

1 Name:

2 Address:

3 Telephone:

4 In Pro Per

5 THE SUPERIOR COURT OF CALIFORNIA

6 IN AND FOR THE COUNTY OF BUTTE

8 In re the Marriage of:

10 Petitioner,

11 and

12 Respondent

: Case No.: _

:

: ☐

: **PETITIONER'S**

:

: ☐

: **RESPONDENT'S**

:

: **Statement of Issues, Contentions, and**
: **Proposed Disposition**

:

:

:

:

:

:

16 PRELIMINARY INFORMATION

17 1.) Petitioner:

18 Name: _____

19 Present Employer: _____

20 Gross Monthly Income: _____

21 2.) Respondent:

22 Name: _____

23 Present Employer: _____

24 Gross Monthly Income: _____

- 3.) Date of Marriage _____
Date of Separation _____
Length of Marriage _____
- 4.) Issues to be considered by the Court (check all that apply)
- ☐ Dissolution of Marriage
- ☐ Child Custody
- ☐ Child Support
- ☐ Spousal Support
- ☐ Property Division and Equalization
- ☐ Assignment of Debts
- ☐ Other (specify) _____
- _____

DISSOLUTION OF MARRIAGE

(Complete if you are requesting dissolution of marriage)

- 5.) What date was the other party served with the Summons and Petition for Dissolution? _____
(Date)

CHILDREN OF THE RELATIONSHIP

- 6.) Provide the following information regarding minor children of the relationship:

Name	Date of Birth	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- 7.) In the Present Custody of _____

PRIOR DOMESTIC VIOLENCE AND ORDERS

(Complete if there are existing or prior orders or allegations that are supported by proof of domestic violence)

- 8.)a. Are there presently orders regarding incidents of domestic violence? If so, state when they were issued, when they expire, to whom they are issued against, and describe the underlying issue:

- b. Describe any documentary evidence you have to support or disprove any allegation of domestic violence: _____

EXISTING ORDERS FOR CUSTODY AND SUPPORT

(Complete if child custody or child support is an issue)

- 9.) Is there presently an order for child custody in effect?

a.) ☐ YES ☐ NO

- 10.) If yes, list existing custody orders:

Name of Child	Date of Order	Party w/Custody	Party w/Visitation
---------------	---------------	-----------------	--------------------

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- 11.) Is there presently an order for payment of child support?

☐ YES ☐ NO

- 12.) If yes, list existing child support orders:

Date of Order	Type of Order/Amount	Party to Whom Payable
---------------	----------------------	-----------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

CHILD CUSTODY

(Complete if child custody or child support is an issue)

13.) Describe the child custody/visitation arrangements presently being followed by you and the other parent:

14.) Has custody been mediated at Family Court Services?
☐ YES ☐ NO

15.) If yes, has the mediation report been completed?
☐ YES ☐ NO

If the report has not been completed, when do you think it will be completed? _____
(DATE)

16.) What is the date of the completed report and recommendation? _____
(DATE)

17.) What custody/visitation arrangement is recommended by the Family Court Services Report? (Briefly describe) _____

18.) Describe the custody arrangement you want the court to order at the present time (Check the appropriate box):

- a.) ☐ Remain the same.
b.) ☐ Adopt Family Court Services Report dated: _____
c.) ☐ Other

(describe): _____

19.) Describe any circumstances regarding habitual drug or alcohol use?_____

CURRENT INCOME AND EXPENSES

(Complete in all cases)

20.) Attach a completed Income and Expense Declaration (FL-150) which has current income and expense information for you.

CHILD SUPPORT

(Complete in all cases where child custody or child support is an issue)

21.) Is there presently an order for payment of child support?

a.) ☐ YES ☐ NO

b.) Payable by which party? _____

To Which Party? _____

c.) How much per month? \$_____

d. Date the order was issued:_____

22.) Does either party presently pay for day care for work?

a.) ☐ YES ☐ NO

b.) If yes, what is the monthly cost of day care? \$_____

23.) Future Child Support:

a.) Should one party continue to pay child support to the other party? ☐ YES ☐ NO

b.) If no, why not?

c.) Amount of time the child(ren) spends with the other parent:

Father: _____percent Mother: _____percent

SPOUSAL SUPPORT

(Complete if Spousal Support is an issue)

24.) Is there currently an order for payment of spousal support?

a.) ☐ YES ☐ NO

b.) Payable by which party? _____

To which party? _____

c.) How much per month? \$ _____

d.) Date the order was issued: _____
(DATE)

