

Divorce Request to Enter Default



**LEGAL AID
FOUNDATION
OF LOS ANGELES**

How-To Guide

Self-Help Legal Access Centers

Santa Monica

1725 Main St.,
Room 210
Santa Monica, CA 90401

Inglewood

1 East Regent St.,
Room 107
Inglewood, CA 90301

Torrance

825 Maple Ave.,
Room 160
Torrance, CA 90503

Long Beach

275 Magnolia Ave.,
Room 3101
Long Beach, CA 90802

September 2023

This guide is designed to help you fill out the forms yourself. It is not intended to provide legal advice nor strategy as to how to complete the case. The information provided in this packet only presents options and examples. This is not a substitute for professional legal advice from an attorney.

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intentionally blank.**

<p>PARTY WITHOUT ATTORNEY OR ATTORNEY</p> <p>NAME: Print Your Full Name</p> <p>FIRM NAME:</p> <p>STREET ADDRESS: Print Your Street Address</p> <p>CITY: Print Your City STATE: Print Your State ZIP CODE: Print Your Zip Code</p> <p>TELEPHONE NO.: Print Your Phone # FAX NO.:</p> <p>EMAIL ADDRESS:</p> <p>ATTORNEY FOR (name): Print "Self-Represented"</p>	<p><i>FOR COURT USE ONLY</i></p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Print "Los Angeles"</p> <p>STREET ADDRESS: Print Court's Complete Address</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p>	<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: auto;"> <p>Please note: The names and spelling need to match what was written on the Summons FL-110</p> </div>
<p>PETITIONER: Print Petitioner's Full Name</p> <p>RESPONDENT: Print Respondent's Full Name</p>	
<p>REQUEST TO ENTER DEFAULT</p>	<p>CASE NUMBER:</p> <p>PRINT CASE NUMBER</p>

1. **To the clerk:** Please enter the default of the respondent who has failed to respond to the petition.
2. A completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155) ☐ is attached ☐ is not attached.
 A completed *Property Declaration* (form FL-160) ☐ because (check at least one of the following):

- (a) ☐ there have been no changes since the previous
 - (b) ☐ the issues subject to disposition by the court
 - (c) ☐ there are no issues of child, spousal, or partner
 - (d) ☐ the petition does not request money, property
 - (e) ☐ there are no issues of division of community
 - (f) ☐ this is an action to establish parental relationship.

If there have been changes in your property ownership or finances, now is the time to make the other party aware by attaching an updated Income and Expense form (FL-150) or Property forms (FL-160) and check box "is attached" under the appropriate section in #2. Otherwise, this could lead to problems in finalizing your divorce. If no changes have occurred, check "is not attached" and then mark box (a)

Date: **Print Date**

Print Your Full Name

(TYPE OR PRINT NAME)

► **Sign Your Name**

(SIGNATURE OF [ATTORNEY FOR] PETITIONER)

3. Declaration

- (a) ☐ No mailing is required because service was by publication or posting and the address of the respondent remains unknown.
- (b) ☒ A copy of this *Request to Enter Default*, including any attachments and an envelope with sufficient postage, was provided to the court clerk, with the envelope addressed as follows (*address of the respondent's attorney or, if none, the respondent's last known address*):

Print the other party's last known address here.

NOTE: the form must be submitted with 2 envelopes with postage included (one addressed to you and one addressed to the other party) in order for the court to make you aware if the request to enter default has been granted.

I declare under penalty of perjury that the foregoing is true and correct.

Date: **Print Date**

Print Your Full Name

(TYPE OR PRINT NAME)

► **Sign Your Name**

(SIGNATURE OF DECLARANT)

FOR COURT USE ONLY	
<input type="checkbox"/> Request to Enter Default	<div style="border: 2px solid black; width: 100%; height: 100px; margin: 0 auto;"> <p>LEAVE BLANK</p> </div>
<input type="checkbox"/> Default entered as	
<input type="checkbox"/> Default not entered	
Clerk, by _____, Deputy	

PETITIONER: Print Petitioner's Full Name RESPONDENT: Print Respondent's Full Name	CASE NUMBER: <div style="border: 1px solid black; padding: 2px; text-align: center;">PRINT CASE NUMBER</div>
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4. Memorandum of costs

Check (a) if the court waived your filing fee.

a. ☐ Costs and disbursements are waived.

b. Costs and disbursements are listed as follows:

