



MONTEREY COUNTY SUPERIOR COURT  
1200 Aguajito Road  
Monterey, CA 93940  
(831) 647-5800  
www.monterey.courts.ca.gov

## JUDGMENT: DEFAULT DIVORCE (Packet #8)

*The purpose of these instructions is to provide information about how to complete the forms and a link to the forms you can use to ask the court for a judgment for dissolution of marriage. You must have opened a case, served the other party, waited 30 days from the date of service, and completed a Preliminary Declaration of Disclosure before you use these forms.*

### STEP 1: Complete the forms.

You **must** complete the following forms:

- **Request to Enter Default** ([FL-165](#))
- **Declaration for Default or Uncontested Dissolution** ([FL-170](#))
- **Judgment** ([FL-180](#))
- **Notice of Entry of Judgment** ([FL-190](#))

You *may* also need to complete the following forms:

- **Stipulation and Waiver of Final Declaration of Disclosure** ([FL-144](#)) - (if you have a Marital Settlement Agreement and are waiving the final disclosures)
- **Income & Expense Declaration** ([FL-150](#)) - (if you are asking for orders related to child support, spousal support or attorney's fees)
- **Property Declaration** ([FL-160](#)) – (if you are asking for an order in your judgment regarding distribution of community or separate property.)
- **Income Withholding for Support** ([FL-195](#)) - (if you have child support order in your case)
- **Child Support Case Registry Form** ([FL-191](#)) - (if you have children)
- **Notice of Rights and Responsibilities / Information Sheet on Changing a Child Support Order** ([FL-192](#)) - (if you have requested child support)
- **Child Custody and Visitation Order Attachment** ([FL-341](#)) – (if your petition requested custody & visitation orders)
- **Child Support Information & Order Attachment** ([FL-342](#)) - (if your petition requested child support orders)
- **Spousal, Partner, or Family Support Order Attachment** ([FL-343](#)) – (if your petition requested spousal support orders)
- **Property Order Attachment** ([FL-345](#)) - (if your petition requested property orders)
- **Wage and Earnings Assignment Order for Spousal Support** ([FL-435](#)) - (if you have spousal support in your case)

- All forms must be completed in a clear and legible manner and either typed (completed online) or neatly written in **black or blue ink**.
- **Do not use white-out liquid or correction tape on your forms!** If you make a mistake, simply mark a single line through the mistake, initial it and then enter the correct information.
- Complete the caption on **every** page of the form. Most forms have a caption box at the top where you will enter your name, address, phone number, and a second box for the Court's information and a third box where the names of the parties are written.
- If you have any questions regarding completing these forms or would like someone to review your forms before you file them, please schedule a document check with the Self-Help Center. You can do this online at [www.monterey.courts.ca.gov/SelfHelp/](http://www.monterey.courts.ca.gov/SelfHelp/).

### How to complete the forms

Complete the information on the caption (as pictured below), check the appropriate boxes to indicate what you are requesting, and fill in information where required.

<p style="font-size: small;">ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>John Doe</b>  <b>123 Main Street</b>  <b>Salinas, CA 93906</b></p> <p style="font-size: small;">TELEPHONE NO.: <b>831-123-4567</b>      FAX NO. (Optional):</p> <p style="font-size: small;">E-MAIL ADDRESS (Optional):</p> <p style="font-size: small;">ATTORNEY FOR (Name): <b>In Pro Per</b></p> <p style="font-size: small;"><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY</b></p> <p style="font-size: small;">STREET ADDRESS: <b>1200 Aguajito Road</b>  MAILING ADDRESS: <b>1200 Aguajito Road</b>  CITY AND ZIP CODE: <b>Monterey, CA 93940</b>  BRANCH NAME: <b>Monterey</b></p> <p style="font-size: small;">PETITIONER: <b>John Doe</b></p> <p style="font-size: small;">RESPONDENT: <b>Jane Doe</b></p>	<p style="font-size: small;">FOR COURT USE ONLY</p> <p style="text-align: right; font-weight: bold; font-size: small;">FL-165</p>
<p style="font-weight: bold; font-size: small;">REQUEST TO ENTER DEFAULT</p>	<p style="font-size: small;">CASE NUMBER: <b>DR12345</b></p>

### Request to Enter Default (FL-165)

**Item 2:** If you are asking for orders in your judgment related to child support, spousal support, or attorney's fees, you must check the box that you have attached an "Income and Expense Declaration," (form FL-150) and attach a recent version of this document (refer to Packet #12 Income and Expense Instructions for details). If you are asking for orders in your judgment regarding distribution of community or separate property, check "Property Declaration is attached" and attach a recent version of this document (form FL-160) too. You must have separate community property and separate property declarations.

