and your spouse or domestic partner have children together or agreements about support, you may need to fill out and turn in additional documents. For a complete list of the forms that you will need, see selfhelp.courts.ca.gov/divorce/finalize-divorce.

5 What if You Change Your Mind and Cannot Agree?



You can change your mind and revoke the joint petition **before the court enters a judgment in your case**. You may do this without the approval of the judge or the other party.

Revoking the joint petition will not dismiss (close) your case or revoke your general appearance. It will move your case to a different process and allow you to ask the judge to make orders without the other party's agreement.

a. **Step 1:** Fill out and sign both:

- *Petition—Marriage/Domestic Partnership* (form [FL-100](#)) (if you are Petitioner 1) or *Response—Marriage/Domestic Partnership* (form [FL-120](#)) (if you are Petitioner 2). Check the box for “Amended” in the caption; and
- *Notice of Revocation of Joint Petition* (form [FL-720](#)).



- b. **Step 2:** File the forms in Step 1 with the court. File them in the same case (use the same case number) as the joint petition.

If the amended *Petition—Marriage/Domestic Partnership* (form [FL-100](#)) or amended *Response—Marriage/Domestic Partnership* (form [FL-120](#)) is filed in a different case (with a different case number), it will not revoke *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)).

- c. **Step 3:** Have someone 18 or older who is not a party to the case serve the other party with the forms you filed in Step 2. You can serve these documents by having someone 18 or older (not you) mail a copy of your documents to your spouse or domestic partner, or their lawyer if they have one. There are also other ways to serve your spouse or domestic partner.

More information on how to serve legal documents is available at selfhelp.courts.ca.gov/court-basics/service.

- d. **Step 4:** Once you file the amended *Petition—Marriage/Domestic Partnership* (form [FL-100](#)) or amended *Response—Marriage/Domestic Partnership* (form [FL-120](#)) in your case, the joint petition will be revoked. Petitioner 1 will become the petitioner in your case, and Petitioner 2 will become the respondent in your case.

The case will move forward like a case in which parties do not agree on one or more issues (see Family Code section 2330(b)). The court will not issue a new summons. All the standard temporary restraining orders listed on *Summons—Joint Petition* (form [FL-710](#)) will still apply until the court enters a final judgment or dismisses your case.

If the other party files to revoke the joint petition

Once the other party has legally served you with the amended *Petition—Marriage/Domestic Partnership* (form [FL-100](#)) or amended *Response—Marriage/Domestic Partnership* (form [FL-120](#)), you must file the proper court form within 30 days.

File an amended *Petition—Marriage/Domestic Partnership* (form [FL-100](#)) (if you are Petitioner 1) or a *Response—Marriage/Domestic Partnership* (form [FL-120](#)) (if you are Petitioner 2).

Important Questions

When will I be divorced?

The earliest you can be divorced is six months and one day from the date you filed the *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)). Legal separation has no waiting period. You are **not** divorced or legally separated until the court enters a judgment in your case.

What if I need a court order before my case is finalized?

If a judgment has not been filed in your case and you need court orders for child support, custody, parenting time (visitation), spousal or partner support, discovery, or other issues, you or your spouse or domestic partner must first revoke the joint petition.

Then, file a *Request for Order* (form [FL-300](#)) asking for orders. Go to the court's website at selfhelp.courts.ca.gov/request-for-order for more information.

What if my contact information changes?

You must notify the court and other party if you change your mailing address or other contact information.

To do so, file and serve a *Notice of Change of Address or Other Contact Information* (form [MC-040](#)) on the other party or their attorney to let them know about the change in your contact information.



What if I receive or the other parent receives public assistance (CalWORKs)?

If you or the other parent are receiving public assistance (CalWORKs), all child support should be made payable to the local child support agency. A representative of the local child support agency must also sign your proposed *Judgment* (form [FL-180](#)) before you submit it to the court.

For more information, contact your local child support agency using the contact information on the California Department of Child Support Services website at childsupport.ca.gov/find-my-local-agency.

What if there is domestic violence?

Domestic violence can be physical abuse, but it does not have to be. Abuse can also be verbal, mental, or emotional. If there has been domestic violence or a protective or restraining order, this joint petition process may not be right for you. Instead, you can use a different process for divorce, dissolution of domestic partnership, or legal separation.

More information about that process can be found on *Legal Steps for a Divorce or Legal Separation* (form [FL-107-INFO](#)).

Whether or not you file for divorce, dissolution of domestic partnership, or legal separation, you may ask the court for protection by filing for a restraining order. More information about domestic violence restraining orders can be found:

- On form [DV-500-INFO](#) (*Can a Domestic Violence Restraining Order Help Me?*);
- On form [DV-505-INFO](#) (*How to Ask for a Domestic Violence Restraining Order*); and
- At selfhelp.courts.ca.gov/DV-restraining-order.

For domestic violence help, call the National Domestic Violence Hotline: 800-799-7233; or 211 (if available in your area).

Where can I get help?

This information sheet gives you only basic information about the joint petition process and is not legal advice. If you want legal advice, ask a lawyer for help. You may also:

- Contact the family law facilitator or self-help center in your court for information, court forms, and referrals to local legal resources. For more information, see selfhelp.courts.ca.gov/court-based-self-help-services.
- Find information on the Self-Help Guide to the California Courts: selfhelp.courts.ca.gov.
- Find a lawyer through a certified lawyer referral service on the State Bar of California's website (calbar.ca.gov/LRS) or by calling 866-442-2529 (toll-free).
- Find free and low-cost legal help (if you qualify) at lawhelpca.org.
- Find information at your local law library or public library.

SUMMONS—JOINT PETITION
CITACIÓN—PETICIÓN CONJUNTA

FL-710

NOTICE TO JOINT PETITIONERS
AVISO A LOS DEMANDANTES CONJUNTOS

The joint petitioners named below are parties to a formal legal proceeding and are immediately subject to certain obligations as a result.
Read the information below and on the next page.

*Los demandantes conjuntos nombrados a continuación son partes de un procedimiento formal y legal y, como resultado, están sujetos inmediatamente a ciertas obligaciones.
Lea la información a continuación y en la página siguiente.*

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

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the Judicial Council
FL-710 2025-10-07 AD-SJ-
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CASE NUMBER (NUMERO DE CASO):

Name of petitioner 1:
Nombre del demandante 1:

Name of petitioner 2:
Nombre del demandante 2:

NOTICE—RESTRAINING ORDERS ARE ON PAGE 2: These restraining orders are effective against both spouses or domestic partners until the case 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. Revocation of the joint petition by filing an amended petition or an amended response does not terminate these restraining orders.

AVISO—LAS ÓRDENES DE RESTRICCIÓN SE ENCUENTRAN EN LA PÁGINA 2: Estas órdenes de restricción están vigentes para ambos cónyuges o miembros de la pareja de hecho hasta que se desestime el caso, se emita un fallo, o la corte haga nuevas órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas órdenes puede hacerlas cumplir en cualquier lugar de California. La revocación de la petición conjunta efectuada con la presentación de una petición enmendada o una respuesta enmendada no pone fin a estas órdenes de restricción.

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. If your financial situation changes, the court may order you to pay back all or part of the fees and costs the court waived.

EXENCIÓN DE CUOTAS: Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. Si mejora su situación económica, la corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y los costos que eximió la corte.

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 attorney for petitioner 1, or petitioner 1 without an attorney, are: *(El nombre, dirección y número de teléfono del abogado del demandante 1, o del demandante 1 si no tiene abogado, son)*:
3. The name, address, and telephone number of the attorney for petitioner 2, or petitioner 2 without an attorney, are: *(El nombre, dirección y número de teléfono del abogado del demandante 2, o del demandante 2 si no tiene abogado, son)*:

[SEAL]

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 toward high-quality, affordable health care. For more information, visit 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 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.

Clerk stamps date here when form is filed.

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the Judicial Council
FL-720 2025-10-07 AD-SJ-
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Use this form if:

- You filed *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)) to begin this case;
- You want to revoke your joint petition and move this case to a different dissolution or legal separation process; and
- The court has not yet entered a *Judgment* (form [FL-180](#)) in this case.

For more information, read the notices in ② of this form and see *Information Sheet for Joint Petition or Legal Separation* (form [FL-700-INFO](#)).

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

① Your Information

a. Your Name:

b. Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name:

c. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead.):

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email Address: _____

d. Your role in this case (check one):

Petitioner (Check here if you were *Petitioner 1* on *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)). You must file an amended *Petition* (form [FL-100](#)) at the same time as this form.)

Respondent (Check here if you were *Petitioner 2* on *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)). You must file an amended *Response* (form [FL-120](#)) at the same time as this form.)



2 Notice to *(other party's name):* _____

- a. The person in ① has revoked *Joint Petition—Marriage or Domestic Partnership* (form [FL-700](#)) that you filed together. Revoking the joint petition does not dismiss (close) the case or revoke your general appearance. The person in ① has now moved your case to a different process, where each of you must file a separate petition or response and either of you may ask for orders of the court without the agreement of the other.
- b. **You have 30 calendar days** after the amended *Petition—Marriage/Domestic Partnership* (form [FL-100](#)) or amended *Response—Marriage/Domestic Partnership* (form [FL-120](#)) is served on you to file an amended *Response—Marriage/Domestic Partnership* (form FL-120) (if you were Petitioner 2) or an amended *Petition—Marriage/Domestic Partnership* (form FL-100) (if you were Petitioner 1).
- c. The restraining orders listed on *Summons—Joint Petition* (form [FL-710](#)) are still active. Both you and the other party must read and follow the orders on that form.
- d. 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 lawyers' fees and costs.
- e. Petitioner 1 is now the Petitioner in this case and Petitioner 2 is now the Respondent in this case.
- f. If you have questions about your rights, you should find help immediately. You may contact a lawyer. Get help finding a lawyer at LawHelpCA (lawhelpca.org) or by contacting your local county bar association. Free legal information is also available at your local self-help center. To find your local center, go to courts.ca.gov/find-my-court.

