

# Combined Index 2016

## How to Do Your Own Divorce (39th Ed) and How to Manage a Contested Divorce (14th Ed)

Italicized page numbers indicate sample forms, which are listed under *forms* and as main entries.

Key: **1:** *How to Do Your Own Divorce in California*; **2:** *How to Manage a Contested Divorce in California*.

401 (k). *See* retirement and pension funds

### A

A&W (Appearance, Stipulations, and Waivers), **1:35**, **1:145**, **1:149–150**, **1:151**

accusations, proving, **2:74**

Additional Page(s), **1:110–111**, **1:121**, **1:128**, **2:61**, **1:188–189**

address, change of, **1:110**, **1:207–208**, **2:272**, **2:273**, **2:274**

ADR (alternative dispute resolution), **1:100**, **1:115**

adversary system, **1:13–14**, **2:17**, **2:43**

advice, obtaining

Divorce Helpline, **1:13–14**, **1:15**

getting help, **1:25–26**

getting legal advice, **1:25–26**

who can help, **1:26–29**

AFDC (now TANF/Cal/WORKS), **1:199n**

affidavit of service, notarized, **1:153**

after the judgment, **2:273–278**

agreement coming

Petition and, **1:125**

Response and, **1:140–141**

agreements

full or partial, **2:25–26**, **2:28**, **2:29–32**, **2:30**, **2:133**, **2:254**, **2:266**

goals of, **2:29–32**

modifications, **2:275**

negotiating, **2:23–27**

obstacles to, **2:17–22**, **2:18–19**

proposed, **2:251**

steps to overcoming obstacles, **2:19–22**

temporary, **2:21**

alcohol/drug examinations, **2:217–219**

alcoholism, **1:66**

aliens, resident, **1:44**

alternative dispute resolution (ADR), **1:100**, **1:115**

alternative orders, **2:119**

amending documents. *See under document name*

annulment (nullity), **1:31**

appeals, filing, **2:134**

Appearance, Stipulations, and Waivers (A&W), **1:35**, **1:145**, **1:149–150**, **1:151**

Application and Declaration form, **2:75–76**

Application and Order for Reissuance of Order to Show Cause, **2:108, 2:108–109**  
apportionment (defined), **1:53**  
arbitration, **1:22, 1:100, 2:27**  
arrangements, temporary, **2:21**  
assets and debts  
    Petition and, **1:125–128**  
    Response and, **1:138–140**  
    *See also* community property (CP)  
assistants/support persons, **2:263–264**  
At-Issue Memorandums, **2:237–245**  
    case not ready, **2:243**  
    contents of, **2:239**  
    deadlines and, **2:245**  
    disadvantages of, **2:238**  
    Expert Demand Trap and, **2:245**  
    filing and serving, **2:241**  
    how to do, **2:238–241**  
    if no Response filed, **2:237**  
    motion to strike, **2:243**  
    preparing, **2:238–239**  
    reasons not to file, **2:238**  
    responding to, **2:241**  
    setting a trial date, **2:237–238, 2:245**  
ATROs (Automatic Temporary Restraining Orders), **2:97**  
attachments  
    custody and visitation, **2:83, 2:85, 2:86–87, 2:105, 2:141–142**  
    to declarations, **2:78, 2:119**  
    to Judgment, **1:69, 1:188–190**  
    to motions, **2:83**  
    to orders, **2:138, 2:140, 2:275**  
    to Request for Order (FL-300), **2:88–91, 2:105–106**  
    to Response, **1:137**  
attorneys, **2:41–50**  
    advice from, **1:28**  
    collaborative divorce and, **1:29**  
    county, **1:86**  
    divorce specialists, **2:43**  
    fees of, **1:37, 2:44, 2:192**  
    firing, **2:49, 2:55**  
    holistic, **2:43**  
    immigration, **1:44**  
    interviewing, **1:28, 2:44–45**  
    limited representation and, **1:28–29**  
    malpractice and, **1:13**  
    misrepresentation by, **2:47**  
    retainer agreement with, **2:45–46**  
    retaining, **1:11–14, 1:23–24, 2:42–43, 2:44–46**  
    searching for, **2:43–44**  
    services of, **2:4–42, 2:46–47**

- spouse's, **2:49–50**
- substitution of, **2:49**
- working with, **2:46–47**
- attorneys of record, **1:143, 1:146**
- authenticating documents, **2:52, 2:75–78, 2:86**
- Automatic Temporary Restraining Orders (ATROs), **2:97**
- automobiles, transferring ownership of, **1:193**

## **B**

- bank statements, **2:54**
- bankruptcy, **1:44–45**
- basics, paperwork, **2:57–64**
- Bates-number discovery, **2:174**
- beneficiaries, insurance, **1:60**
- bifurcation of issues
  - defined, **2:227**
  - discovery termination and, **2:228**
  - See also* Judgments status-only
- Bifurcation of Status of Marriage, **2:230, 2:233–234**
- blank forms, **1: following 237, 2: on CD**
- branch courts, **1:115**
- Business Records, Deposition Subpoena for Production of, **2:174, 2:177**

## **C**

- CALDA (California Association of Legal Document Assistants), **1:27**
- calendar
  - calling the, **2:131**
  - case, **2:61, 2:116**
  - court, **2:70**
- calendar (scheduling) motions, **2:70, 2:98, 2:105, 2:245**
- California Judicial Council, **1:82**
- California Judicial Council forms, **2:59, 2:66**
- California mandatory guideline for child support, **1:75–78**
- CalSupport™ software, **1:83–84, 1:213, 2:80, 2:83, 2:86, 2:105**
- capital gains and exclusions, **1:60**
- captions on forms, **1:109, 1:110, 2:59**
- case
  - building your, **2:2–74–75**
  - calendar for, **2:61, 2:116**
  - preparation of, **2:33–39**
- Case Management Conferences (CMC), **1:41, 1:128, 2:63–64**
- Case Registry form, **1:195**
- case-building tips, **2:75**
- cases, with children, **1:123–125, 1:137–138**
- Certificate of Assignment (L.A.), **1:115–116**
- Checklist, **1:117–118**
- Checklist, Marin County's Family Law, **1:213**
- Checklist, Pre-divorce* (free article), **1:19, 1:20–21, 1:30**

- checklists and guidelines
  - document, 2:100, 2:119, 2:125
  - negotiations, 2:23–27
  - orders after hearings, 2:138
- child and spousal support, enforcement of orders for, 1:84–85
- Child Custody and Visitation Attachment (FL-311), 2:85, 2:86–87, 2:106
- Child Custody and Visitation Order Attachment, 2:143–144
- child snatching, 1:63
- child support, 1:75–78
  - application for expedited, 2:68
  - basic information on, 1:73–75
  - calculating, 1:82–84, 1:86
  - changes in, 1:198
  - collection of, 1:86
  - DCSS and, 2:149
  - details of, 1:75–78
  - duration of, 1:75
  - enforcement of orders for, 1:36–37, 1:86–87
  - establishing, 2:80
  - expedited, 2:68, 2:98
  - mandatory guidelines for California, 1:75–78
  - notes on, 1:198
  - orders for, 1:74, 1:194–195, 2:98
  - preparation for, 2:80
  - public assistance and, 1:198, 1:199
  - SA and, 1:99
  - Settlement Conference Statements and, 2:250
  - software to calculate, 1:82–83
  - State Disbursement Unit and, 1:208
  - timeshare estimates, 1:87
  - welfare and, 1:78, 1:92, 1:212
  - See also* children; custody and visitation
- Child Support Information and Order Attachment, 2:142, 2:145–146
- Child Support Services, Department of (DCSS), 2:149
- children
  - cases with, 1:123–125, 1:137–138
  - family home and, 1:58, 1:193
  - minor, 2:16, 2:21
  - orders for cases with, 1:194–199
  - smoking and, 1:63
  - Social Security numbers for, 1:77
  - See also* custody and visitation
- Civil Subpoena (Duces Tecum) for Personal Appearance, 2:125, 2:127–128, 2:129
- Civil Subpoena for Personal Appearance at Trial or Hearing, 2:125, 2:126
- clerks, errors by, 1:113
- closing statements, 2:265, 2:270
- COBRA insurance, 1:81
- Code of Civil Procedure §473, 2:78, 2:151
- Code of Civil Procedure §2024, 2:207

