

**MADERA COUNTY SUPERIOR COURT
STATE OF CALIFORNIA**

**REQUEST FOR ORDER,
EX PARTE REQUEST
INSTRUCTIONS**

ALL FORMS CAN BE TYPED OR PRINTED NEATLY
IN BLACK INK AND SIGNED IN BLUE INK

1. Inside this Request for Order, Ex-Parte Packet you will find the first couple of pages are sample documents that will teach you how to fill out the actual forms. Once you have read the sample forms very carefully begin to fill out the actual forms the best you can. Make sure you answer every form that applies to you that best suits your case. Remember to fill out the Temporary Order form if you are seeking a temporary order.
2. Have the other parent notified by 10:00 a.m. the morning before you plan to have your hearing. The person who notifies the other party for you must complete and sign the Declaration regarding Notice of Ex Parte Hearing. Make 2 copies of all your documents and only one copy of the Fee Waiver and Declaration regarding Notice of Ex Parte Hearing.
3. Take your documents to the **Civil Division, fourth floor** located inside the **Courthouse** before 11:00 a.m. the day before you plan to have your hearing. The clerk will keep your documents for the hearing. The Court will return them to you after the ex-parte hearing. Make sure you appear for you hearing at **8:00 a.m. in Dept. 40 unless otherwise told by the clerk or look at the court calendar located on the first floor first thing in the morning**. Do not be late. The Judge may make temporary orders and return your documents to you.
4. If the Court returns the documents to you **DO NOT leave the courthouse yet! Proceed to the Civil Division (which is located right next to Dept 40 on the fourth floor)** with your documents so that the clerk may file them and return the copies to you with your next hearing date.
5. Have someone over the age of eighteen other than you personally serve the other party/parent with one copy of your Request for Order, Ex Parte and a blank Responsive Declaration. The other party must to be served 16 court days prior to the court date (don't count weekends and holidays). Complete your portion of the Proof of Personal Service and have the person who served the other party for you fill out their portion numbers 2-7, sign and date the Proof of Service. Make 1 copy of the Proof of Service and take your copy and the original to the civil clerk at the **Civil Division** and file it. Keep the copy after you file it for your records.
6. Once you have filed your Proof of Services and custody and/or visitation is an issue, you need to take your copy of the filed Request for Order plus a copy of the Proof of Service to the Family Court Services Office to schedule orientation and mediation. Family Court Services is located at – 200 South G Street, First Floor, Madera CA 93637.
7. Go to your next scheduled court date before you leave court make sure to listen to find out what is your next procedure. You need to make sure and listen to see if the Judge instructed one of the parties to fill out the Findings and Order after Hearing. If so that party can purchase a copy from the **Civil Clerk** at the **Civil Division**, Fill it out the and return it back to the Civil Division for the Judge's signature. IF you object to the Mediators report, let the judge know and set the matter for a contested hearing. This is usually set for a Friday at 9:30 a.m... Any witness who will not come willingly you will need to subpoena. You may obtain subpoenas from the Civil Clerk at the CIVIL DIVISION. You will need to prepare for trial by having a witness list and questions for each witness.
8. For more information you can go online @ www.courts.ca.gov/selfhelp or <http://www.icandocs.org/ca>

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail. The records should be kept up-to-date and should be easily accessible to all relevant parties.

2. The second part of the document outlines the various methods used to collect and analyze data. These methods include interviews, surveys, and focus groups. Each method has its own strengths and weaknesses, and it is important to choose the most appropriate method for the specific research objectives.

3. The third part of the document describes the process of data analysis. This involves identifying patterns and trends in the data, and then interpreting these findings in the context of the research objectives. It is important to use a systematic and transparent approach to data analysis to ensure the reliability of the results.

4. The fourth part of the document discusses the importance of reporting the results of the research. This involves presenting the findings in a clear and concise manner, and providing a detailed explanation of the methods used and the limitations of the study. It is important to be honest and transparent in reporting the results, even if they are not always what you might expect.

5. The fifth part of the document concludes the report and provides a summary of the key findings. It also offers some suggestions for further research and for how the findings can be applied in practice. The conclusion should be based on the evidence presented in the report and should be supported by the data.

6. The sixth part of the document provides a list of references and a list of appendices. The references should include all the sources used in the research, and the appendices should include any additional information that is relevant to the study but that does not fit into the main body of the report.

7. The seventh part of the document provides a list of figures and tables. These should be clearly labeled and should be easy to read and understand. They should provide a visual representation of the data and should be used to support the findings of the research.

8. The eighth part of the document provides a list of footnotes and a list of endnotes. These should be used to provide additional information that is not included in the main body of the report. They should be clearly labeled and should be easy to read and understand.

9. The ninth part of the document provides a list of acknowledgments and a list of thanks. These should be used to acknowledge the help and support of all those who have contributed to the research. They should be clearly labeled and should be easy to read and understand.

10. The tenth part of the document provides a list of contact information and a list of further information. This should include the name and contact details of the author, and any other information that is relevant to the study. It should be clearly labeled and should be easy to read and understand.

1 USE Request for Order (form FL-300):

- To schedule a court hearing and ask the court to make new orders or to change orders in your case. The request can be about child custody, visitation (parenting time), child support, spousal or partner support, property, finances, attorney's fees and costs, or other matters.
- To change or end the domestic violence restraining orders granted by the court in *Restraining Order After Hearing* (form DV-130). See *How Do I Ask to Change or End a Domestic Violence Restraining Order* (form DV-400-INFO) for more information.

2 DO NOT USE Request for Order (form FL-300):

- Before you have filed a Petition to start your case (form FL-300 may be filed with the Petition).
- If you and the other party have an agreement. For information about how to write up your agreement, get it approved by the court, and filed in your case, see <http://www.courts.ca.gov/selfhelp-agreeFL>, speak with an attorney, or get help at your court's Self-Help Center or Family Law Facilitator's Office.
- When specific Judicial Council forms must be used to ask the court for orders. For example, to ask:
 - For a domestic violence restraining order, use forms DV-100, DV-109, and DV-110.
 - For an order for contempt, use form FL-410.
 - To set aside a child support order, use form FL-360 or form FL-640.
 - To set aside a voluntary declaration of paternity, use form FL-280.

3 Forms checklist

- a. Form FL-300, Request for Order, is the basic form you need to file with the court. Depending on your request, you may need these additional forms:
- b. To request child custody or visitation (parenting time) orders, you may need to complete some of these forms:
 - FL-105, Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
 - FL-311, Child Custody and Visitation (Parenting Time) Application Attachment
 - FL-312, Request for Child Abduction Prevention Orders
 - FL-341(C), Children's Holiday Schedule Attachment
 - FL-341(D), Additional Provisions—Physical Custody Attachment
 - FL-341(E), Joint Legal Custody Attachment
- c. If you want child support, you need this form:
 - A current FL-150, Income and Expense Declaration. You may use form FL-155, Financial Statement (Simplified) instead of form FL-150 if you meet the requirements listed on page 2 of form FL-155.
- d. If you want spousal or partner support or orders about your finances, you need:
 - A current FL-150, Income and Expense Declaration
 - FL-157, Spousal or Partner Support Declaration Attachment (if the request is to change a support judgment)
- e. If you want attorney's fees and costs, you need these forms:
 - A current FL-150, Income and Expense Declaration
 - FL-319, Request for Attorney's Fees and Costs Attachment (or provide the information in a declaration)
 - FL-158, Supporting Declaration for Attorney's Fees and Costs (or provide the information in a declaration)
- f. To request temporary emergency (ex parte) orders, you need:
 - FL-305, Temporary Emergency Orders to serve as the proposed temporary emergency orders.
 - Your declaration describing how and when you gave notice about the request for temporary emergency orders. You may use form FL-303, Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders.
 - Other forms required by local courts. See item 9 on page 3 of this form for more information.
- g. If you plan to have witnesses testify at the hearing, you need form:
 - FL-321, Witness List
- h. If you want to request a separate trial (bifurcation) on an issue, you need form:
 - FL-315, Request or Response to Request for Separate Trial



4 Complete form FL-300 (Page 1)

Caption: Complete the top portion with your name, address, and telephone number, and the court address. Next, write the name of the Petitioner, Respondent, or Other Parent/Party (You must use the party names as they appear in the petition that was originally filed with the court). Then, write the case number. In the next section, check “CHANGE” if you want to change an existing order. Check “TEMPORARY EMERGENCY (EX PARTE) ORDER” if you are asking that the court make emergency orders that will be effective until the hearing date. Then, check all the boxes that apply to the orders you are requesting.

