



GO DIVORCE CLINIC®
THE END OF THE UGLY DIVORCE

Jurisdiction: The Kingdom of the Court

Before a court can do something, it has to have the authority to do it.

For purposes of your divorce, jurisdiction can involve:

- 1) what matters the court has authority to decide,
- 2) the people and circumstances over which it has authority, and
- 3) in some matters, how long that authority continues.

Courts Have Boundaries

Courts don't automatically have authority over every person, marriage, child, or issue simply because someone walks through the door carrying legal papers.

California has requirements concerning state residency, and county residence matters too. When minor children are involved, additional jurisdiction questions can arise regarding the court's authority to make determinations concerning the minor children.

Your Address

During a divorce, where you live—and how long you've lived there—can become important information.

That's why the GDC Portal asks residency questions. They aren't filler. And this is one of those places where “close enough” is not a particularly useful approach.

To start a divorce in California, either you or your spouse must have lived in California for the past six months and in the California county where the case will be filed for the past three months.

If you and your spouse live in different counties, more than one county may meet the residency requirement depending on where each of you has lived and for how long.

The objective is to understand which court your case is being brought before, what matters that court has authority to decide, and, where relevant, how long that authority continues.

Minor Children

Divorce paperwork involving minor children asks about where they have lived and with whom they have lived. There is a reason for that information.

Courts have rules concerning their authority to make determinations involving minor children, and a child's residential history can matter to that question.

You do need to provide accurate information about where your children have actually been living.

Spousal Support

You may also encounter the word “jurisdiction” when working through spousal support. In this context, the question concerns the court’s continuing authority to address spousal support in the future.

This is different from simply asking which court has authority to hear your divorce in the first place. The GDC Portal will ask you to record the agreement the two of you have reached concerning spousal support, including the court’s future jurisdiction where applicable.

Pay attention to the question being asked. “Jurisdiction” may be the same word, but the context matters.

And when the Portal asks you a question, don't guess. Get professional legal counsel where confusion remains. These are very important decisions.

The decisions remain yours. GDC provides the structure for recording them.

GDC is not a law firm and does not provide legal advice. This resource provides general educational and procedural information for GDC Portal users.