3 Your Signature

Date: _____

Name of Party or Lawyer

▶ _____
Signature of Party or Lawyer

Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

All comments are verbatim unless indicated by an asterisk (*).

| | Commenter | Position | Comment | Committee Response |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1. | California Lawyers Association, Family Law Section Executive Committee by Shannon Quinley, Legislation Chair | A | FLEXCOM agrees with this proposal. | The committee appreciates the feedback on this proposal. |
| FLEXCOM supports the provision of alternative methods of service to ensure service when the last known address may not be the actual current address of one or more of the parties. | | | The committee understands the concern but recommends removing the alternate service requirements for service of the pleading revoking the joint petition. Upon further legal review, the committee has determined that the revocation does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee has determined that alternate service requirements are not necessary. | |
| FLEXCOM suggests adding verbiage on the FL-700-Info Form to include the dissolution of domestic partnerships and an explanation that both the marriage and domestic partnership needs to be dissolved. | | | The committee agrees with the suggested change but recommends adding such language to form FL-700. The committee proposes adding the following language to page 2 of form FL-700: "If you are married and also in a domestic partnership, ending your marriage does not end your domestic partnership. You can ask to end both relationships by filling out both 2 and 3 of this form." | |
| 2. | Fast Divorce® by Charlie Silva, CEO | AM | Introduction Fast Divorce® is a California-registered Legal Document Assistant (LDA) company established in 2012. We specialize in providing comprehensive, accessible, and affordable divorce document preparation exclusively to self-represented litigants, who constitute approximately 70-80% of divorce filings statewide. | No response required. |

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

All comments are verbatim unless indicated by an asterisk (*).

| | Commenter | Position | Comment | Committee Response |
|--|-----------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>It is imperative that Californians clearly understand their full range of available resources when seeking a divorce. LDAs have existed since January 1, 2001, under the California Business and Professions Code §§6400-6415, yet their role and availability remain widely unknown among the general public.</p> <p>Specific Comments on the Proposed Changes (SPR25-21): Does the proposal appropriately address the stated purpose? The proposal significantly advances its stated purpose of facilitating collaborative divorce and legal separation proceedings. However, it could be improved by explicitly identifying and including the role of Legal Document Assistants (LDAs). Given that SB 1427 targets self-represented litigants, explicitly highlighting LDAs within the proposed forms—particularly form FL-700-INFO, item 3—would greatly enhance clarity and accessibility. LDAs, as legally defined in Business and Professions Code §6400(c)(1) and (2), are individuals or corporations who assist in document preparation under client direction without providing legal advice. Including clear mention and explanation of LDAs will ensure litigants fully understand their available options.</p> | <p>While the committee is mindful of the benefits that many Legal Document Assistants (LDAs) provide to self-represented litigants, it believes that the inclusion of mediators, lawyers, and collaborative lawyers is sufficient and does not recommend including LDAs as a separate category at this time.</p> |
| | | | <p>Should Rule 5.68 provide different service methods for revoking the joint petition for represented versus unrepresented litigants?</p> <p>Yes. Given the varying practical realities faced by unrepresented parties, distinct service methods are appropriate and justified. The proposal to maintain higher service standards for self-represented parties is crucial to ensure actual notice and avoid default judgments. This differentiation respects the practical considerations of cohabitation and potential address instability for self-represented litigants.</p> | <p>The committee understands the concern but recommends removing the alternate service requirements for service of the pleading revoking the joint petition. Upon further legal review, the committee has determined that the revocation does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee has determined that alternate service requirements are not necessary.</p> |
| | | | <p>Suggestions to Improve the Usability of the New Form Series: 1. Clearly Include LDA Option:</p> | <p>While the committee is mindful of the benefits that many Legal Document</p> |

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

All comments are verbatim unless indicated by an asterisk (*).

| | Commenter | Position | Comment | Committee Response |
|--|-----------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>Explicitly referencing LDAs on all informational forms (e.g., FL-700-INFO) would significantly increase accessibility for litigants. Clearly stating that LDAs are registered, bonded, and authorized under California law to prepare court documents will help litigants confidently utilize these services.</p> | <p>Assistants (LDAs) provide to self-represented litigants, it believes that the inclusion of mediators, lawyers, and collaborative lawyers is sufficient and does not recommend including LDAs as a separate category at this time.</p> |
| | | | <p>2. Enhanced Clarity in Terminology: The proposed form FL-700 currently merges issues related to marriage and domestic partnership, potentially causing confusion. To simplify understanding, we recommend distinctly separating marriage from domestic partnership issues, clearly labeling sections accordingly</p> | <p>The committee agrees with the suggestion to separate information regarding a marriage from information regarding a domestic partnership. (See items 2 and 3 on the proposed form.)</p> |
| | | | <p>3. Simplified Language and Improved Flow: The current format could benefit from simpler, more direct language. For example, items related to residency and type of case (items 2 and 3 on form FL-700) should clearly indicate initial qualifications, exceptions, and eligibility in a straightforward checklist format, rather than lengthy paragraphs.</p> | <p>The committee agrees with the suggested change and has made improvements to proposed form FL-700 to include simpler, more direct language especially regarding the marriage, domestic partnership, and residency requirements items.</p> |
| | | | <p>Alternatives for Wording & Structure of FL-700 (Items 2 and 3):</p> <ul style="list-style-type: none"> • Separate marital and domestic partnership status clearly into distinct sections. • Use visual aids or decision trees on forms to streamline residency questions, immediately clarifying eligibility. <p>Ensure bold, highlighted disclaimers for scenarios that disqualify applicants from joint petition filing.</p> | <p>As described above, the committee recommends having information about a marriage in an item separate from information regarding a domestic partnership.</p> <p>The Judicial Council has form guidelines that provides parameters for certain form design elements like visual aids, highlighting, and bolded font. The committee cannot incorporate elements into forms that do not follow those</p> |

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Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

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| | | | | <p>guidelines, such as decision trees. Additionally, the committee believes that the instructions proposed at the top of page 1 clearly state when parties should not use the joint petition process.</p> |
| | | | <p>Cost and Implementation Feedback: Cost Savings: This proposal is likely to provide significant cost savings. By facilitating collaborative processes, courts can reduce hearings, minimize administrative burdens, and expedite resolutions. Fast Divorce’s own data, having completed over 25,000 divorces, indicates that collaborative filing dramatically reduces resource use compared to contested processes.</p> | <p>The committee appreciates the information provided.</p> |
| | | | <p>Implementation Requirements: Courts will need staff training, especially for clerks and self-help center staff. Training should clearly define LDA roles and how court staff can appropriately inform litigants of these options. Estimated training: clerks and court self-help staff (approximately 6-12 hours per person).</p> | <p>The committee appreciates the information provided, but notes that the training requested is outside the scope of this proposal.</p> |
| | | | <p>Timeframe for Implementation (Two Months): A two-month lead time might be challenging, especially for smaller jurisdictions. We suggest a phased implementation or additional lead time (90-120 days) to ensure thorough training and seamless integration.</p> | <p>The committee appreciates the information provided but cannot change the implementation date because Family Code section 2342.51 mandates that forms be adopted no later than January 1, 2026.</p> |
| | | | <p>Adaptability Across Courts: This proposal is scalable across different court sizes. Smaller courts will particularly benefit from streamlined procedures and reduced court congestion. However, providing standardized, clear communication materials about LDAs and the new joint petition process will be essential for uniform understanding statewide.</p> | <p>The committee appreciates the information provided.</p> |

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| | | | <p>Concerns Regarding the State Bar and Visibility of LDAs: We respectfully highlight the lack of clarity and acknowledgment by the California State Bar regarding Legal Document Assistants. While mediators do not require licensing or formal credentials, LDAs are regulated under California law (Business and Professions Code §§6400- 6415), mandating registration, bonding, and ethical compliance. Nevertheless, public awareness of LDAs remains minimal, largely due to minimal promotion and visibility facilitated by the State Bar.</p> <p>We strongly urge the Judicial Council to explicitly incorporate the role of LDAs into public facing materials and guidance to improve public understanding and enhance access to justice. Highlighting LDAs as viable, regulated options for self-represented litigants supports the overarching goal of SB 1427: providing accessible, equitable, and effective pathways for divorce.</p> <hr/> <p>Conclusion & Recommendation: Fast Divorce® supports the intent and direction of Proposal SPR25-21. However, substantial improvements in clarity, visibility, and practical usability can be achieved by:</p> <ul style="list-style-type: none"> • Explicitly incorporating information about LDAs, their legal status under Business and Professions Code §§6400-6415, and clearly distinguishing their role from attorneys and mediators. • Refining form clarity and accessibility through simplified language and improved structure, particularly on residency and marriage/domestic partnership sections. • Ensuring adequate training timelines and resources, particularly for court staff in smaller jurisdictions. <p>We appreciate the opportunity to contribute to this vital discussion and remain committed to supporting the Judicial Council’s efforts in enhancing collaborative</p> | <p>While the committee is mindful of the benefits that many Legal Document Assistants (LDAs) provide to self-represented litigants, it believes that the inclusion of mediators, lawyers, and collaborative lawyers is sufficient and does not recommend including LDAs as a separate category at this time.</p> <p>The committee recommends clarifying form FL-700-INFO to add in the word “licensed” before counselors in the definition of mediators to indicate that the mediators it is referring to are either lawyers or licensed counselors.</p> <hr/> <p>No response required; see specific committee responses to each of these suggestions above.</p> |

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| | | | divorce processes, especially for the majority population of self-represented Californians seeking efficient and accessible justice. | |
| 3. | Harriet Buhai Center for Family Law by Rebecca L. Fischer, Director of Legal Services | NI | <p>Thank you for your request for comments on the proposed changes to the Judicial Council Forms. The Harriett Buhai Center for Family Law is a non-profit family law firm that serves very low-income litigants in Los Angeles County. The majority of our clients represent themselves. Around 85% have experienced some form of domestic violence. We hope that our perspective will be useful in this review process.</p> <p>Re Request for Specific Comment 1: Does the proposal appropriately address the stated purpose?</p> <p>Response: The Harriett Buhai Center for Family Law (“the Buhai Center”) supports the Judicial Council’s proposal implementing SB 1427 to establish a Joint Petition process for dissolution or legal separation with some reservations as discussed below, and recommends revisions as proposed below.</p> <p>This process will benefit many individuals who are low-income or who are representing themselves by:</p> <ul style="list-style-type: none"> (1) simplifying filings; (2) reducing adversarial encounters; and (3) potentially speeding up final judgments in uncontested matters. <p>We appreciate the Council’s commitment to improving access to justice for parties who may not qualify for summary dissolution but wish to proceed collaboratively.</p> | The committee appreciates the feedback on this proposal. The committee responds to each specific suggestion in the rows below. |
| | | | <p>Re Request for Specific Comment 2: Should rule 5.68 provide for different service methods for the pleading revoking the joint petition for represented and unrepresented litigants?</p> <p>Response:</p> | The committee agrees that the rule should not provide for alternate service requirements. Upon further legal review, the committee has determined that the revocation of the joint petition does not revoke the general appearance of either |

