

# Summary Dissolution of Marriage

Summary dissolution is a quick, easy type of divorce appropriate for some couples. You will not have to talk to a judge and you may not need to hire a lawyer, although it is in your best interest to see a lawyer about ending your marriage. Keep in mind that a summary dissolution is a divorce, NOT a legal separation.

## Do You Qualify?

You may qualify for summary dissolution if you and your spouse:

- Have been married for less than 5 years (from the date you got married to the date you separated);
- Have no children together born or adopted before or during the marriage (and you are not expecting a new child now);
- Do not own any part of land or buildings;
- Do not rent any land or buildings (except for where you now live, as long as you do not have a 1-year lease or option to buy);
- Do not owe more than \$6,000 for debts acquired since the date you got married (called "community obligations");
  - Do not count car loans.
  - See the California Courts website for a [fillable worksheet to help you figure your debt](#) and a [sample with instructions for the worksheet](#).
- Have less than \$38,000 worth of property acquired during the marriage (called "community property");
  - Do not count your cars.
  - See the California Courts website for a [fillable worksheet to help you figure the value of your property](#) and a [sample with instructions for the worksheet](#).
- Do not have separate property worth more than \$38,000;
  - Do not count your cars.
  - Click here for a [fillable worksheet to help you figure the value of your separate property](#) and a [sample with instructions for the worksheet](#).
- Agree that neither spouse will ever get spousal support; AND
- Have signed an agreement that divides your property (including your cars) and debts.
  - See the California Courts website for a [fillable property agreement](#) and a [sample agreement with instructions](#).

You must meet all of the above requirements; additionally, either you or your spouse must have:

- Lived in California for the last 6 months, and
- Lived in the county where you file for summary dissolution for the last 3 months.

If you do not meet the residency requirement, you can still file for a legal separation but you have to go through the regular legal separation process, or wait until you meet the residency requirements for a divorce.

# Procedure

1. **Read the booklet called *Summary Dissolution Information* ([Form FL-810](#)).**  
**You MUST read this booklet.**
  - The booklet will help you throughout your case.
  - You have to swear under “penalty of perjury” that you have read and understood the booklet.
2. **Find your court**
  - You have to find the right court to start your case in your county; the right court for you is based on the counties where you and your spouse live right now.
  - See the California Courts website for a program that will [help you figure out where to file for your summary dissolution](#).
3. **Fill out your Joint Petition**  
Fill out:
  - *Joint Petition for Summary Dissolution* ([Form FL-800](#)). You must BOTH sign this form.
  - Any required local court forms. Some courts ask you to fill out local forms when you ask for a summary dissolution. Check [your court's website](#) or contact the court to see if you have to fill out any local forms.
4. **Fill out your Judgment form**  
Fill out the top portion (the caption box) of:
  - *Judgment of Dissolution and Notice of Entry of Judgment* ([Form FL-825](#)).
  - **ALERT!** Use this form ONLY if you filed your Joint Petition (Form FL-800) on or after January 1, 2011. If you filed Form FL-800 before January 1, 2011, fill out a *Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment* ([Form FL-820](#)).
5. **Fill out your worksheets and financial information and exchange it**  
You must EACH fill out and exchange:
  - *Income and Expense Declaration* ([Form FL-150](#))
  - Worksheet for [Determining Value and Division of Community Property](#)
  - Worksheet for [Determining Value of Separate Property](#)
  - Worksheet for [Determining Community Obligations and Their Division](#)
6. **Fill out your property agreement and attach it to your *Joint Petition*, Form FL-800**
  - You can write up your own agreement or you can use this [fillable property agreement](#). Just fill in the blanks with your information. Both of you must sign and date it. Click for a [sample agreement with instructions](#).
  - If you do not have any property or debt to divide, write up an agreement that says that. Both of you must sign and date it.
7. **Have your forms reviewed**

