



Amending a Petition in a Dissolution, Legal Separation or Nullity Case

Purpose of this Packet

This packet is designed to provide assistance in a Dissolution, Legal Separation or Nullity case if you are trying to amend (change) the information originally stated in your Petition. For example, if you asked for a Legal Separation but now you would like to change your request to Dissolution, you will need to “amend” your Petition.

Fees: There is no fee to file an amended Petition.

Forms:

- Summons (FL-110)
- Petition (FL-100)
- Proof of Service of Summons (FL-115)

1. Complete the Forms



To amend your Petition, you will need to fill out the same forms that you originally filed and include your changes (additions and/or deletions) on a new set of forms. You are allowed to amend one time, without permission from the Court. Take your time and carefully review the forms before filing.

If a Response has been filed by your spouse, your case has been set for trial, or you have already amended once, then you will need to first request permission from the Court. This requires a Court hearing.

Petition (FL-100):

Fill out the form completely to include all requested information, including your additions and/or deletions. Check the box in the caption to indicate that your Petition is amended. Carefully read and answer all questions.

Summons (FL-110):

You will need to complete a new Summons to accompany your amended Petition. Carefully read and complete the appropriate sections. Carefully read the Standard Family Law Restraining Orders on page 2 as they apply to you.

2. Make Copies



Make copies of the amended documents before filing them with the Court. Make the appropriate number of copies as follows:

<u>Form Name</u>	<u>No. of Copies</u>
<input type="checkbox"/> Summons (FL-110)	2
<input type="checkbox"/> Amended Petition (FL-100)	2

3. File with the Court



File the new Summons, amended Petition and the copies, at the Family Relations Courthouse by mail or by using the Court's drop box. Be sure to include a self-addressed, stamped envelope with enough postage to return the filed/endorsed copies back to you.

4. Serve the Forms



Once you receive your filed/endorsed copies back, have someone over the age of 18, other than yourself (a friend or relative) who is not a party to the case, personally serve your spouse a copy of the amended forms and blank response forms.

Have your server complete the Proof of Service of Summons (FL-115) and be sure to clearly print that it was the Amended Petition that was served. Once this is done, file the original Proof of Service of Summons (FL-115), with a photocopy at the Family Relations Courthouse by mail or drop box.

Once your spouse is served the new documents, you must allow 30 days for them to respond to the amended Petition (only if no Response has been filed yet).

Note: If you did not serve your original Summons and Petition or did not file a Proof of Service of Summons for the original documents, you will need to do so, even if you are amending your original petition. Every summons and petition that you file with the Court, must be served on your spouse, and have a Proof of Service of Summons on file with the Court.

What's Next?



Filing an Amended Petition does not finish your case. To obtain more information about requesting court orders or about finishing your case, please contact the Self Help Center via e-Correspondence or consult a private attorney for further assistance.