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| | | | <p>The rule should not provide for different service methods for represented and unrepresented litigants. Under proposed Rule 5.68(d)(2)(A), when a joint petition is revoked, mail service of the amended pleading and FL-720 is allowed only if the party being served is represented by counsel. If the receiving party is not represented, the rule requires personal service under Code of Civil Procedure §§ 415.10 et seq. This distinction imposes a substantial and unfair burden on self-represented litigants, many of whom are low-income, housing-insecure, or without access to professional process servers. Requiring personal service in all revocation cases where the other party is unrepresented effectively penalizes self-represented litigants who cannot afford service fees or who have limited ability to locate their former partner after separation. Moreover, this disparity is unnecessary. All parties in a joint petition case—represented or not—have made a general appearance under Family Code § 2331(b). If the concern is that the revoking party might not have a current address for the other party, that issue can and should be addressed through address verification, not by automatically defaulting to more expensive and inaccessible service requirements for self-represented litigants only.</p> <p>To ensure equal treatment and prevent defaults caused by mailing address instability, we recommend:</p> <ul style="list-style-type: none"> • Requiring an address verification form any time a party serves a revocation pleading by mail, regardless of whether the receiving party is represented. This form could be modeled on the Judicial Council’s FL-344 form. • Amending Rule 5.68(d)(2) to add subsection (D): (D) If a revocation pleading is served by mail, the serving party must also file a declaration verifying the accuracy of the address used for service, using [Address Verification Form] or an equivalent form approved by the Judicial Council. • Adding a checkbox to FL-725: <input type="checkbox"/> [Address Verification Form] is attached or on file. • Updating FL-700-INFO, Step 5(c), to reflect that address verification is required for all mail service of a revocation. | <p>party and therefore there is no risk of default. As such, the committee has determined that alternate service requirements are not necessary. The committee recommends removing the alternate service requirements from rule 5.68. The committee is also no longer recommending that the Judicial Council adopt a new proof of service form.</p> <p>These suggestions no longer apply, as the committee no longer proposes alternate service requirements for represented and unrepresented litigants.</p> |

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| | | | <p>This ensures fairness, promotes actual notice, and avoids unnecessary procedural complexity and expense for self-represented litigants while maintaining judicial integrity in contested proceedings.</p> <p>Re Request for Specific Comment 3: The forms in this proposal are a new series. Please provide any suggestions to improve their useability.</p> <p>Response: The Buhai Center proposes the following changes: 1) revise FL-720 to clarify service options, 2) revise FL-710 to include Hague advisory, and 3) minor form changes to improve readability and clarify consequences of revocation.</p> <p>1) Revise FL-720 to Include Option to Mail with Verification and Clearly State Service Options:</p> <p style="padding-left: 40px;">Item 6 of FL-720 (Notice of Revocation of Joint Petition) combines several distinct service procedures into a single paragraph, covering service on attorneys (for represented parties), service on unrepresented parties, and alternative service options. This blending of legal standards creates confusion for self-represented litigants and increases the likelihood of improper or ineffective service, particularly in cases where the other party is unrepresented or difficult to locate.</p> <p style="padding-left: 40px;">The current formatting does not distinguish:</p> <ul style="list-style-type: none"> • Service on a party’s attorney (under CCP § 1010 and CRC 5.92); • Service on unrepresented parties (under CCP §§ 415.10–415.30); and • Court-ordered alternative service (under Rule 5.68(d)(2)(C)). <p style="padding-left: 40px;">Moreover, it fails to include a practical and equitable mail-based option that includes address verification, which many low-income or pro per litigants depend on. Without this, the form encourages more burdensome and costly service methods that disproportionately affect self-represented litigants.</p> | <p>The committee’s responses to each of these suggestions are contained in the rows below.</p> <p>The committee understands the concern. Upon further legal review, the committee has determined that the revocation of the joint petition does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee does not recommend alternate service requirements for represented and unrepresented litigants. Therefore, the committee has determined that it is not necessary to recommend listing the service options on form FL-720.</p> |

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| | | | <p>We recommend revising Item 6 of FL-720 to clearly divide service methods by category and explicitly include verified mail service (discussed above) as an option for serving unrepresented parties. For example:</p> <p>6. How to Serve the Other Party</p> <p>1. If the other party has a lawyer (is represented):</p> <p>You may serve their lawyer by mail or electronic service. Follow Code of Civil Procedure section 1010 and California Rule of Court 5.92(f)(3).</p> <p>2. If the other party does not have a lawyer (is self-represented):</p> <p>You must use one of these methods:</p> <ul style="list-style-type: none"> • Personal service (have someone hand the papers to the other party) • Substituted service (leave the papers at their home or work, then mail a copy) • Service by mail with a verified address declaration (use form [Address Verification Form] or an equivalent) • Service by mail with Notice and Acknowledgment (form FL-117) • Other methods under Code of Civil Procedure sections 415.10–415.30 <p>3. If you cannot serve the other party using the above methods:</p> <p>You may ask the court for permission to use an alternative method. This is called “service by alternative means.” The court will need a good reason to approve this. Talk to a lawyer or visit your court’s self-help center for help.</p> <p>This revision:</p> <ul style="list-style-type: none"> • Mirrors the structure of other Judicial Council forms; | |

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| | | | <ul style="list-style-type: none"> • Respects the due process distinction between party types; • Provides a practical option for verified mail (which Rule 5.68 could incorporate in proposed subsection (D)); <p>Minimizes confusion for pro per litigants.</p> <p>2) Revise FL-710 to add a Hague Convention Advisory</p> <p>Rule 5.68(d)(2)(A) states that Hague Convention procedures are not required when revoking the joint petition because both parties would have already made a general appearance under Fam. Code § 2331(b). The legal effect of filing a joint petition is not explained in any form. Parties living abroad and parties subject to cross-border legal implications may not understand that by filing a joint petition, they are waiving their right to Hague-compliant service.</p> <p>We recommend adding the following plain-language disclosure in FL-710, directly beneath the warning about restraining orders:</p> <p style="padding-left: 40px;">Notice About International Service Rights By signing and filing a joint petition, you are making a general appearance in this case. If you or the other party live in another country, this may affect your rights under international treaties, such as the Hague Convention. Speak to a lawyer if this may apply to you.</p> <p>This addition is important for due process and will avoid future objections based on international service requirements.</p> <p>3) Form Changes to Clarify Consequences and Improve Form Usability:</p> <p>The proposed forms do not always make clear that revocation transforms the case into an adversarial proceeding where court orders and defaults can follow. We recommend the following changes:</p> <ul style="list-style-type: none"> • FL-700-INFO: Add a bolded warning box in the revocation section: | <p>The committee understands the concern but does not recommend the suggested change. The proposed language is not contained in any other summons form adopted by the Judicial Council, even though by making a general appearance in any case a party waives their right to Hague-compliant service. The committee notes that proposed form FL-700 contains the following language in item 7c: “By filing this form, each of you is making a general appearance. This means that you accept the power of this court to make decisions in your case and agree to participate in the case.” The committee believes this language is sufficient to address the concern.</p> <p>The committee does not recommend this change because it is no longer recommending alternate service requirements. Upon further legal review, the committee has determined that the revocation of the joint petition does not</p> |

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| | | | If you revoke this joint petition, you must follow special service rules. If the other party does not respond in 30 days, the court may enter a default against them. | revoke the general appearance of either party and therefore there is no risk of default. |
| | | | FL-700: Visually separate “Marriage” and “Domestic Partnership” paths to avoid user confusion | The committee agrees with the suggested change and has separated marriage and domestic partnership into individual items on proposed form FL-700. |
| | | | FL-720: Explicitly state role changes—e.g., “Petitioner 2 is now the Respondent.” | The committee agrees with the suggested change and proposes the following language to item 2e on proposed form FL-720: “Petitioner 1 is now the Petitioner in this case and Petitioner 2 is now the Respondent in this case.” |
| | | | Add a brief flowchart for what to do after service. | The committee appreciates the suggestion, but the Judicial Council has form guidelines that provides parameters for certain form design elements like visual aids, highlighting, and bolded font. The suggested change does not follow these guidelines. |
| | | | <p>Re Request for Specific Comment 4: [...] For example, would the form’s flow be improved by addressing marriage and its components and domestic partnership and its components separately? Please describe any alternatives that would improve clarity and usability.</p> <p>Response: The form would be easier to understand if FL-700 had visually separate “Marriage” and “Domestic Partnership” paths. It is easy to miss questions or answer them incorrectly and requires references back to other sections in the form. We recommend the sections be separated.</p> | The committee agrees with the suggested change and has separated marriage and domestic partnership into individual items on proposed form FL-700. |

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| 4. | LevittQuinn Family Law Center by Ana M. Storey, Executive Director | NI | <p>LevittQuinn Family Law Center exists to protect children and stand with family members in crisis. For 44 years, we have provided free and sliding scale family law services to financially vulnerable people with matters in the Los Angeles Superior Court. From legal advice that illuminates rights and responsibilities to representation in courthouses across the nation’s largest court system, we address the full scope of family law concerns. We help people to meaningfully participate in the justice system to secure fair and enforceable court orders about the care and control of children, financial support, division of assets/debts, and creation of new families via adoption. Our work results in reduced effects of trauma and builds stronger families and communities. We have reviewed the Invitation to Comment re: SPR25-21 [Family Law: Joint Petition for Dissolution or Legal Separation] and the comments attached as Exhibit A to this letter. We agree with and support the proposed revisions per the attached letter.</p> <p>In addition, we have a concern that self-represented parties may become confused by the consequence of filing an amended petition or response. We understand that the act of filing an amended petition or response results in a revocation of the joint petition. Some may interpret “revocation” as ending their case and requiring them to file a new petition for dissolution or legal separation. We think it would be beneficial to include in either the form and/or the related self-help guide a short explanation that the revocation of the joint process does not end the case. It simply moves the case from the joint petition process to the traditional adversarial process. This is especially important in cases where one of the parties stops participating in the matter.</p> <p>We appreciate the opportunity to share our thoughts on the efforts by the Judicial Council to create accessible joint petition forms.</p> | <p>The committee appreciates the feedback on this proposal.</p> <p>The committee notes that the commenter’s Exhibit A is a copy of the comment submitted by Ms. Jennifer Winestone. The committee has provided responses to Ms. Winestone’s comment in row 15, below.</p> <p>The committee agrees with the suggested change and proposes language in item 2a of form FL-720 and item 5 of form FL-700-INFO that explains that revoking the joint petition does not dismiss the case, but rather moves the case to a different process.</p> <p>The language at item 2 of form FL-720 is as follows: “Revoking the joint petition does not dismiss (close) the case or revoke your general appearance. Rather, the person in 1 has now moved your case to a different process, where each of you must file a separate petition or response and either of you may ask for orders of the court without the agreement of the other.” The language in</p> |

