



# Samples

**BMD-002**

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: YOUR NAME(S) STATE BAR NO. ONLY

FIRM NAME: STREET ADDRESS: YOUR ADDRESS CITY: YOUR CITY STATE: CA ZIP CODE: YOUR ZIP FAX NO. COURT name, address, and branch.

TELEPHONE NO.: YOUR PHONE NUMBER E-MAIL ADDRESS: ATTORNEY FOR (name): IN PRO PER

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO** Names of the spouses, or the person whose birth or death is being established.

STREET ADDRESS: 3341 POWER INN RD MAILING ADDRESS: CITY AND ZIP CODE: SACRAMENTO CA 95826 BRANCH NAME: FAMILY RELATIONS COURTHOUSE

IN THE MATTER OF (names): NAME OF SPOUSE 1 AND NAME OF SPOUSE 2 CASE NUMBER: Leave blank

**PETITION TO ESTABLISH FACT, DATE, AND PLACE OF MARRIAGE\*** HEARING DATE AND TIME: DEPT.:

**Notice to Petitioners**

At or before the court hearing on this petition, you must provide to the court a complete Order Establishing Fact of Marriage (form VS 122). The top portion of that form is the marriage certificate you must submit for filing to CDPH Vital Records with a copy of court. Form VS 122 may be obtained from CDPH Vital Records or from a county recorder's office. For more information, including instructions on how to get it and how to complete and file it with the court, visit [www.cdph.ca.gov/certific/birthdeathmar/Pages/CorrectingorAmendingVitalRecords.aspx](http://www.cdph.ca.gov/certific/birthdeathmar/Pages/CorrectingorAmendingVitalRecords.aspx).  
\*Note: This form may help you establish the fact, date, and place of a marriage. But the order on this petition or the marriage certificate filed with CDPH Vital Records does not establish the validity of the marriage for all purposes. Consultation with a California lawyer is recommended.

1. a. Petitioner (name each): Your name (or names if more than one petitioner) is beneficially interested in and entitled under section 103450 of the California Family Code to the fact and the date and place of the marriage of the persons named in item 2a.

b. Petitioner's beneficial interest in this matter is as follows:  
 (1)  I am one of the persons named in item 2a.  
 (2)  I am related to a person named in item 2a as follows (specify the relationship): If you are one of the spouses, check 1(b)(1). If not, check either 1(b)(2) (& explain your relationship to the spouses) or 1(b)(3).  
 (3)  I am not related to a person named in item 2a.  
 (4)  I am interested in this matter for the following reasons (complete unless item 1b(1) is selected): If you are not one of the spouses, explain why you need this order here. If you need more room, check the box for "Continued in Attachment 1b(4)" and attach MC-020 to give yourself more space.

Continued in Attachment 1b(4).

2. Petitioner requests the court to establish the fact, date, and place of the marriage of:  
 a. Names: Spouse 1 \_\_\_\_\_ and: Spouse 2 \_\_\_\_\_  
 b. Date of marriage: Insert the date of the marriage.  
 c. Place of marriage: City, town, township, or other (identify "other" if known): City: \_\_\_\_\_ State (U.S.): \_\_\_\_\_  
 (1)  County: \_\_\_\_\_ State (U.S.): \_\_\_\_\_  
 (2)  State or province: \_\_\_\_\_ Country: \_\_\_\_\_

Form Adopted for Mandatory Use by the Judicial Council of California  
BMD-002 (Rev. September 1, 2018)

**PETITION TO ESTABLISH FACT, DATE, AND PLACE OF MARRIAGE\***

If the event took place in the United States, check box (1) and enter county and state. If it took place outside of the United States, check box (2) and enter state or province and country.

Petition to Establish Fact, Date, and Place of Marriage (BMD-002) (page 1)



Names of the spouses, or the person whose birth or death is being established.

BMD-002

IN THE MATTER OF (names):  
NAME OF SPOUSE 1 AND NAME OF SPOUSE 2

CASE NUMBER: Leave blank

3. (Check one of the following):

a.  There is no official record of the fact, date, and place of marriage of the persons named in item 2a.

b.  A certified copy of the official record of the marriage of the persons named in item 2a cannot be obtained for the following reasons:  
Check 3(a) if there is no official record (for instance the officiant never filed it after the ceremony).  
Check 3(b) and explain if the record cannot be obtained (for instance the record was destroyed or the event occurred outside the country and a certified copy cannot be obtained).

If you need more space, check "Continued in Attachment 3b" and attach a separate page.

Continued in Attachment 3b.

4. The persons named in item 2a now reside at (street address and city of each):

Name: Name of Spouse 1  
Address: Address of Spouse 1  
County: County of Spouse 1  
State: State of Spouse 1

Name: Name of Spouse 2  
Address: Address of Spouse 2  
County: County of Spouse 2  
State: State of Spouse 2

5. Petitioner requests that the court make an order determining that the marriage of the persons named in item 2a did in fact occur on the date and at the place stated in items 2b and 2c, as shown by the Declaration in Support of Petition to Establish Fact, Date, and Place of Marriage (form BMD-002A) and attachments, filed herewith, and by other proofs adduced at the hearing.

6. Number of pages attached: \_\_\_\_\_

Date: Leave "Attorney" information blank.

(Leave blank if you do not have an attorney)

(TYPE OR PRINT NAME OF ATTORNEY FOR PETITIONER)

(SIGNATURE OF ATTORNEY)

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct, except as to those matters stated on information and belief, and as to those matters, I am informed and believe them to be true.

