

California Family Law Practice Update: 8 Changes Reshaping Divorce & Custody in 2025

A wave of reforms, amendments and rulings from California's legislature and courts are impacting a spectrum of family law issues, including firearms in custody battles, child support calculations and mortgage assumptions during property divisions.

CEB has recently [expanded its California family law offerings](#) through its acquisition of Attorney's BriefCase[®], bringing practitioners additional practical guidance and specialized CLE programs focused on these evolving areas. Whether you're preparing for tomorrow's emergency custody hearing or advising a high-net-worth client on support obligations, these updates will impact your strategy and your clients' outcomes.

Let's cut through the legalese and get to what really matters: how these changes affect your practice and your clients' lives. Here's your essential guide to California family law in 2025.

1 Child custody: Firearm access considerations

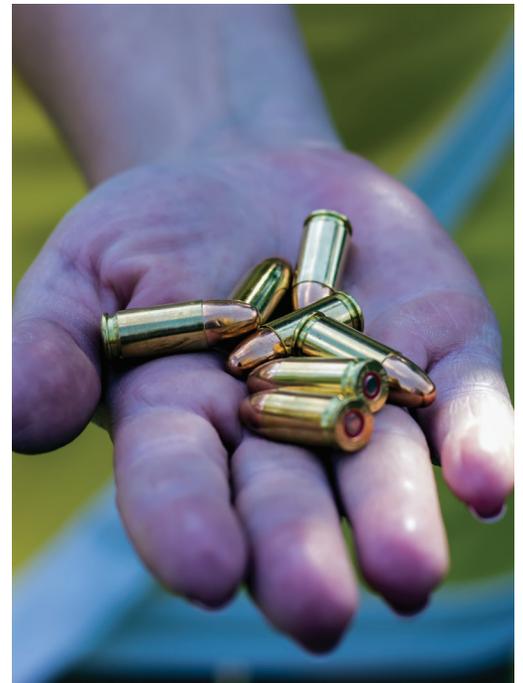
What's changed?

[Assembly Bill 3072](#) has amended Family Code [Sections 3064](#) and [3100](#) to require courts to consider a parent's illegal access to firearms and ammunition when assessing potential immediate harm to a child in custody decisions. The law defines "illegal access" as possession, purchase or receipt of firearms or ammunition that violates state or federal law, restraining orders, protective orders, injunctions or probation/parole conditions.

Courts must also now evaluate whether visitation should be supervised, suspended, limited or denied if evidence suggests immediate harm to the child or risk of removal from California.

Takeaways for attorneys

- Document any known firearm-related violations by the opposing party in ex parte custody applications.
- Be prepared to present evidence of illegal firearm access during emergency hearings.
- Consider requesting specific findings regarding firearm access in custody orders.
- Advise clients about the importance of complying with all firearm restrictions to avoid negative custody implications.



2 Additional training for evaluators in family conciliation courts

What's changed?

[AB 1974](#) expands the required training for evaluators working in family conciliation courts. The advanced training must now include risks associated with access to firearms and strategies to reduce those risks.

This is in addition to existing training on:

- The nature and extent of domestic violence
- The relationship of gender, class, race, culture and sexual orientation to domestic violence
- The influence of alcohol and drug use/abuse on domestic violence incidents

Takeaways for attorneys

- Expect more thorough evaluations regarding firearm access in domestic violence cases.
- Be prepared to address firearm-related risk factors when working with court evaluators.
- Consider how firearm access might impact your case strategy in matters involving domestic violence allegations.
- Request information about evaluators' training compliance when challenging evaluations.
- Develop case-specific questions related to firearm access risks for use during evaluator interviews.
- Advise clients about the expanded scope of evaluations and how firearm ownership might be assessed.



3 Child support: New calculation guidelines

What's changed?

[Senate Bill 343](#) has revised [Family Code Section 4055](#), updating the child support formula in two significant ways:

- The revised "K factor" now allocates a higher percentage of net income for child support, with particularly notable impacts on higher-income parents.
- Add-on expenses like childcare, extracurricular activities and medical costs are now proportionally allocated based on parents' income ratios rather than being split equally.

These changes aim to better reflect each parent's financial situation and ensure adequate support for children.

Takeaways for attorneys

- Recalculate potential support obligations for existing and prospective clients.
- Prepare clients for potentially more significant support orders, especially higher-income parents.
- Document all sources of income comprehensively, including nonwage income.
- Track add-on expenses carefully and maintain clear records of each parent's contributions.
- Consider settlement negotiations in light of the new calculation methods.

4 Child support: Special needs trusts

What's changed?

[AB 2397](#) has clarified [Family Code Section 3910](#), allowing family courts to order child support payments for incapacitated children (of any age) to be paid into special needs trusts meeting federal and state requirements. This amendment was introduced to protect a child's access to public assistance programs such as Medi-Cal and Supplemental Security Income (SSI) by preventing financial support from interfering with eligibility.