- Code of Civil Procedure §2025(i), 2:206
- Code of Civil Procedure §2030(1), 2:165
- Code of Civil Procedure §2031, 2:156
- collaborative divorce, 1:29
- collection of support, 1:86
- colored paper, 2:60
- community property (CP), 1:43–60, 1:89
  - absence of, 1:47
  - businesses and, 1:46–47
  - court order and, 1:44
  - defined, 1:50
  - duty spouses owe, 1:46–47
  - hidden assets, 2:54
  - jointly owned, 1:51
  - management and control of, 1:47–48
  - mixed-up property, 1:52
  - presence of, 1:47–49
  - Settlement Conference Statements and, 2:250
- computer software. *See* CalSupport™ software; DealMaker software
- computer use on forms, 1:110
- Confidential Reference List of Identifiers (form MC-120), 1:111
- Consumer/Employee Notice, 2:129, 2:131, 2:174, 2:178, 2:178–79
- contact information, change of, 2:273
- contempt of court, 1:36, 1:85, 2:224
- contested divorce, 1:17, 1:25, 1:40, 2:15–16
- continuance, 1:24, 1:83, 1:222, 1:225
  - agreed, 2:257–258
  - reasons for, 2:255–257
  - request for, 2:96, 2:111, 2:116, 2:118, 2:256–257
- copies, number of, 1:110, 2:59
- counseling, 2:26–27
- counties with special rules, 1:190
- County Clerk, 1:109
- County Recorder, 1:58, 1:59, 1:193, 2:54
- County Tax Assessor, 1:145
- court
  - contempt of, 2:224
  - dressng for, 2:269
  - facilitators of the, 2:14
  - recesses and, 2:253
  - reporters of the, 2:134–135, 2:270
  - rules of the, 2:59, 2:72
  - transcript of proceedings, 2:135, 2:266, 2:269
- court, contempt of, 1:36, 1:85
- court address for caption, 1:109
- court facilitators, 1:27
- courtroom availability, 2:269
- courts, branch, 1:115
- custodian of records, 2:174, 2:179–180

- custody, terms defined for, 1:66
  - domestic abuse and alcoholism, 1:66
  - joint custody, 1:64
  - joint legal and primary physical custody, 1:65–66
  - legal neutrality, 1:64–65
  - primary custody with rights of visitation, 1:66
- custody and visitation, 1:61–72
  - attachments, 2:105
  - children’s interests first in, 1:61–63
  - custody, 1:64–66, 2:12, 2:83
  - custody order, 1:195–196
  - immigration status and, 1:65
  - joint custody, 1:64, 1:65–66
  - moving away, 1:63
  - parenting plans, 2:36
  - problem cases, 1:68
  - recommended reading, 1:64, 1:66
  - sample parenting plans, 1:70–72
  - Settlement Conference Statements and, 2:250
  - stipulations for, 2:32
  - timeshare estimates, 1:87
  - visitation, 1:67–68, 2:83, 2:85, 2:86–87
  - welfare and, 1:196
  - See also* child support; children
- custody mediation, mandatory, 2:65, 2:70, 2:115
- custody orders, 1:195–196

## **D**

- Daily Journal*, 2:58
- dates, effective
  - discovery cutoff, 2:207, 2:245, 2:259
  - hearing, 2:88
  - property valuation, 1:48
  - separation, 1:43, 1:46–47
  - service for Petition after mailing, 1:148–149
  - service for Summons, 1:154
  - trial, 2:237–238
- DCSS (Department of Child Support Services), 1:82, 1:86, 1:198, 2:149
- deadlines
  - calculators for, 2:61
  - for discovery, 2:207, 2:245, 2:259
  - on holidays or weekends, 2:61
  - missed, 2:70, 2:78–79
  - orders shortening time (OSTs) and, 2:99–100
  - OSCs and, 2:61, 2:69, 2:99
  - for serving papers, 2:129
  - for Settlement Conference Statements, 2:251
  - subpoenas and, 2:131
- deadlines, how to calculate, 2:61

DealMaker software for settlement agreements (SAs), **1:22, 1:23–24, 1:25, 1:72, 1:89, 2:25, 2:26, 2:29, 2:34, 2:285–286**

death benefits, **1:56**

debts and assets. *See* assets and debts

Declaration (of self or witness), **2:89**

Declaration for Additional Interrogatories, **2:162, 2:169–170**

Declaration for Default or Uncontested Dissolution, **1:163, 1:211–214, 1:215–217**

declaration form, filing (method A), **1:109–112**

Declaration in Support of Ex Parte Application for Orders Application for Orders, **2:106–107**

Declaration in Support of Motion to Strike At-Issue Memorandum, **2:244, 2:244**

Declaration in Support of Subpoena Duces Tecum, **2:172, 2:185**

Declaration of Compliance Re: Disclosure Declarations, **1:216–217**

Declaration of Disclosure, **1:164**

Declaration of Service of Lost Summons, **1:120**

Declaration Re Attempt to Obtain Mutually Convenient Hearing Date, **2:95**

Declaration Re Motion to Compel Answers to Interrogatories, **2:195–196**

Declaration Re Motion to Compel Production, **2:194**

Declaration Re Motion to Continue Settlement Conference and Reopen Discovery, **2:260**

Declaration Re Motion to Enforce Subpoena, **2:201, 2:202, 2:202–203**

Declaration Re Motion to Quash Subpoena, **2:201, 2:204–205**

Declaration Re Notice of Ex Parte Application for Orders, **2:105**

Declaration Re Service of Declaration of Disclosure, **1:162–163, 1:170**  
waiving the final disclosure, **1:169nn**

Declaration under UCCJEA, **1:123, 1:137, 1:130–131**

Declaration under UCCJEA (Form FL-105), notes for filling out, **1:128**

declarations

- attachments to, **2:78, 2:119**
- disclosure, **2:30, 2:55–56**
- length of, **2:76**
- witness, **2:75, 2:82, 2:100, 2:115**
- writing, **2:75–78**

declarations of disclosure, **1:161–170**

- Declaration of Disclosure, **1:163, 1:164**
- Declaration Re Service of Declaration of Disclosure, **1:162–163, 1:169nn, 1:170**
- disclosure law and, **1:161–163**
- doing the declarations, **1:163–166**
- duty of spouses, **1:46–47, 1:161**
- how it works, **1:162–163**
- Preliminary Declaration of Disclosure (PD), **1:161, 1:163–166**
- Schedule of Assets and Debts, **1:166–169, 1:168**
- waiver of FD, **1:162**
- waiving the final disclosure, **1:169nn**

