



HOW A CONTESTED DIVORCE WORKS

Marriage is a contract. Divorce is a legal way to break or dissolve the contract. Getting a divorce in California involves six major steps:

01



START THE CASE – FILE DIVORCE PAPERS

- One spouse files the Summons and Petition with the court, officially starting the case.
- The issues to be resolved are:
 1. Child Custody & Visitation
 2. Child Support
 3. Spousal Support
 4. Property Division
 5. Attorney Fees and Costs

02



NOTIFY THE SPOUSE – SERVE PAPERS

- The other spouse is served with the Summons and Petition, which in most cases is done by handing them the documents in-person.
- Serving court papers is the legal way to let the other spouse know you started a court case.
- The other spouse has 30 days to file a response to the Petition.

03



EXCHANGE INFORMATION – SHARE FINANCIAL INFORMATION

- The spouses share details about income, assets, and debts using the following three forms:
 - Declaration of Disclosure (form FL-140)
 - Income and Expense Declaration (form FL-150)
 - Schedule of Assets and Debts (form FL-142)
- Each spouse must provide financial information including:
 - Descriptive information regarding assets and debts.
 - Financial records (bank statements, tax returns, pay stubs, etc.)

04



TRY TO AGREE – SPOUSES MAKE DECISIONS

- Many spouses negotiate decisions together and/or via counsel.
- This process is called “settlement” and it involves reaching an agreement on all issues.
- Reaching an agreement without court intervention is generally much faster and less expensive.

05



GO TO COURT – JUDICIAL OFFICER MAKES DECISIONS

- If you and your spouse cannot agree on all issues, a judicial officer will decide for you.
- During this process your legal team will advocate for you and help you get the best outcome possible.

06



END THE CASE – RECEIVE FINAL DECISION

- The judicial officer gives a final judgment.
- The judgment restores your marital status to a single person.