- If your court's [family law facilitator](#) or [self-help center](#) helps people with divorce and summary dissolution cases, ask them to review your paperwork. They can make sure you filled it out properly before you move ahead with your case.
  - You can also hire your own lawyer to review your papers or to get legal advice, either with your entire divorce case, or just the parts of it that you may need more help with (called "limited scope representation" or "unbundling").
8. **File your forms with the court clerk**
- Turn in your *Joint Petition* (Form FL-800) (with the property agreement attached) and form FL-825 (or FL-820, if you had to use that one instead) plus your 2 copies of each to the court clerk, together with 2 self-addressed stamped envelopes, one addressed to each spouse. The clerk will file your *Joint Petition*, keeping the original and returning the copies to you, stamped "Filed." The clerk will either file and give you copies of Form FL-825 (or FL-820 if you used that instead), or hold on to the original and copies to mail to you later. Ask the clerk how your court handles this process.
  - You and your spouse will have to pay a filing fee. See the California Courts website for [how much the fee is for your petition](#) (also called "first papers" or "first appearance" fee).
  - If you cannot afford the fee, you can ask for a fee waiver. If one of you qualifies for a fee waiver, but the other one does not, the one who does not will have to pay the filing fee. See the California Courts website for information on [fee waivers](#).
9. **If you did not get Form FL-825 back right away, wait to receive it, filed and signed by the judge**
- The *Judgment of Dissolution and Notice of Entry of Judgment* ([Form FL-825](#)) is your divorce judgment. (If you filed Form FL-820, that will be your divorce judgment). Whether you get it when you first file all your papers or you receive it later by mail, it will have a date on it of 6 months after you first filed your case on Item 1(a). **That is the date your divorce is final.**
  - You will NOT be divorced, and you CANNOT get remarried, until after the date that appears on Form FL-825 as the effective date of your judgment of dissolution (your divorce).
  - **Important:** If you decide that you do not want to get a summary dissolution during the 6 months while you wait for your divorce to become final, you must file a *Notice of Revocation of Petition for Summary Dissolution* ([Form FL-830](#)) with the court. The *Notice of Revocation* can be filed by either spouse. It invalidates (cancels) the summary dissolution case and the judgment on Form FL-825. If you or your spouse still wants to get divorced, you can file for a regular divorce.

## Forms and Worksheets

All of these forms are available online at the California Courts website.

Form Name	Form Number	Information/Instructions
<i>Joint Petition for Summary Dissolution</i>	<a href="#">FL-800</a>	Both of you must sign this form.
<i>Summary Dissolution Information</i>	<a href="#">FL-810</a>	Includes instructions for Forms FL-800, FL-820, FL-825 and FL-830.
<i>Request for Judgment, Judgment of Dissolution of Marriage, and Notice of Entry of Judgment</i>	<a href="#">FL-820</a>	Use this form ONLY if you filed Form FL-800 before 1/1/2011. If you filed it after 1/1/2011, use Form FL-825 instead.
<i>Judgment of Dissolution and Notice of Entry of Judgment</i>	<a href="#">FL-825</a>	Use this form if you filed Form FL-800 on or after 1/1/2011.
<i>Notice of Revocation of Petition for Summary Dissolution</i>	<a href="#">FL-830</a>	Use this form if you want to stop the summary dissolution process any time between the date you filed FL-800 and 6 months later, when your divorce becomes final.
<i>Property Agreement</i>	<a href="#">Property Agreement</a>	Attach a copy of your property agreement to Form FL-800. You must BOTH sign and date the property agreement.

Worksheet	Instructions/Samples
<i>Income and Expense Declaration</i> ( <a href="#">Form FL-150</a> )	<a href="#">FL-150</a> Each of you must fill one of these out and exchange it. Do NOT file with the court.
<a href="#">Worksheet for Determining Value and Division of Community Property</a>	Each of you must fill one of these out and exchange it. Do NOT file with the court.  <a href="#">Sample with instructions for worksheet</a>
<a href="#">Worksheet for Determining Value of Separate Property</a>	Each of you must fill one of these out and exchange it. Do NOT file with the court.  <a href="#">Sample with instructions for worksheet</a>
<a href="#">Worksheet for Determining Community Obligations and Their Division</a>	Each of you must fill one of these out and exchange it. Do NOT file with the court.  <a href="#">Sample with instructions for worksheet</a>

## **Further Help Is Available**

For appointments concerning dissolution of marriage and other personal legal matters, call the Legal Assistance Branch of the Office of the Staff Judge Advocate located at Building 358, Buffalo Soldier Trail, Defense Language Institute, Presidion of Monterey (815-242-5084 or DSN 768-5085).