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| | | | | item 5 of form FL-700-INFO is substantially similar. |
| 5. | Los Angeles County Bar Association Family Law Section by Dena Kleeman, Chair. | NI | <p>I am a chair of the Family Law Section of the Los Angeles County Bar Association (“LACBA”). LACBA was founded in 1878 and is one of the largest voluntary bar associations in California. The Family Law Section of the LACBA is one of the largest sections of the LACBA. The Executive Committee of the Family Law Section oversees the continuing legal education programs, pro bono services, and information resources provided to our local Southern California family law community. The views expressed in this letter are the views of the Family Law Section and not those of the LACBA itself.</p> <p>As Chair of the Family Law Section, I write to express our strong support for the attached letter by Jennifer Winestone and Jeffrey Jacobson, the initiators of the Joint Petition proposal, and the signatories of that letter. Our committee has thoroughly reviewed the proposal and strongly supports the detailed substantive feedback in the attached letter. These comments reflect input from experienced attorneys, legal scholars, and subject-matter experts.</p> <p>We commend Ms. Winestone, Mr. Jacobson and their signatories for their detailed and careful consideration of the points raised in the comments. We particularly endorse the following feedback, which we believe are essential to ensuring protection of the couples and families who choose to use the joint petition process and to eliminating unnecessary confusion:</p> <ol style="list-style-type: none"> 1. A default is not appropriate upon revocation of the joint petition — As noted by both Ms. Winestone and Mr. Jacobson, in a joint petition process, both parties have, in fact, made a general appearance. A revocation of the joint petition transitions the parties from a non-adversarial process to an adversarial process. The filing of an amended petition or response does not revoke a general appearance as per the new legislation. We approve the recommended language for Rule 5.78 to address the committee’s stated concern. | <p>The committee appreciates the feedback on this proposal.</p> <p>The committee has provided responses to Ms. Winestone’s comment in row 15, below.</p> <p>The committee agrees with the legal analysis and suggested changes and has removed all references to the potential for default from the proposed forms. The committee recommends the following language be included on form FL-720: “Revoking the joint petition does not dismiss (close) the case or revoke your general appearance. Rather, the person in 1 has now moved your case to a different process, where each of you must file a separate petition or response and either of you may ask for orders of the court</p> |

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| | | | <p>2. Different service methods of the pleading revoking the joint petition for represented and unrepresented litigants — We agree that different service methods would only serve to create unnecessary confusion and potential litigation, which defeats the purpose of the joint petition. We do not believe that the joint petition process requires a different service method (as to any pleadings) for unrepresented litigants, in this, or any other area of law.</p> <p>3. Useability of the forms — We also agree that following familiar terms already found in the traditional form FL-100 will help to eliminate confusion. As such, we support the recommendations as detailed in the attached letter.</p> <p>We thank you for your time and consideration.</p> | <p>without the agreement of the other.” The committee also recommends including substantially similar language on item 5 of form FL-700-INFO.</p> <p>The committee agrees with the suggested changes and has removed the alternate service requirements from proposed rule 5.68. The committee is also no longer recommending that the Judicial Council adopt a new proof of service form.</p> <p>The committee appreciates the feedback on this proposal. The committee agrees with the suggestion that the residency requirements listed on form FL-700 should more closely track the language of the residency item on form FL-100 and has modified the proposed form accordingly. (See item 4 on proposed form FL-700.)</p> |
| 6. | Eric Milner | A | <p>Request for Grand Jury Investigation into Napa County CPS, Court Compulsion, and Nonprofit Collusion with NEWS</p> <p>1. Coerced Participation in Nonprofit Programs Under Color of Law:</p> <ul style="list-style-type: none"> • Napa County CPS is coercing parents into signing medical and mental health HIPAA releases and enrolling in fee-based NEWS programs under threat of losing custody of their children. • Despite NEWS advertising their services as voluntary, the county is mandating enrollment in NEWS programs (domestic violence classes, anger management, etc.) as a condition of reunification. <p>2. Violation of State and Federal Protections:</p> | <p>No response required. The comment exclusively addresses issues outside of the scope of this proposal.</p> |

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| | | | <ul style="list-style-type: none"> • Parents are being forced to sign medical releases, treatment disclosures, and service agreements with NEWS staff. This practice directly violates state and federal protections under HIPAA and the California Constitution, including Article I, Section 1 (Privacy Rights). • These mandates are being ordered by Napa courts with no legal basis, suggesting ex parte collusion between the court, CPS, and nonprofit agents. <p>3. Nonprofit Fraud, Grant Abuse, and Self-Dealing:</p> <ul style="list-style-type: none"> • NEWS is listed as a recipient of public funds and court referrals—yet shares a physical address with private fundraising entities like “100 Men Who Give a Damn,” and appears to operate with conflicting interests. • I am attaching screenshots and forms showing potential RICO violations, tax law fraud, and financial conflicts of interest between Napa County agencies and private nonprofits. | |
| 7. | Orange County Bar Association by Mei Tsang, President | A | <p>THE PROPOSED FORMS APPROPRIATELY ADDRESS THE STATED PURPOSE: Yes</p> <p>Rule 5.68 does not need further methods for service of process</p> <p>No suggestions for the new forms. Form FL-700 flows well as proposed.</p> | <p>The committee appreciates the feedback on this proposal.</p> <p>The committee agrees with the suggested changes and has removed the alternate service requirements from proposed rule 5.68. The committee is also no longer recommending that the Judicial Council adopt a new proof of service form.</p> <p>The committee appreciates the feedback on this proposal.</p> |
| 8. | Charlie Silva | AM | <p>Comment on Judicial Council Proposal SPR25-21 Submitted by Charlie Silva, Divorce Mediator Over 20 Years’ Specialized Experience in Structured Family Law Mediation</p> | <p>The committee appreciates the feedback on this proposal.</p> |

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Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

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| | | | <p>Professional Background and Introduction I am Charlie Silva, a professional Divorce Mediator (not an attorney) with more than two decades of specialized experience providing structured, amicable, and effective divorce mediation services to self-represented Californians. My mediation practice focuses on precise characterization of property, accurate spousal support and arrears calculations, parenting agreements, and streamlined, collaborative resolutions. To ensure accuracy in documentation and filings, I rely on the services of registered Legal Document Assistants (LDAs)—specifically FastDivorce.com</p> <p>I strongly support the objectives of SB 1427 (SPR25-21) in creating a clear, collaborative path toward divorce resolution, particularly for the approximately 70–80% of California litigants who are self-represented.</p> <p>Expert Analysis and Recommendations for Form FL-700 (Items 2 & 3): Upon reviewing the proposed Form FL-700, I have identified specific areas in critical need of clarification to ensure optimal usability and reduce confusion for the intended audience.</p> <p>Item 2 – Type of Case Currently, Item 2 (Page 2 of FL-700) groups marriage and domestic partnership status together in a manner likely to confuse most self-represented litigants targeted by this process. The combined presentation of marriage and domestic partnership options unnecessarily complicates understanding, increasing the likelihood of incorrect responses or confusion.</p> <p>Recommended Improvement: Clearly separate marriage and domestic partnership sections into distinct, visually differentiated subsections. Use straightforward, simple headings such as: "If Married, Complete This Section" "If in a Domestic Partnership, Complete This Section"</p> | <p>The committee agrees with the suggested change and recommends separating marriage and domestic partnership into individual items on proposed form FL-700. The committee has also changed the headings of these sections to be more straightforward, naming them “Marriage” and “Domestic Partnership” and simplifying the language in each item.</p> |

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| | | | <p>Include clear instructions and definitions for each scenario separately, avoiding ambiguity and guiding litigants step-by-step through their specific circumstances.</p> <p>Item 3 – Residency Requirements and Exceptions The existing structure of Item 3 (Residency Requirements) is overly complex and cumbersome, especially for litigants with limited legal familiarity. The current wording and multi-part questions could lead litigants to incorrectly assess their eligibility, causing administrative delays, unnecessary re-filings, and avoidable confusion.</p> <p>Recommended Improvement: Present residency criteria as a simple checklist, using clear "Yes" or "No" answers. Clearly distinguish standard residency requirements from exceptions (such as domestic partnerships or same-sex marriages initiated in California but where residency rules differ).</p> <p>Incorporate a visual decision-tree or flowchart to succinctly guide litigants through residency questions, explicitly highlighting eligibility criteria and potential exceptions.</p> <p>Importance of Explicit Inclusion of Legal Document Assistants (LDAs): Explicit recognition of LDAs within the Judicial Council's proposed materials is critical. LDAs, governed by California Business and Professions Code §§6400-6415 since January 1, 2001, significantly reduce document errors and enhance court efficiency through accurate preparation and proper filing of divorce forms. Including LDAs in informational resources (particularly form FL-700-INFO) would: Reduce common procedural errors frequently seen in self-prepared documents. Lower administrative costs by minimizing rejected or returned filings.</p> | <p></p> <p>The committee agrees with the suggested change and has simplified the residency item on proposed form FL-700, item 4. In response to feedback from other commenters, the committee also recommends that the language regarding residency requirements more closely follow the language on form FL-100.</p> <p>The Judicial Council has form guidelines that provides parameters for certain form design elements like visual aids, highlighting, and bolded font. The committee cannot incorporate elements into forms that do not follow those guidelines, such as decision trees or flowcharts.</p> <p>While the committee is mindful of the benefits that many Legal Document Assistants (LDAs) provide to self-represented litigants, it believes that the inclusion of mediators, lawyers, and collaborative lawyers is sufficient and does not recommend including LDAs as a separate category at this time.</p> |

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| | | | <p>Encourage currently informal, non-registered document preparers to formalize their status, enhancing regulatory oversight, consumer protection, and generating additional county revenue through increased registration and bonding compliance.</p> <p>Additional Practical Benefits: Significant Cost Savings: Collaborative processes facilitated by experienced mediators and professional LDAs demonstrably reduce court hearings, paperwork errors, and administrative overhead. My mediation practice consistently verifies that structured collaborative filings dramatically streamline court operations.</p> <p>Regulatory and Revenue Advantages: Explicit recognition of LDAs will motivate unregistered and non-bonded document preparers to formally register with county authorities, thus increasing compliance, generating new regulatory revenue, and ultimately improving public protection.</p> | |
| | | | <p>Timeline and Implementation Recommendations: To ensure smooth statewide adoption, provide a realistic implementation timeline (approximately 90-120 days). Offer targeted training for court personnel (6-12 hours per staff member), clearly defining roles of mediators and LDAs and providing standardized communication templates highlighting these resources.</p> | <p>The committee appreciates the information provided but cannot change the implementation date because Family Code section 2342.51 mandates that forms be adopted no later than January 1, 2026.</p> |
| | | | <p>Visibility and Recognition of Mediation and LDA Resources: Explicitly incorporating clear references to mediation and LDAs within official court and State Bar communications is crucial. Currently, despite statutory recognition, LDAs remain largely invisible to the public, resulting in increased court errors, administrative burdens, and litigant frustration. Proper visibility of LDAs will directly improve both efficiency and accessibility.</p> | <p>While the committee is mindful of the benefits that many Legal Document Assistants (LDAs) provide to self-represented litigants, it believes that the inclusion of mediators, lawyers, and collaborative lawyers is sufficient and does not recommend including LDAs as a separate category at this time.</p> |