Deed of Trust, **1:58–59**

default, request to enter, **1:181–183, 1:181–183**

default divorce, **1:16–17**

definitions of terms, on custody, **1:66**

- delays, unnecessary, **2:47**
- Department of Child Support Services (DCSS), **1:82, 1:86, 1:198, 2:149**
- Deposition Subpoena for Personal Appearance and Production of Documents and Things, **2:183, 2:184**
- Deposition Subpoena for Production of Business Records, **2:174, 2:177**
- Deposition Subpoena-Personal Appearance, **2:182**
- depositions, **2:180–190**
  - and court reporter, **2:180–182**
  - deposition officer, **2:174**
  - having yours taken, **2:190**
  - motions regarding, **2:201–207**
  - notice of taking, **2:172, 2:173, 2:179, 2:181**
  - overview, **2:180, 2:183**
  - papers to serve, **2:183**
  - purpose of, **2:187**
  - records-only, **2:47, 2:172, 2:173, 2:174**
  - resisting, **2:206**
  - serving papers, **2:183**
  - subpoenas and, **2:149–151, 2:174, 2:181, 2:182, 2:183**
  - taking, **2:183, 2:183–189**
  - video and audio taping, **2:182–183**
- disclosure
  - declarations of, **2:30, 2:55–56, 2:245**
  - duty of, **1:46–47**
  - mandatory, **1:36–37, 1:46–47**
  - remedies for breaching, **1:47**
  - SA and, **1:91**
  - See also* declarations of disclosure
- Disclosure, Final Declaration of. *See* Final Declaration of Disclosure (FD)
- Discovery, Declaration Re Motion to Continue Settlement Conference and Reopen, **2:260**
- discovery, motions to compel, **2:191–207**
  - disclosure and, **2:193**
  - production of documents, **2:194–196**
  - production request ignored, **2:193**
  - resisting, **2:194**
  - responding to, **2:192–193**
- discovery requests, **2:149–190, 2:245**
  - and attorney service, **2:174**
  - and Bates-number discovery, **2:174**
  - cutoff date, **2:207, 2:245, 2:259**
  - defined, **2:16**
  - disclosure and, **2:56**
  - organizing, **2:68**
  - preparing, **2:149–150**
  - production, **2:151**
  - responding to, **2:55, 2:154–155**



- dissolution (divorce)
  - after legal separation, 1:44
  - costs of, 1:40
  - grounds for, 1:34
  - insurance beneficiaries and, 1:60
  - map (flow chart), 1:18
  - private judges, 1:41
  - reconciliation and, 1:44
  - regular vs. summary, 1:32–34
  - residency requirements, 1:34
  - serving papers, 1:35
  - summary, 1:32–34, 1:233–234
  - time required to complete, 1:41
  - wills and, 1:60
- divorce, basic information on, 1:31–42
- divorce, doing your own, 1:11–30
  - advantages, 1:14–15
  - can you do it? 1:11–12
  - Checklist, 1:117–118
  - getting help, 1:23–29
  - map (flow chart), 1:19–23
  - methods of, 1:16–17
  - preparation for, 1:30
  - problem solving, 1:16
  - starting procedure, 1:16–17
  - what it means, 1:12–13
  - whether to retain an attorney, 1:13–14
- Divorce Helpline, 1:13–14, 1:15, 1:22, 1:29, 1:105
  - emergencies and, 2:18
  - mediators and, 2:23
  - offices, 2:14, 2:29
  - web sites, 2:22
  - when to call, 2:39
- Divorce Solutions: How to Make Any Divorce Better* (Nolo), 2:27
- document review, free, 1:113
- documents
  - authenticating, 2:52, 2:75–78, 2:78, 2:86
  - checklist for, 2:101, 2:125
  - entering into evidence, 2:262, 2:266
  - organizing for trial, 2:262–263
  - required, 2:52
  - response, 2:119
- doing your own divorce. *See* divorce, doing your own
- domestic abuse and alcoholism, 1:66
- domestic partnerships, registered, 1:31, 1:34, 1:36
  - dissolution of, 1:31, 1:233
  - FL-120 Response, 1:135
  - taxes and, 1:39
  - termination of, 1:233–235

- domestic violence (DV)
  - child support and, 1:80
  - custody and visitation and, 1:66
  - defined, 1:22
  - enforcement of orders for, 1:36–37
  - OST and, 2:71
  - privacy on forms and, 1:129n
  - profile of, 1:25
- domestic violence (DV) OSC forms, list of, 2:111–112
- Domestic Violence OSCs, 2:97, 2:98, 2:100, 2:111, 2:114, 2:120
  - See also* violence, domestic
- Dominican Republic divorces, 1:44
- dressng for court, 2:269
- drug/alcohol examinations, 2:217–219
- duties to spouse, 2:54–55

## **E**

- earning ability, 1:73
- Earnings Assignment Order for Spousal Support, 1:210
- electronically stored information, requesting, 2:151, 2:156
- emergencies, 1:23–26, 2:12
  - defined, 2:11, 2:12
  - and Divorce Helpline, 2:18
  - TROs and, 2:70
- Emergency orders (TROs), 2:66
- emotional issues, 1:11, 2:13, 2:26–27, 2:37–38
- Employee/Consumer Notice, 2:129, 2:131, 2:174
- English, fluency in, 2:43
- error, relief from, 2:78–79
- estate, understanding your
  - community and separate property, 1:50–53
  - family home and other real estate, 1:59–61, 1:193
  - pensions and retirement funds, 1:53–57, 2:228, 2:229
  - tracing, 1:52
  - See also* community property (CP)
- evaluation, vocational, 2:210, 2:212
- Evidence Code 730, 2:216
- Ex Parte orders (Temporary Emergency orders)
  - filing a declaration, 2:106–109
  - filing conformed documents, 2:110
  - notice of, 2:109
  - notice requirement for, 2:99
  - requests for, 2:66–67, 2:98, 2:101, 2:105
  - timeline for OSC with, 2:100
- examinations, 2:209–220
  - drug/alcohol, 2:217–219
  - mental or physical, 2:213–214
  - motions to compel, 2:165, 2:214, 2:218
  - other, 2:219

- overview, 2:209
- psychological, 2:214–216
- resisting request for, 2:216–217
- vocational evaluation, 2:210–212, 2:212
- excusable neglect, 2:78–79
- Exhibit A-Employment Records, 2:151, 2:155
- Exhibit A-Items to Produce, 2:59, 2:153–154
- exhibits, attaching to forms, 2:59
- expedited child support, applying for, 2:68, 2:98
- Expert Demand Trap, 2:245
- experts, qualifying, 2:213
- expired TROs, 2:134

## **F**

- facilitators, court, 1:27, 2:14
- Family Centered Case Resolution (FCCR), 1:128–29, 2:64
- Family Code §242, 2:67
- Family Code §721(b), 2:55
- Family Code §2337, 2:227, 2:229
- Family Code §4320, 1:78–80
- Family Code §6203, 2:97
- Family Court Facilitator's Office, 1:82, 1:86
- Family Court Services, 2:114
- family home, 1:57–59, 1:193
- Family Law Facilitators, 1:29, 2:14, 2:80, 2:86
- Family Law Worksheet (L.A.), 1:115
- family support, 1:74, 1:198
- FCCR (Family Centered Case Resolution), 2:64
- fees
  - attorney, 1:37, 2:44, 2:251
  - filing, 1:114, 2:98, 2:117
  - records custodian, 2:180
  - support calculation, 1:82
  - waiver of, 1:114, 2:265
  - witness, 2:131
- fiduciary duty to spouse, 2:54–55
- filing fees, 1:114
- filing papers, 1:112–114, 2:61, 2:71
- Final Declaration of Disclosure (FD), 1:161–62, 1:163–166, 1:211, 2:30, 2:193, 2:245
- financial records, 2:36, 2:75
- Financial Statement (Simplified) FL-155, 1:176
- Findings and Order After Hearing, 2:140, 2:141
- firing an attorney, 2:49, 2:55
- first to accuse, 2:12–13
- flow chart (map) of procedure, 1:21
- footers required, 2:61
- Form Interrogatories, 2:162, 2:163–164, 2:165
- forms, number of copies, 2:60

