

Mandatory Financial Disclosures

(Divorce, Legal Separation or Nullity Cases)

Instructions for completing the preliminary and final declaration of disclosure forms

Step 1	<p>Complete the following forms in blue or black ink:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> FL-140 Declaration of Disclosure <input checked="" type="checkbox"/> FL-150 Income and Expense Declaration <input checked="" type="checkbox"/> FL-160 Property Declaration (You will need to complete two of these forms; one for <i>separate property</i> and one for <i>community property</i>.) 				
Step 2	<p>Copies: Make 1 copy of the original.</p>				
Step 3	<p>Service:</p> <ul style="list-style-type: none"> • Keep the originals of these forms. (Note: Please take care not to lose the originals. If you lose the originals, you may have to complete them again.) • Mail one copy, not the originals, and copies of your past two years income tax returns to your spouse or their attorney, if they have one. 				
Step 4	<p>Fill out:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> FL-141 Declaration Regarding Service of Declaration of Disclosure <p>Note: You can mail the forms and fill out form FL-141 yourself. You do <u>not</u> have to get someone else to mail them for you. If you do not have the other party's current address, you may use their latest known address.</p> <p>If service of the Summons and Petition was by publication or posting, you may serve the respondent care of the Clerk of Court at the following mailing address:</p> <p style="text-align: center;">Respondent's Name c/o Clerk's Office, Superior Court, Family Division, 191 N. First Street San Jose, CA 95113</p>				
Step 5	<p>File: Turn in the original <u>and</u> one copy of FL-141 Declaration Regarding Service of Declaration of Disclosure to the Clerk's Office in the courthouse at:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><input type="checkbox"/> 170 Park Avenue, San Jose, CA</td> <td style="width: 50%;"><input type="checkbox"/> 99 Notre Dame Ave., San Jose, CA</td> </tr> <tr> <td><input type="checkbox"/> 605 W. El Camino Real, Sunnyvale, CA</td> <td><input type="checkbox"/> 301 Diana Ave., Morgan Hill, CA</td> </tr> </table> <p>Monday-Friday from 8:30am to 4:00pm.</p> <p>The Clerk will keep the original and file stamp the copy and return it to you.</p>	<input type="checkbox"/> 170 Park Avenue, San Jose, CA	<input type="checkbox"/> 99 Notre Dame Ave., San Jose, CA	<input type="checkbox"/> 605 W. El Camino Real, Sunnyvale, CA	<input type="checkbox"/> 301 Diana Ave., Morgan Hill, CA
<input type="checkbox"/> 170 Park Avenue, San Jose, CA	<input type="checkbox"/> 99 Notre Dame Ave., San Jose, CA				
<input type="checkbox"/> 605 W. El Camino Real, Sunnyvale, CA	<input type="checkbox"/> 301 Diana Ave., Morgan Hill, CA				
If you need help...	<p style="text-align: center;">The Self-Help Center (SHC) can help you fill out the forms at a drop-in workshop on Fridays at 1:45 pm. You don't need to sign up in advance. The SHC is at 99 Notre Dame Avenue, San Jose.</p>				

Please turn over for important information



WHAT IS FINANCIAL DISCLOSURE?

In divorce, legal separation and nullity cases, California law (Family Code §2103) requires the parties to provide information to each other about their income and expenses, as well as their debts (even if you do not have any!). This is called financial disclosure. The first disclosure is called “Preliminary Declaration of Disclosure” (Family Code §2104) and is mandatory. The final disclosure, called “Final Declaration of Disclosure”, may be waived by the parties (Family Code §2105).

DO I HAVE TO DO THIS?

Yes. This rule applies to almost all cases even if the parties do not have any assets or debts. You cannot get a final *Judgment* without completing the disclosure requirements.

HOW CAN I GET THE FORMS?

There are a few ways that you can get the forms:

- hire an attorney;
- contact a Legal Services Agency such as Legal Aid or Pro Bono Project
- get the forms online at the state’s website, (www.courts.ca.gov/selfhelp);
- use a self-help legal book or
- visit the Self-Help Center/Family Law Facilitator’s Office in person, Monday through Thursday, starting at 8:30 am. Please go to www.scscourt.org (and click on the self-help section of the site) for details on how to sign up for help at our office. **Please note: we cannot help people who have attorneys.**

Self-Help Center/Family Law Facilitator’s Office
Superior Court, County of Santa Clara
99 Notre Dame Avenue, San Jose, CA 95113
(408) 882-2926

www.scscourt.org

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State of California Courts Self-Help