Item 1: List the name(s) of the other person(s) in your case who will receive your request. In some cases, this might include a grandparent who is joined as a party in the case, a local child support agency, or a lawyer who represents a child in the case.

Item 2: Leave this blank. The court clerk will fill in the date, time, and location of the hearing.

Item 3: This is a notice to all other parties.

Items 4–5: Leave these blank. The court will complete them if the orders are granted.

Item 6: In some counties, the court clerk will check item 6 and provide the details for your required child custody mediation or recommending counseling appointment. Other courts require the party or the party’s lawyer to make the appointment and then complete item 6 before filing form FL-300.

Ask your court’s Family Law Facilitator or Self-Help Center to find out what your court requires.

Items 7–8: Leave these blank. The court will complete them, if needed.

5 Complete form FL-300 (pages 2–4)

6 Complete additional forms and make copies

Complete any additional forms that you need to file with the *Request for Order*. Make at least two copies of your full packet.

FAMILY WITHOUT ATTORNEY OR AT ATTORNEY'S NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (Name):		FL-300 FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:		
REQUEST FOR ORDER <input type="checkbox"/> CHANGE <input type="checkbox"/> TEMPORARY EMERGENCY ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Child Support <input type="checkbox"/> Domestic Violence Order <input type="checkbox"/> Attorney's Fees and Costs <input type="checkbox"/> Property Control <input type="checkbox"/> Other (specify):		CASE NUMBER
NOTICE OF HEARING		
1. TO (name(s)): <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other Parent/Party <input type="checkbox"/> Other (specify):		
2. A COURT HEARING WILL BE HELD AS FOLLOWS:		
a. Date: _____ Time: _____ Dept.: _____ Room: _____ b. Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify): _____		
3. WARNING to the person served with the Request for Order: The court may make the requested orders without you if you do not file a Responsive Declaration to Request for Order (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form FL-320-INFO for more information.) (Forms FL-300-INFO and DV-400-INFO provide information about completing this form)		
COURT ORDER (FOR COURT USE ONLY)		
4. <input type="checkbox"/> Time <input type="checkbox"/> for service <input type="checkbox"/> until the hearing is shortened. Service must be on or before (date):		
5. <input type="checkbox"/> A Responsive Declaration to Request for Order (form FL-320) must be served on or before (date):		
6. <input type="checkbox"/> The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):		
7. <input type="checkbox"/> The orders in Temporary Emergency (Ex Parte) Orders (form FL-305) apply to this proceeding and must be personally served with all documents filed with this Request for Order.		
8. <input type="checkbox"/> Other (specify):		
Date: _____		JUDICIAL OFFICER _____ Page 1 of 4 Form Approved for Mandatory Use Judicial Council of California FL-300 (Rev. July 1, 2016)
REQUEST FOR ORDER		

Note: You may file one form FL-150 to respond to items 3, 4, and 6.

7 File your documents

Give your paperwork and the copies you made to the court clerk to process. You may take them to the clerk’s office in person, mail them, or, in some counties, you can e-file them.

The clerk will keep the original and give you back the copies you made with a court date and time stamped on the first page of the *Request for Order*. The procedure may be different in some courts if you are requesting temporary emergency orders.

8 Pay filing fees

A fee is due at the time of filing. If you cannot afford to pay the filing fee, and you do not already have a valid fee waiver order in this case, you can ask the court to waive the fee by completing and filing form FW-001, Request to Waive Court Fees and form FW-003, Order on Court Fee Waiver.



9 Temporary Emergency (Ex Parte) Orders
(nondomestic violence restraining orders)

Courts can make temporary orders in your family law case to respond to emergencies that cannot wait to be heard on the court’s regular hearing calendar.

The emergency must involve an immediate danger or irreparable harm to a party or children in the case, or an immediate loss or damage to property.

To request these orders:

- Complete form FL-300. Describe the emergency and explain why you need the temporary emergency orders before the hearing.
- Complete form FL-305 to serve as your proposed temporary orders.
- Include a declaration describing how and when you notified the other parties (or why you could not give notice) about your request and the hearing (see form FL-303).
- Complete other forms if required by your local court rules.
- Follow your court’s local procedures for reserving the day for the hearing, submitting your paperwork, and paying filing fees.

10 General information about “service”

“Service” is the act of giving your legal papers to all persons named as parties in the case so that they know what orders you are asking for and have information about the hearing.

If the other parties are NOT properly served, the judge cannot make the orders you requested on the date of the hearing.

11 Serve the Request for Order and blank forms

The other party must be “served” with a:

- Copy of the *Request for Order* and all the other forms and attachments filed with the court clerk.
- Copy of any temporary emergency orders granted.
- Blank form FL-320, *Responsive Declaration to Request for Order*.
- Blank form FL-150, *Income and Expense Declaration* (if you served form FL-150 or FL-155).

12 Who can be a “server”

You cannot serve the papers. Have someone else (who is at least 18 years old) do it. The “server” can be a friend, a relative who is not involved in your case, a sheriff, or a professional process server.

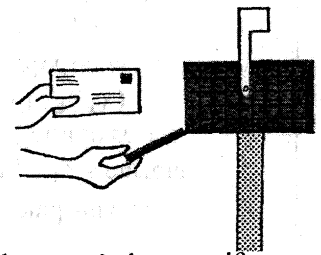
13 “Personal Service”

Personal service means that your “server” walks up to each person to be served, makes sure he or she is the right person, and then hand-delivers a copy of all the papers (and the blank forms) to him or her. The server may leave the papers near the person if he or she will not take them.



Note: Sometimes the papers may be personally served on the other party’s lawyer (if he or she has one) in the family law case.

14 “Service by mail” means that your “server” places copies of all the documents (and blank forms) in a sealed envelope and mails them to the address of each party being served (or to the party’s lawyer, if he or she has one).



The server must be 18 years of age or over and live or work in the county where the mailing took place.

Important! For questions about personal service or service by mail, talk with a lawyer or check with your court’s Family Law Facilitator or Self-Help Center at <http://www.courts.ca.gov/1083.htm>.



15 When to use personal service or service by mail

Personal Service

Personal service is the best way to make sure the other adults in your case are correctly served. Sometimes you **must** use personal service.

You **must** use personal service when the court:

- Ordered personal service;
- Granted temporary emergency orders;
- Does not yet have the power to make orders that apply to the other party because he or she has either NOT previously:
 - Been served with a *Summons* and *Petition*;
OR
 - Appeared in the case by filing a:
 - a. *Response to a Petition*;
 - b. *Appearance, Stipulations, and Waivers*;
 - c. Written notice of appearance;
 - d. Request to strike all or part of the *Petition*; or
 - e. Request to transfer the case.

**Note: A Request for Order may be served at the same time as the family law Summons and Petition.*

1. After serving, the server must fill out a *Proof of Personal Service* (form FL-330) and give it to you. If the server needs instructions, give him or her form FL-330-INFO, *Information Sheet for Proof of Personal Service*.
2. Take the completed *Proof of Personal Service* form to the clerk's office (or e-file it, if available in your court) at least 5 court days before your hearing.

Deadline: The deadline for personal service is **16 court days** before the hearing date, unless the court orders a different deadline.

Service by Mail

If you are not required to use personal service, you may use service by mail.

Important! Check with your court's Family Law Facilitator's Office or Self-Help Center, or ask a lawyer to be sure you are allowed to use service by mail in your case.

A *Request for Order* to change a judgment or final order on the issue of child custody, visitation (parenting time), or child support may be served by mail if:

- The documents do not include temporary emergency orders;
- The court did not order personal service; and
- You have verified the other party's current residence or office address. (You may use *Address Verification* (form FL-334).)