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| | | | <p>Conclusion and Expert Recommendations: Based upon extensive experience as a mediator guiding thousands of Californians through structured, amicable divorces, I strongly recommend that the Judicial Council: Explicitly recognize LDAs within all collaborative divorce materials. Clarify and simplify Form FL-700 (Items 2 & 3) to significantly enhance usability and accuracy for self-represented litigants. Provide clear procedural guidance on forms, explicitly highlighting mediation and LDAs as critical collaborative resources. Emphasize regulatory compliance and increased revenue by explicitly recommending LDAs, motivating non-registered providers to formalize their practice.</p> <p>Implementing these professional recommendations will maximize the intended effectiveness of SB 1427, significantly streamline court processes, and directly benefit California families navigating divorce.</p> <p>Thank you for carefully considering these recommendations derived from extensive professional mediation experience.</p> | <p>The committee’s responses to each of these comments are listed in the rows above.</p> |
| 9. | Superior Court of Los Angeles County by Stephanie Kuo, Analyst | AM | <p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular judicial officer or employee.</p> <p>In response to the Judicial Council of California’s ITC, “Family Law: Joint Petition for Dissolution or Legal Separation,” the Superior Court of California, County of Los Angeles (Court), agrees with the proposal with modifications.</p> <p>The declaration of disclosure process does not appear to simplify the process for litigants and would not encourage settlement. Alternatively, a property worksheet like the one included in the Joint Petition for Summary Dissolution would be better to streamline the process for parties. Furthermore, it would make a notable difference for litigants if the process could include a provision for submitting a stipulated judgment</p> | <p>The committee appreciates the feedback on this proposal.</p> <p>The committee appreciates the concern but cannot change the declaration of disclosure requirements or the method for submitting a judgment because, pursuant to Family Code section 2342.5(g), all disclosure and other</p> |

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| | | | with the joint petition that would be processed and signed at six months unless revoked. | requirements that apply to a petition for dissolution of marriage or legal separation also apply to a joint petition of marriage or for legal separation. |
| | | | Another question to consider is if the filing of the joint petition will be included in the Family Centered Case Resolution tracking of the case to disposition. | The committee appreciates this concern and notes that rule 5.83 applies to joint petition cases. While parties may not file requests for orders in these cases, courts may still make orders and set hearings on their own motion pursuant to Family Code sections 2450 and 2451 as they deem appropriate. |
| | | | The proposal could provide cost savings if the parties make it through the entire joint process. This may also decrease the number of hearings and free up space on courtroom calendars. | The committee appreciates the information provided. |
| | | | Also, the procedures state that “If either party revokes the joint petition, the first petitioner becomes the petitioner in the now-adversarial process, and the second petitioner becomes the respondent.” However, this section also indicates that upon cancellation of the joint petition, the other party is notified of the potential for a default judgment. This creates complications if the party designated as the respondent, then attempts to proceed with default judgment. For instance, Form FL-165 specifically says the respondent is being defaulted. | The committee understands the concern. Upon further legal review, the committee has determined that the revocation of the joint petition does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee believes that this issue will no longer be a concern. |
| | | | To implement the proposal, the Court would need to train judicial officers and staff on the new policy and forms. The Court would also need to create new event codes in its case management system. The internal and external filing costs reference sheet will need to be updated, as well. Three months from Judicial Council approval should be sufficient time for implementation. The proposal should also work well across courts of different sizes. | The committee appreciates the information provided. |

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| 10. | Superior Court of Orange County Family and Juvenile Law Divisions by Katie Tobias, Operations Analyst | NI | <p>Does the proposal appropriately address the stated purpose?</p> <p>Yes, the proposal appropriately addresses the stated purpose.</p> <hr/> <p>Should rule 5.68 provide for different service methods of the pleading revoking the joint petition for represented and unrepresented litigants?</p> <p>Yes, it should be separated with different methods required.</p> <hr/> <p>Form FL-700's items 2 (type of case) and 3 (residency requirements and exceptions) present multiple issues required by statute. Are there alternatives to the proposed wording of the questions and instructions or the flow of questions and organizational structure that would make the form clearer and easier to complete? For example, would the form's flow be improved by addressing marriage and its components and domestic partnership and its components separately? Please describe any alternatives that would improve clarity and usability.</p> <p>Yes, the flow of this form would be greatly improved by having the format of other petitions in the Family Law forms series. The proposed form does not have a form title/header main box with selection boxes to let the court know if the parties are filing for a joint petition for dissolution, legal separation or domestic partnership. If both parties are filing a joint petition as Petitioner 1 and Petitioner 2, selections should flow more with the "We" instead of "You" language as stated in the Joint Petition for Summary Dissolution (FL-800) form.</p> | <p>The committee appreciates the feedback on this proposal.</p> <hr/> <p>The committee understands the concern but recommends removing the alternate service requirements for service of the pleading revoking the joint petition. Upon further legal review, the committee has determined that the revocation does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee has determined that alternate service requirements are not necessary.</p> <hr/> <p>The committee understands the concern but has moved this form to plain language format to be more accessible to self-represented litigants. The committee has separated marriage and domestic partnership into individual items on page 2 of the form so that clerks can more easily identify the case type. The committee also believes that the instructions and advisements in the form flow better in the second person and does not want the form to switch between first and second person. Therefore, the committee has decided not to recommend switching the form to the first person.</p> |

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| | | | <p>Also, for clarity and continuity, item #7 on the FL-700 should state that the restraining orders are found on page 2 of the summons. These documents are rarely printed out double sided or have a “back-side.”</p> | <p>The committee agrees with the suggestion and recommends this change. Item 7 is now item 8 on proposed form FL-700 because the committee has separated marriage and domestic partnership into individual items. As proposed, item 8b reads, “All the standard temporary restraining orders listed in Summons—Joint Petition (form FL-710) will apply to each of you as soon this form is filed.”</p> |
| | | | <p>Would the proposal provide cost savings? If so, please quantify. No, the proposal does not appear to provide any cost savings. What would the implementation requirements be for courts—for example, training staff (please identify the position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? Implementation will require providing communication to judicial officers and court staff, creating procedures, updating the case management system, and conducting court staff training (approximately 1 day).</p> | <p>The committee appreciates the information provided.</p> |
| | | | <p>Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? No, Orange County would need at least four months for implementation.</p> | <p>The committee appreciates the information provided but cannot change the implementation date because Family Code section 2342.51 mandates that forms be adopted no later than January 1, 2026.</p> |
| | | | <p>How well would this proposal work in courts of different sizes? Our court is a larger court, and with adequate time to implement, this could work for Orange County.</p> | <p>The committee appreciates the information provided.</p> |

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| 11. | Superior Court of Sacramento County by Jolene Pasztor, Supervising Family Law Facilitator | AM | <p>The current proposal SPR25-21 has created a joint petition that then follows the same process as a default judgment with agreement. This process does not simplify or make it any easier for pro per litigants to navigate the complicated dissolution process to replicate the current summary dissolution process of filing all the forms and agreement at one time. Here you will end up with litigants filing a joint petition thinking that resolves all issues in their case and finalizes their divorce in one step, not understanding there are many more steps that will need to be done if there is not very clear language on the Petition that this just begins the divorce process and to contact an attorney or the Self-Help Center to learn how to take the steps after to finalize their divorce and obtain a Judgment.</p> | <p>The committee understands the concern and proposes the following language to page 1 of form FL-700: “For more information and next steps about this process . . .” This language is placed before a reference to form FL-700-INFO and the court’s website, both of which have information regarding self-help centers and next steps parties will need to take to complete the process.</p> |
| | | | <p>Party Types: Having Petitioner 1 and Petitioner 2 only on the joint petition yet nowhere else in the process or forms still creates a “Respondent” which the intent of the legislature was to avoid the acrimony of there being a “Respondent.”</p> | <p>The committee appreciates the suggestion but does not recommend changing other forms at this time. Family Code section 2342.5(a)(1) provides that, “for identification purposes, including, but not limited to, identification on a Judicial Council form, the first joint petitioner shall be deemed petitioner and the other joint petitioner shall be deemed respondent.” Accordingly, it appears changing only the petition and summons forms was anticipated by the legislation.</p> |
| | | | <p>Rule 5.68 - Revocation: Different service methods should not be required. Currently in a Summary Dissolution the Court clerk mails the Notice of Revocation to both parties once entered providing notice of the revocation to both individuals at the address on record. In many dissolution cases, summary and non-summary cases, Parties continue to live at the same address due to financial circumstances. In none of these cases does the law require different levels of service requirements based on living together or status of representation. If service is a concern, following the same process as the summary</p> | <p>The committee agrees that the rule should not provide for alternate service requirements. Upon further legal review, the committee has determined that the revocation of the joint petition does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee has</p> |

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| | | | <p>dissolution using the FL-830 where the court clerk serves the revocation. In a summary dissolution or in a regular dissolution the parties may reside at the same residence and there is no requirement for the revocation or a dismissal to be served differently based on address or representation status. Additionally, under the current rules and forms, what would happen to the case if a party files the revocation yet never serves it.</p> | <p>determined that alternate service requirements are not necessary. The committee has removed the alternate service requirements from rule 5.68. The committee is also no longer recommending that the Judicial Council adopt a new proof of service form.</p> |
| | | | <p>Rule 5.92 Should this rule also then include that the revoking party will also need to file an Amended Petition or Amended Response prior to filing the Request for Order. Amended Petition and Amended Response If Petitioner 2 revokes the joint petition and is then required to file an Amended Response and Petitioner 1 would then file an Amended Petition to the Amended Response. This reversal of process where a “Petition” would be considered the “Response” to the Amended Response is going to be very confusing and complicated for self-represented litigants to understand. Rather having the first revoking party become the Petitioner and file an Amended Petition would be more logical and follow the current dissolution process.</p> | <p>The committee appreciates the concern but does not recommend the suggested change. Pursuant to Family Code section 2342.5(b), the process laid out in proposed rule 5.92 is legally correct. The committee notes that the legislation was drafted this way to allow for minimal updates to court case management systems.</p> |
| | | | <p>Joint Petition FL-700 Residency Requirements – Section 3 appears to be requiring both Petitioners to meet the residency requirements instead of just one as is required on the FL-100, by having the “skip to item 4” language only in (b). Perhaps (a) and (b) could be combined to ask if one of them meets the requirements, then if yes, skip to item 4.</p> | <p>The committee agrees with the suggestion. The proposed form, at item 4 now asks if just one petitioner meets the requirement.</p> |
| | | | <p>Property/Support - The FL-700 section 6 allows parties to select “Does Not Apply.” Many self-represented litigants at this stage of the process will be inclined to check “does not apply” as they will think because they have an agreement or are not requesting money that those topics simply do not apply to them. A better option might be to ask if there is any property (i.e. car, bank account, house) then check Yes. This will be especially problematic with child support and when DCSS has an open case. This may also become a problem for the Date of Separation if litigants check “does not</p> | <p>The committee agrees with this suggestion and has changed the format of item 7 on proposed form FL-700 to be a simplified list. The issues that apply to all dissolution cases are now mandatory and parties also have the option to check other issues that apply to their case.</p> |

