

UCCJEA

hello divorce.



UCCJEA (Form FL-105)

Explanation:

*You must file the Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (or "UCCJEA") if you are filing for divorce or legal separation, OR responding to a petition for divorce or legal separation, **AND** you have children under the age of 18 with your spouse or domestic partner. If you have no minor children with your spouse or domestic partner, you do not need this form. You do not need to include information for any children with another partner.*

This form provides the Court with basic information about where your children have lived, any other court cases concerning your children, any restraining orders in place, and anyone other than you and your spouse who has (or claims to have) custody or visitation rights with any child in your case.

Instructions for Judicial Council Form:

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Caption: Fill in your name, address, telephone number, and email address in the section labeled "Party without Attorney or Attorney." In the section that begins with "Superior Court of California, County of," fill in the County you are filing in. Then, fill in the Court address. For Branch name, fill in the name of the courthouse where your case will be heard. You can look up the information for the family law courthouse on the Court's website.

Petitioner: Your full name (if you filed first), or your spouse or domestic partner's full name (if you are responding)

Respondent: Your full name (if you are responding), or your spouse or domestic partner's full name (if you filed first)

If you know the case number already, fill that in.

2. Confidentiality

Check #2 ONLY if your address and the address of each child residing with you is confidential (e.g. there are allegations of domestic violence or child abuse and the addresses of you and your child or children are unknown to the other party). In that case, do not fill in the residence information requested in Section 3. You still need to fill out the identifying information of the child, such as name, birth place, etc.

3. Residential Information

Enter the number of minor children of you and your spouse or domestic partner. FOR EACH CHILD, starting in section (a), fill in the following information: Child's name, Place of birth, Date of birth, and Sex. Then, fill in each address that your child has lived at for the last five years, starting with his/her current address and

working backwards. For each address, you will need to identify the name(s) of every person that your child lived with at that address, and his/her relationship to your child. Repeat this for every address that your child has lived at for the past five years.

If you have had more than one minor child with your spouse or domestic partner, continue to enter their information. You can just enter the child's identifying information and, under the residence section, enter "same as [child's name]," so that you don't need to re-type information if it is exactly the same.

If your children have more than four residences in the last five years, then check off (c) and fill out Attachment 3c. Use the MC-025 form, fill in the Attachment Number, and provide the additional residence information for your minor children.

There is only space for two children on this form. Thus, if you have more than two minor children with your spouse or domestic partner, check off (d) and fill out form FL-105(A). Use the exact same process as this section and include it as an attachment to this form.

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4. Other Cases involving your child(ren)

Do you know of any other court cases that concern one of your minor children with your spouse or domestic partner? This means that you know about the case, or participated in the case as a party or witness or other capacity. The case could be in California or anywhere else.

If No, check that box and move to Section 5.

If Yes, check that box. Then, fill in the information about each proceeding, including the Case number; name, state, and location of the Court; the date of the order; name of the children involved; your connection to the case, and the status of the case. Fill this information in the appropriate box – (a) is for Family cases, (b) is for Guardianship, (c) is other, (d) is Juvenile Delinquency or Dependency, and (e) is Adoption. You will need to attach a copy of the orders if you have them.

5. Restraining Orders

Do you know of any domestic violence restraining orders or protective orders in effect between the parties or on behalf of any of your minor children listed in the UCCJEA?

If No, do not check this box and move on to Section 6.

If Yes, check this box. Fill in the information about each restraining order, including the County and State it was issued in, the Case number, and when the orders expire. Make sure to fill this information in the appropriate box – (a) is for Criminal restraining orders, (b) for Family, (c) for Juvenile Delinquency or Dependency, and (d) is Other. You will need to attach a copy of the restraining order if you have one.

6. Other Interested Persons

Do you know of any other person, besides you and your spouse or domestic partner, who has physical custody or *claims* to have custody or visitation rights with any of your minor children listed in the UCCJEA?

If No, check that box and move on to the Signature field.

If Yes, check that box. Then fill in the name and address of the person and check off whether they have physical custody, or claim to have custody and/or visitation rights. Fill in the name of each child whom this person states a claim over.

Signature: *Enter the Date, Print your name, and then Sign.*

7. Attachments

If you have any attachments, be sure to check 7 and enter in the number of pages total that you are attaching.

DON'T FORGET:

Fill in the Case Number (if you have it), and the Petitioner and Respondent's names on the header of Page 2!