To change a judgment or final order on any other issue, including spousal or domestic partner support, the *Request for Order* may need to be personally served on the other party.

1. After serving, the server must fill out a *Proof of Service by Mail* (form FL-335) and give it to you. If the server needs instructions, give him or her an *Information Sheet for Proof of Service by Mail* (form FL-335-INFO).
2. Take the completed *Proof of Personal Service* form to the clerk's office (or e-file it, if available in your court) at least 5 court days before your hearing.

Deadline: Unless the court orders a different time, service by mail must be completed at least **16 court days PLUS 5 calendar days** before the hearing date (if service is in California). Other time lines apply for service outside of California.

16 Get ready for your hearing

- Take at least two copies of your documents and filed forms to the hearing. Include a filed *Proof of Service* form.
- Find more information about preparing for your hearing at <http://www.courts.ca.gov/1094.htm>.
- For information about having the other party testify in court, go to <http://www.courts.ca.gov/29283.htm>.

17 After the hearing, the order made on form FL-340, *Findings and Order After Hearing*, must be filed and served.

18 Do you have questions or need help?

- Find a lawyer through your local bar association, the State Bar of California at <http://calbar.ca.gov>, or the Lawyer Referral Service at 1-866-442-2529.
- For free and low-cost legal help (if you qualify), go to <http://www.lawhelpca.org>.
- Contact the Family Law Facilitator or Self-Help Center for information and assistance, and referrals to local legal services providers. Go to <http://www.courts.ca.gov/selfhelp-courtresources.htm>.

Parties who come to court about child custody and visitation face decisions about parenting plans for their children. This information sheet provides general information about child custody and visitation matters, how to get help resolving a custody dispute or making a parenting plan, where to find an attorney, and where to find other resources.

What is a parenting plan?

A parenting plan describes how the parties will divide their responsibilities for taking care of their child.

The plan may include a general or specific schedule of days, times, weekends, holidays, vacations, transportation, pick-up/drop-off, limits on travel, and other details.

What are legal and physical custody?

A parenting plan usually includes:

- **Legal custody:** who makes major decisions about the child's health, education, and welfare;
- **Physical custody:** who the child lives with;
- **Time-share or visitation:** when the child spends time with each party.

Legal custody and *physical custody* may each be specified as *joint* (both parties have certain responsibilities) or *sole* (one party has the responsibility alone).

Can we make our own parenting plan?

Yes. You have a right to make a parenting plan agreement on your own. This agreement may be called a *stipulation*, *time-share plan*, or *parenting plan*.

If both parties can agree on a parenting plan, the judge will probably approve it. The agreement becomes a court order after it is signed by both parties, signed by the judge, and filed with the court.

What if there is domestic violence or a protective order?

If there is domestic violence or a protective order, talk with a lawyer, counselor, or mediator before making a parenting plan.

For domestic violence help, call the National Domestic Violence Hotline: 1-800-799-7233, TDD:1-800-787-3224, or call 211 (if available in your area).

What if we don't have a parenting plan?

If you can't reach an agreement, the court will refer you to mediation with family court services to try to work out a parenting plan.

What is mediation with family court services?

Family court services (FCS) provides mediation to help parties resolve disagreements about the care of their child. The mediator will meet with you and the other party to try to help you make a parenting plan. This is a free service provided by the court.

If you are concerned about meeting with the other party in mediation, or there is domestic violence or a protective order involving the other party, you may ask to meet alone with the mediator without the other party. You may also have a support person with you at mediation. The support person may not speak for you.

Do we have to agree to a parenting plan in mediation?

No. You do not have to come to an agreement in mediation. When the parties can't agree, the judge will decide.

In some courts, the judge will consider the mediator's recommendations about the parenting plan. Ask family court services about how the process works in your court.

FL-314-INFO Child Custody Information Sheet

Are there other ways to resolve our dispute?

Yes. There are other Alternative Dispute Resolution (ADR) options you may try, including:

- 1. Meet and Confer:** Parties and their lawyers (if any) may meet at any time and as often as necessary to work out a parenting plan without a court hearing. If there is a protective order limiting the contact between the parties, then the "meet and confer" can be through lawyers or a mediator in separate sessions.
- 2. Settlement Conference:** In some courts, parties may meet with a judge, neutral evaluators, or family law lawyers not involved in your case to discuss settlement. Check with your local court to find out if this is an option. If there is a protective order, the settlement discussion can be through lawyers or a mediator in separate sessions.
- 3. Private Mediation:** Parties may hire a private mediator to help them resolve their dispute.
- 4. Collaborative Law Process:** Each party hires a lawyer and agrees to resolve the dispute without going to court. The parties may also hire other experts.

Court Hearing

When the parties cannot agree to a parenting plan on their own, in mediation, or in any other ADR process, the judge will decide.

If there is domestic violence or a protective order, you may bring a support person with you to the court hearing, but the support person may not speak for you.

Where can I get help?

This information sheet gives only basic information on the child custody process and is not legal advice. If you want legal advice, ask a lawyer for assistance. You may also:

1. Contact family court services.
2. Contact the family law facilitator or self-help center for information, court forms, and referrals to local legal services providers.
3. Find a lawyer through your local bar association, the State Bar of California at <http://calbar.ca.gov>, or call the Lawyer Referral Service at 1-866-442-2529 or 415-538-2250.
4. Hire a private mediator for help with your parenting agreement. A mediator may be a lawyer or counselor. Contact your local bar association, court ADR program, or family court services for a referral to local resources.
5. Find information on the Online Self-Help Center Web site: www.courtinfo.ca.gov/selfhelp.
6. For free and low-cost legal help (if you qualify), go to: www.lawhelpcalifornia.org.
7. Find information at your local law library or ask at your public library.
8. Ask for a court hearing and let the judge decide what is best for your child.



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)

Las partes que van a la corte por la custodia y la visitación de sus hijos enfrentan decisiones sobre los planes de crianza de sus hijos. Esta hoja informativa ofrece información general acerca de: cuestiones sobre custodia y visitación de los niños, cómo obtener ayuda para resolver una disputa de la custodia o hacer un plan de crianza, dónde encontrar un abogado y dónde encontrar otros recursos.

¿Qué es un plan de crianza?

El plan de crianza describe la manera en que las partes dividirán sus responsabilidades para hacerse cargo de sus hijos.

El plan puede incluir un programa general o específico de días, horas, fines de semana, días festivos, vacaciones, transporte, dejar/recoger, restricciones sobre viajar y otros detalles.

¿Qué es la custodia legal y física?

Un plan de crianza incluye por lo general:

- **Custodia legal:** Quién toma las decisiones importantes acerca de la salud, la educación y el bienestar del niño;
- **Custodia física:** Con quién vive el niño; y
- **Tiempo compartido o visitación:** El tiempo que pasa el niño con cada una de las partes.

La *custodia legal* y la *custodia física* pueden especificarse cada una como *conjunta* (ambas partes tienen ciertas responsabilidades) o *exclusiva* (una parte tiene la responsabilidad por sí sola).

¿Podemos hacer nuestro propio plan de crianza?

Sí. Tienen el derecho de hacer un acuerdo de plan de crianza por su cuenta. Este acuerdo se puede llamar *estipulación*, *plan de tiempo compartido* o *plan de crianza*.

Si ambas partes pueden estar de acuerdo sobre el plan de crianza, es probable que el juez lo apruebe. El acuerdo se convierte en una orden de la corte después de que ambas partes lo firman, el juez lo firma y se presenta a la corte.

¿Qué pasa si hay violencia en el hogar o una orden de protección?

Si hay violencia en el hogar o una orden de protección, hable con un abogado, consejero o mediador antes de hacer un plan de crianza.

Si desea ayuda para la violencia en el hogar, llame a la Línea nacional sobre violencia en el hogar:

1-800-799-7233, TDD: 1-800-787-3224, o llame al 211 (si lo tiene disponible en su área).

¿Qué pasa si no tenemos un plan de crianza?

Si no pueden llegar a un acuerdo, la corte los remitirá a una mediación con servicios de la corte familiar para tratar de ponerse de acuerdo sobre un plan de crianza.