Date: Date you sign \_\_\_\_\_

YOUR NAME Petitioner(s) name(s) Your Name

(TYPE OR PRINT NAME OF PETITIONER) (SIGNATURE OF PETITIONER)

Date: Date of second signature \_\_\_\_\_

NAME OF SECOND SIGNER IF ANY \_\_\_\_\_

(TYPE OR PRINT NAME OF PETITIONER) (SIGNATURE OF PETITIONER)

Date: Date of Third Signature \_\_\_\_\_

NAME OF THIRD SIGNER IF ANY \_\_\_\_\_

(TYPE OR PRINT NAME OF PETITIONER) (SIGNATURE OF PETITIONER)

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Petition to Establish Fact, Date, and Place of Marriage (BMD-002) (page 2)



ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: YOUR NAME(S) FIRM NAME: STREET ADDRESS: YOUR ADDRESS CITY: YOUR CITY TELEPHONE NO.: YOUR PHONE NUMBER E-MAIL ADDRESS: ATTORNEY FOR (name): IN PRO PER		STATE BAR NUMBER: STATE: CA ZIP CODE: YOUR ZIP FAX NO.:	BMD-002A COUNTY:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 3341 POWER INN RD MAILING ADDRESS: CITY AND ZIP CODE: SACRAMENTO CA 95826 BRANCH NAME: FAMILY RELATIONS COURTHOUSE		CASE NUMBER:	
IN THE MATTER OF (names): NAME OF SPOUSE 1 AND NAME OF SPOUSE 2		HEARING DATE AND TIME: DEPT.:	

**DECLARATION IN SUPPORT OF PETITION TO ESTABLISH FACT, DATE, AND PLACE OF MARRIAGE**

(Name of declarant): Your Name declares as follows:

- I make the statements in this declaration ("Personal knowledge" of a fact is knowledge based on the declarant's own statements to you about that fact.)
  - I am at least 18 years of age.
  - I reside at (street address and city):  
Your street address  
 County: Your County State: Your State  
 and Name of Spouse 2  
 were married on (date): date of marriage at the following place:
    - City, town, township, or other (identify "other" if known): Check and fill out (b) if in U.S., (c) if not
    - County: State (U.S.):
    - State or province: Country:
- Facts showing when and where the persons named in item 3 were married and explaining how I have personal knowledge of those facts  are stated in the space below  are stated in Attachment 4 to this declaration.  
 (If you are relying solely on the contents of the documents identified in item 5, please advise in the space below.)
 

In this section, the person making the Declaration must list the facts proving that the event took place at the date and location, and how the person knows those facts.

If they fit on this page, check the first box and write them down. If not, check the second box and attach a separate piece of paper, labeled "Attachment 4."

If you are submitting documents with no further explanation, state "I am relying solely on the contents of the documents identified in item 5."

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Health & Safety Code, §§ 103450-103460  
www.courts.ca.gov

**DECLARATION IN SUPPORT OF PETITION TO ESTABLISH FACT, DATE, AND PLACE OF MARRIAGE**

Form Adopted for Mandatory Use  
Judicial Council of California  
BMD-002A [Rev. September 1, 2016]

Declaration in Support of Petition to Establish Fact, Date, and Place of Marriage (BMD-002A) (page 1)



Names of the spouses, or the person whose birth or death is being established.

BMD-002A

IN THE MATTER OF (names):  
NAME OF SPOUSE 1 AND NAME OF SPOUSE 2

CASE NUMBER: Leave blank

5.  Attached are true and correct copies of the following documents (check each box that applies; statements of officiating persons and witnesses must be signed under oath, in an affidavit sworn before a Notary Public or with the following statement just above the signature: "I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct"):

a.  Marriage license\* dated (date of each):  
\*A marriage license is required for a valid marriage in California. The procedure in California Code of Civil Procedure section 103450 et seq., cannot establish the validity of a California marriage if no marriage license is obtained.

b.  Officiating person's statement dated: (date of each):

c.  Witness statements dated (date of each):

d.  Other documents dated (describe and give the date of each document):  
If you have documentary evidence, such as the examples listed or other documents, check box 5 and any boxes that apply. Fill in the dates of the documents.  
If you have additional types of documents, check box "d" and describe each document, including its date.  
If you need more room, check the box labeled "Continued on Attachment 5d," and attach a separate piece of paper labeled "Attachment 5d."

Continued on Attachment 5d.

6. The marriage of the persons named in item 3, or the date or place of the marriage  is not  is important to a court case or proceeding that is now pending and described below. (If you selected "is," briefly describe the proceeding and provide the case name and number, the name and address of the court where the proceeding is pending, the names of all parties to the proceeding, and the names, addresses, and telephone numbers of their attorneys. **Note: Health and Safety Code section 103450, et seq., may not be effective against claimants who file a Petition for the order.**)

Check the first box if there is no related case or proceeding.  
If the fact or date of the event is important in a probate, family, or other case, check the second box. The judge may choose to transfer the Petition to that case to be heard.  
If you need more room, check the box labeled "Continued on Attachment 6," and attach a separate piece of paper labeled "Attachment 6."

Continued on Attachment 6.

7. Number of pages attached:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Fill in name and date

YOUR NAME \_\_\_\_\_ (TYPE OR PRINT NAME OF DECLARANT)

▶ Your Name \_\_\_\_\_ (SIGNATURE)

Signature

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**DECLARATION IN SUPPORT OF PETITION TO ESTABLISH FACT, DATE, AND PLACE OF MARRIAGE**

Declaration in Support of Petition to Establish Fact, Date, and Place of Marriage (BMD-002A) (page 2)