Takeaways for attorneys

- Identify cases involving children with disabilities who may benefit from special needs trusts.
- Familiarize yourself with the requirements of qualifying special needs trusts.
- Consider requesting court orders to direct support payments into special needs trusts.
- Collaborate with estate planning attorneys who specialize in special needs planning.
- Educate clients about how special needs trusts can protect their children's benefits eligibility.



5 Spousal support: Evolving approach to short-term marriages

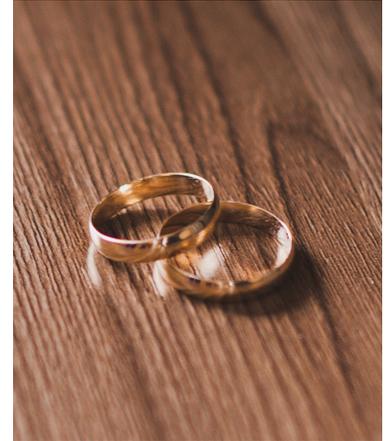
What's changed?

California courts are applying existing spousal support statutes (such as Family Code Section 4320) more rigorously to promote financial independence, particularly for short-term marriages.

- Shorter support durations for marriages under 10 years
- Greater emphasis on the supported spouse's earning potential and vocational training
- Stronger focus on promoting self-sufficiency rather than long-term dependency

Takeaways for attorneys

- Set realistic expectations with clients about support duration in short-term marriages.
- Develop comprehensive evidence of earning capacity barriers if representing the supported spouse.
- Create vocational training or education plans to demonstrate good-faith efforts toward self-sufficiency.
- Consider requesting stepped-down support rather than abrupt termination.
- Document market conditions and job search efforts to support arguments about reasonable timelines for achieving independence.



6 Divorce: Assumption of mortgage loans



What's changed?

[AB 3100](#) has amended [Civil Code Section 2951](#) to create new options for handling mortgages during divorce. For conventional home mortgage loans originated on or after Jan. 1, 2027, and secured by owner-occupied residential properties with four or fewer dwelling units, lenders must allow one borrower to assume the other borrower's portion of the mortgage when:

- The assumption is related to a divorce decree.
- The assumption is part of a legal separation agreement.
- The assumption is connected to an incidental property settlement.

However, the lender must determine that the assuming borrower qualifies for the underlying loan.

Takeaways for attorneys

- Prepare to flag this option for clients with newer mortgages (post-January 2027).
- Begin discussions with lenders early to understand their qualification requirements.
- Consider negotiating settlement terms that might improve the assuming spouse's qualification prospects.
- Prepare clients for the possibility that assumptions could be declined if they don't meet lender criteria.
- Document communication with lenders regarding qualification assessments.

7 Joint Petition for Dissolution of Marriage

What's changed?

From Jan. 1, 2026, [SB 1427](#) will establish a new process for couples who don't qualify for summary dissolution to [file a joint petition](#) for dissolution of marriage or legal separation. The aim is to create a more efficient path for couples who can agree on dissolution terms but don't meet the restrictive requirements of summary dissolution.

The new approach requires:

- Specific factual disclosures, including the age and date of birth of each child of the marriage, if any.
- Filing using judicial council-approved forms.
- Upon filing, the joint petition is automatically deemed served on both parties.

Takeaways for attorneys

- Identify clients who might benefit from this streamlined approach.
- Familiarize yourself with the new judicial council forms when they become available.
- Develop checklists for required disclosures in joint petitions.
- Consider how this option might reduce costs for clients who are generally in agreement.
- Prepare for potential changes in your practice workflow to accommodate this new filing option.
- Remember that joint petitions might still involve complex property or custody issues requiring careful review.



8 Restoring former or birth names

What's changed?

[SB 1150](#) amends [Family Code Sections 2080](#), [2081](#) and [2082](#) to modernize and clarify name restoration rules in divorce proceedings. The updated law explicitly states that provisions permitting the restoration of a party's prior last name in dissolution or nullity proceedings apply to either spouse in the marriage, regardless of gender.

This amendment removes outdated language that may have suggested name restoration was primarily intended for wives, ensuring the law reflects modern marriage equality and provides clear guidance for all divorcing spouses who wish to reclaim their former name.



Takeaways for attorneys

- Inform all clients, regardless of gender, about their equal right to name restoration during divorce.
- Update intake forms and client questionnaires to ask all clients about name restoration preferences.
- Ensure name restoration requests are included in appropriate pleadings for any client who desires it.
- Be prepared to explain the distinction between formal name restoration through divorce and other name change processes. Remember that name restoration remains optional, not mandatory, for all divorcing spouses.
- Consider discussing timing implications of name changes with clients (professional licenses, passports, etc.).

Did you know?

CEB has acquired legal research company Attorney's BriefCase®, expanding its California family law offerings with additional practical guidance for attorneys and must-attend CLE programs.

[Request a demo](#) to access targeted insights that apply research to real-world use.



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