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| | | | apply” and later property needs to be divided and there is not a date of separation listed to determine when the community ended. | |
| | | | There is also a typo on page 5 under the Notice section it should read “Dissolution of your marriage” not “Dissolution or of your marriage.” | The committee has made changes in response to other comments to remove this language, so the suggestion is no longer applicable. |
| | | | Cost Savings – No, both would be required to pay the same fees and go through the same process as a default with agreement. | The committee appreciates the information provided. |
| | | | Training – Staff would need to be trained on new procedures for filing and the revocation process. | The committee appreciates the information provided. |
| 12. | Superior Court of San Diego County by Mike Roddy, Executive Officer | A | <p>Specific Comments</p> <p>Q: Does the proposal appropriately address the stated purpose?</p> <p>A: Yes.</p> | The committee appreciates the feedback on this proposal. |
| | | | <p>Q: Should rule 5.68 provide for different service methods of the pleading revoking the joint petition for represented and unrepresented litigants?</p> <p>A: Yes, the rule is appropriate as proposed, for the reasons stated by the committee.</p> | The committee understands the concern but recommends removing the alternate service requirements for service of the pleading revoking the joint petition. Upon further legal review, the committee has determined that the revocation does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee has determined that alternate service requirements are not necessary. |
| | | | <p>Q: The forms in this proposal are a new series. Please provide any suggestions to improve their usability.</p> <p>A: Designating these forms as a new series will help both court users and court staff identify these actions.</p> | The committee appreciates the information provided. |

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| | | | <p>Q: Form FL-700’s items 2 (type of case) and 3 (residency requirements and exceptions) present multiple issues required by statute. Are there alternatives to the proposed wording of the questions and instructions or the flow of questions and organizational structure that would make the form clearer and easier to complete? For example, would the form’s flow be improved by addressing marriage and its components and domestic partnership and its components separately? Please describe any alternatives that would improve clarity and usability.</p> <p>A: The formatting of the existing FL-100 appears to be clearer and easier to complete. For instance, the person completing an FL-100 simply checks the applicable boxes under Legal Relationship and then proceeds to the item addressing Residence Requirements.</p> <p>Propose that the advisal listed after “No” in item 2b be moved to page 1 above “For More Information.” Add the following after "No" in item 2b, “(skip to item 3).”</p> | <p>The committee agrees with the suggestion and recommends that the residency requirements (item 4) on form FL-700 more closely follow the language of form FL-100. In response to other commenters, the committee recommends changing the formatting of this item; the new formatting is not conducive to moving the instruction in circulated item 2b as suggested.</p> |
| | | | <p>Q: Would the proposal provide cost savings? If so, please quantify.</p> <p>A: No.</p> <p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p>A: Developing internal procedures and local packets, adding filings to case management system, training staff, and notifying judicial officers.</p> <p>Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>A: Yes, provided the final versions of the forms are provided at that time.</p> <p>Q: How well would this proposal work in courts of different sizes?</p> <p>A: It appears the proposal would work for courts of all sizes.</p> <p>No additional Comments.</p> | <p>The committee appreciates the information provided.</p> |

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| 13. | Superior Court of Santa Cruz County by Amanda Miller, Supervising Attorney and Family Law Facilitator | NI | <p>I appreciate the opportunity to provide feedback on this proposal. Overall, the proposed rule effectively fulfills its stated purpose by clarifying procedural requirements. However, several refinements could enhance accessibility and usability, particularly for self-represented litigants (SRLs).</p> <p>1. Addressing the Stated Purpose The proposal provides a well-structured outline of necessary procedural steps. However, refining the forms could help users better understand the process.</p> <hr/> <p>2. Service Methods in Rule 5.68 Distinguishing service methods for represented and unrepresented litigants reduces the risk of inadequate notice and unintended defaults for SRLs. Additionally, the option to request alternative service under Rule 5.68(d)(2)(C) improves the potential for more equitable outcomes.</p> <hr/> <p>3. Usability of Forms The newly proposed forms are a welcome addition, though further refinements could improve the user experience. Simplified instructions and a more intuitive layout would provide clarity, particularly for those without legal representation.</p> <p>4. Suggested Improvements to Form FL-700 a. Structural Refinements</p> <ul style="list-style-type: none"> Items 2 and 3 address multiple statutory requirements. Restructuring these sections may enhance comprehension. Separating questions related to marriage from those addressing domestic partnerships could create a more logical flow, helping filers navigate the form with ease. | <p>The committee appreciates the feedback on this proposal.</p> <hr/> <p>The committee understands the concern but recommends removing the alternate service requirements for service of the pleading revoking the joint petition. Upon further legal review, the committee has determined that the revocation does not revoke the general appearance of either party and therefore there is no risk of default. As such, the committee has determined that alternate service requirements are not necessary.</p> <hr/> <p>The committee agrees with the proposed changes and recommends separating marriage and domestic partnership into individual items and restructured the residency item to more closely follow the language of form FL-100.</p> |

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| | | | <ul style="list-style-type: none"> • Residency requirements should be presented in clearer subsections to minimize confusion. | |
| | | | <p>b. Placement of Case Type Selection</p> <ul style="list-style-type: none"> • The current design requires clerks to refer to item 2 on page 2 to determine case type. Ideally, this information should be displayed directly under the caption on page 1, mirroring Form FL-100. | <p>The committee appreciates the suggestion but has made the form in plain language format to simplify it for self-represented litigants. Plain language format does not include a caption box. However, the committee recommends separating and simplifying the marriage and domestic partnership items on page 2 of form FL-700, and it believes this new formatting will make it easier for clerks to identify the case type.</p> |
| | | | <p>c. Clarity in “Amended Petition” Language</p> <ul style="list-style-type: none"> • Changing “Amended Petition” to “Amended Joint Petition” would improve clarity. <ul style="list-style-type: none"> ○ It is possible that litigants who do not read through or understand the forms may think that checking “Amending Petition” and re-filing is the equivalent of revoking the joint petition. Adding the word “joint” after “amended” may make it clearer that any amendment is agreed to by both parties. | <p>The committee agrees and recommends this change to form FL-700.</p> |
| | | | <p>d. Clarification in Introductory Language</p> <ul style="list-style-type: none"> • The current phrase, “<i>have agreed, or plan to agree</i>”, may mislead SRLs into assuming agreement exists when it may not. More precise wording—such as “<i>Use this form if you and your partner have come to an agreement or intend to do so on every issue in your case, with all terms documented in writing and signed by both parties</i>”—would be beneficial. | <p>The committee understands the concern but believes that the language “have agreed, or plan to agree” will be clearer to self-represented litigants, as it is at a fifth grade reading level. The commenter’s proposed language is at a twelfth grade reading level. The committee recommends the original</p> |

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Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

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| | | | | <p>language in the proposal, as it is more accessible.</p> <p>The committee also recommends including a clarifying instruction in item 7 of proposed form FL-700, as follows: “Issues you must agree on (<i>this means you will have a written agreement on all the issues listed below, which you will file with the court in the future</i>).” This will inform self-represented litigants that the agreement must be in writing and filed with the court.</p> |
| | | | <p>e. Item 3, Residency Requirement Language</p> <ul style="list-style-type: none"> The phrasing “<i>at least one of you has to have been a resident of this state...</i>” may be misinterpreted to mean both parties must meet residency requirements. A minor rewording would ensure clarity. | <p>The committee agrees with the proposed change and recommends the following language: “[] One or both of you have lived in California for the last six months and in the county where you are filing this petition for the last three months.”</p> |
| | | | <p>f. Item 5, Consistency in Terminology for Minor Children</p> <ul style="list-style-type: none"> The form inconsistently refers to “<i>additional minor children</i>” and “<i>children who are younger than 18.</i>” Using one standardized term throughout would be preferable. Expanding the space to list four minors (similar to FL-105/UCCJEA) would reduce the need for additional attachments. | <p>The committee agrees with the proposed change and recommends consistently using the phrase “children who are under 18” and adding space for four children.</p> |
| | | | <p>g. Item 6a, Clarification on Date of Separation</p> <ul style="list-style-type: none"> The option in item 6a—“does not apply”—may be confusing to self-represented litigants. Without additional clarification, parties may struggle to determine when the date of separation is relevant to their case. | <p>The committee agrees that the “does not apply” option may cause confusion and recommends removing that language. The issues that apply to all dissolution cases are now mandatory on proposed</p> |

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| | | | <ul style="list-style-type: none"> Removing the “does not apply” option would be helpful, because date of separation generally applies to all petitions for legal separation, dissolution of marriage, and dissolution of domestic partnership. Although date of separation may not be relevant in some cases (i.e. no pensions to divide), this is a complex issue that many self-represented litigants will not understand when completing the petition. | <p>form FL-700, and those that may apply have an optional checkbox in front of them.</p> |
| | | | <p>h. Item 8: "Other"</p> <ul style="list-style-type: none"> The purpose of this item is unclear. SRLs may mistakenly assume it can be used to request specific orders. | <p>The committee agrees that this is a concern. This item mirrors item 11c on form FL-100. It is derived from Family Code section 2330(c), which states that the joint petition may include “other matters.” To clarify, item 9 on proposed form FL-700 is titled “Other Matters.” To ensure that self-represented litigants are less likely to write requests for orders in this box, the proposed item does not include a fillable field but instead has an instruction for parties to include an attachment addressing any other matters.</p> |
| | | | <p>i. Recommended Additions to Form FL-700</p> <ul style="list-style-type: none"> Voluntary Declaration of Parentage (VDOP) – Unlike Form FL-100 item 4.e., FL-700 does not provide an option for indicating a previously signed VDOP for a child born prior to marriage. Including this option would align the form with existing filings. This omission may lead to inconsistencies in filings and could create difficulties for litigants seeking to ensure all relevant information is properly recorded. Adding this option to Form FL-700 would improve its completeness and alignment with existing forms. | <p>The committee does not recommend adding a checkbox for parties to indicate if there is a voluntary declaration of parentage (VDOP) for a child. If parties jointly list a child that they are both the parents of on form FL-700, parentage is not contested in the case and there would be no need for the court to have information about a VDOP in the petition. This differs from dissolutions brought under Family Code section</p> |

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| | | | | <p>2330(b) and filed on form FL-100, where each party files a separate pleading and separately lists the children.</p> <p>If parties complete the joint petition process and submit a proposed judgment, they may attach one or more VDOP forms to form FL-170 (see item 9a on form FL-170).</p> |
| | | | <p>Incorporation of Date of Separation in Item 2 – Family Code §2330(b)(2) requires the date of separation to be included in dissolution or legal separation petitions. Adding this element would improve alignment with FL-100 and simplify the process for self-represented litigants.</p> | <p>The committee understands the concern but does not recommend the suggested change because Family Code section 2330(b)(2) does not apply to joint petition cases. Joint petition cases are governed by Family Code section 2330(c), which does not require parties to list their date of separation. Instead, date of separation is listed as an issue that they intend to resolve by agreement.</p> |
| | | | <p>5. Comments on Form FL-700-INFO a. Item 2, Page 1 – Disclosures</p> <ul style="list-style-type: none"> • Requiring disclosures to be served by a nonparty differs from the summary dissolution petition process, where parties can exchange disclosures with each other. Removing the requirement to have disclosures served by a nonparty would simplify the process for SRLs and seems appropriate when parties have submitted a joint petition. | <p>The committee understands the concern, but Senate Bill 1427 is not meant to replicate the summary dissolution process. Family Code section 2342.5(g) states that the requirements of joint petition cases are generally the same as those for dissolutions brought under Family Code section 2330(b). Therefore, the committee does not recommend a change to the service requirements for declarations of disclosure.</p> |

