

710.1 Default Judgment Procedures

- A. All defaults and uncontested judgments must be submitted by affidavit/declaration pursuant to Family Code § 2336.
- B. To obtain a judgment of nullity the party must file a declaration that includes detailed facts supporting the nullity request.
- C. Default Judgment Without Settlement Agreement: The following procedures apply where a Response to the Petition has not been filed and respondent has been defaulted. Petitioner may request a status only judgment. A petitioner may not request orders in the judgment beyond the relief requested in the Petition.
 1. The following papers must be submitted to obtain a default judgment on a Petition for Dissolution, Legal Separation, or Nullity:
 - a. Declaration for Default or Uncontested Dissolution or Legal Separation (Form FL-170);
 - b. Declaration Regarding Service of Declaration of Disclosure and Income and Expense Declaration, Preliminary and/or Final (Form FL-141) if it applies. If the Declaration of Final Disclosure is waived submit the Stipulation and Waiver of Final Declaration of Disclosure (Form FL-144);
 - c. Original and three copies of the Judgment (Form FL-180). The court will retain original and one copy;
 - d. Original and two copies of the Notice of Entry of Judgment (Form FL-190);
 - e. Two self-addressed, stamped envelopes, with the court's address as the return address; and
 - f. If there is at least one minor child in common the following additional forms must be submitted:
 1. Declaration Under UCCJEA (Form FL-105/GC-120);
 2. Child Custody and Visitation Order Attachment (Form FL-341);
 3. If the judgment seeks a child support order, submit petitioner's Income and Expense Declaration (Form FL-150 or 155);
 4. Child Support Information and Order Attachment (Form FL-342); and
 5. Income Withholding for Support (Form FL-195).
 2. In a parentage case a party must use form FL-250 instead of FL-180. The following forms must be submitted to obtain a default judgment in a Parentage case:
 - a. Declaration for Default or Uncontested Judgment (Form FL-230);
 - b. Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (Form FL-105/GC-120);
 - c. Child Custody and Visitation Order Attachment (Form FL-341);
 - d. If the judgment seeks a child support order, submit petitioner's Income and Expense Declaration (Form FL-150 or 155);
 - e. Child Support Information and Order Attachment (Form FL-342);
 - f. Income Withholding for Support (Form FL-195);
 - g. Original and three copies of the Judgment (Form FL-250). The court will retain original and one copy;
 - h. Original and two copies of the Notice of Entry of Judgment (Form FL-190); and
 - i. Two self-addressed, stamped envelopes, with the court's address as the return address.

- D. If a Judgment of Dissolution or Judgment of Legal Separation requests an award of spousal support for either party, the moving party must submit petitioner's Income and Expense Declaration (Form FL-150) including petitioner's best estimate of respondent's income and a Spousal or Domestic Partner Support Declaration Attachment (Form FL-157).
- E. If a Judgment of Dissolution, Judgment of Legal Separation, or Judgment of Nullity requests division of assets and debts, the assets and debts to be divided must be listed in the Petition or in the Property Declaration (Form FL-160) served upon respondent. Petitioner must submit a completed Property Declaration setting forth the proposed division.
- F. Default Judgment with Settlement Agreement: If a stipulated judgment is submitted in a default case, the defaulted party's signature must be notarized. When a case is open in the Department of Child Support Services (DCSS) and the stipulation addresses child support issues, the stipulation must be approved and signed by a DCSS attorney. In a parentage case, the parties must also file the Request to Enter Default (Form FL-165) or Appearance, Stipulation and Waiver (Form FL-130).
- G. The Court may set a hearing prior to entering a judgment.

(Adopted effective July 1, 2025)