

# MADERA COUNTY SUPERIOR COURT

## STATE OF CALIFORNIA

### DEFAULT JUDGMENT FOR DIVORCE, LEGAL SEPERATION OR NULLITY- PACKET

The attached forms can be used if your spouse/partner DID NOT file a Response and you DO NOT have an agreement. Make sure you have already filed [Form FL-115 Proof of Service of Summons](#) AND [Form FL-141 Declaration Regarding Service of Declaration of Disclosure](#) (or file it now).

This situation is called a “true default” because more than 30 days have passed since the petitioner (the spouse/partner that started the case) served the petition and summons, and the Respondent (the other spouse/partner) did NOT file a response and there is no written agreement. **Please note: If your spouse or partner is currently in the military, special rules may apply under the Servicemembers Civil Relief Act.**

This packet includes the following forms: [FL-165 Request to Enter Default](#), [FL-170 Declaration for Default or Uncontested Dissolution or Legal Separation](#), [FL-180 Judgment](#), [FL-190 Notice of Entry of Judgment](#). If you are asking for custody orders, you may have to fill out additional forms that may apply to your case. Included in this packet is form [FL-341 Child Custody and Visitation \(Parenting Time\) Order Attachment](#). If you are unsure if you need additional forms, you can ask the court's [family law facilitator/self-help center](#) (located on the 1<sup>st</sup> floor Mon-Fri 8am-3pm).

#### 1. **Fill out your forms**

Fill out all the forms listed above. If you need any additional forms, you can go to [www.courts.ca.gov](http://www.courts.ca.gov) or ask the court's [family law facilitator/self-help center](#). Your Judgment must match your original petition you previously filed. You will also need to have 3 envelopes – 1 addressed to you and the other 2 addressed to the other party. 1 postage stamp must be affixed to each envelope. Do not put a return address because the court clerk will mail these.

#### 2. **Have your forms reviewed**

Ask the court's [family law facilitator/self-help center](#) (located on the 1<sup>st</sup> floor, Mon-Fri 8am-3pm) to review your paperwork. Please take them a copy of your original petition previously filed for them to also review. You can also hire your own lawyer to review your papers or to get legal advice.

#### 3. **File your forms with the court clerk**

We are pleased to offer eFiling, a way to electronically file your court documents! You can eFile documents 24 hours a day, 7 days a week through an approved Electronic Filing Service Provider (EFSP). A list of approved EFSPs can be found on the court's website. Here is the link: [https://www.madera.courts.ca.gov/system/files/general/list-approved-efsp-alpha-final\\_0.pdf](https://www.madera.courts.ca.gov/system/files/general/list-approved-efsp-alpha-final_0.pdf)

Or you can take your completed documents to the Civil Division (located on the 4<sup>th</sup> Floor). The clerk will process your paperwork and give it to a judge to review. If all your documents are completed correctly, the judge will sign the Judgment without either named spouse having to appear in court. If there is a problem with the documents, a court appearance may be necessary. Or you may just need to fix a mistake.

#### 4. **You receive your final judgment**

A court clerk will mail [FL-190 Notice of Entry of Judgment](#) to each spouse or domestic partner, with the date that the judgment was signed. They will call the petitioner to pick up the copies of the actual Judgment [FL-180](#). Keep a copy of these forms in a safe place. You may need them in the future. **Note, if you have a Status Conference hearing scheduled, the filed Judgment will automatically take the hearing off calendar.**

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA</b> STREET ADDRESS: 200 SOUTH G STREET MAILING ADDRESS: 200 SOUTH G STREET CITY AND ZIP CODE: MADERA, CA 93637 BRANCH NAME: CIVIL DIVISION	
PETITIONER:  RESPONDENT:	
<b>REQUEST TO ENTER DEFAULT</b>	CASE NUMBER:

1. **To the clerk:** Please enter the default of the respondent who has failed to respond to the petition.
2. A completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155)  is attached  is not attached.  
 A completed *Property Declaration* (form FL-160)  is attached  is not attached because (check at least one of the following):
  - (a)  there have been no changes since the previous filing.
  - (b)  the issues subject to disposition by the court in this proceeding are the subject of a written agreement.
  - (c)  there are no issues of child, spousal, or partner support or attorney fees and costs subject to determination by the court.
  - (d)  the petition does not request money, property, costs, or attorney fees. (Family Code section 2330.5.)
  - (e)  there are no issues of division of community property.
  - (f)  this is an action to establish parental relationship.