forms, blank, **1: following 237, 2: on CD**  
forms, captions on, **1:109, 1:110, 2:59**  
forms, checklist for, **1:118**  
forms, colored paper and, **1:107, 2:59**  
forms, doing your own, **1:105–116**  
    Additional Page(s), **1:110–111**  
    Certificate of Assignment (L.A.), **1:115–116**  
    Confidential Reference List of Identifiers (form MC-120), **1:111**  
    filling out the caption, **1:108–109**  
    general rules, **1:108**  
    getting help, **1:105**  
    how to use forms, **1:106–108**  
    local forms and rules, **1:115**  
    notification to spouse, **1:35, 1:106**  
    Petitioner, **1:105–106**  
    privacy of, **1:109–111, 1:129n, 1:189**  
    *in pro per*, **1:109**  
    Respondent, **1:105**  
forms, DV OSC list of, **2:111–112**  
forms, filling out, **2:58–60**  
    Additional Page(s), **1:129, 2:59**  
    attaching exhibits, **2:59**  
    captions, **2:59**  
    privacy and identity, **2:59**  
forms, order of, **1: 238**  
forms, paginating, **2:61**  
forms, signing in blue, **1:107**  
forms, titles of  
    Additional Page(s), **1:110**  
    Appearance, Stipulations, and Waivers (A&W), **1:151**  
    Application and Order for Reissuance of Order to Show Cause, **2:108**  
    Bifurcation of Status of Marriage, **2:233–234**  
    Certificate of Assignment (L.A.), **1:116**  
    Child Custody and Visitation Attachment, **2:86–87**  
    Child Custody and Visitation Order Attachment, **2:143–144**  
    Child Support Information and Order Attachment, **2:145–146**  
    Civil Subpoena (Duces Tecum) for Personal Appearance, **2:127–128**  
    Civil Subpoena for Personal Appearance at Trial or Hearing, **2:126**  
    Confidential Reference List of Identifiers, **1:111**  
    Declaration (of self or witness), **2:89**  
    Declaration for Additional Interrogatories, **2:169–170**  
    Declaration for Default or Uncontested Dissolution, **1:215–217**  
    Declaration in Support of Ex Parte Application for Orders Application for Orders, **2:107**  
    Declaration in Support of Motion to Strike At-Issue Memorandum, **2:244**  
    Declaration in Support of Subpoena Duces Tecum, **2:185**  
    Declaration of Compliance Re: Disclosure Declarations, **1:216–217**  
    Declaration of Disclosure, **1:164**  
    Declaration Re Attempt to Obtain Mutually Convenient Hearing Date, **2:95**

Declaration Re Motion to Compel Answers to Interrogatories, **2:199–200**  
Declaration Re Motion to Compel Production, **2:195–196**  
Declaration Re Motion to Continue Settlement Conference and Reopen  
Discovery, **2:260**  
Declaration Re Motion to Enforce Subpoena, **2:202–203**  
Declaration Re Motion to Quash Subpoena, **2:204–205**  
Declaration Re Service of Declaration of Disclosure, **1:170**  
Declaration under UCCJEA (Form FL-105), **1:130–131**  
Deposition Subpoena for Personal Appearance and Production of Documents  
and Things, **2:184**  
Deposition Subpoena for Production of Business Records, **2:177**  
Deposition Subpoena-Personal Appearance, **2:182**  
Earnings Assignment Order for Spousal Support, **1:210**  
Exhibit A-Employment Records, **2:155**  
Exhibit A-Items to Produce, **2:153–154**  
Findings and Order After Hearing, **2:141**  
Form Interrogatories, **2:163–164**  
Income and Expense Declaration, **1:177–180**  
Income and Expense Declaration (4 pages), **1:177–180**  
Interrogatories to Custodian of Records, **2:175–176**  
Judgment, **1:186, 1:191**  
Judicial Council forms (captions), **2:59**  
Letter Reply to the Response, **2:160–161**  
Letter Requesting Psychiatric Evaluation, **2:215**  
Letter Requesting Vocational Evaluation, **2:211**  
Memorandum of Points and Authorities (P&As), **2:90–91**  
notes for filling out Form FL-105, **1:129**  
Notice and Acknowledgment of Receipt, **1:157**  
Notice of Change of Contact Information, **2:274**  
Notice of Entry of Judgment, **1:230**  
Notice of Taking Deposition, **2:181**  
Notice of Taking Deposition-Records Only, **2:173**  
Notice to Attorney in Lieu of Subpoena, **2:186**  
Notice to Consumer or Employee, **2:178**  
Order/Notice to Withhold Income for Child Support, **1:209**  
Pension Benefits Attachment to Judgment, **2:235**  
Petition, **1:122, 1:124**  
Phone Notice Agreement, **2:130**  
Proof of Personal Service, **1:159**  
Proof of Service by Mail, **1:158, 2:93**  
Proof of Service of Summons, **1:155–156**  
Property Declaration, **1:173–174**  
Property Order Attachment, **2:148**  
Request for Default Setting (L.A.), **1:226**  
Request for Order, **2:83–84, 2:102**  
Request for Production, **2:152**  
Request for Production of Income and Expense Declaration After Judgment,  
**2:278**  
Request to Enter Default, **1:183**

Request to Set for Trial, **2:242**  
Response, **1:135–136, 1:139**  
Response to Interrogatories, **2:171**  
Response to Request to Produce, **2:157–158**  
Responsive Declaration to Request for Order, **2:121–122**  
Schedule of Assets and Debts, **1:168**  
Specially Drafted Interrogatories, **2:166–168**  
Spousal or Family Support Order Attachment, **2:147**  
Stipulation and Order, **2:31**  
Stipulation for Status-Only Judgment, **2:231–232**  
Stipulation to Establish Child Support, **1:200–201**  
Substitution of Attorney, **2:48**  
Summons, **1:120**  
Temporary Orders, **2:104**  
Verification for Response to Request to Produce, **2:163**  
Wage and Earnings Assignment, **1:210**  
Witness List, **2:73**

forms, two-sided, **1:107**

forms and typed pleadings on the CD, **2:282**

*Free Guide to a Better Divorce*, **1:22**

full settlement agreement, **2:29–30**

further orders, **1:187–189, 2:138, 2:272**

## **G**

*Getting to Yes: Negotiating Agreement Without Giving In* (Fisher and Ury), **2:26**

gifts, big, **1:53**

goals, strategy based on, **2:34–35**

guidelines, miscellaneous, **2:269**

guidelines, support, **1:75**

## **H**

harassment, **2:162**

health care, uninsured, **1:76**

*See also* insurance, health

health insurance, support order for, **1:197**

hearing, going to a

guidelines for testimony, **1:219–224**

preparation for, **1:212, 1:218**

troubleshooting guide, **1:225–226**

what to do, **1:218–219**

hearings

arrival time, **2:132**

date of, **2:88**

at end of, **2:134–135**

for family-centered cases, **2:64**

meet-and-confer requirement, **2:96**

preparation for, **2:80, 2:94, 2:111, 2:123–125**

pressure to settle during, **2:132–33**

- procedure for, **2:132–134**
- subpoenas and, **2:125–129**
- videotaping, **2:135**
- hearsay, **2:266**
- Helpline, Divorce. *See* Divorce Helpline
- hidden assets, **2:54**
- hiring attorneys, **2:17, 2:43–46**
- Hobbs v. Superior Court*, **2:192**
- holistic lawyers, **2:43**
- How to Calculate Deadlines, **2:61**
- How to Do Your Own Divorce* (Sherman), **2:15, 2:28, 2:30, 2:32, 2:46, 2:51, 2:52, 2:58, 2:80, 2:86, 2:105, 2:114, 2:193**
- "How to Reduce Conflict," **2:22**
- How to Solve Divorce Problems, Book 2* (Sherman), **1:18, 1:20, 1:25, 1:30**

## I

- identity information, **2:59, 2:78**
- immigration status of parent or guardian, **1:65**
- impasse, breaking an, **2:37**
- in pro per*, defined, **1:109**
- income
  - new-mate, **1:73**
  - tax-free, **2:52**
- Income and Expense Declaration, **1:177–180**
  - Financial Statement (Simplified) FL-155, **1:176**
  - page 1, FL-150: Income and Expense Declaration, **1:177**
  - page 2, FL-150: Income, **1:178**
  - page 3, FL-150: Expenses, **1:179**
  - page 4, FL-150: Child Support Information, **1:180**
  - requirements for, **1:175–176**
  - SA and, **1:99**
- Income and Expense Declaration After Judgment,, **2:275, 2:278**
- Income and Expense Declaration (FL-150), **2:85**
- Income and Expense, Declaration of (4 pages), **2:83, 2:86, 2:106, 2:275**
- index, online, **1:238, 2:283**
- information, getting what you need, **2:51–52**
  - collecting information, **2:53–54**
  - disclosure and discovery, **2:55–56**
  - electronically stored, **2:151**
  - information you need, **2:51–52**
  - responding to requests for information, **2:55**
  - rights and duties of spouse, **2:54–55**
  - See also* Requests for production
- information requests, responding to, **2:55**
- insanity, incurable, **1:34**
- insecurity in yourself, **2:38**
  - See also* emotional issues