¿Qué es mediación con servicios de la corte familiar?

Los servicios de la corte familiar (FCS, por sus siglas en inglés) ofrecen mediación para ayudar a las partes a resolver los desacuerdos acerca del cuidado de sus hijos. El mediador se reunirá con usted y la otra parte para tratar de ayudarles a que hagan un plan de crianza. La corte ofrece este servicio sin costo.

Si le preocupa estar con la otra parte en la mediación, o si hay violencia en el hogar o una orden de protección que involucre a la otra parte, puede pedir reunirse a solas con el mediador y sin la otra parte. También lo puede acompañar una persona de apoyo a la mediación. Esta persona de apoyo no puede hablar por usted.

¿Tenemos que llegar a un acuerdo sobre un plan de crianza en la mediación?

No. No tiene que llegar a un acuerdo en la mediación. Cuando las partes no pueden ponerse de acuerdo, el juez tomará la decisión.

En algunas cortes, el juez tomará en cuenta las recomendaciones del mediador acerca del plan de crianza. Pregunte a los servicios de corte de familia cómo funciona el proceso en su corte.

¿Hay otras maneras de resolver nuestro conflicto?

Sí. Existen otras opciones de métodos alternativos para resolver conflictos (ADR, por sus siglas en inglés) que puede intentar, incluyendo:

1. Reunirse y deliberar: Las partes y sus abogados (si los hay) se pueden reunir en cualquier momento y con la frecuencia que sea necesaria para idear un plan de crianza sin una audiencia en la corte. Si hubiera una orden de protección que limita el contacto entre las partes, entonces la “reunión y deliberación” se puede hacer a través de abogados o un mediador en sesiones por separado.

2. Conferencia de acuerdo: En algunas cortes, las partes se pueden reunir con un juez, con evaluadores neutrales o abogados de derecho familiar que no estén involucrados en su caso, para hablar sobre un acuerdo. Verifique con su corte local para averiguar si esta opción es para usted. Si hay alguna orden de protección, el acuerdo se puede hacer a través de abogados o un mediador en sesiones por separado.

3. Mediación privada: Las partes pueden contratar a un mediador privado para ayudarles a resolver su disputa.

4. Proceso de derecho colaborativo: Cada parte contrata a un abogado y acepta resolver la disputa sin ir a la corte. Las partes también pueden contratar a otros expertos.

Audiencia en la corte

Cuando las partes no pueden llegar a un acuerdo por su cuenta sobre un plan de crianza, en la mediación o en algún otro proceso ADR, el juez tomará la decisión.

Si hay violencia en el hogar o una orden de protección, le puede acompañar una persona de apoyo a la audiencia de la corte. Esta persona de apoyo no puede hablar por usted.



Solicitudes de modificaciones

Sistemas de audición asistida, subtítulaje en tiempo real por computadora o servicios de intérprete en el lenguaje de signos están a su disposición si los solicita por lo menos cinco días antes del proceso. Comuníquese con la oficina del secretario o visite www.courtinfo.ca.gov/forms para obtener una Solicitud de modificaciones por parte de personas con discapacidades y respuesta (formulario MC-410). (Código civil, § 54.8.)

¿Dónde puedo encontrar ayuda?

Esta hoja informativa sólo le da información básica sobre el proceso de custodia de un niño y no es un consejo legal. Si desea consejo legal, pida ayuda a un abogado, o:

1. Comuníquese con los servicios de la corte familiar.
2. Comuníquese con el asistente de derecho familiar o con el centro de autoayuda para recibir información, formularios de la corte y remisiones a proveedores locales de servicios legales.
3. Busque a un abogado a través de la asociación del colegio local, el colegio estatal de California en <http://calbar.ca.gov> o llame al Servicio de remisión de abogados al 1-866-442-2529 ó al 415-538-2250.
4. Contrate a un mediador privado para recibir ayuda con su acuerdo de crianza. Un mediador puede ser un abogado o un consejero. Comuníquese con su asociación de colegio local, el programa ADR de la corte o con los servicios de derecho familiar a para obtener una remisión a los recursos locales.
5. Busque información en el sitio Web del centro de ayuda en línea: www.courtinfo.ca.gov/selfhelp/.
6. Si desea ayuda legal gratuita o de bajo costo (si califica) visite: www.lawhelpcalifornia.org.
7. Busque información en su biblioteca de derecho local o pregunte en la biblioteca pública.
8. Pida una audiencia a la corte y deje que el juez decida lo que es mejor para su hijo.

EXAMPLE
FORMS
EXPLAINING
HOW TO
FILL OUT
THE
ACTUAL
FORMS

DOWN

WATER

THE

ENTIRE

DOWN

WATER

WATER

WATER

PETITIONER: Print or type the Petitioner's name here
RESPONDENT: Print or type the Respondent's name here
OTHER PARENT/PARTY:

CASE NUMBER:
Print or type your case # here

REQUEST FOR ORDER

Note: Place a mark in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration (form MC-031)* for this purpose.)

1. RESTRAINING ORDER INFORMATION

One or more domestic violence restraining/protective orders are now in effect between (specify):
 Petitioner Respondent Other Parent/Party (Attach a copy of the orders if you have one.)
The orders are from the following court or courts (specify county and state):

- a. Criminal: County/state (specify): Case No. (if known):
- b. Family: County/state (specify): Case No. (if known):
- c. Juvenile: County/state (specify): Case No. (if known):
- d. Other: County/state (specify): Case No. (if known):

2. CHILD CUSTODY

VISITATION (PARENTING TIME) I request temporary emergency orders

a. I request that the court make orders about the following children (specify):
Child's Name Date of Birth Legal Custody to (person who decides: health, education, etc): Physical Custody to (person with whom child lives):

b. The orders I request for child custody visitation (parenting time) are: Attachment 2a.

- (1) Specified in the attached forms:
 Form FL-305 Form FL-311 Form FL-312 Form FL-341(C)
 Form FL-341(D) Form FL-341(E) Other (specify):

(2) As follows (specify): Attachment 2b.

c. The orders that I request are in the best interest of the children because (specify): Attachment 2c.

d. This is a change from the current order for child custody visitation (parenting time).
(1) The order for legal or physical custody was filed on (date): . The court ordered (specify):

(2) The visitation (parenting time) order was filed on (date): . The court ordered (specify):

Attachment 2d.

PETITIONER: Print or type the Petitioner's name here RESPONDENT: Print or type the Respondent's name here OTHER PARENT/PARTY:	CASE NUMBER: Print or type your case # here
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6. ATTORNEY'S FEES AND COSTS

I request attorney's fees and costs, which total (specify amount): \$ _____ . I filed the following to support my request:

- a. A current *Income and Expense Declaration* (form FL-150).
- b. A *Request for Attorney's Fees and Costs Attachment* (form FL-319) or a declaration that addresses the factors covered in that form.
- c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.

7. DOMESTIC VIOLENCE ORDER

- Do not use this form to ask for domestic violence restraining orders! Read form DV-505-INFO, *How Do I Ask for a Temporary Restraining Order*, for forms and information you need to ask for domestic violence restraining orders.
- Read form DV-400-INFO, *How to Change or End a Domestic Violence Restraining Order* for more information.

- a. The *Restraining Order After Hearing* (form DV-130) was filed on (date): _____
- b. I request that the court change end the personal conduct, stay-away, move-out orders, or other protective orders made in *Restraining Order After Hearing* (form DV-130). (If you want to change the orders, complete 7c.)
- c. I request that the court make the following changes to the restraining orders (specify): _____ Attachment 7c.
- d. I want the court to change or end the orders because (specify): _____ Attachment 7d.

8. OTHER ORDERS REQUESTED (specify): _____

Attachment 8.

9. TIME FOR SERVICE / TIME UNTIL HEARING I urgently need:

- a. To serve the *Request for Order* no less than (number): _____ court days before the hearing.
- b. The hearing date and service of the the *Request for Order* to be sooner.
- c. I need the order because (specify): _____ Attachment 9c.

