



ACCESS CENTER DISSO A-Z

HOW TO RESPOND TO A DIVORCE

Q: I was served with divorce papers, and I agree with the requests on the Petition, do I need to do anything?

A: If you agree with the Petition, you do not need to file a Response and your divorce case can proceed by default. The court may make orders based on what is requested on the Petition. You can still have a written agreement with the other party even if you do not file a Response.

Even if you agree with all the requests, it is important that you read through all the forms you were served with. There are court orders regarding children, property and insurance that are effective immediately after you are served.

Q: I was served with divorce papers, and I disagree with the requests on the Petition, OR I want to make my own requests, what do I do?

A: You must file a Response with the court within 30 days after you were served. If you do not file a Response within 30 days, the court may make orders based on the requests on the Petition.

Q: How do I fill out a Response?

A: Complete the following forms at <https://www.courts.ca.gov/forms.htm>

- Form FL-120, Response –Marriage/Domestic Partnership
- Form SFUFC Form 11.17

<https://www.sfsuperiorcourt.org/sites/default/files/images/SFUFC%20Form%2011.17%20Collaborative%20Law%20Notice.pdf?1586538188117>

If you have minor child(ren), you also need:

- Form FL-105, UCCJEA (attached to FL-120)
- Form FL-311, Child Custody and Visitation (Parenting Time) Application Attachment (attached to FL-120)

Q: What do I need to do after I complete my Response?

A: Make two copies of all your forms. Have someone else at least 18 years old mail one set of your copies to the Petitioner. The person who helps you mail your copies is your server. The server must complete form FL-335 Proof of Service by Mail to prove a copy of your Response was mailed to the Petitioner before you can file your Response. Make one copy of form FL-335 after your server completes the form.

Q: Where do I file my Response?

A: Take your original forms and the other set of copies, along with the completed form FL-335, Proof of Service by Mail and copy to the Civic Center Courthouse, 400

McAllister Street, Room 402 San Francisco, CA 94102. The filing fee is \$450. If you are low income and cannot afford the filing fee, you can file a fee waiver request. The clerk will file your original forms and keep it in your court file. The clerk will stamp the copies and return them to you for your records.

Q: It's been more than 30 days since I was served with divorce papers, can I still file a Response?

A: It depends. You can still file a Response if the court has not entered default in your case.