- insurance
  - additional support, **1:75–76**
  - beneficiaries of, **1:60**
  - canceling or transferring of, **1:74**
  - COBRA, **1:81**
  - health, **1:75–76, 1:81, 1:197, 2:227, 2:228, 2:230**
  - life, **1:74, 1:80, 1:81, 1:197, 1:203**
- International Association of Holistic lawyers, **2:43**
- Internet, locating hidden assets on, **2:54**
- interrogatories
  - compelling answers to, **2:197–198**
  - to custodian of records, **2:174, 2:175–176**
  - defined, **2:162**
  - mail and, **2:207**
  - preparing, **2:165**
  - responding to, **2:165, 2:171**
  - specially drafted, **2:162, 2:166–168**
- Interrogatories, Declaration for Additional, **2:162, 2:169–170**
- Interrogatories, Declaration Re Motion to Compel Answers to, **2:197–198**
- interrogatories, form for, **2:163–164, 2:165**
- interrogatories, how to respond to, **2:165**
- IRA accounts, **2:229**
- irreconcilable differences, **1:34**

## **J**

- joint custody, **1:64, 1:65–66**
- joint tenants, husband and wife as, **1:51**
- jointly owned property, **1:51**
- judge pro-tem, **2:131, 2:269**
- judges, **2:58, 2:124–125, 2:131, 2:133, 2:269**
- judges, private, **2:27**
- Judgment, **1:185–204, 2:266**
  - attachments to, **1:69, 1:188–190**
  - child support notes, **1:198–199**
  - familiarizing yourself with, **1:33**
  - filing of, **1:193**
  - filling it out, **1:185–187**
  - finality of, **1:37–39**
  - form for page 1, **1:186**
  - further orders and, **1:187–189**
  - getting the, **2:70–71**
  - orders for cases with children, **1:194–199**
  - orders for cases with property and debts, **1:189–192**
  - orders for spousal support, **1:202–203**
  - orders for wage assignment cases, **1:198, 1:204**
  - partial, **2:26**
  - personal service of, **1:159, 1:185, 1:204**
  - registering, **1:86**
  - with settlement agreement, **1:89, 1:93, 1:189–190**



- significance of, **1:185**
- special rules for counties, **1:188–190**
- Stipulation to Establish Child Support, **1:199, 1:200–201**
- Judgment, after the, **2:273–278**
  - enforcement methods, **2:276–277**
  - keeping it official, **2:275**
  - keeping track of payor's or recipient's income, **2:275**
  - modification of orders, **2:275**
- Judgment, getting your, **2:271–272**
  - approval by spouse, **2:272**
  - decisions, written and verbal, **2:271–272**
  - how to serve, **2:272**
  - Notice of Entry of Judgment, **2:272**
  - order attachments, **2:272**
  - See also* Checklist
- Judgment, how to get, **1:211–228**
  - Declaration of Compliance, **1:216–217**
  - filing declaration form, **1:211–214**
  - final goal, **1:211**
  - judgment checklist, **1:214**
  - Request for Default Setting (L.A.), **1:227**
- Judgment, notice of entry, **1:229–230**
- Judgments, stipulated, **1:189, 2:32**
- Judgments, status-only, **2:227–236**
  - advantages of, **2:227–228**
  - attachments to, **2:230**
  - considerations before undertaking, **2:228**
  - mandatory preconditions, **2:228**
  - motion for, **2:227, 2:228, 2:229–230**
  - objections to, **2:227**
  - optional preconditions, **2:228–229**
  - preconditions for, **2:227, 2:228**
  - resisting motion for, **2:230, 2:236**
  - stipulation for, **2:229–230**
  - See also* bifurcation of issues
- Judicial Council forms (captions), **2:59**
- jurisdiction, personal, **1:73, 1:145**
- jurisdiction and power of court to act, **1:35**

## **L**

- laws, enforcement, **1:36–37, 1:86–87**
- lawyers. *See* attorneys
- LDAs. *See* Legal Document Assistants
- legal action
  - doing nothing, **2:13**
  - reasons to choose, **2:11**
- legal advice, **1:25–26**
- legal battle, avoiding, **1:23**
- legal divorce, defined, **1:11**

Legal Document Assistants (LDAs), 1:26–27, 1:242–243, 2:43  
legal separation, 1:35  
legal system, getting out of the, 2:17–22  
Letter Reply to the Response, 2:156, 2:160–161  
Letter Requesting Psychiatric Evaluation, 2:215  
Letter Requesting Vocational Evaluation, 2:210  
life insurance, optional support order for, 1:197  
limited representation, 1:28–29  
live testimony, 2:72  
local forms and rules, 1:115, 1:226  
local rules and practices, 2:69–70  
Los Angeles County, special rules for, 1:212, 1:226  
low child support, 1:77, 1:80  
low income adjustment for child support, 1:77

## **M**

### mail

    completing case by, 1:20, 1:34, 1:129n  
    Dominican divorce scam by, 1:42  
    filing by, 1:112–113  
    interrogatories and, 2:207  
    obtaining instructions on forms by, 1:115  
    proof of service by, 1:149, 1:158  
    service by, 1:141, 1:145, 1:146, 1:148–149, 2:70, 2:179  
*Make Any Divorce Better* (Sherman), 1:20, 1:23, 2:27  
mandatory, mediation, 2:115  
mandatory disclosure, 1:37, 1:46–47  
mandatory mediation, 2:65, 2:221–223  
marital information, disclosure of, 1:37  
marriage  
    duration of, 1:80  
    same-sex, 1:31  
    *See also* domestic partnerships  
mediation, 1:22, 1:27–28  
    custody, 2:16, 2:114  
    Divorce Helpline and, 2:27  
    goals of, 2:26–27  
    mandatory, 2:65, 2:115, 2:221–223  
    mandatory custody, 2:70  
    negotiation and, 2:22, 2:25, 2:37  
medical records, 2:75  
Memorandum of Points and Authorities (P&As), 2:70, 2:83, 2:88, 2:90–91, 2:106  
mental examinations, 2:213–214  
military pensions, 1:54  
military waiver, 1:150  
mixed-up property, 1:52  
MMPI2 test, 2:216  
modifications in agreements, 2:275  
money for support, requests for, 2:98

Motion to Continue Settlement Conference, Trial, Discovery Cutoff, 2:259

motions

- advantages to filing, 2:67
- attachments to, 2:83
- basic elements of, 2:82
- calendaring, 2:70, 2:98, 2:105, 2:245
- combining issues in, 2:81–82
- on depositions, 2:201
- depositions and, 2:201–207
- disadvantages to filing, 2:68
- hearings for, 2:69
- how to file, 2:92
- how to make, 2:82–87
- notice of, 2:39, 2:83, 2:88, 2:114
- or OSC, 2:69, 2:70
- to postpone trial, 2:255–260
- preparing, 2:81–95
- pretrial, 2:16
- responding to, 2:69, 2:110–111, 2:113–122
- for status-only judgments, 2:227, 2:229–230
- when to use, 2:65–68

motions to compel

- answers, 2:165
- depositions, 2:201
- enforce or stop subpoena, 2:198–201
- examinations, 2:165, 2:214, 2:218
- interrogatories, 2:197–198
- At-Issue Memo and, 2:243
- production of documents, 2:174, 2:194–196

moving away after judgment, 2:277

moving away in custody cases, 1:63

## **N**

name, restoring former, 2:277

names in caption, 1:109

neglect, excusable, 2:78–79

negotiation

- availability of, 2:16, 2:17
- issues to face, 2:26–27, 2:117
- reasons to forgo, 2:12, 2:18
- steps required, 2:23–27
- toward resolution, 2:36–37

new-mate income, 1:73

no-contact order, 2:103

Nolo Supplementary Arbitration Rules, 2:27

non-parents, visitation by, 1:68–69

non-probate transfers, 2:229

nonprobate transfers, 1:60

notarization of signatures, 1:92

notes (promises to pay), **1:49, 1:58, 1:91**  
Notice and Acknowledgment of Receipt, **1:145–146, 1:153, 1:157**  
Notice of Change of Contact Information, **2:274**  
Notice of Entry of Judgment, **1:229–230, 2:230, 2:272**  
Notice of Rights and Responsibilities (on health care) form, **1:195**  
Notice of Taking Deposition, **2:179, 2:181, 2:183**  
Notice of Taking Deposition-Records Only, **2:172–173**  
Notice to Attorney in Lieu of Subpoena, **2:183, 2:186**  
Notice to Consumer or Employee, **2:174, 2:178**  
notification to spouse, **1:35, 1:107**  
nullity (formerly annulment), **1:31**