10. FACTS TO SUPPORT the orders I request are listed below. The facts that I write in support and attach to this request

cannot be longer than 10 pages, unless the court gives me permission. Attachment 10.
 In this section you will need to explain to the court why you are making the requests or changes to your current order. You will need to be specific and to the point.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: _____

Print or type your name here _____
 (TYPE OR PRINT NAME)

▶ _____
 (SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

PETITIONER: Print or type the Petitioner's name here RESPONDENT: Print or type the Respondent's name here OTHER PARENT/PARTY:	CASE NUMBER:
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CHILD CUSTODY AND VISITATION (PARENTING TIME) APPLICATION ATTACHMENT

—This is not a court order—

TO Petition Response Request for Order Responsive Declaration to Request for Order
 Other (specify):

1. Custody. Custody of the minor children of the parties is requested as follows:

<u>Child's Name</u>	<u>Date of Birth</u>	<u>Legal Custody to (person who decides about health, education, etc.)</u>	<u>Physical Custody to (person with whom the child lives)</u>
---------------------	----------------------	----------------------------------------------------------------------------	---------------------------------------------------------------

List your child(ren) in this section pertaining to this case.

2. Visitation (Parenting Time).

Note: Unless specifically ordered, a child's holiday schedule order has priority over the regular parenting time.

- a. Reasonable right of parenting time (visitation) to the party without physical custody (not appropriate in cases involving domestic violence).
- b. See the attached _____-page document dated (specify date):
- 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). (Specify start and ending date and time. If applicable, check "start of" OR "after school.")

Petitioner's Respondent's Other Parent's/Party's parenting time (visitation) 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 2e(4)

as follows:

PETITIONER: Print or type the Petitioner's name here RESPONDENT: Print or type the Respondent's name here OTHER PARENT/PARTY:	CASE NUMBER:
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3. **Supervised visitation (parenting time).**
- a. If item 3 is checked, you must attach a declaration that shows why unsupervised visitation (parenting time) would be bad for your children. The judge is required to consider supervised visitation if one parent or party is alleging domestic violence and is protected by a restraining order.
 - b. The person who supervises the visitation (parenting time) must meet the requirements listed in *Declaration of Supervised Visitation Provider (form FL-324)* under Family Code § 3200.5.
 - c. I request that (name): _____ have supervised visitation (parenting time) with the minor children according to the schedule set out on page 1.
 - d. I request that the visitation (parenting time) be supervised by (name): _____ who is a professional nonprofessional supervisor. The supervisor's phone number is (specify): _____
 - e. I request that any costs of supervision be paid as follows: petitioner: _____ percent; respondent: _____ percent; other parent/party: _____ percent.
4. **Transportation for visitation (parenting time) and place of exchange.**
- a. The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
 - b. Transportation to begin the visits will be provided by (name): _____
 - c. Transportation from the visits will be provided by (name): _____
 - d. The exchange point at the beginning of the visit will be (address): _____
 - e. The exchange point at the end of the visit will be (address): _____
 - f. During the exchanges, the party driving the children will wait in the car and the other party will wait in his or her home (or exchange location) while the children go between the car and the home (or exchange location).
 - g. Other (specify): _____
5. **Travel with children.** The petitioner respondent other parent/party must have written permission from the other parent or party, or a court order, to take the children out of the following places:
- a. the state of California.
 - b. the following counties (specify): _____
 - c. other places (specify): _____
6. **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. I request the orders set out on attached form FL-312.
7. **Children's holiday schedule.** I request the holiday and vacation schedule set out on the attached form FL-341(C)
 Other (specify): _____
8. **Additional custody provisions.** I request the additional orders regarding custody set out on the attached form FL-341(D) Other (specify): _____
9. **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached form FL-341(E) Other (specify): _____
10. **Other.** I request the following additional orders (specify): _____

PETITIONER: Print or type the Petitioner's name here RESPONDENT: Print or type the Respondent's name here OTHER PARENT/PARTY:	CASE NUMBER: Print or type your case # here
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3. CHILD CUSTODY (continued)

c. Travel restrictions

- (1) The party or parties with temporary physical custody, care, and control of minor children must not remove the minor children from the state of California unless the court allows it after a noticed hearing.
- (2) Petitioner Respondent Other Parent/Party must not remove their minor children (specify):
 - (a) from the state of California.
 - (b) from the following counties (specify):
 - (c) other (specify):

d. Child abduction prevention orders are attached (see form FL-341(B)).

- e. (1) **Jurisdiction:** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).
- (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 is (specify):
 - The United States of America Other (specify):
- (4) If you violate this order, you may be subject to civil or criminal penalties, or both.

4. PROPERTY CONTROL

a. Petitioner Respondent Other Parent/Party is given exclusive temporary use, possession, and control of the following property that the parties own or are buying lease or rent

b. Petitioner Respondent Other Parent/Party is ordered to make the following payments on the liens and encumbrances coming due while the order is in effect:

Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:

5. All other existing orders, not in conflict with these temporary emergency orders, remain in full force and effect.

6. OTHER ORDERS (specify): Additional orders are listed in Attachment 6.

Date:

JUDGE OF THE SUPERIOR COURT

THIS IS A COURT ORDER.

PETITIONER: Print or type the Petitioner's name here RESPONDENT: Print or type the Respondent's name here OTHER PARENT/PARTY:	CASE NUMBER: Print or type your case # here
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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 (Fam. Code, §§ 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 Custody.** Custody of the minor children of the parties is awarded as follows:

<u>Child's Name</u>	<u>Birth Date</u>	<u>Legal custody to: (person who makes decisions about health, education, etc.)</u>	<u>Physical custody to: (person with whom child lives)</u>
List your child(ren) in this section pertaining to this case.	each child's date of birth	list here if you are requesting sole or joint legal custody	list here if you are requesting sole or joint physical custody

6. **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 Orders Attachment (form FL-341(B)) must be attached and must be obeyed.*)

7. **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 Friday at 6:00 a.m. p.m./ if applicable, specify: start of school
 (day of week) (time) after school

to Sunday at 6:00 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.

THIS IS A COURT ORDER.

PETITIONER: Print or type the Petitioner's name here RESPONDENT: Print or type the Respondent's name here OTHER PARENT/PARTY:	CASE NUMBER: Print or type your case # here
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11. **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.)

12. **Additional custody provisions.** The parties 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.)

13. **Joint legal custody.** The parties 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.)

14. **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.

15. **Other (specify):**

THIS IS A COURT ORDER.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406) (Name, State Bar number, and address)</p> <p>In this section you will fill out your information Print or type your name here Print or type your address here Your City, State and Zip Code</p> <p>TELEPHONE NO.: You phone # here FAX NO.:</p> <p>ATTORNEY FOR (Name): In Pro Per</p>	<p>FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera</p> <p>STREET ADDRESS: 200 South G Street</p> <p>MAILING ADDRESS: Same</p> <p>CITY AND ZIP CODE: Madera CA 93637</p> <p>BRANCH NAME: Civil Division</p>	
<p>PETITIONER/PLAINTIFF Print or type the Petitioner's name here</p> <p>RESPONDENT/DEFENDANT Print or type the Respondent's name here</p> <p>OTHER PARENT/PARTY:</p>	<p>CASE NUMBER: Print or type your case # here</p> <p>(If applicable, provide): HEARING DATE: fill out this information HEARING TIME: only if you have the DEPT.: information, otherwise leave blank</p>
<p>PROOF OF PERSONAL SERVICE</p>	

- I am at least 18 years old, not a party to this action, and not a protected person listed in any of the orders.
- Person served (name): **Print or type the other party's name here whom you are taking to court**
- I served copies of the following documents (specify):
Print or type the documents you are going to serve on the other party.

Example, Request for Order and Blank Responsive Declaration to Request for Order

- By personally delivering copies to the person served, as follows:
 - Date: **input the date the other party was served**
 - Time: **input the actual time the other party was served**
 - Address: **input the address where the other party was served with the documents.**
example: his/her home, work or public place i.e.: Walmart.
- I am
 - not a registered California process server.
 - a registered California process server.
 - an employee or independent contractor of a registered California process server.
 - exempt from registration under Business & Profession Code section 22350(b).
 - a California sheriff or marshal.
- My name, address, and telephone number, and, if applicable, county of registration and number (specify):
Your server will input his/her information here including their name, address and telephone number here.

- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **make sure they date the form also.**

your server's name goes here
(TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)

your server will sign this form stating they served the other party
(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

INFORMATION SHEET FOR PROOF OF PERSONAL SERVICE

Use these instructions to complete the *Proof of Personal Service* (form FL-330).

A person at least 18 years of age or older must serve the documents. There are two ways to serve documents: (1) personal delivery and (2) by mail. See the *Proof of Service by Mail* (form FL-335) if the documents are being served by mail. The person who serves the documents must complete a proof of service form for the documents being served. **You cannot serve documents if you are a party to the action.**

INSTRUCTIONS FOR THE PERSON WHO SERVES THE DOCUMENTS (TYPE OR PRINT IN BLACK INK)

You must complete a proof of service for each package of documents you serve. For example, if you serve the respondent and the other parent, you must complete two proofs of service; one for the respondent and one for the other parent.

Complete the top section of the proof of service forms as follows:

First box, left side: In this box print the name, address, and phone number of the person for whom you are serving the documents.

Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. Use the same address for the court that is on the documents you are serving.

Third box, left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on the documents you are serving.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. This number is also stated on the documents you are serving.

Third box, right side: Print the hearing date, time, and department. Use the same information that is on the documents you are serving.

1. You are stating that you are over the age of 18 and that you are neither a party of this action nor a protected person listed in any of the orders.
2. Print the name of the party to whom you handed the documents.
3. List the name of each document that you delivered to the party.
4.
 - a. Write in the date that you delivered the documents to the party.
 - b. Write in the time of day that you delivered the documents to the party.
 - c. Print the address where you delivered the documents.
5. Check the box that applies to you. If you are a private person serving the documents for a party, check box "a."
6. Print your name, address, and telephone number. If applicable, include the county in which you are registered as a process server and your registration number.
7. You must check this box if you are not a California sheriff or marshal. You are stating under penalty of perjury that the information you have provided is true and correct.
8. Do not check this box unless you are a California sheriff or marshal.

Print your name, fill in the date, and sign the form.

If you need additional assistance with this form, contact the family law facilitator in your county.

ACTUAL
FORMS TO
BE TYPED
OR PRINTED
NEATLY IN
BLACK INK

DIY OR IAN

MENTAL

ON LIVED

BE LIVED

HOW TO

YOUR

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MADERA	
<input checked="" type="checkbox"/> Madera - 200 South G Street, Madera, California 93637 <input type="checkbox"/> Sierra - 40601 Road 274, Bass Lake, CA 93604	
PLAINTIFF/PETITIONER: _____	
DEFENDANT/RESPONDENT: _____	
EX-PARTE DECLARATION	CASE NUMBER: _____

- I, _____, DECLARE,
1. I AM _____ PARTY IN THIS ACTION
 2. PURSUANT TO RULE 2.4.6 OF THE LOCAL RULE OF COURT I HAVE INFORMED _____, OF THIS EX-PARTE APPLICATION REQUESTED BY _____. [COMPLETE A, B OR C below]
 - A. TELEPHONE ON _____ AT _____ A.M. P.M.
 - B. IN PERSON ON _____ AT _____ A.M. P.M.
 - C. OTHER _____
 3. I TOLD _____ THAT _____ WOULD BE BRINGING AN EX-PARTE REQUEST ON _____ AT 8:00 A.M. IN DEPARTMENT _____ OF THE MADERA SUPERIOR COURT. THAT HE/SHE WILL HAVE TO COME TO COURT AT THAT TIME IF HE/SHE OBJECTS TO THIS EX PARTE REQUEST.
 4. a. I HAVE NOT GIVEN NOTICE OF THIS APPLICATION FOR EX PARTE ORDER FOR THE FOLLOWING REASON(S):

 b. GIVING NOTICE WOULD FRUSTRATE THE PURPOSE OF THE ORDER (EXPLAIN IN DETAIL AS TO WHY NOTICE IS NOT GIVEN):
 5. I WILL SUFFER IMMEDIATE AND IRREPARABLE INJURY IF NOTICE IS GIVEN (EXPLAIN IN DETAIL AS TO WHY YOU FEAR GIVING NOTICE):

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 Applicant)

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera STREET ADDRESS: 200 South G Street MAILING ADDRESS: Same CITY AND ZIP CODE: Madera CA 93637 BRANCH NAME: Civil Division	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
REQUEST FOR ORDER <input type="checkbox"/> CHANGE <input type="checkbox"/> TEMPORARY EMERGENCY ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Child Support <input type="checkbox"/> Domestic Violence Order <input type="checkbox"/> Attorney's Fees and Costs <input type="checkbox"/> Property Control <input type="checkbox"/> Other (specify):	CASE NUMBER:

NOTICE OF HEARING

1. TO (name(s)): _____
 Petitioner Respondent Other Parent/Party Other (specify):

2. A COURT HEARING WILL BE HELD AS FOLLOWS:

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Room.:
b. Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):			

3. **WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form FL-320-INFO for more information.)

(Forms FL-300-INFO and DV-400-INFO provide information about completing this form.)

COURT ORDER

(FOR COURT USE ONLY)

It is ordered that:

4. Time for service until the hearing is shortened. Service must be on or before (date):
5. A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date):
6. The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
7. The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
8. Other (specify):

Date: _____

JUDICIAL OFFICER

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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REQUEST FOR ORDER

Note: Place a mark in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* (form MC-031) for this purpose.)

1. **RESTRAINING ORDER INFORMATION**

One or more domestic violence restraining/protective orders are now in effect between (specify):

Petitioner Respondent Other Parent/Party (Attach a copy of the orders if you have one.)

The orders are from the following court or courts (specify county and state):

- a. Criminal: County/state (specify): Case No. (if known):
- b. Family: County/state (specify): Case No. (if known):
- c. Juvenile: County/state (specify): Case No. (if known):
- d. Other: County/state (specify): Case No. (if known):

2. **CHILD CUSTODY**

I request temporary emergency orders

VISITATION (PARENTING TIME)

a. I request that the court make orders about the following children (specify):

Child's Name	Date of Birth	<input type="checkbox"/> Legal Custody to (person who decides: health, education, etc):	<input type="checkbox"/> Physical Custody to (person with whom child lives):
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b. The orders I request for child custody visitation (parenting time) are:

Attachment 2a.

(1) Specified in the attached forms:

- Form FL-305
- Form FL-311
- Form FL-312
- Form FL-341(C)
- Form FL-341(D)
- Form FL-341(E)
- Other (specify):

(2) As follows (specify):

Attachment 2b.

c. The orders that I request are in the best interest of the children because (specify):

Attachment 2c.

d. This is a change from the current order for child custody visitation (parenting time).

(1) The order for legal or physical custody was filed on (date): . The court ordered (specify):

(2) The visitation (parenting time) order was filed on (date): . The court ordered (specify):

Attachment 2d.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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3. CHILD SUPPORT

(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form FL-195))

a. I request that the court order child support as follows:

Child's name and age

I request support for each child Monthly amount (\$) requested based on the child support guideline. (if not by guideline)

Attachment 3a.

b. I want to change a current court order for child support filed on (date):
The court ordered child support as follows (specify):

c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form FL-150) or I filed a current *Financial Statement (Simplified)* (form FL-155) because I meet the requirements to file form FL-155.

d. The court should make or change the support orders because (specify):

Attachment 3d.

4. SPOUSAL OR DOMESTIC PARTNER SUPPORT

(Note: An *Earnings Assignment Order For Spousal or Partner Support* (form FL-435) may be issued.)

a. Amount requested (monthly): \$

b. I want the court to change end the current support order filed on (date):
The court ordered \$ _____ per month for support.

c. This request is to modify (change) spousal or partner support after entry of a judgment.
I have completed and attached *Spousal or Partner Support Declaration Attachment* (form FL-157) or a declaration that addresses the same factors covered in form FL-157.

d. I have completed and filed a current *Income and Expense Declaration* (form FL-150) in support of my request.

e. The court should should make, change, or end the support orders because (specify):

Attachment 4e.