(1) <input type="checkbox"/>	Clerk's fees	\$
(2) <input type="checkbox"/>	Process server's fees	\$
(3) <input type="checkbox"/>	Other (specify):	\$
		\$
		\$
		\$
TOTAL		\$

If you had to pay to file your divorce, Check (1) and any other fees you had to pay to proceed in this case, and then put the amounts in the column to the right.

c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **Print Date**

Print Your Full Name <small>(TYPE OR PRINT NAME)</small>	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">▶</div> Sign Your Name <small>(SIGNATURE OF DECLARANT)</small> </div>
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5. Declaration of nonmilitary status *(required for a judgment).*

The respondent is not in the U.S.C. § 3911(2)) or California Relief Act (see 50

Active military personnel are exempt from the process of default.

I know that the respondent is not in the U.S. military service because *(check all that apply)*.

- (a) ☐ the search results that I received from <https://scra.dmdc.osd.mil/> say the respondent is not in the U.S. military service.
- (b) ☐ I am in regular contact with the respondent.
- (c) ☐ I recently contacted the respondent.
- (d) ☐ I know that the respondent is not in the U.S. military service.
- (e) ☐ the respondent is not in the U.S. military service.
- (f) ☐ other (specify):

Read (a)-(f) and check box(es) that explain how you know the other party is not a current member of the U.S. military.

Note

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>.
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **Print Date**

Print Your Full Name <small>(TYPE OR PRINT NAME)</small>	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;">▶</div> Sign Your Name <small>(SIGNATURE OF DECLARANT)</small> </div>
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): PRINT YOUR NAME AND ADDRESS		
TELEPHONE NO.: PRINT YOUR PHONE # FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (Name): PRINT "SELF-REPRESENTED"		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: PRINT THE COURT'S ADDRESS MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITIONER: PRINT PETITIONER'S NAME RESPONDENT: PRINT RESPONDENT'S NAME OTHER PARENT/PARTY:		
DECLARATION REGARDING SERVICE OF DECLARATION OF DISCLOSURE AND INCOME AND EXPENSE DECLARATION <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Petitioner's <input type="checkbox"/> Respondent's </div> <div> <input type="checkbox"/> Preliminary <input type="checkbox"/> Final </div> </div>		

Check only "Final" if you already filed this form indicating how the other party was served with your financial information.

Check "Preliminary" and "Final" if you have not filed this form before.

1. I am the ☐ attorney for ☒ petitioner ☐ respondent in this matter.
2. ☒ Petitioner's ☐ Respondent's Preliminary Declaration of Disclosure (form FL-140), current* Income and Expense Declaration (form FL-150) or Community and Property Declarations (form FL-160) before.
 I have not filed this form before.
☒ the other party ☐ the other party's attorney by ☐ personal service ☒ mail
☐ Other (specify):
 on (date): Print Date the Other Party Was Served with Papers Listed in Above Paragraph
3. ☐ Petitioner's ☐ Respondent's Preliminary Declaration of Disclosure (form FL-140), current* Income and Expense Declaration (form FL-150) or Community and Property Declarations (form FL-160) with attachments, and the material facts and information required by Family Code section 2105 were served on:
☐ the other party ☐ other party's attorney by ☐ personal service ☐ mail
☐ Other (specify):
 on (date):
4. ☒ Service of ☐ Petitioner's ☒ Respondent's ☐ preliminary ☒ final declaration of disclosure
☒ current income and expense declaration has been waived as follows:
☐ The parties agreed to waive final declaration of disclosure requirements under Family Code section 2105(d). (Form FL-144 may be used for this purpose.) The waiver ☐ was filed on (date):
☐ is being filed at the same time as this form.
 b. ☐ The party has failed to comply with disclosure requirements, and the court has granted the request for voluntary waiver of receipt under Family Code section 2107 on (date):
 c. ☒ This is a default proceeding that does not include a stipulated judgment or settlement agreement. Petitioner waives final disclosure requirements under Family Code section 2110.

Check personal or mail to indicate how the other party was given the FL-160, FL-150, and Copy of taxes filed within the past two years (if any).

*Current is defined as completed within the past three months providing no facts have changed. (Cal. Rules of Court, rule 5.260.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **PRINT THE DATE**

PRINT YOUR FULL NAME

(TYPE OR PRINT NAME)

SIGN YOUR NAME

SIGNATURE

NOTE: File this document with the court.

Do not file a copy of the Preliminary or Final Declaration of Disclosure or any attachments to either declaration of disclosure with this document.