If you have a marital settlement agreement covering property distribution, or you are not asking for any of the above types of orders, or if there have been no changes to that information since your last filing (and you have filed these documents within the last six months), then check the box "is not attached" regarding both the Income and Expense Declaration and the Property Declaration, and check boxes (a), (b), (c), (d), (e), or (f), depending on which applies.

Then date, print, and sign at the bottom of Item 2.

**Item 3:** If you served the summons by posting or publication, check box 3.a. and date, print and sign at the bottom of that section. If the Respondent was served personally or by mail, check box (b), insert the Respondent's name and address, then date, print, and sign.

**Item 4:** Check box 4.a. in most circumstances; please ask for assistance from the Self-Help Center if you wish to request an order asking for fees or costs to be paid by the other party. Make sure to date, print, and sign your name.

**Item 5:** Provided the other party is not in the military, date, print, and sign at the bottom of page 5. If the other party is in the military, please ask for additional information from the Self-Help Center.

### **Declaration for Default or Uncontested Dissolution (FL-170)**

**Item 3:** Check the box that applies to your original petition filing (Dissolution or Separation).

**Item 4:** Check box (a) if you have an agreement or doing an uncontested divorce process; please ask for assistance from the Self-Help Center on how to complete this document. If you and your spouse do not have any community assets or debts to be divided, you must check box 4(a) (3) (A). If you have community assets and debts to be divided by the court, check box 4(a) (3) (B), and attach a completed **Property Declaration (FL-160)**.

**Item 5:** Check box (b) if you are proceeding with a default and a marital settlement agreement signed by both parties; cross out box (b) and check (c).

**Item 6:** If you are requesting custody orders of any kind, or your written agreement covers which parent will have custody of your children, check item 6; check the appropriate box (a) – (c).

**Item 7:** If you are requesting child support orders, check item 7; then check the applicable box (a) (1)-(3).

**Item 8:** If you want to give up your right to receive spousal support from your spouse, check box 8(a). If you want the court to “reserve jurisdiction” over spousal support, meaning that the court can make a decision later about whether or not to grant spousal support to either you or your spouse, check box 8(b) and enter the name or names of the person who might be receiving spousal support in the future. If you asked to terminate spousal support to the other party in your petition, and you were married less than 10 years, check box 8(c). If your written agreement includes an agreement that one spouse is to pay spousal support to the other spouse, check box 8(d). Make sure to file a completed Income and Expense Declaration unless you already have a current one on file with the court. If your written agreement includes an agreement that one spouse is to pay family support, check box 8(e). *(Note: If you have long-term marriage of over ten years, the court will usually reserve jurisdiction over the issue. Please ask for further information at the Self-Help Center, or consult with private legal counsel on this issue.)*

**Item 9:** If any of your children were born prior to the date of your marriage, check 9 and the appropriate box below it.

**Item 10 and 11:** Please check with the Self Help Center before completing items 10 and 11.

**Item 12:** If you wish to request your former name, check item 12 and indicate if you are the petitioner or respondent. **You cannot request restoration of the former name of the other party.**

### **Judgment (FL-180)**

**In the caption box,** check the box next to the word DISSOLUTION (or SEPARATION if you filed for a separation). **Do not check any of the sub-boxes** unless you have been instructed to do so by your attorney or the staff at the Self-Help Center.