## **O**

objections, **2:117–118, 2:266**  
online index, **1:238, 2:283**  
opening statements, **2:265**  
oral testimony, **2:72, 2:74, 2:83, 2:105, 2:124**  
Order Shortening Time (OST), **2:71**  
Order/Notice to Withhold Income for Child Support, **1:209**  
orders  
    alternative, **2:119**  
    attachments, **2:275**  
    avoiding contact, **2:103**  
    cases with children, **1:194–199**  
    cases with property and debts, **1:192–194**  
    child custody, **2:12**  
    child support, **2:98**  
    enforcement of, **1:36, 1:36–37, 1:86–87, 2:16**  
    further, **2:138**  
    modification of, **1:62**  
    pretrial, **2:254, 2:269**  
    protective, **2:206**  
    spousal support, **1:210, 2:98**  
    stipulated, **2:30, 2:32, 2:80**  
    strategic, **2:13**  
    support, **2:13**  
    temporary, **2:47, 2:70, 2:101, 2:104–106**  
    violation of, **2:114**  
    wage assignment cases, **1:97, 1:204**  
Orders, Declaration Re Notice of Ex Parte Application for, **2:105**  
orders after hearings, **2:137–148**  
    checklist, **2:140**  
    getting them signed, **2:137–139**  
    made by whom, **2:137**  
    preparing the documents, **2:139–140**  
    serving, **2:145**  
orders shortening time (OSTs)  
    deadlines and, **2:99–100**  
    objection to, **2:117**

- OSC without TRO, 2:99–100
- Responsive Declaration and, 2:99–100, 2:115
- Supporting Declaration and, 2:83
- Orders to Show Cause (OSCs) (now Requests for Order (RFOs)), 2:12–13, 2:66–67, 2:97–111
  - checklist of documents for regular OSC, 2:100
  - custody/visitation and, 2:224
  - deadlines and, 2:68, 2:69, 2:99–100
  - differences explained, 2:66
  - domestic violence and, 2:97, 2:111, 2:114, 2:120
  - filing and serving, 2:109–110
  - how to do, 2:100–105
  - or motion, 2:70
  - reissuance of, 2:110
  - requests for and against, 2:98
  - Responsive Declaration to, 2:110–111
  - review and file, 2:109
  - when or if to file, 2:66–67
  - when to use, 2:36, 2:39, 2:65–68, 2:83, 2:97–98
  - when you are served, 2:113–114
- OSC/TRO, disadvantages to filing, 2:67

## **P**

- page numbers, 2:59
- pages, additional, 2:59
- pagination, 2:75
- papers, filing, 1:112–114, 1:119
- paperwork, organizing, 2:62
- paperwork basics, 2:57–64
- paralegals (now Legal Document Assistants), 1:26–27, 1:242–243, 2:14, 2:43
- parentage, establishing, 1:211
- parental agreement, 1:62
- parenting plan, 1:61–63
- parenting plans, 1:69–72, 2:36
  - See also* custody and visitation
- parenting programs, 1:62
  - custody/visitation issues, 2:226
  - defined, 2:221
  - mandatory mediation and, 2:221–223
  - motion for sole custody and visitation, 2:224–225
  - motions to require participation, 2:221
  - OSC for contempt, 2:224
- partial agreements, 2:26, 2:30, 2:254, 2:266
- paternity, verification of, 1:61, 1:123, 1:137
- PCO (Preliminary Change of Ownership), 1:59
- Pension Benefits Attachment to Judgment, 2:230, 2:235
- Petition, 1:121–129, 1:122, 1:124, 1:127
  - Additional Page(s) and, 1:121
  - advantages to serving, 1:18

- agreement coming, **1:125**
- amended, **1:125, 1:140**
- assets and debts, **1:125–128**
- children and, **1:123–125**
- Declaration under UCCJEA, **1:123**
- Declaration under UCCJEA (Form FL-105), **1:130–131**
- filling out the, **1:121–122**
- methods of service, **1:145–146**
- notes for, **1:121–123**
- service by mail, **1:148–149, 1:158**
- service by notice and acknowledgment, **1:148, 1:157**
- serving the, **2:62–63**
- Petitioner/Respondent/in pro per, **1:109**
- Petitioners and Respondents, **1:18–19, 2:57**
- petitioners and respondents, **2:270**
- pets, orders for, **2:98**
- Phone Notice Agreement, **2:129–131, 2:130**
- photographs, **2:75**
- physical examinations, **2:213–214**
- planning
  - organizing plan, **2:33, 2:70**
  - for settlement conferences, **2:245, 2:248**
  - short-term, **2:35–39**
  - for trial, **2:262**
  - worksheets for, **2:46, 2:52**
- plans, parenting. *See* custody and visitation
- pleadings, typed, **2:60**
- Points and Authorities, Memorandum of, **2:70**
- police, calling, **1:36, 2:75**
- postponing the trial, **2:255–260**
  - arranging agreed continuance, **2:257–258**
  - denial of, **2:256–257**
  - motion to continue, **2:258–259**
  - reasons for, **2:255–256**
- Pre-Divorce Checklist*, **1:19, 1:20–21, 1:30**
- pre-judgment checklist (from Marin County), **1:213**
- Preliminary Change of Ownership (PCO), **1:59**
- Preliminary Declaration of Disclosure (PD), **1:161, 1:163, 1:163–166, 1:211, 2:30, 2:193, 2:229**
- preparation of case, **2:33–39**
- preread, asking for, **2:124–25**
- pretrial motions, **2:16**
- privacy on forms, **1:109–112, 1:129n, 1:188, 1:189**
- privacy rules, **2:59, 2:78, 2:80, 2:105**
- private judges, **1:41, 1:101, 2:27**
- probate family allowance, **2:229**
- probate homestead, **2:229**

- problem solving
  - difficult cases, 1:21–22
  - domestic violence, 1:22–23
  - early cases, 1:19
  - easy cases, 1:20–21
  - legal battle, 1:23
- Production, Declaration Re Motion to Compel, 2:194
- promises to pay (notes), 1:49, 1:58, 1:92
- proof, degrees of, 2:74–75
- Proof of Personal Service, 1:153, 1:159
- Proof of Service by Mail, 1:153, 1:158, 2:93
- Proof of Service of Summons, 1:146, 1:153, 1:155–156
- Proof of Service (POS), 1:153–159, 1:159
  - filling out the, 1:153
  - interrogatories and, 2:165
  - Notice and Acknowledgment of Receipt, 1:157
  - Proof of Service by Mail, 1:158
  - Proof of Service of Summons, 1:155–156
  - serving papers, 2:63
  - subpoenas and, 2:131, 2:179
  - Summons effective date, 1:154
  - who gets served, 1:143
- property, listing of, 1:128
- property and debts, 1:43–60
  - absence of, 1:45, 1:47
  - basic principles on dividing, 1:49
  - date of valuation, 1:48
  - disclosure and, 1:37, 1:46–47
  - division of, 2:16, 2:228
  - hidden assets, 2:54
  - management and control of, 1:47–48
  - professional advice and, 1:27
  - responsibility for, 1:43–44
  - taxes and, 1:59–60
  - See also* assets and debts
- property declaration, 1:171–174
  - Property Declaration, 1:173–174
  - requirements for, 1:127, 1:214n1
- Property Order Attachment, 2:142–148, 2:148
- Protective Order, Motion for, 2:206
- proving your case, 2:74–75
- Psychiatric Evaluation, Letter Requesting, 2:214, 2:215
- psychological examination, motion to compel, 2:214–216
- public assistance cases, 1:198, 1:199
- Publication of Summons, 1:145
- PX privileges, 2:228