Date: \_\_\_\_\_

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF [ATTORNEY FOR] PETITIONER)

3. **Declaration**
  - (a)  No mailing is required because service was by publication or posting and the address of the respondent remains unknown.
  - (b)  A copy of this *Request to Enter Default*, including any attachments and an envelope with sufficient postage, was provided to the court clerk, with the envelope addressed as follows (address of the respondent's attorney or, if none, the respondent's last known address):

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

Date: \_\_\_\_\_

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF DECLARANT)

<b>FOR COURT USE ONLY</b> <input type="checkbox"/> <i>Request to Enter Default</i> mailed to the respondent or the respondent's attorney on (date): <input type="checkbox"/> Default entered as requested on (date): <input type="checkbox"/> Default <b>not</b> entered. Reason:
Clerk, by _____, Deputy

PETITIONER: RESPONDENT:	CASE NUMBER:
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**4. Memorandum of costs**

a.  Costs and disbursements are waived.

b. Costs and disbursements are listed as follows:

- |  |           |       |
|--|-----------|-------|
| (1) <input type="checkbox"/> Clerk's fees .....              | \$        |       |
| (2) <input type="checkbox"/> Process server's fees .....     | \$        |       |
| (3) <input type="checkbox"/> Other ( <i>specify</i> ): ..... | \$        |       |
| .....  | \$        |       |
| .....  | \$        |       |
| .....  | \$        |       |
| <b>TOTAL</b> .....   | <b>\$</b> | 0..00 |

c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

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

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

**5. Declaration of nonmilitary status** (*required for a judgment*).

The respondent is not in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

know that the respondent is not in the U.S. military service because (*check all that apply*):

- (a)  the search results that I received from <https://scra.dmdc.osd.mil/> say the respondent is not in the U.S. military service.
- (b)  I am in regular communication with the respondent and know that they are not in the U.S. military service.
- (c)  I recently contacted the respondent, and they told me that they are not in the U.S. military service.
- (d)  I know that the respondent was discharged from U.S. military service on or about (*date*):
- (e)  the respondent is not eligible to serve in the U.S. military because they are incarcerated (in jail or prison).
- (f)  other (*specify*):

**Note**

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>.
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

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

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>Same</b> CITY AND ZIP CODE: <b>Madera CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
PETITIONER:  RESPONDENT:	
<b>DECLARATION FOR DEFAULT OR UNCONTESTED</b> <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> LEGAL SEPARATION	CASE NUMBER:

**(NOTE: Items 1 through 12 apply to both dissolution and legal separation proceedings.)**

1. I declare that if I appeared in court and were sworn, I would testify to the truth of the facts in this declaration.
2. I agree that my case will be proven by this declaration and that I will not appear before the court unless I am ordered by the court to do so.
3. All the information in the  amended  Petition  Response is true and correct.
4. **Type of case** (check a, b, or c):
  - a.  **Default without agreement**
    - (1) No response has been filed and there is no written agreement or stipulated judgment between the parties;
    - (2) The default of the respondent was entered or is being requested, and I am not seeking any relief not requested in the petition; and
    - (3) The following statement is true (check one):
      - (A)  There are no assets or debts to be disposed of by the court.
      - (B)  The community and quasi-community assets and debts are listed on the **completed** current *Property Declaration* (form FL-160), which includes an estimate of the value of the assets and debts that I propose to be distributed to each party. The division in the proposed *Judgment* (form FL-180) is a fair and equal division of the property and debts, or if there is a negative estate, the debts are assigned fairly and equitably.
  - b.  **Default with agreement**
    - (1) No response has been filed and the parties have agreed that the matter may proceed as a default matter without notice; and
    - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
  - c.  **Uncontested**
    - (1) Both parties have appeared in the case; and
    - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
5. **Declaration of disclosure** (check a, b, c, or d):
  - a.  Both the parties have filed, or are filing concurrently, a *Declaration Regarding Service of Declaration of Disclosure* (form FL-141) and an *Income and Expense Declaration* (form FL-150).
  - b.  This matter is proceeding by default. I am the petitioner in this action and have filed a proof of service of the preliminary *Declaration of Disclosure* (form FL-140) with the court. I hereby waive receipt of the final *Declaration of Disclosure* (form FL-140) from the respondent.
  - c.  This matter is proceeding by default. I am the petitioner in this action, and service of the summons on respondent was done by publication or posting under court order. Service of the preliminary *Declaration of Disclosure* (form FL-140) is not required. I hereby waive receipt of the final *Declaration of Disclosure* (form FL-140) from the respondent.

PETITIONER: RESPONDENT:	CASE NUMBER:
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- d.  This matter is proceeding as an uncontested action. Service of the final *Declaration of Disclosure* (form FL-140) is mutually waived by both parties. A waiver provision executed by both parties under penalty of perjury is contained on the *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144), in the settlement agreement or proposed judgment, or in another, separate stipulation.
6.  **Child custody and visitation (parenting time)** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a.  The information in *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA) (form FL-105)  has  has not changed since it was last filed with the court. *(If changed, attach updated form.)*
- b.  There is an existing court order for custody/parenting time in another case in (county):  
 The case number is (specify):
- c.  The current custody and visitation (parenting time) previously ordered in this case, or the current schedule is (specify):
- Contained on Attachment 6c.
- d.  The facts that support the requested judgment are *(In a default case, state your reasons below)*:
- Contained on Attachment 6d.
7.  **Child support** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. If there are minor children, check and complete item (1) if applicable and item (2) or (3):
- (1)  Child support is being enforced in another case in (county):  
 The case number is (specify):
- (2)  The information in the child support calculation attached to the proposed judgment is correct based on my personal knowledge.
- (3)  I request that this order be based on the  Petitioner's  Respondent's earning ability. The facts in support of my estimate of earning ability are (specify):
- Continued on Attachment 7a(3).
- b. Complete items (1) and (2) regarding public assistance.
- (1) I  am receiving  am not receiving  intend to apply for public assistance for the child or children listed in the proposed order.
- (2) To the best of my knowledge, the other party  is  is not receiving public assistance.
- Petitioner  Respondent is presently receiving public assistance, and all support should be made payable to the local child support agency at the address set forth in the proposed judgment. A representative of the local child support agency has signed the proposed judgment.
8. **Spousal, Partner, and Family Support** *(If a support order or attorney fees are requested, submit a completed Income and Expense Declaration (form FL-150) unless a current form is on file. Include your best estimate of the other party's income. Check at least one of the following.)*
- a.  I knowingly give up forever any right to receive spousal or partner support.
- b.  I ask the court to reserve jurisdiction to award spousal or partner support in the future to:  
 Petitioner  Respondent
- c.  I ask the court to terminate forever spousal or partner support for:  Petitioner  Respondent
- d.  Spousal support or domestic partner support should be ordered as set forth in the proposed *Judgment* (form FL-180) based on the factors described in:  
 *Spousal or Partner Support Declaration Attachment* (form FL-157)  
 written agreement  
 attached declaration (*Attachment 8d*)
- e.  Family support should be ordered as set forth in the proposed *Judgment* (form FL-180).
- f.  Other (specify):