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| | | | b. Item 4, Page 1 – Appearances, Stipulations, and Waivers <ul style="list-style-type: none"> • If submitted as a joint petition, why is this form required? Could the relevant language from FL-130 be incorporated into item 7 of FL-700? | The committee understands the concern but does not recommend making this change. Form FL-130 is submitted when parties already have an agreement; parties who submit form FL-700 may not yet have an agreement. Also, having different judgment submission requirements for joint petition cases may cause confusion and would require additional training for court clerks. |
| | | | c. Item 5, Page 2 – Notice of Revocation Filing Deadline <ul style="list-style-type: none"> • Establishing a clear deadline would facilitate a more efficient resolution process and encourage timely decision-making. | The committee understands the concern but does not recommend adding a deadline that is not required by statute. |
| | | | 6. General Concerns Regarding Complexity Compared to the Summary Dissolution Process <ul style="list-style-type: none"> • The current process is more complex than expected. Aligning it more closely with the summary dissolution framework would make it more accessible. | The committee understands the concern but notes that this process is governed by Senate Bill 1427. To make joint petition more like summary dissolution would require legislative changes. |
| | | | <ul style="list-style-type: none"> • A joint petition should allow parties to confirm completed disclosures and submit a proposed judgment alongside a marital settlement agreement (MSA). | The committee understands the reasoning but does not recommend changes to form FL-700 to incorporate this suggestion. If joint petitioners would like to confirm completed disclosures and submit a proposed marital settlement agreement simultaneously with the joint petition, they may do so by using the existing forms. The committee has concerns that adding this information to |

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| | | | <ul style="list-style-type: none"> <li data-bbox="548 428 1465 493">• Form FL-700 reads more like an instructional guide than a form requiring litigants to make decisions prior to filing. <li data-bbox="548 886 1472 984">• Including an option for parties to specify jointly requested orders—such as custody arrangements or spousal support termination—would improve clarity and prevent misunderstandings. | <p data-bbox="1497 341 1976 406">form FL-700 will lengthen the form and make it more complicated.</p> <p data-bbox="1497 428 1984 860">The committee understands the concern, but pursuant to Family Code section 2330(c) parties in joint petition cases are not required to make decisions prior to filing. Under Family Code section 2330(c)(3)(A), they must provide a list of issues which they “intend to resolve by agreement.” However, they need not have resolved these issues prior to filing. They may file the joint petition to ensure the automatic temporary restraining orders are in place while they work towards a negotiated resolution.</p> <p data-bbox="1497 886 1984 1318">The committee understands the reasoning but does not recommend adding this language to form FL-700. It is not required pursuant to Family Code section 2330(c). Additionally, because parties in joint petition cases may not submit requests for orders, it may confuse self-represented parties to have an option to submit requests that the court will not rule on. Parties to joint petition proceedings should specify their requested orders in their proposed judgment.</p> |

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| | | | To enhance accessibility and streamline the petition process, I encourage the committee to consider these refinements. Thank you for the opportunity to provide input. | The committee appreciates the feedback on this proposal. |
| 14. | Trial Court Presiding Judges Advisory Committee (TJPJAC) and the Court Executives Advisory Committee (CEAC) Joint Rules Subcommittee (“JRS”) | A | <p>The JRS notes that the proposal is required to conform to a change of law. The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> • Impact on existing automated systems. <ul style="list-style-type: none"> ○ Update Efile and Case Management Systems. Update training materials and BPRs. • Results in additional training, which requires the commitment of staff time and court resources. <ul style="list-style-type: none"> ○ Clerk, judicial officer and Self Help Center training. • Increases court staff workload. <ul style="list-style-type: none"> ○ Self Help Center will need to take time to explain this to the public as an option. Self Help will need to develop new packets and instructions. Could increase clerk staff time as these cases will need to be monitored. | The committee appreciates the feedback on this proposal. |
| 15. | <p>Jennifer Winestone, Attorney</p> <p>Jointly submitted by: Armine Baltazar, Attorney; Vi Ballard; Leon F. Bennett, Attorney;</p> | NI | <p>The drafters of this letter, Jennifer Winestone and Jeffery Jacobson, were the initiators of the joint petition proposal and partnered with Senator Ben Allen on drafting the legislation. The signatories to this letter are lawyers, mediators, mental health and financial professionals, who work in family law and who have reviewed the Invitation to Comment re: SPR25-21. By this letter, we submit our joint comments on the proposed implementation of Senate Bill 1427. Our comments address the four requests for specific comments from the committee.</p> <hr/> <p>1. Does the proposal appropriately address the stated purpose? Except for the item set out below, we believe that the proposal appropriately addresses the stated purpose.</p> <p>For the reasons described below, we request that all references to a default judgment being available if a party revokes the joint petition be removed. We do not believe that</p> | <p>The committee appreciates the feedback on this proposal.</p> <hr/> <p>The committee agrees with the suggested changes and has removed all references to the potential for default in all forms in this proposal. Specifically, the language was removed from the stipulations and waivers on proposed form FL-700, the</p> |

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| | Bransky, David, Attorney; Kevin J. Chroman, Attorney; Austin H. Chung, Attorney; Jill Cohen, Attorney; Catherine Connor, Attorney; Michelle Daneshrad, Attorney; Kimberly Davidson, Attorney; Bill Eddy, Attorney; Michel Eller, Attorney; Jane K. Euler, Attorney; Jami Fostage, Attorney; Gary Freideman, Attorney; | | <p>either party to a joint petition can ever be (or should ever be) in default following the revocation of the joint petition process.</p> <p>Family Code Section 2331(b), as amended, provides as follows: If the parties file a joint petition and joint summons, in a form and content approved by the Judicial Council, the joint petition shall be deemed to be served on both parties upon the filing of the joint petition with the court and both parties shall be determined to have appeared in the matter. [emphasis added]</p> <p>In addition, according to Rule 5.62 of the California Rules of Court: Except as provided in Code of Civil Procedure section 418.10 and Family Code sections 2012 and 3409, a respondent is deemed to have made a general appearance in a proceeding when he or she files:</p> <ol style="list-style-type: none"> (1) A response or answer; (2) A request for order to strike, under section 435 of the Code of Civil Procedure; (3) A request for order to transfer the proceeding under section 395 of the Code of Civil Procedure; or (4) A written notice of his or her appearance. <p>The filing of the joint petition satisfies the requirements of a general appearance for both parties (meaning that a default Judgment is no longer available as a disposition option). The filing of an amended petition or amended response transitions the proceeding from the non-adversarial joint petition process to the traditional adversarial process. The joint petition serves as a written notice of both parties' appearances. The filing of an amended petition or amended response does not revoke a general appearance pursuant to the new legislation.</p> <p>Pursuant to the new Family Code Section 2342.5(b)(3): <i>If an amended petition or amended response is filed pursuant to paragraph (1), the joint petition for dissolution or for legal separation of the parties is deemed revoked</i></p> | <p>instructions on proposed form FL-700-INFO, and the notice on proposed form FL-720. Forms FL-720 and FL-700-INFO now indicate that revoking the joint petition does not revoke the general appearance.</p> |

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| | <p>Franklin R. Garfield, Attorney; Fahí Takesh Hallin, Attorney; Leslie K. Howell, Attorney; Barbara Irshay Zipperman, Attorney; Jeffrey S. Jacobson, Attorney; Wendy S. Jones, Attorney; Michelle Katz, Attorney; Sharon S. Kianfar, Attorney; Jon Kramer; Mary Elizabeth Lund; Stephanie M. Maloney; Diana L. Martinez,</p> | | <p><i>and <u>the proceeding shall proceed</u> as a petition for dissolution or for legal separation of the parties under Section 2330. [emphasis added]</i></p> <p>The filing of an amended pleading <u>does not</u> revoke the underlying proceeding or the appearance of either party. The case number, time period under Section 2339, Standard Temporary Restraining Orders on the Summons, and party appearances are unaffected by the filing of an amended pleading. The deemed revocation applies only to the joint process and not to the underlying proceeding. Accordingly, we believe the proposal to allow a default judgment if a joint petition is revoked is legally improper and will result in potential confusion and/or actual prejudice to joint petitioners.</p> <p>Article 6 of Chapter 4 of the California Rules of Court provides rules for "Specific Proceedings", which currently include rules for "Domestic Partnerships"(Rule 5.76) and "Summary Dissolution" (Rule 5.77). If possible, a new Rule of Court could be added for joint petition, as follows or to the following effect:</p> <p>Rule 5.78. Joint Petitions (Non-Summary Dissolution) The joint petition serves as written notice of both parties’ appearances. A deemed revocation of the joint petition does not revoke the appearance of the party served with an amended petition or an amended response. Both parties’ written notice of appearance is satisfied by the filing of the joint petition.</p> <p>If an additional Rule of Court is not able to be added, then we suggest that the following notice be added directly to the FL-720 form. We propose that, for clarity, the form be titled: “Notice of Revocation of the Joint Petition Process” and include an affirmative statement at the top of the form, as follows: “Revocation of the Joint Petition Process does not dismiss the case or revoke the appearances of the parties.”</p> <p>In addition, the last paragraph should read: <i>“You have 30 calendar days after the amended Petition-Marriage/Domestic Partnership (form FL-100) or amended Response-Marriage/Domestic Partnership</i></p> | <p>The committee understands the concern but does not recommend adopting a new rule of court. The committee believes that the content of the commenter’s suggested rule 5.78 is already contained in the language of Family Code sections 2331(b) and 2342.5(b).</p> <p>The committee agrees with the suggested changes to the language of proposed form FL-720, but has simplified the language for accessibility. Item 2a of proposed form FL-720 contains the following language: “Revoking the joint petition does not dismiss (close) your case or revoke your general appearance. Rather, the person in 1 has now moved your case to a different process, where each of you must file a separate petition or response and either of you may ask</p> |