## Q

Qualified Domestic Relations Order (QDRO), 1:56, 1:193  
quash, motions to, 2:201  
quasi-community property, 1:50–51  
questions and answers, 1:40–42

## R

reading, suggested, 1:19, 1:23, 1:24  
real divorce, defined, 1:11  
"Real Divorce is Free," 2:16  
real property, transferring, 1:58–60  
receipts, 2:75  
recesses, asking for, 2:253  
reconciliation, 1:44, 1:92  
record keeping, 1:86  
records, financial, 2:36, 2:75  
records-only depositions, 2:47, 2:172, 2:173  
reimbursements, 1:53  
remarriage  
    after final dissolution, 1:44  
    after nullity, 1:31  
    and deferral of home sale, 1:58  
    Judgment and, 1:37, 1:113  
    spousal support and, 1:80, 1:203  
reporters, court, 2:134–135, 2:270  
representation, limited, 1:28–29  
Request for Default Setting (L.A.), 1:226  
Request for Hearing Re Wage Assignment (not shown), 1:207  
Request for Oral Testimony, 2:88, 2:105  
Request for Order (FL-300), 2:83–84, 2:102–103  
    attachments to, 2:88–91, 2:105–106  
Request for Order (RFO), 2:65, 2:83–84, 2:102, 2:105–106  
    attorney fees and, 2:192  
    custody/visitation and, 2:224  
    motion for protective order and, 2:206–207  
    Motion to Compel and, 2:192, 2:201  
    Motion to Compel drug/alcohol test and, 2:218  
    Motion to Quash subpoena and, 2:201  
    preparing, 2:82–85, 2:85, 2:104–105  
    *See also* Orders to Show Cause (OSCs)  
Request for Production, 2:152, 2:156  
Request to Enter Default, 1:183  
request to enter default, 1:181–183  
Request to Present Oral Testimony, 2:83, 2:124  
Request to Produce, responding to, 2:156–162  
Request to Set for Trial, 2:242, 2:242  
Requests for production, 2:151–162  
residency requirements, 1:34



- resolutions, new life, **2:20–21**
- Respondents and Petitioners, **1:18–19, 2:57**
- responding to motion or OSC, **2:110, 2:113–122**
- Response, **1:133–141, 1:135–136, 1:139**
  - about the, **1:133–134**
  - agreement coming, **1:140–141**
  - amended, **1:134, 1:140**
  - assets and debts, **1:138–140**
  - attachments to, **1:137**
  - case management, **1:141**
  - children and, **1:137–138**
  - Declaration under UCCJEA, **1:137**
  - domestic partnerships and, **1:135**
  - filing, **2:15**
  - filing the, **1:18–19, 1:133–134**
  - to motion or OSC, **2:113–122**
  - notes for, **1:134–137, 1:135**
  - service by mail, **1:41**
  - by spouse, **2:94**
  - time allowed, **2:115–116**
  - verifying, **2:156, 2:162, 2:163, 2:165**
  - to vocational evaluation motion, **2:212**
- response documents, checklist of, **2:119**
- Response to Interrogatories, **2:171**
- Response to Request to Produce, **2:157–158**
- Responsive Declaration to Request for Order, **2:121–122**
  - discovery motion and, **2:192–193**
  - filing, **2:118–119, 2:120**
  - form to use, **2:119**
  - how to do, **2:119–120**
  - Motion to Compel and, **2:202**
  - negotiation and, **2:117**
  - served on you, **2:110–111**
  - special requests, **2:120**
  - when to use, **2:99**
- restoration of former name, **2:277**
- Restraining Order After Hearing (Findings and Order After Hearing), **2:140**
- restraining orders
  - automatic, **1:35–37, 2:97**
  - in emergencies, **2:12**
  - nonautomatic, **1:36**
  - Response and, **1:133**
  - Settlement Conference Statements and, **2:251**
  - Summons and, **1:119–120, 2:97**
  - violation of, **1:36**
- retaining attorneys, **1:11–14, 1:23–24, 2:42–43, 2:44–46**
- retirement and pension funds, **1:53–57, 2:228, 2:229**
  - death benefits and, **1:56**
  - dividing, **1:55–57**

- Joinder and, 1:55
- Judgment and, 1:193
- military and pension, 1:54
- taxes and, 1:57
- rules
  - of court, 2:59
  - local, 2:58, 2:59, 2:86, 2:99, 2:105, 2:124, 2:254

## S

- same-sex marriage
  - dissolution of, 1:31
  - laws applied to, 1:31
  - taxes and, 1:39
- San Bernardino County, special rules for, 1:189–190, 1:192
- Santa Clara County, special rule for, 1:214
- SAs. *See* settlement agreements
- SASE envelope for free document review, 1:113
- Schedule of Assets and Debts, 1:45, 1:166–169
- scheduling (calendar) motions, 2:70, 2:98, 2:105, 2:245
- self-representation, evaluating, 2:42–43
- separate property (SP)
  - confirmation of, 1:137
  - defined, 1:50
  - Judgment and, 1:193
  - Settlement Conference Statements and, 2:250
  - tracing, 1:52
- separation, date of, 1:46–47
- separation, legal, 1:35
- service and proof of service
  - deadlines, 2:92
  - serving motion package, 2:92–94
- serving papers, 1:143–151, 2:62–63, 2:71, 2:109–110, 2:145
  - Appearance, Stipulations, and Waivers, 1:149–151
  - choosing method of, 1:145–146
  - declarations of disclosure, 1:162
  - notarized affidavit of service, 1:149
  - notice to spouse, 1:35
  - personal service of, 1:146–147, 1:149, 1:159
  - the Petition, 1:144
  - service by mail, 1:41, 1:146, 1:148–149
  - service by notice and acknowledgment, 1:148
  - spouse’s location and, 1:145
  - to whom and when, 1:143–144
- set aside rules, 1:47, 1:91
- settlement agreements (SAs), 1:89–104
  - absence of, 1:99, 1:163, 1:211, 1:214
  - advantages of, 1:20–21, 1:89–90
  - child support and, 1:99
  - DealMaker software for, 1:23–24, 1:25, 1:33, 1:72, 1:89

- doing your own, 1:90–91, 1:93
- final written, 2:29–32
- highlights of, 1:91–92
- Judgment and, 1:93
- mediation and arbitration, 1:99–101
- overcoming obstacles to, 2:17–22
- Petition and, 1:91
- presence of, 1:211–214
- sample, 1:94–99
- signing of, 1:92
- situations where help is required, 1:93
- See also* DealMaker software for settlement agreements
- Settlement Conference Statements
  - instructions for writing, 2:249–252
  - preparing proposed agreement, 2:252
  - purpose, 2:248–249
  - serving, 2:252
  - See also* settlement conferences
- settlement conferences, 2:247–254
  - after the, 2:254
  - defined, 2:247–248
  - how to do, 2:252–253
  - planning for, 2:245, 2:248
  - reaching agreement, 2:253–254
  - See also* Settlement Conference Statements
- short-term plan, 2:35–39, 2:39
- signatures, notarizing of, 1:92
- smoking and children, 1:63
- snatching, child, 1:63
- Social Security, 1:54, 1:84
  - avoiding loss of benefits and, 2:227, 2:228, 2:229
  - name change and, 2:227
  - numbers required to know, 2:52
  - ways to ensure privacy and, 2:59, 2:78, 2:80, 2:88, 2:106
- Social Security numbers, 1:79, 1:109–110, 1:112
- software, computer
  - settlement agreements and, 1:23–24, 1:25, 1:33, 1:72, 1:89
  - support calculation with, 1:83–84, 1:213
- Solano County, special rules for, 1:212
- Specially Drafted Interrogatories, 2:162, 2:166–168
- Spousal or Family Support Order Attachment, 2:142, 2:147
- spousal or partner support
  - basic information on, 1:31, 1:73–75
  - collection of, 1:86
  - details of, 1:80–83
  - duration of, 1:80
  - health insurance and, 1:81
  - jurisdiction and, 1:81
  - modification of, 1:74–75