5. PROPERTY CONTROL

I request temporary emergency orders

a. The petitioner respondent other parent/party be given exclusive temporary use, possession, and control of the following property that we own or are buying lease or rent (specify):

b. The petitioner respondent other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:

Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____

c. This is a change from the current order for property control filed on (date):

d. Specify in Attachment 5d the reasons why the court should make or change the property control orders.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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6. ATTORNEY'S FEES AND COSTS
 I request attorney's fees and costs, which total (specify amount): \$ _____ . I filed the following to support my request:
- a. A current *Income and Expense Declaration* (form FL-150).
 - b. A *Request for Attorney's Fees and Costs Attachment* (form FL-319) or a declaration that addresses the factors covered in that form.
 - c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.

7. DOMESTIC VIOLENCE ORDER
- Do not use this form to ask for domestic violence restraining orders! Read form DV-505-INFO, *How Do I Ask for a Temporary Restraining Order*, for forms and information you need to ask for domestic violence restraining orders.
 - Read form DV-400-INFO, *How to Change or End a Domestic Violence Restraining Order* for more information.
- a. The *Restraining Order After Hearing* (form DV-130) was filed on (date): _____
 - b. I request that the court change end the personal conduct, stay-away, move-out orders, or other protective orders made in *Restraining Order After Hearing* (form DV-130). (If you want to change the orders, complete 7c.)
 - c. I request that the court make the following changes to the restraining orders (specify): Attachment 7c.
 - d. I want the court to change or end the orders because (specify): Attachment 7d.

8. OTHER ORDERS REQUESTED (specify): _____ Attachment 8.

9. TIME FOR SERVICE / TIME UNTIL HEARING I urgently need:
- a. To serve the *Request for Order* no less than (number): _____ court days before the hearing.
 - b. The hearing date and service of the the *Request for Order* to be sooner.
 - c. I need the order because (specify): _____ Attachment 9c.

10. FACTS TO SUPPORT the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission. Attachment 10.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)



Requests for Accommodations
 Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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3. **Supervised visitation (parenting time).**
- a. If item 3 is checked, you must attach a declaration that shows why unsupervised visitation (parenting time) would be bad for your children. The judge is required to consider supervised visitation if one parent or party is alleging domestic violence and is protected by a restraining order.
 - b. The person who supervises the visitation (parenting time) must meet the requirements listed in *Declaration of Supervised Visitation Provider* (form FL-324) under Family Code § 3200.5.
 - c. I request that (name): _____ have supervised visitation (parenting time) with the minor children according to the schedule set out on page 1.
 - d. I request that the visitation (parenting time) be supervised by (name): _____ who is a professional nonprofessional supervisor. The supervisor's phone number is (specify): _____
 - e. I request that any costs of supervision be paid as follows: petitioner: _____ percent; respondent: _____ percent; other parent/party: _____ percent.
4. **Transportation for visitation (parenting time) and place of exchange.**
- a. The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
 - b. Transportation to begin the visits will be provided by (name): _____
 - c. Transportation from the visits will be provided by (name): _____
 - d. The exchange point at the beginning of the visit will be (address): _____
 - e. The exchange point at the end of the visit will be (address): _____
 - f. During the exchanges, the party driving the children will wait in the car and the other party will wait in his or her home (or exchange location) while the children go between the car and the home (or exchange location).
 - g. Other (specify): _____
5. **Travel with children.** The petitioner respondent other parent/party must have written permission from the other parent or party, or a court order, to take the children out of the following places:
- a. the state of California.
 - b. the following counties (specify): _____
 - c. other places (specify): _____
6. **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. I request the orders set out on attached form FL-312.
7. **Children's holiday schedule.** I request the holiday and vacation schedule set out on the attached form FL-341(C) Other (specify): _____
8. **Additional custody provisions.** I request the additional orders regarding custody set out on the attached form FL-341(D) Other (specify): _____
9. **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached form FL-341(E) Other (specify): _____
10. **Other.** I request the following additional orders (specify): _____

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera STREET ADDRESS: 200 South G Street MAILING ADDRESS: Same CITY AND ZIP CODE: Madera CA 93637 BRANCH NAME: Civil Division	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
TEMPORARY EMERGENCY (EX PARTE) ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Property Control <input type="checkbox"/> Other (specify):	
CASE NUMBER:	

1. TO (name(s)):

Petitioner Respondent Other Parent/Party Other (specify):

A court hearing will be held on the *Request for Order* (form FL-300) served with this order, as follows:

a. Date:	Time:	Dept.:	Room:
b. Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):			

2. Findings: Temporary emergency (ex parte) orders are needed to: (a) help prevent an immediate loss or irreparable harm to a party or to children in the case, (b) help prevent immediate loss or damage to property subject to disposition in the case, or (c) set or change procedures for a hearing or trial.

COURT ORDERS: The following temporary emergency orders expire on the date and time of the hearing scheduled in (1), unless extended by court order:

3. CHILD CUSTODY

	Temporary physical custody, care, and control to:			
a. Child's name	Date of Birth	Petitioner	Respondent	Other Party/Parent
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continued on Attachment 3(a)

b. **Visitation (Parenting Time)** The temporary orders for physical custody, care, and control of the minor children in (3) are subject to the other party's or parties' rights of visitation (parenting time) as follows (specify):

See Attachment 3(b)

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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3. CHILD CUSTODY (continued)

c. Travel restrictions

- (1) The party or parties with temporary physical custody, care, and control of minor children **must not remove the minor children from the state of California unless the court allows it after a noticed hearing.**
- (2) Petitioner Respondent Other Parent/Party must not remove their minor children (*specify*):
 - (a) from the state of California.
 - (b) from the following counties (*specify*):
 - (c) other (*specify*):

d. Child abduction prevention orders are attached (see form FL-341(B)).

- e. (1) **Jurisdiction:** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).
- (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 is (*specify*):
 - The United States of America Other (*specify*):
- (4) **If you violate this order, you may be subject to civil or criminal penalties, or both.**

4. PROPERTY CONTROL

- a. Petitioner Respondent Other Parent/Party is given exclusive temporary use, possession, and control of the following property that the parties own or are buying lease or rent

- b. Petitioner Respondent Other Parent/Party is ordered to make the following payments on the liens and encumbrances coming due while the order is in effect:

Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:

- 5. All other existing orders, not in conflict with these temporary emergency orders, remain in full force and effect.

- 6. OTHER ORDERS (*specify*): Additional orders are listed in Attachment 6.

Date:

JUDGE OF THE SUPERIOR COURT

THIS IS A COURT ORDER.

TEMPORARY EMERGENCY (EX PARTE) ORDERS

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 (Fam. Code, §§ 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 Custody.** Custody of the minor children of the parties is awarded as follows:

<u>Child's Name</u>	<u>Birth Date</u>	<u>Legal custody to: (person who makes decisions about health, education, etc.)</u>	<u>Physical custody to: (person with whom child lives)</u>
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6. **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 Orders Attachment (form FL-341(B)) must be attached and must be obeyed.*)

7. **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.

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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11. **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.)

12. **Additional custody provisions.** The parties 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.)

13. **Joint legal custody.** The parties 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.)

14. **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.

15. **Other (specify):**

THIS IS A COURT ORDER.

ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406) <i>(Name, State Bar number, and address)</i>	FOR COURT USE ONLY
TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (Name): _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera STREET ADDRESS: 200 South G Street MAILING ADDRESS: Same CITY AND ZIP CODE: Madera CA 93637 BRANCH NAME: Civil Division	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT/PARTY: _____	CASE NUMBER: _____ (If applicable, provide): HEARING DATE: _____ HEARING TIME: _____ DEPT.: _____
PROOF OF PERSONAL SERVICE	

1. I am at least 18 years old, not a party to this action, and not a protected person listed in any of the orders.
2. Person served (name): _____
3. I served copies of the following documents (specify): _____

4. By personally delivering copies to the person served, as follows:
 - a. Date: _____ b. Time: _____
 - c. Address: _____

5. I am
 - a. not a registered California process server.
 - b. a registered California process server.
 - c. an employee or independent contractor of a registered California process server.
 - d. exempt from registration under Business & Profession Code section 22350(b).
 - e. a California sheriff or marshal.