PETITIONER: RESPONDENT:	CASE NUMBER:
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9.  **Parentage** of the children of the petitioner and respondent born prior to their marriage or domestic partnership should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a.  A voluntary declaration of parentage or paternity is attached.
- b.  Parentage was previously established by the court in (*county*):  
     The case number is (*specify*):  
 The written agreement of the parties regarding parentage is attached here (Attachment 9b) or to the proposed *Judgment* (form FL-180).
10.  **Attorney fees** should be ordered as set forth in the proposed *Judgment* (form FL-180).  
 The facts in support of this request are on *Request for Attorney's Fees and Costs Attachment* (form FL-319).  
 Other (*specify facts below*):

11.  The judgment should be entered nunc pro tunc for the following reasons (*specify*):

12.  Petitioner  Respondent requests restoration of the former name as set forth in the proposed *Judgment* (form FL-180) (*proceedings for dissolution or nullity of marriage only*).
13. Irreconcilable differences have led to the irremediable breakdown of the marriage or domestic partnership, and there is no possibility of saving the marriage or domestic partnership through counseling or other means.
14. This declaration may be reviewed by a commissioner sitting as a temporary judge, who may determine whether to grant this request or require my appearance under Family Code section 2336.

**STATEMENTS IN THIS BOX APPLY ONLY TO DISSOLUTIONS**

15. If this is a dissolution of a marriage or domestic partnership created in another state, the petitioner or the respondent has been a resident of this county for at least three months and of the state of California for at least six months continuously and immediately preceding the date of the filing of the petition for dissolution of marriage or domestic partnership.
16. I ask that the court grant the request for a judgment of dissolution of marriage or domestic partnership based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
17.  **Status only judgment:** This declaration is only for the termination of marital or domestic partner status. I ask the court to reserve jurisdiction over all other issues not requested in this declaration for later determination.

**THIS STATEMENT APPLIES ONLY TO LEGAL SEPARATIONS**

18. I ask that the court grant the request of a judgment for legal separation based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
- I understand that a judgment of legal separation does not terminate a marriage or domestic partnership, and that I am still married or a partner in a domestic partnership.**

19.  Other (*specify*):

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

Date:

\_\_\_\_\_ ▶ \_\_\_\_\_  
(TYPE OR PRINT NAME)  (SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> <b>Madera</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>Same</b> CITY AND ZIP CODE: <b>Madera CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
<b>MARRIAGE OR PARTNERSHIP OF</b> PETITIONER:  RESPONDENT:	
<div style="text-align: center;"><b>JUDGMENT</b></div> <input type="checkbox"/> <b>DISSOLUTION</b> <input type="checkbox"/> <b>LEGAL SEPARATION</b> <input type="checkbox"/> <b>NULLITY</b> <input type="checkbox"/> <b>Status only</b> <input type="checkbox"/> <b>Reserving jurisdiction over termination of marital or domestic partnership status</b> <input type="checkbox"/> <b>Judgment on reserved issues</b> <b>Date marital or domestic partnership status ends:</b>	CASE NUMBER:

1.  This judgment  contains personal conduct restraining orders  modifies existing restraining orders.  
 The restraining orders are contained on page(s) \_\_\_\_\_ of the attachment. They expire on (date): \_\_\_\_\_
2. This proceeding was heard as follows:  Default or uncontested  By declaration under Family Code section 2336  
 Contested  Agreement in court
  - a. Date: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
  - b. Judicial officer (name): \_\_\_\_\_  Temporary judge
  - c.  Petitioner present in court  Attorney present in court (name): \_\_\_\_\_
  - d.  Respondent present in court  Attorney present in court (name): \_\_\_\_\_
  - e.  Claimant present in court (name): \_\_\_\_\_  Attorney present in court (name): \_\_\_\_\_
  - f.  Other (specify name): \_\_\_\_\_
3. The court acquired jurisdiction of the respondent on (date):
  - a.  The respondent was served with process.
  - b.  The respondent appeared.

