

Mandatory Financial Disclosures

(Divorce or Legal Separation Cases)

Step 1	<p>Complete the following forms in blue or black ink:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> FL-140 Declaration of Disclosure <input checked="" type="checkbox"/> FL-150 Income and Expense Declaration <input checked="" type="checkbox"/> FL-160 Property Declaration (You will need to complete two of these forms; one for <i>separate property</i> and one for <i>community property</i>.)
Step 2	<p>Copies: Make 2 copies of the original.</p>
Step 3	<p>Service: Mail one copy, not the originals, to your spouse or their attorney (if they have one) along with copies of your income tax returns for the past two years, proof of income for the past two months and any other attachments required pursuant to page 4 of form FL-160.</p>
Step 4	<p>Fill out: Complete form FL-141 Declaration Regarding Service of Declaration of Disclosure to indicate when and how the other party was served.</p> <p>Note: You can mail the forms and fill out form FL-141 yourself. You do <u>not</u> have to get someone else to mail them for you. If you do not have the other party's current address, you may use their latest known address.</p> <p>If the Summons and Petition were served by publication or posting, you are not required to complete the Mandatory Financial Disclosures.</p>
Step 5	<p>File: Turn in the original <u>and</u> one copy of FL-141, FL-150, FL-160 (for community property) and FL-160 (for separate property) to the Clerk's Office in the courthouse at:</p> <p style="text-align: center;">201 North First Street, San Jose, CA 95113</p> <p style="text-align: center;">They open at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-534-5600 for current office hours.</p> <p>The Clerk will keep the originals and file stamp the copies and return them to you.</p>
If you need help...	<p>The Self Help Center (SHC) can help you fill out the forms through our online workshop. Visit www.scscourt.org and click on "Contact the Self-Help Center", then click "Self-Help Workshops" for more information.</p>

WHAT IS FINANCIAL DISCLOSURE?

In divorce and legal separation cases, California law (Family Code §2103) requires the parties to provide information to each other about their income and expenses, as well as their debts (even if you do not have any!). This is called financial disclosure. The first disclosure is called "Preliminary Declaration of Disclosure" (Family Code §2104) and is mandatory. The final disclosure, called "Final Declaration of Disclosure", may be waived by the parties (Family Code §2105).

IS THIS REQUIRED?

Yes. This rule applies to almost all cases even if the parties do not have any assets or debts. You cannot get a final *Judgment* without completing the disclosure requirements. There are two exceptions to this rule:

- a. You have a court order from the Judge that allows you to serve by publication or posting.
- b. You have filed a Summons/Petition for Nullity only and have not asked for a divorce in the alternative.

In these two instances only, you do not have to complete the disclosure process.

HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on “**Lawyer Referral services**” to hire or consult with a private attorney.
- For free legal advice and information, see our “**Do-It-Yourself Resources**” flyer. Go to www.scscourt.org, click on “**Self-Help**” then “**Self-Help Flyers**”.
- The Self-Help Center/Family Law Facilitator – See our information flyer:
 - Contact us: Go to www.scscourt.org then click “**Contact the Self-Help Center**”. Walk-in assistance is limited to emergencies so contact us remotely first.
 - Obtain Forms: Go to www.scscourt.org then click “**Complete Forms at Home**”
 - Form Review: Attend our online Mandatory Financial Disclosures Workshop (go to www.scscourt.org, click “**Contact the Self-Help Center**”, then click “**Self-Help Workshops**”), then email your forms as a pdf to shcdisclosure@scscourt.org.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self-Help Center/Family Law Facilitator's Office
 201 N. First Street, San Jose, CA 95113
 408-882-2926