HOW AN UNCONTESTED DIVORCE WORKS

An uncontested divorce means both spouses agree on all issues, making the process much faster and less expensive than a contested divorce. Getting an uncontested divorce in California involves five 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.
- In an uncontested divorce, the other spouse may file a response agreeing to all terms or choose not to respond and allow a "default with agreement".

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

REACH AN AGREEMENT – 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.
- Once an agreement has been reached, the spouses must prepare a Marital Settlement Agreement (MSA) outlining their agreed terms on all issues.

05

END THE CASE – RECEIVE FINAL DECISION
- The judicial officer reviews the submitted paperwork and gives a final judgment.
- The judgment restores your marital status to a single person.