

**SANTA BARBARA COUNTY SUPERIOR COURT
OFFICE OF THE FAMILY LAW FACILITATOR**

FINALIZE YOUR DIVORCE: RESOLVING YOUR “ISSUES”

- If you have minor children of your marriage or
- If you or your spouse asked for spousal support on either the Petition or Response or
- If you or your spouse has assets or debts,
- THEN READ ON...

Before you can submit your final Judgment to the court (and therefore complete your divorce), you must “resolve your issues”--that is, you must get orders regarding custody, visitation and support of the minor children; spousal support, if it was requested; and property (assets and debts) division. The Judgment (FL-180) is a 2-page document that the judge will sign to show that the divorce process is finished. The Judgment will also have attached orders regarding custody and visitation, child support, spousal support and property, as appropriate. At the end of the divorce process, the Judgment should be a stand-alone document that contains all (or most of) the orders relating to the issues in your divorce. Here’s the Judgment FL-180: <https://www.courts.ca.gov/documents/fl180.pdf> .

The following is a **brief and general summary** of your options to “resolve your issues.” Contact the Family Law Facilitator or an attorney of your choice for more information on the actual procedural process.

RESOLVE YOUR ISSUES:

1. SPOUSAL SUPPORT: <https://www.courts.ca.gov/1038.htm>

If either the Petition or the Response made a request regarding spousal support (one of you is asking to receive it, one of you is offering to pay it now or in the future, neither of you is to get it, etc.), then you must deal with this issue. Options:

- a. Make an agreement with your spouse:
 - i. Write your agreement in a Marital Settlement Agreement (MSA) (NOTE: this is one comprehensive document that you must create to covers all your issues), or
 - ii. Write the terms of your agreement on the **Spousal Support Order Attachment (FL-343)** and attach it to a Stipulation for Judgment pleading (available through the Family Law Facilitator), or
 - iii. Use a private mediator from the community who can help you arrive at an agreement and then write it up, or
 - iv. Make an appointment with the Family Law Facilitator who can mediate your spousal support issue and write your agreement (free service), or
 - v. Hire an attorney to write your agreement

- b. If no agreement is possible:

- i. Represent yourself and prepare the **Request for Order (FL-300)** to go to court; contact the Family Law Facilitator at 805-882-4660 for free help. Use the assistance of the California Court Self-Help Center:
<https://www.courts.ca.gov/1038.htm> , or
 - ii. Hire an attorney to represent you completely, or
 - iii. Hire an attorney on a limited scope representation basis (look at FL-950) , or
 - iv. Hire an attorney as a consultant to help you on an hourly basis.
2. **MINOR CHILDREN:** If you have minor children of this relationship, you will need to resolve the issues of custody, visitation and child support. Options:
- a. **CHILD SUPPORT:** <https://www.courts.ca.gov/selfhelp-support.htm>
 - i. Open a case with the Department of Child Support Services (DCSS), 360 North San Antonio Rd., Santa Barbara, CA 93110. Tel. 866-901-3212.
<https://childsupport.ca.gov/overview/>
Be sure to let them know about your pending divorce or parentage case, if applicable. DCSS can help you to get (“establish”) your child support order and to collect (“enforce”) it. You establish your child support order either by making an agreement with your spouse or by going to court and getting an order from a judicial officer. NOTE: DCSS can also help you collect a spousal support order if there is a current child support order.

OR

- ii. Make an agreement with your spouse:
 - 1. Write your agreement in a Marital Settlement Agreement (MSA) (NOTE: this is one comprehensive document that covers all your issues and you must create), or
 - 2. Write your agreement up on the **Stipulation to Establish or Modify Child Support form (FL-350)**
<https://www.courts.ca.gov/documents/fl350.pdf> and attach to a Stipulation for Judgment pleading (available through the Family Law Facilitator), or
 - 3. Use a private mediator from the community who can help you arrive at an agreement and then write it up and attach to a Stipulation for Judgment pleading (available through the Family Law Facilitator), or
 - 4. Make an appointment with the Family Law Facilitator who can mediate your child support issue, write your agreement and help you with the other forms to finalize your Stipulation for Judgment, or
 - 5. Hire an attorney to write your agreement.
- iii. If no agreement is possible:
 - 1. Represent yourself and prepare the Request for Order (FL-300) to go to court <https://www.courts.ca.gov/1194.htm> ; contact the Family Law Facilitator for free help, or

