



HOW TO DISMISS A CASE

Purpose of Instructions

This packet is designed to help you complete the necessary forms required to dismiss a Family Law case in Sacramento County. If your case is filed in another court, contact that court directly for directions on how to dismiss your case. These instructions are for dismissing the entire case and are written for cases where both parties are not represented by attorneys. The process of dismissing a case is a multiple step process. If you do not complete all of the steps below your case will not be dismissed. If you are seeking to dismiss a portion of the case, we recommend that you consult with a private attorney before filing any documents. **These instructions will not assist you in dismissing a Restraining order if you are the restrained person.**

Who May Request a Dismissal

If no Response has been filed, only the Petitioner may request to dismiss a case. If a Response has been filed or any Claimants have been joined to the case, any party may request that the case be dismissed, but only with the signature(s) of **all** other parties to the case.

What Forms are Required

There are two forms that must be filed to dismiss a case.

- Request for Dismissal, form CIV-110.
- Notice of Entry of Dismissal and Proof of Service, form CIV-120.

Complete and File the Request Form

Complete the Request for Dismissal, form CIV-110.

In the top left box of the form print your full name, mailing address and telephone number. In the space next to where it says, ATTORNEY FOR, print "In Pro Per." This means that you have been acting as your own attorney in this case.

In the second box down, on the left, the court's name and address may already appear. If not, please print the following information:

COUNTY OF:	Sacramento
STREET ADDRESS:	3341 Power Inn Road
MAILING ADDRESS:	3341 Power Inn Road, Room 100
CITY AND ZIP CODE:	Sacramento, 95826
BRANCH NAME:	Family Relations Courthouse

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In the third box down, on the left, print the full name of the parties next to the words PETITIONER and RESPONDENT. A party's status never changes.

In the fourth box down, on the left, headed REQUEST FOR DISMISSAL, check the box next to "Family Law."

In the second box down, on the right side, headed CASE NUMBER, print your Superior Court case number.

On question 1a.: check the box "(2) Without Prejudice." This will allow you to file a new case in the future if needed.

On question 1b: check box (5) Entire action of all parties and all causes of action.

Skip question 2

Below question 2:

- Print the date next to "Date."
- Print your name below and check the box below for "PARTY WITHOUT ATTORNEY."
- Sign your name to the right, and check the box which designates which party you are. (Petitioner or Respondent)

If the other party has not appeared in the case, the form is ready to be processed by the Court. Skip to the instruction File the Request for Dismissal, form CIV-110.

If the other party has appeared in the case, he/she needs to complete question 3 as follows:

- a. Print the date next to "Date."
- b. Print his/her your name below and check the box below for "PARTY WITHOUT ATTORNEY."
- c. Sign his/her name to the right, and mark the box which designates which party he/she is. (Petitioner or Respondent)

Make a copy of the Request for Dismissal, form CIV-110, for each party.

File the Request for Dismissal, form CIV-110

File the original Request for Dismissal and the copies made for each party named in the case, including yourself, at the Family Relations Courthouse at the following address:

Wm. R. Ridgeway Family Relations Court
3341 Power Inn Road, Rm. 100
Sacramento, CA 95826

You may file this document either in person or by mail. If you file by mail, be sure to enclose a self-addressed envelope with enough postage to return the filed copies back to



you. There is no fee for filing these documents. If you file in person, you will need to get a number from Tgegr vqp to file the Request for Dismissal, form CIV-110.

If you are the Protected Person seeking to dismiss a restraining order, the clerk may schedule a hearing for the judge to decide whether to dismiss your case. You must attend the hearing if you want the restraining order to be dismissed.

Complete the Notice of Entry of Dismissal

After the Request for Dismissal, form CIV-110, has been filed, a copy needs to be served on the other party(ies) along with the Notice of Entry of Dismissal and Proof of Service, form CIV-120. The documents may be served by mail or in person, but must be served by another adult who is not a party to the case. Complete the top section of the Notice of Entry of Dismissal and Proof of Service, form CIV 120 and have your server complete the bottom half (the Proof of Service section) of the Notice of Entry of Dismissal, as follows:

In the top left box of the form print your full name, mailing address and telephone number. In the space next to where it says, ATTORNEY FOR, print "In Pro Per." This means that you have been acting as your own attorney in this case.

In the second box down, on the left, the court's name and address may already appear. If not, please print the following information:

COUNTY OF :	Sacramento
STREET ADDRESS:	3341 Power Inn Road
MAILING ADDRESS:	3341 Power Inn Road, Room 100
CITY AND ZIP CODE:	Sacramento, 95826
BRANCH NAME:	Family Relations Courthouse

In the third box down, on the left, print the full name of the parties next to the words PETITIONER and RESPONDENT. A party's status never changes.

In the fourth box down, on the left, headed NOTICE OF ENTRY OF DISMISSAL PROOF OF SERVICE, check the box for "Family Law."

In the second box down, on the right side, headed CASE NUMBER, print your Superior Court case number.

In the top section labeled: "TO ATTORNEYS AND PARTIES WITHOUT ATTORNEYS:"

- a. Print the date next to "Date."
- b. Print your name below and check the box below for "PARTY WITHOUT ATTORNEY."
- c. Sign your name to the right.



Your server will fill out the "PROOF OF SERVICE" as followed:

On Question 1: List the server's residence or business address.

Serving the Request for Dismissal

Follow the instructions below for either Service by Mail or Personal Service, but not both.

Service by Mail

Question 2 is filled out if the documents are served by mail. Question 2 is completed as followed:

- a. Check the box next to "2."
- b. Check the box next to "a." if they put it in the Mail.
- c. Print the Date they mailed the document on 2c.
- d. Print the City and State the documents were mailed from on 2d.
- e. Print the name and address on 2e exactly as it is written on the envelope.

Personal Service

Question 3 is filled out if the documents are served personally. Question 3 is completed as followed:

- a. Check the box next to Number"3."
- b. Print the name of the person served after "Name."
- c. Print the date the person was served after "Date."
- d. Print the time the person was served after "Time."
- e. Print the address where the person was served after "Address."

Complete the Form

On question 4 the server will:

- a. Print the date next to "Date."
- b. Print their name below.
- c. Sign their name to the right.

Make a copy of the Notice of Entry of Dismissal and Proof of Service, form CIV-120, for each party.

Have your server, deliver a filed copy of the Request for Dismissal and a copy of the completed but unfiled Notice of Entry of Dismissal and Proof of Service on all parties to the case, whether or not they have filed a Response.

File the original Notice of Entry of Dismissal with the filed Request for Dismissal, along with one copy at the Family Relations Courthouse at the following address:

Wm. R. Ridgeway Family Relations Court
3341 Power Inn Road, Rm. 100
Sacramento, CA 95826



You may file this document either in person or by mail. If you file by mail, be sure to enclose a self-addressed envelope with enough postage to return the filed copies back to you. There is no fee for filing these documents. If you file in person, you will need to get a number from Reception to file the Request for Dismissal, form CIV-110.

The copies will be stamped and returned to you as proof that the case has been dismissed.

Only after you have filed **both** forms and they have been stamped by the Court will your case be dismissed. If you fail to properly serve The Request For Dismissal or to complete and file the Notice Of Entry Of Dismissal and Proof Of Service, your case may not be dismissed.

All orders that were made in your case will no longer be valid when the case is dismissed.

If you previously paid a filing fee and now request to have your case dismissed, your filing fee will not be refunded.

If new orders are needed in the future, a new case will need to be filed and a new filing fee paid.