**THE COURT ORDERS, GOOD CAUSE APPEARING**

4. a.  Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
  - (1)  on (specify date): \_\_\_\_\_
  - (2)  on a date to be determined on noticed motion of either party or on stipulation.
- b.  Judgment of legal separation is entered.
- c.  Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): \_\_\_\_\_
- d.  This judgment will be entered nunc pro tunc as of (date): \_\_\_\_\_
- e.  Judgment on reserved issues.
- f. The  petitioner's  respondent's former name is restored to (specify): \_\_\_\_\_
- g.  Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
- h.  This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME (Last name, first name of each party):  	CASE NUMBER:  
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4. i.  The children of this marriage or domestic partnership are:
- (1)  Name \_\_\_\_\_ Birthdate \_\_\_\_\_
- (2)  Parentage is established for children of this relationship born prior to the marriage or domestic partnership
- j.  Child custody and visitation (parenting time) are ordered as set forth in the attached
- (1)  Settlement agreement, stipulation for judgment, or other written agreement which contains the information required by Family Code section 3048(a).
- (2)  *Child Custody and Visitation Order Attachment* (form FL-341).
- (3)  *Stipulation and Order for Custody and/or Visitation of Children* (form FL-355).
- (4)  Previously established in another case. Case number: \_\_\_\_\_ Court: \_\_\_\_\_
- k.  Child support is ordered as set forth in the attached
- (1)  Settlement agreement, stipulation for judgment, or other written agreement which contains the declarations required by Family Code section 4065(a).
- (2)  *Child Support Information and Order Attachment* (form FL-342).
- (3)  *Stipulation to Establish or Modify Child Support and Order* (form FL-350).
- (4)  Previously established in another case. Case number: \_\_\_\_\_ Court: \_\_\_\_\_
- l.  Spousal, domestic partner, or family support is ordered:
- (1)  Reserved for future determination as relates to  petitioner  respondent
- (2)  Jurisdiction terminated to order spousal or partner support to  petitioner  respondent
- (3)  As set forth in the attached *Spousal, Partner, or Family Support Order Attachment* (form FL-343).
- (4)  As set forth in the attached settlement agreement, stipulation for judgment, or other written agreement.
- (5)  Other (specify): \_\_\_\_\_
- m.  Property division is ordered as set forth in the attached
- (1)  Settlement agreement, stipulation for judgment, or other written agreement.
- (2)  *Property Order Attachment to Judgment* (form FL-345).
- (3)  Other (specify): \_\_\_\_\_
- n.  Attorney fees and costs are ordered as set forth in the attached
- (1)  Settlement agreement, stipulation for judgment, or other written agreement.
- (2)  *Attorney Fees and Costs Order* (form FL-346).
- (3)  Other (specify): \_\_\_\_\_
- o.  Other (specify): \_\_\_\_\_

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

5. Number of pages attached: \_\_\_\_\_  SIGNATURE FOLLOWS LAST ATTACHMENT

**NOTICE**

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar property interest. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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**CHILD CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT**

- TO  *Findings and Order After Hearing (form FL-340)*     *Judgment (form FL-180)*     *Judgment (form FL-250)*  
 *Stipulation and Order for Custody and/or Visitation of Children (form FL-355)*  
 Other (*specify*):

1. **Jurisdiction.** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (Family Code sections 3400–3465).
2. **Notice and opportunity to be heard.** The responding party was given notice and an opportunity to be heard, as provided by the laws of the State of California.
3. **Country of habitual residence.** The country of habitual residence of the child or children in this case is  
 the United States     Other (*specify*):
4. **Penalties for violating this order.** If you violate this order, you may be subject to civil or criminal penalties, or both.
5.  **Child abduction prevention.** There is a risk that one of the parties will take the children out of California without the other party's permission. (*Child Abduction Prevention Order Attachment (form FL-341(B)) is attached and must be obeyed.*)
6.  **Child Custody.** Custody of the minor children of the parties is awarded as follows:

	<u>Legal custody to:</u>	<u>Physical custody to:</u>
	<i>(person who decides about the child's</i>	<i>(person the child</i>
<u>Child's Name</u>	<u>Birth Date</u>	<u>health, education, and welfare</u>
	<u>health, education, and welfare</u>	<u>regularly lives with</u>

7.  **Child custody orders with allegations of a history of abuse or substance abuse**  
*(Do not complete this section if the parties have entered, or will enter into, an agreement on child custody and/or visitation (parenting time), in writing or stated in court.)*
  - a. Allegations have been raised in form FL-311, other documents filed in the court, or in a court hearing that  
 petitioner     respondent     other parent/party    has (or have) either:
    - (1) a history of abuse against any of the following persons: a child, the other parent, their current spouse, or the person they live with or are dating or engaged to; or
    - (2) the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.
  - b.  The court does NOT grant sole or joint custody of the minor children to     petitioner     respondent  
 other parent/party
  - c.  Even though there are allegations of a history of abuse or substance abuse, the court GRANTS sole or joint custody of the minor child as set out in item 6 for the following reasons:     Attachment 7c.

**THIS IS A COURT ORDER.**

**CHILD CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT**

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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8.  **Visitation (Parenting Time)**

- a.  Reasonable right of visitation to the party without physical custody (**not appropriate in cases involving domestic violence**)
- b.  See the attached \_\_\_\_\_ -page document
- c.  The parties will go to child custody mediation or child custody recommending counseling at (*specify date, time, and location*):

d.  No Visitation (parenting time)

e.  Visitation (parenting time) for the  petitioner  respondent  other (*name*):

will be as follows:

(1)  **Weekends starting (date):**

(*Note: The first weekend of the month is the first weekend with a Saturday.*)

1st  2nd  3rd  4th  5th weekend of the month

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m./ if applicable, specify:  start of school  
 (day of week) (time)  after school

to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m./ if applicable, specify:  start of school  
 (day of week) (time)  after school

(a)  The parties will alternate the fifth weekends, with the  petitioner  respondent  other parent/party having the initial fifth weekend, which starts (*date*):

(b)  The  petitioner  respondent  other parent/party will have the fifth weekend in  odd  even numbered months.

(2)  **Alternate weekends starting (date):**

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m./ if applicable, specify:  start of school  
 (day of week) (time)  after school

to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m./ if applicable, specify:  start of school  
 (day of week) (time)  after school

(3)  **Weekdays starting (date):**

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m./ if applicable, specify:  start of school  
 (day of week) (time)  after school

to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m./ if applicable, specify:  start of school  
 (day of week) (time)  after school

(4)  **Other visitation (parenting time) days and restrictions are:**  listed in Attachment 7e(4) (*form MC-025 may be used for this purpose*)  as follows:

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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9.  **Visitation (parenting time) with allegations of a history of abuse, substance abuse, or other parenting concerns**

a.  **Supervised visitation (parenting time).**

- (1) Until  further order of the court  other (*specify*): \_\_\_\_\_, the  
 petitioner  respondent  other parent/party (*name*): \_\_\_\_\_  
 will have supervised visitation (parenting time) with the minor children according to the schedule on page 2.
- (2) **In addition, *Supervised Visitation Order* (form FL-341(A) is attached.**

b.  **Unsupervised visitation (parenting time)**

*(Do not complete this section if the parties have entered or will enter into an agreement on child custody and/or visitation (parenting time), in writing or stated in court.)*

- (1) Even though there are allegations of a history of abuse or substance abuse under Family Code section 3011, the  
 petitioner  respondent  other parent/party (*name*): \_\_\_\_\_  
 has (or have) unsupervised visitation (parenting time) with the minor children as set forth in 8.
- (2) The reasons for granting unsupervised visitation to the person(s) alleged to have a history of abuse or substance abuse are:  as follows:  Attachment 9b.