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| | Attorney; Erin McGaughy, Attorney; Tara McGuinness Attorney; Forrest S. Mosten, Attorney; Lauren S. Petkin, Attorney; Jaye-Jo Portanova; Tanya E Prioste, Attorney; George B. Richardson, Attorney; Fern Topas Salka, Attorney; Robin Sax, Attorney; Alison Spirito, Attorney; Joseph P. Spirito Jr., | | <p><i>(form FL-120) is served on you to file <u>an amended</u> Response-Marriage/Domestic Partnership (if you were Petitioner 2) or an amended Petition-Marriage/Domestic Partnership (if you were Petitioner 1). If you do not, the The court may may make orders affecting your marriage (...)</i></p> <hr/> <p>2. Should rule 5.68 provide for different service methods of the pleading revoking the joint petition for represented and unrepresented litigants? No. Rule 5.68 should not provide different service methods. Further to item 1 above, since both parties have appeared in the proceeding and said appearances have not been revoked, there is no need for heightened service requirements and different service requirements for unrepresented litigants. Personal service is not required after a party has made a general appearance.</p> <p>We believe different service requirements will cause unnecessary confusion and litigation, which is inconsistent with the purpose of the statute. Moreover, if the committee believes different service requirements should apply for unrepresented litigants, then we respectfully submit this should apply for all documents served on unrepresented litigants in all cases, including in the traditional adversarial process. Parties engaging in a joint petition process should not be subject to the proposed additional requirements for service.</p> | <p>for orders of the court without the agreement of the other.” The committee has also included similar language in item 5 of proposed form FL-700-INFO.</p> <p>The committee also recommends changing the title of proposed form FL-720 from <i>Notice of Revocation (Cancellation) of Joint Petition</i> to <i>Notice of Revocation of Joint Petition</i>. The committee does not recommend adding the word “process” to the title because, pursuant to Family Code section 2342.5, it is not the process that is being revoked but rather the joint petition itself.</p> <p>The committee agrees with the suggested changes and recommends removing the alternate service requirements from rule 5.68. The committee is also no longer recommending that the Judicial Council adopt a new proof of service form.</p> |

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| | Attorney; Jennifer L. Stara, Attorney; Nicole M. Stednitz, Attorney; Anthony Storm, Attorney; R. J. Thomas; Kerry Wallis, Attorney; James Walton; Shawn Weber, Attorney; Alex Weinberger; Jenna Williams, Attorney | | <p>3. The forms in this proposal are a new series. Please provide any suggestions to improve their usability.</p> <p>a. Joint Petition-Marriage or Domestic Partnership, FL-700</p> <p>i. Paragraph 1 “Who You Are”. Add a line at the end of the last sentence of the first parenthesis: “For identification (administration) purposes, on any forms that you must file in your case that say ‘Petitioner’ and ‘Respondent’, Petitioner 1 should identify as ‘Petitioner’ and Petitioner 2 should identify as ‘Respondent.’”</p> <p>ii. Paragraph 3 “Where you live or Where you Established your Legal Relationship (Residency)”.</p> <p>a. Generally, we believe that paragraph 2 “Residence Requirements” of the FL-100 is clearer than this proposed section. We would recommend modeling the paragraph in the manner of the FL-100 instead.</p> <p>b. Subject to our comment a. above, and in the alternative, revise the third sentence of the first parenthesis to read: “To end your marriage or domestic partnership, you have one of you has to be a resident of this state for at least six months and of this county for at least three months, unless you qualify for one of the exceptions listed below.” Delete subparagraph b: “Has Petitioner 2 lived in California for the last six months and in this county for the last three months”</p> | <p>The committee understands the reasoning but does not recommend this change. The committee is concerned that including this instruction on proposed form FL-700 will confuse self-represented litigants, as they need not file any forms outside of the 700 series at the same time that they file form FL-700. The instruction “For any forms that you must file in your case that say ‘Petitioner’ and ‘Respondent,’ Petitioner 1 should identify themselves and ‘Petitioner’ and Petitioner 1 should identify themselves as ‘Respondent’” is included on proposed form FL-700-INFO, which describes the steps that parties must take to obtain a judgment in their case. The committee believes that this language is sufficient to address the concern.</p> <p>The committee agrees with the suggestions and recommends changing the language of the residency requirements item on form FL-700 to more closely follow those on form FL-100.</p> |

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| | | | <p>Subject to our comment a. above, and in the alternative, we find the last paragraph very confusing. We recommend revising as follows: “If you did not answer yes to If you answered no to item 3.a, item 3 b*, item 3c or both of the questions in item 3d, you may not be allowed to file your request in this county. If you answered yes to item 3d and no to items 3d(1) and 3d(2), you may not be allowed to file your request in this county. Even if you are allowed to file in this county to ask the court to end your legal relationship, if you do not live in California, the court may not be able to make orders about property, support, or children. You can find more information on the rules for where you can file you case in the California Court Self-Help Guide: selfhelp.courts.ca.gov/divorce-california.” *Note: see above. Item 3b should be removed.</p> | |
| | | | <p>iii. Paragraph 5: “Your Children Who Are Younger Than 18”. Revise paragraph a., as follows: “Are you both the parents of any children <u>of this relationship</u> who are younger than 18.”</p> | <p>The committee does not recommend this change because the phrase “both the parents of” satisfies the concern and is more commonly used in everyday speech than “children of this relationship.” The committee believes that its proposed phrasing will be easier for self-represented litigants to understand.</p> |
| | | | <p>iv. Paragraph 6: We recommend a complete revision of this paragraph. Include a title for this paragraph “Issues You Intend to Resolve by Agreement In this Case” followed by a parenthetical (The items below are a list of the issues in the case.)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Date of Separation <input type="checkbox"/> Spousal or Domestic Partner Support <input type="checkbox"/> Rights to community and quasi-community assets and debts <input type="checkbox"/> Rights to separate property <input type="checkbox"/> Attorneys’ Fees and Costs <p>If you have children:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Child custody and visitation (parenting plan) | <p>The committee agrees with the suggestion. It recommends changing item 7 on form FL-700 to list the issues that apply to all dissolution cases as mandatory and giving parties the opportunity to check additional issues that apply to their case.</p> |

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| | | | <p><input type="checkbox"/> Child support</p> <p>If applicable:</p> <p><input type="checkbox"/> Changing name back to what it was before you were married:</p> <p><input type="checkbox"/> Petitioner 1 will change their name back to: _____</p> <p><input type="checkbox"/> Petitioner 2 will change their name back to: _____</p> <p>Other: (List any other issues)</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> _____</p> <p>We do not believe that it is necessary to include the checkboxes for “Does not apply”. We are concerned that it will cause unnecessary confusion. For example, the parties may check “Does not apply” if they do not believe either of them is entitled to spousal support, notwithstanding that it may be applicable.</p> <p>Moreover, irrespective of whether the “Does not apply” box is checked or not, the court still has jurisdiction over spousal support. In our view, all of the issues in the first category, as well as the issues in the second category (provided the parties have children), are applicable in every divorce or legal separation case. Even if, for example, there are no claims of separate property or spousal support, those issues should be addressed in a stipulated judgment by way of an affirmative waiver to fully dispose of the issues arising from the marriage or domestic partnership.</p> <p>The statute was designed such that parties would provide notice to the court of the issues, without the requirement to make legal decisions or state legal claims prior to engaging in negotiations. Many of the concepts in SB 1427 were derived from contemporary psychology and negotiation theory. Early and uninformed decisions and/or claims can often act as conflict triggers, anchoring to positional bargaining and discouragement of cooperation and settlement.</p> | |

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

All comments are verbatim unless indicated by an asterisk (*).

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| | | | <p>We suggest modeling this notice in the manner of FL-100, which is shorter, simplified and clearer. Notwithstanding, pursuant to Family Code Section 2024(a), it would appear that the verbatim notice is mandatory. In this case, we propose the notice be titled simply “Notice—Cancellation of Rights” in the same manner as the title in the FI-100.</p> <p>b. Summons Joint Petition (Family Law), FL-710: a. Revise the Notice, as follows: “These restraining orders are effective against both spouses or domestic partners until the joint petition <u>case</u> 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. <u>Withdrawal from the joint petition process by service of an amended response does not terminate these restraining orders.</u>”</p> | <p>The committee agrees and recommends that the language in notice box on page 6 of form FL-700 replicate the language in the notice box on form FL-100.</p> <p>The committee agrees with the proposed change but has updated the language to use the phrase “revocation of the joint petition” instead of the phrase “withdrawal from the joint petition process.” The committee’s language uses the statutory terminology contained in Family Code section 2342.5(b)(3) and also lists filing of an amended petition or amended response as the means of revoking the joint petition as specified in Family Code section 2342.5(b)(3). This paragraph on form FL-710 now reads, “These restraining orders are effective against both spouses or domestic partners until the case 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. Revocation of the joint petition by the filing of an amended petition or an amended response does not terminate these restraining orders.”</p> |

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Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

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| | | | <p>c. Notice of Revocation (Cancellation) of Joint Petition, FL-720 a. See comments above under item no.1.</p> | <p>The committee has provided a response in the row where the substantive comment is listed.</p> |
| | | | <p>d. Information Sheet for Joint Petition for Dissolution or Legal Separation, FL-700-INFO a. See comments above under item no. 1. b. Under “Where can I get help?”, we propose including the court links for Collaborative Divorce and mediation resources here as well.</p> | <p>The committee appreciates the suggestion and has included a link to the California Court’s Self Help Guide regarding negotiated agreements. Judicial Council forms do not include recommendations for specific paid services beyond a certified lawyer referral service. A new webpage on the joint dissolution process will be available by January 1, 2026 on the California Court’s Self Help Guide. The committee recommends including a link to this new page on the top of form FL-700.</p> |
| | | | <p>c. Under “What if there is domestic violence?”, the word “collaborative” should be replaced with joint petition”.</p> | <p>The committee agrees and proposes this change.</p> |
| | | | <p>e. Proof of Service of Pleading Revoking Joint Petition-Marriage or Domestic Partnership, FL-725 a. See comments under item no. 1. This form is unnecessary, provided that our comments are accepted. b. Subject to a. above, and in the alternative, item 3. C is not required, includes forms that may have already been served, and may create unnecessary confusion.</p> | <p>The committee agrees with the suggested changes and is no longer recommending that the Judicial Council adopt a new proof of service form.</p> |
| | | | <p>4. Form FL-700’s items 2 (type of case) and 3 (residency requirements and exceptions) present multiple issues required by statute. Are there alternatives to the proposed wording of the questions and instructions or the flow of questions and organizational structure that would make the form clearer and easier to complete? For example,</p> | <p>The committee appreciates the feedback on this proposal. In response to other comments, the committee recommends separating</p> |

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Family Law: Joint Petition for Dissolution or Legal Separation (amend Cal. Rules of Court, rules 5.16, 5.50, 5.68, and 5.92, adopt forms FL-700, FL-710, and FL-720, and approve form FL-700-INFO)

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| | | | <p>domestic partnership and its components separately? Please describe any alternatives that would improve clarity and usability.</p> <p>a. We have no comments to the proposed wording of item 2 on Form FL-700. See above at paragraph 3.a. for our comments on item 3.</p> <p>We really appreciate the work and thoughtful approach of the Judicial Council on the joint petition forms. We hope you will consider our comments, which we believe will serve to simplify process, ensure that it conforms to established rules and practices, and avoid potential confusion and prejudice to the parties.</p> | <p>marriage and domestic partnership into individual items and simplifying the wording. Regarding item 3, the committee has provided a response in the row where the substantive comment is listed.</p> |

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