**Item 1:** Leave blank. If you have a question about restraining orders, contact the Self-Help Center.

**Item 2:** Check the boxes Default or Uncontested and By Declaration under Family Section 2336.

**Item 3:** The date of jurisdiction is usually the date that the Respondent was served with the Petitioner's **Summons (FL-110)** and **Petition (FL-100)**. Look on the **Proof of Service of Summons (FL-115)** for the date the Respondent was served and check box 3.a.

**Item 4:** Check box 4(a), (you will need to change this if you filed for a separation). Leave the date blank. The court will insert the date in for you. If you want your former name restored, check box 4(f) and enter the former name that you want to use after the divorce is granted. (You must have requested this name change on your Petition when you filed for divorce.) If your judgment has provisions for child support or family support, check box 4(h). You must attach a computer printout showing the state-mandated child support guideline amount. To generate a computer printout, go to the Department of Child Support Services (DCSS) website at <https://www.cse.ca.gov/ChildSupport/cse/guidelineCalculator> and enter your information, then print the final results. You will also need to complete and submit a **Child Support Case Registry Form (FL-191)**.

If you have children of this marriage, check box 4(i) and insert the names and dates of birth of your children.

Check the boxes (j) through (m) which are appropriate (judgment provisions must match what was requested in the Petition at the beginning of the action).

### **Notice of Entry of Judgment (FL-190)**

If you are asking for a judgment dissolving your marriage, check box 1. If you are asking for a judgment that only terminates (ends) your marital status and leaves other issues for the judge to decide later, check box 2. At the bottom of the form, enter the name and address of the Petitioner and Respondent, where indicated.

## **STEP 2: Copy the forms.**

Once you have completed the forms, you may want to schedule a document review appointment at the Self-Help Center. You will need to make copies as follows:

- The original and 2 copies of the **Request to Enter Default (FL-165)**
- The original and 1 copy of the **Declaration for Default or Uncontested Dissolution (FL-170)**
- The original and 4 copies of the **Judgment (FL-180)** and all attachments
- The original and 3 copies of the **Notice of Entry of Judgment (FL-190)**
- The original and 1 copy of the **Child Support Case Registry Form (FL-191)**, if needed

You will also need:

- Two stamped envelopes (legal size) addressed to the Respondent
- Addressed to the Petitioner: one stamped legal-size envelope and one large envelope with enough postage for the return of the file-stamped copies (i.e., 2 copies of the Request to Enter Default, 2 copies of the Declaration for Default or Uncontested Dissolution, and 2 copies of the Judgment)

**Note:** You do not serve the Judgment papers on your spouse. The court will mail a copy of the **Notice of Entry of Judgment (FL-190)** to both parties (or to each party's attorney) after the Judgment is signed by a judge and filed by the court.

### **STEP 3: File the forms with the court.**

Bring the original and your copies of all forms to the first floor Family Law filing window at the [Monterey Courthouse](#), located at 1200 Aguajito Road, Monterey.

If you need to mail the forms to the court, be sure to include a return envelope with sufficient postage so the court can mail the copies to you.

The court will keep the original and will mail your file-stamped copies to you. Keep the copies for your records.

**For additional assistance:** The Self-Help Center provides workshops by appointment (or waitlist if space is available) and is located on the first floor at the Monterey Courthouse, 1200 Aguajito Road, in Monterey. To make an appointment, you can come in person, call 831-647-5890, or sign up online (go to [www.monterey.courts.ca.gov](http://www.monterey.courts.ca.gov) and follow the links to the Self-Help Center and then select the workshop you would like to attend).

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You must complete the following forms:

- [FL-165](#) (Request to Enter Default)
- [FL-170](#) (Declaration for Default)
- [FL-180](#) (Judgment)
- [FL-190](#) (Notice of Entry of Judgment)

*Optional forms:*

- [FL-144](#) (Stipulation & Waiver of Final Disclosure)
- [FL-150](#) (Income & Expense Declaration)
- [FL-160](#) (Property Declaration)
- [FL-191](#) (Child Support Caser Registry Form)
- [FL-192](#) (Notice of Rights & Responsibilities)
- [FL-195](#) (Income Withholding for Support)
- [FL-341](#) (Child Custody & Visitation Attachment)
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- [FL-435](#) (Wage & Earnings Assignment for Spousal Support)