- (3) The orders for visitation (parenting time) are specific as to time, day, place, and manner of transfer of the child, as Family Code section 6323(c) requires.

10.  **Transportation for visitation (parenting time) and place of exchange**

- a. The children must be driven only by a licensed and insured driver. The vehicle must be legally registered with the Department of Motor Vehicles, and must have child restraint devices properly installed, as required by law.
- b.  Transportation **to** begin the visits will be provided by the  petitioner  respondent  
 other (*specify*): \_\_\_\_\_
- c.  Transportation **from** the visits will be provided by the  petitioner  respondent  
 other (*specify*): \_\_\_\_\_
- d.  The exchange point at the beginning of the visit will be at (*address*): \_\_\_\_\_
- e.  The exchange point at the end of the visit will be at (*address*): \_\_\_\_\_
- f.  During the exchanges, the party driving the children will wait in the car and the other party will wait in the home (or exchange location) while the children go between the car and the home (or exchange location).
- g.  Other (*specify*): \_\_\_\_\_

11.  **Travel with children.** The  petitioner  respondent  other parent/party (*name*): \_\_\_\_\_

**must** have written permission from the other parent or a court order to take the children out of

- a.  the state of California.  
 b.  the following counties (*specify*): \_\_\_\_\_  
 c.  other places (*specify*): \_\_\_\_\_

**THIS IS A COURT ORDER.**

**CHILD CUSTODY AND VISITATION (PARENTING TIME)  
 ORDER ATTACHMENT**

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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12.  **Holiday schedule.** The children will spend holiday time as listed  below  in the attached schedule. (*Children's Holiday Schedule Attachment (form FL-341(C))* may be used for this purpose.)

13.  **Additional custody provisions.** The parents will follow the additional custody provisions listed  below  in the attached schedule. (*Additional Provisions—Physical Custody Attachment (form FL-341(D))* may be used for this purpose.)

14.  **Joint legal custody.** The parents will share joint legal custody as listed  below  in the attached schedule. (*Joint Legal Custody Attachment (form FL-341(E))* may be used for this purpose.)

15. **Access to children's records.** Both the custodial and noncustodial parent have the right to access records and information about their minor children (including medical, dental, and school records) and consult with professionals who are providing services to the children.

16.  **Other** (*specify*):

**THIS IS A COURT ORDER.**

**CHILD CUSTODY AND VISITATION (PARENTING TIME)  
ORDER ATTACHMENT**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):    TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera</b> STREET ADDRESS: <b>200 South G Street</b> MAILING ADDRESS: <b>Same</b> CITY AND ZIP CODE: <b>Madera CA 93637</b> BRANCH NAME: <b>Civil Division</b>	
PETITIONER:  RESPONDENT:	
<b>NOTICE OF ENTRY OF JUDGMENT</b>	CASE NUMBER:

You are notified that the following judgment was entered on (date) :

1.  Dissolution
2.  Dissolution - status only
3.  Dissolution - reserving jurisdiction over termination of marital status or domestic partnership
4.  Legal separation
5.  Nullity
6.  Parent-child relationship
7.  Judgment on reserved issues
8.  Other (specify) :

Date:

Clerk, by \_\_\_\_\_, Deputy

**-NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY-**

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

**STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION**

Effective date of termination of marital or domestic partnership status (specify) :

**WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.**

**CLERK'S CERTIFICATE OF MAILING**

I certify that I am not a party to this cause and that a true copy of the *Notice of Entry of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at (place) : \_\_\_\_\_, California, on (date) :

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

\_\_\_\_\_  
Name and address of petitioner or petitioner's attorney

\_\_\_\_\_  
Name and address of respondent or respondent's attorney

\_\_\_\_\_  
\_\_\_\_\_