- orders for, **1:202–203, 1:210**
- Petition and, **1:123**
- SA and, **1:99**
- State Disbursement Unit and, **1:208**
- termination of, **1:81, 1:91, 1:123, 1:137**
- spousal support
  - orders for, **2:98**
  - preparation for, **2:80**
  - Settlement Conference Statements and, **2:250**
- spouse
  - accusations of, **2:74**
  - controller/abuser, **2:12, 2:37–38, 2:132**
  - controlling/abusive, **1:25–26, 1:107**
  - in denial, **2:38–39**
  - duty to, **2:54–55**
  - fiduciary duty to, **1:46–47, 1:161**
  - insecurity of, **2:26–27, 2:38**
  - locating, **1:145, 1:207**
  - and misinformation, **2:39**
  - problems and, **2:38, 2:50**
  - response by, **2:94**
  - rights and duties of, **2:54–55**
- starting procedure, **1:16–17**
- State Disbursement Unit (SDU), **1:208**
- statements at trial, **2:265**
- Status Conferences. *See* Case Management Conferences (CMC)
- status-only Judgments. *See* Judgments, status-only
- stay-away orders, **2:105**
- steps in divorce (flowchart), **1:21**
- stipulated judgments, **1:189, 2:32**
- stipulated orders, **2:30, 2:32, 2:80, 2:258, 2:272**
- stipulation, filing of, **1:20**
- Stipulation and Order, **2:31**
- Stipulation for Status-Only Judgment, **2:231–232**
- Stipulation to Establish Child Support, **1:79, 1:199, 1:200–201**
- stipulations (defined), **2:29**
- strategy, why you need, **2:34**
- Subpoena, Declaration Re Motion to Enforce, **2:201, 2:202, 2:202–203**
- Subpoena, Declaration Re Motion to Quash, **2:201**
- Subpoena Duces Tecum, Declaration in Support of, **2:172, 2:185**
- subpoenas
  - deadlines, **2:131**
  - enforcing or stopping, **2:202**
  - hearings and, **2:125–129**
  - how issued, **2:172, 2:179**
  - motions to enforce or stop, **2:198–201**
  - Proof of Service (POS) and, **2:131, 2:179**
  - witnesses and, **2:125, 2:265**
- Substitution of Attorney, **2:48**

Summary Dissolution, **1:34–37, 1:233–234**  
Summary Dissolution Booklet, **1:233**  
Summons, **1:119–120**  
    automatic restraining orders and, **2:97–98**  
    Declaration of Service of Lost Summons, **1:120**  
    effective date of service for, **1:154**  
    filling out the, **1:119–120**  
    methods of service, **1:145–146**  
    Publication of Summons, **1:145**  
    restraining orders and, **1:119**  
    serving, **2:69**  
Supervised Visitation Order Attachment, **2:140**  
support  
    computer printout for, **2:86, 2:105**  
    enforcing orders for, **2:16**  
    family, **1:74**  
    priorities for, **1:73**  
    Responsive Declaration and, **2:120**  
    support orders, modification of, **1:74–75**  
    support persons/assistants, **2:263–264**

## **T**

TANF/Cal/WORKS (formerly AFDC), **1:199n**  
taxes  
    capital gains and exclusions, **1:58–59**  
    child support and, **1:79**  
    consideration of, **1:39–40**  
    domestic partnerships and, **1:39**  
    family support and, **1:74**  
    on pension and retirement funds, **1:57**  
    property and debts and, **1:73**  
    SA and, **1:92**  
    same-sex marriage and, **1:39**  
    status-only judgment and, **2:227–228**  
    support and, **1:73**  
    tax returns, **2:52, 2:53**  
Temporary Emergency Court Orders (FL-305), **2:105, 2:113**  
Temporary Emergency orders (Ex Parte orders). *See* Ex Parte orders  
temporary orders, **2:47, 2:101, 2:104–105**  
Temporary Orders (FL-305), **2:104–106**  
Temporary Restraining Orders (TROs), **2:97, 2:98, 2:134**  
tenants in common, husband and wife as, **1:51**  
termination of domestic partnership, **1:233–235**  
testimony  
    guide for, **2:267–269**  
    live, **2:72**  
    oral, **2:74, 2:83, 2:105, 2:124**

timeline  
    legal divorce, **2:16**  
    OSC with/without TROs, **2:100**  
timeshare estimates, child support and, **1:87**  
timing, **2:70–71**  
transcript of proceedings, **2:135, 2:266, 2:270**  
transferring real property, **1:58–60**  
transfers, non-probate, **2:229**  
transfers, nonprobate, **1:58**  
transmutation, **1:51**  
trial, **2:261–270**  
    being a good witness, **2:262**  
    end of, **2:270**  
    master plan, **2:262**  
    postponement of, **2:255–260**  
    preparing for, **2:261–264**  
    pressure to settle during, **2:132–33**  
    pretrial orders, **2:270**  
    transcript of, **2:135, 2:266**  
Trial, Request to Set, **2:241**  
TROs. *See* Temporary Restraining Orders (TROs)  
troubleshooting guides  
    hearings, **1:225–226**  
    wage assignment service, **1:207**  
trust deed, **1:58–59**

## **V**

Verification for Response to Request to Produce, **2:156, 2:159, 2:165**  
videotape of hearing, **2:135**  
violence, domestic, **1:25, 2:71**  
    *See also* Domestic Violence OSCs  
visitation, supervised, **2:86, 2:104, 2:133**  
visitation, virtual, **1:67**  
visitation and custody. *See* custody and visitation  
vocational evaluation, **2:210–212, 2:212**  
Vocational Evaluation, Letter Requesting, **2:210, 2:211**  
Voluntary Declaration of Paternity, **1:123, 1:137**

## **W**

Wage and Earnings Assignment, **1:205–210**  
    Earnings Assignment Order for Spousal Support, **1:210**  
    filling out forms, **1:206, 1:209**  
    Order/Notice to Withhold Income for Child Support, **1:209**  
    requirements for, **1:204**  
    service of, **1:207**  
    staying service of, **1:205–206**  
    troubleshooting, **1:207**

wage assignment, mandatory, 1:73, 1:198, 1:204  
waiver, military, 1:150  
waivers  
  of fees, 1:114, 2:269  
  of Final Declaration of Disclosure, 1:162–163  
  military, 1:150  
  *See also* A&W (Appearance, Stipulations, and Waivers)  
web sites  
  CALDA, 1:29  
  links to court, 1:115  
  Nolo Press, 1:33  
  Secretary of State, 1:235  
websites  
  county, 2:58  
  Divorce Helpline, 2:22  
  holistic lawyers, 2:43  
  for update information, 2:58  
welfare  
  child support and, 1:78, 1:92, 1:212  
  custody and, 1:196  
wills, 1:60  
Witness List, 2:72, 2:73, 2:88, 2:105, 2:106  
witnesses  
  advice for, 2:262  
  declarations of, 2:75, 2:82, 2:100, 2:106, 2:115  
  defined, 2:74  
  exclusion of, 2:269  
  fees for, 2:131  
  oral testimony of, 2:72  
  organizing, 2:262, 2:263  
  phone-call standby, 2:129  
  preparing, 2:263  
  subpoenas and, 2:71, 2:125, 2:265  
worksheets, 2:46, 2:52

## **Z**

zero child support, 1:77–78, 1:80