25.) Future Spousal Support:

a.) Should one Party pay Spousal Support to the other Party?
☐ YES ☐ NO

b.) Family Code Section 4320 factors:

i. What was the length of the marriage? _____ years _____ months

ii. What are the marketable skills of Petitioner? _____

iii. What are the marketable skills of Respondent? _____

iv. Does either party need education or training to become employable?
Explain including how much education is needed and how long it will
take to acquire such education _____

v. Was the supported party's ability to obtain marketable skills
impaired by periods of unemployment that were incurred during the
marriage to permit the supported party to devote time to domestic
duties? Explain. _____

vi. Explain the extent to which the supported party contributed to
the attainment of an education, training, a career position, or a
license by the supporting party. _____

vii. Explain the ability of the supporting party to pay spousal support, taking into account the supporting party's earning capacity, earned and unearned income, assets, and standard of living. _____

viii. What are the needs of each party based on the standard of living established during the marriage? _____

ix. What are the obligations and assets, including the separate property, of each party? _____

x. What was the duration of the marriage? _____

xi. What is the ability of the supported party to engage in gainful employment without unduly interfering with the interests of dependent children in the custody of the party? _____

xii. What is the age and health of the parties? _____

AGREEMENTS BETWEEN THE PARTIES

(Complete in all cases)

26.) Do you and the other party have any agreements concerning child custody or property or debts to be awarded to a party?

a.) ☐ YES ☐ NO

b.) If yes, list and describe each agreement:

SEPARATE PROPERTY AND DEBTS

(Complete if Property Division is an Issue)

27.) Does either party presently have property or debts which are the party's separate property?
☐ YES ☐ NO

28.) If yes, list each item of property and debt, and the party that property or debt belongs to:

Description of Item/Debt	Party to whom it belongs
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

COMMUNITY PROPERTY AND DEBTS

(Complete if Property Division is an issue)

29.) Property owned by the Parties:
(List the property owned by you and the other party)

Description of Item	Present Value	Who has it (H/W)
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

30.) Shared Debts of the Parties:

(List the debts for which you and the other party are liable)

Creditor Name/Purpose of Debt	Amount Owing
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

31.) Has either party made payments after your separation on shared debts?
[] YES [] NO

32.) If yes, list all payments made on shared Debts of the Parties:

Creditor Name/Date of Payment	Amount Paid
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
6. _____	\$ _____

FUNDS HELD BY OTHERS

(Complete if Property Division is an issue)

34.) Does any firm, business, or other entity have money or property in which either party presently has an interest (e.g. life insurance policies, deposit accounts)?

[] YES [] NO

35.) If yes, list each item of property, name the party who presently has the property, and describe your interest in the property:

36.) Does either party have an interest in a retirement plan, profit sharing or pension plan?
[] YES [] NO

37.) If yes, list the business, agency or employer who maintains the plan, and describe the party's interest in the plan (e.g., party's employer, party is receiving benefits from plan):

38.) Have all necessary retirement and pension accounts been joined to this action? List the name of the account and the date it was joined

TRACING

(Complete if Property Division is an Issue)

37.) Is there property acquired by you and the other party using money or property that was the sole property of just one of you?
[] YES [] NO

38.) If yes, list each item of property and describe how the property was acquired and what money or property belonging to just one party was used in acquiring the described property. (Example: a car owned before marriage was traded in to buy the car both parties now own):

Describe IN DETAIL the
circumstances:

BREACH OF FIDUCIARY DUTY

39.) Are there allegations that either party stole money, illegally transferred assets or otherwise breached their fiduciary duty to the other party? Describe

PROPOSAL FOR DIVISION OF PROPERTY AND DEBTS
(Complete if Property Division is an issue)

39.) Proposed Division of Property and Debts:

Description of Item	Award to H	Award to W
	(List value of item in space)	
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

40.) What is the total value of the property you propose the court should award?

To Petitioner \$ _____ to Respondent \$ _____

41.) What is the total amount of the parties' debts you propose the court should award?

To Petitioner \$ _____ to Respondent \$ _____

OTHER ISSUES

(Complete if there are additional issues before the court)

42.) Is discovery complete? (Discovery is the pre-trial phase in a lawsuit in which each party, through the law of civil procedure, can obtain evidence from the opposing party by means of discovery devices including requests for answers to interrogatories, requests for production of documents, requests for admissions and depositions.)

Yes No ☐ ☐

43.) If discovery is not complete, what other evidence do you need to obtain before trial? _____

44. Are there any requests for discovery that have been issued but not answered yet? If so, when is are the discovery answers due? _____

1 45.) If there are other issues the court is too consider, identify each and
2 describe the circumstances: _____

3 _____
4 _____
5 _____
6 _____
7 _____
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____

16 46.) Expert Witnesses: Name all expert witnesses and attach any reports those
17 expert witnesses have issued:

18 _____
19 _____
20 _____
21 _____
22 _____
23 _____
24 _____

EXHIBIT LIST

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WITNESS LIST

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Date:

Signature: _____

☐ Petitioner

☐ Respondent

Rev. 06/15/15