2. Hire an attorney to represent you completely, or
3. Hire an attorney on a limited scope representation basis (look at Notice of Limited Scope Representation: FL-950) , or
4. Hire an attorney as a consultant on an hourly basis.

b. **CUSTODY and VISITATION (PARENTING PLAN):** <https://www.courts.ca.gov/selfhelp-custody.htm>

i. Make an agreement with your spouse:

1. Write your agreement in a Marital Settlement Agreement (MSA) (NOTE: this is one comprehensive document that covers all your issues and you must create), or
2. Write the terms of your agreement on the Stipulation and Order for Custody and/or Visitation (FL-355) <https://www.courts.ca.gov/documents/fl355.pdf> and attach to a Stipulation for Judgment pleading (available through the Family Law Facilitator), or
3. Use a private mediator from the community who can help you arrive at an agreement and then write it up and attach to a Stipulation for Judgment, or
4. Make an appointment with a court mediator from Family Court Services, who can mediate your custody and visitation issues, write your agreement and help turn your agreement into a court orders (free service). <https://www.sbcourts.org/dv/fl/family-law-services.shtm> 805-882-4667. These orders can then be attached to a Stipulation for Judgment, or
5. Hire an attorney to write your agreement.

ii. If no agreement is possible:

1. Represent yourself and prepare the Request for Order (FL-300) to go to court; <https://www.courts.ca.gov/selfhelp-custody.htm>
2. Contact the Family Law Facilitator for free help, or
3. Hire an attorney to represent you completely, or
4. Hire an attorney on a limited scope representation basis (look at FL-950), or
5. Hire an attorney as a consultant on an hourly basis

c. **PROPERTY ISSUES:** If there are community or separate property and/or debts, then you will need to resolve these issues. <https://www.courts.ca.gov/1039.htm>

Options:

i. Make an agreement with your spouse:

1. Write your agreement in a Marital Settlement Agreement (MSA) (NOTE: this is one comprehensive document that you must create to cover all your issues), or
2. Write the terms of your agreement on **the Property Order Attachment to Judgment (FL-345) (with Property Declarations (FL-160))**, as desired
<https://www.courts.ca.gov/documents/fl345.pdf>
<https://www.courts.ca.gov/documents/fl160.pdf>
and attach to a Stipulation for Judgment pleading (available through the Family Law Facilitator), or
3. Use a private mediator from the community who can help you arrive at an agreement and then write it up and attach to a Stipulation for Judgment, or
4. Hire an attorney to write your agreement. If no agreement is possible:
4. Represent yourself and prepare the Request for Order (FL-300) to go to court; contact the Family Law Facilitator for free help, or
5. Hire an attorney to represent you completely, or
6. Hire an attorney on a limited scope representation basis (look at FL-950), or
7. Hire an attorney as a consultant on an hourly basis.

Referrals:

1. To make an appointment with the Family Law Facilitator: [805-882-4660](tel:805-882-4660)
2. To make a free appointment with Family Court Services mediation (custody/visitation): [805-882-4667](tel:805-882-4667)
3. To get free Judicial Council legal forms: <https://www.courts.ca.gov/forms.htm?query=>
4. To find an attorney: Lawyer Referral Service: <https://sblaw.org/lawyer-referral-service/>
(805) 569-9400
5. To find out about limited scope representation: <https://www.courts.ca.gov/1085.htm>
6. To contact the Dept. of Child Support Services:
 - a. Local office: 360 North San Antonio Rd., Santa Barbara, CA 93110. Tel. 866-901-3212
 - b. State DCSS website: <https://childsupport.ca.gov/overview/>

NOTE: The Family Law Facilitator can offer only limited assistance in this issue area. It is recommended that you seek the advice and services of the appropriate professional, such as your attorney, accountant, financial advisor, realtor, etc.