6. My name, address, and telephone number, and, if applicable, county of registration and number (specify): _____

7. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
8. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: _____

 (TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)

 (SIGNATURE OF PERSON WHO SERVED THE PAPERS)

PROOF OF PERSONAL SERVICE

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail. The records should be kept up-to-date and should be easily accessible to all relevant parties.

2. The second part of the document outlines the various methods used to collect and analyze data. These methods include interviews, surveys, and focus groups. Each method has its own strengths and weaknesses, and it is important to choose the most appropriate method for the specific research objectives.

3. The third part of the document describes the process of data analysis. This involves identifying patterns and trends in the data, and then interpreting these findings in the context of the research objectives. It is important to use a systematic and transparent approach to data analysis to ensure the reliability of the results.

4. The fourth part of the document discusses the importance of reporting the results of the research. This involves presenting the findings in a clear and concise manner, and providing a detailed explanation of the methods used and the limitations of the study. It is important to be honest and transparent in reporting the results, and to acknowledge any potential biases or limitations.

5. The fifth part of the document concludes the report and provides a summary of the key findings. It also offers some recommendations for future research and for the implementation of the findings in practice. The overall goal of the report is to provide a comprehensive and objective overview of the research project.

6. The sixth part of the document provides a detailed description of the research methodology. This includes a description of the research design, the selection of participants, and the procedures used to collect and analyze the data. It is important to provide a clear and detailed description of the methodology to ensure the reproducibility of the study.

7. The seventh part of the document discusses the ethical considerations of the research. This includes a discussion of the potential risks and benefits of the study, and the steps taken to minimize any potential risks. It is important to ensure that the research is conducted in a responsible and ethical manner, and that the rights and interests of all participants are protected.

8. The eighth part of the document provides a detailed description of the data analysis process. This includes a description of the statistical methods used, and the results of the analysis. It is important to provide a clear and detailed description of the data analysis process to ensure the transparency and reliability of the results.

9. The ninth part of the document discusses the implications of the research findings. This includes a discussion of the potential impact of the findings on practice, and the implications for future research. It is important to consider the broader context of the research and to discuss the implications of the findings in a thoughtful and informed manner.

DO NOT COMPLETE THE
RESPONSIVE DECLARATION
AFTER THIS SHEET.
IT MUST BE SERVED ON THE
OTHER PARTY WITH THE
REQUEST FOR ORDER.

- 1** If you received a *Request for Order* (form FL-300),
- Carefully read the papers you received to make sure you understand what orders are being requested.
 - Note the date, time, and location of the court hearing.
 - Check to see if the court ordered a specific date for filing and serving your *Responsive Declaration to Request for Order* (form FL-320).
 - If you need more time before the hearing to prepare a responsive declaration or talk with a lawyer, you may ask the court to continue the hearing date. For more information, consult with a lawyer or contact the the Family Law Facilitator or Self-Help Center in your court (see item **16**).

- 2** **USE *Responsive Declaration to Request for Order* (form FL-320)**
- Use form FL-320 to let the court and the other party know that you agree or disagree with each of the requests made in the *Request for Order* (form FL-300).
- If you disagree, use form FL-320 to describe the orders you would like the court to make.
 - If you do not file and serve form FL-320, the court can still make orders without your input.

- 3** **DO NOT USE *Responsive Declaration to Request for Order* (form FL-320) to:**
- Ask for court orders that were not requested in the *Request for Order* (form FL-300). Instead, file and serve your own *Request for Order* (form FL-300) to ask for orders about other issues.
 - Respond to *Request for Domestic Violence Restraining Order* (form DV-100). Instead, you must use *Response to Request for Domestic Restraining Order* (form DV-120).

4 **Forms checklist**

- a. Form FL-320, *Responsive Declaration to Request for Order* is the basic form you need. Depending on the requests made in the *Request for Order* (form FL-300), you may need other forms.
- b. For child custody or visitation (parenting time) orders, you may need to complete some of these forms:
- FL-105, *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act*
 - FL-311, *Child Custody and Visitation (Parenting Time) Application Attachment*
 - FL-312, *Request for Child Abduction Prevention Orders*
 - FL-341(C), *Children’s Holiday Schedule Attachment*
 - FL-341(D), *Additional Provisions—Physical Custody Attachment*
 - FL-341(E), *Joint Legal Custody Attachment*
- c. For child support, you need:
- A current form FL-150, *Income and Expense Declaration*. You may use form FL-155, *Financial Statement (Simplified)* instead of form FL-150 if you meet the requirements listed on page 2 of form FL-155.
- Notice:*
- The court will order child support based on the income of the parents.
 - Child support normally continues until the child is 18 years and has graduated from high school.
 - You must give the court information about your finances. If you do not, the child support order will be based on information about your income that the court receives from other sources.
- d. For spousal or domestic partner support or orders about your finances, you need these forms:
- FL-150, *Income and Expense Declaration*
 - FL-157, *Spousal or Partner Support Declaration Attachment* (if the request is to change a support judgment)
- e. For attorney’s fees and costs, you need these forms:
- FL-150, *Income and Expense Declaration*
 - FL-158, *Supporting Declaration for Attorney’s Fees and Costs* (or provide the information in a declaration)
 - FL-319, *Request for Attorney’s Fees and Costs Attachment* (or provide the information in a declaration)
- f. If you plan on having witnesses testify at the hearing, you need this form:
- FL-321, *Witness List*



To respond to a *Request for Order*, you must:
Complete caption of the form

5 Complete the top portion including your name, address, and telephone number, the court address, the name of all the parties in the case, and the case number. Also, print or type the same hearing date, time, and department that appears on the *Request for Order* (form FL-300).

6 **Specify a response to orders requested**

Items 1–9: Each item on the form matches the item numbers on the *Request for Order* (form FL-300). Complete item 1. Next, mark the same box that is marked on form FL-300. Then, specify if you consent (agree) or do not consent to (disagree with) the orders requested. If you disagree, describe the order you would like the court to make. *Note: you may file one form FL-150 to respond to items 3, 4, and 6.*

Item 10: Use the space to explain your responses to items 1–9. Include the reasons why you do not agree with the orders requested by the other party and why the court should make the orders you described. If you need more space, write your responses on a separate sheet of paper and attach it to the form (*Attached Declaration* (form MC-031) may be used for this purpose).

Sign and date: Print your name, sign, and write the date you signed form FL-320.

7 **Next steps: file or serve your paperwork**

You must file your paperwork with the court clerk at least 9 court days before the hearing. If the court orders a shorter time to file your papers, file them by the date specified in the order.

Make 2 copies of your original paperwork. Then, do one of the following before the filing deadline:

- Take your paperwork and copies to the court clerk to process (or e-file them, if available in your county). The clerk will keep the original and give you back copies with a court stamp on them. Have a stamped copy served; or
- Have an unstamped copy of your paperwork served *before* you take (or e-file) the originals and copies to the court clerk to file. Be sure the original documents are not served.

PARTY WITHOUT ATTORNEY OR ATTORNEY		STATE BAR NO.	FL-320
NAME		FOR COURT USE ONLY	
RESIDENCE			
STREET ADDRESS			
CITY	STATE	ZIP CODE	
TELEPHONE NO.	FAX NO. (optional)		
E-MAIL ADDRESS			
ATTORNEY'S OFFICE			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS			
CITY AND ZIP CODE			
BRANCH OFFICE			
PETITIONER:			
RESPONDENT:			
OTHER PARTY/PARTY:			
RESPONSIVE DECLARATION TO REQUEST FOR ORDER			CASE NUMBER
HEARING DATE	TIME	DEPARTMENT OR ROOM	

Read Information Sheet: *Responsive Declaration to Request for Order* (form FL-320-INFO) for more information about this form.

- RESTRAINING ORDER INFORMATION**
 - No domestic violence (restraining/protective orders are now in effect between the parties in this case.
 - I agree that one or more domestic violence restraining/protective orders are now in effect between the parties in this case.
- CHILD CUSTODY VISITATION (PARENTING TIME)**
 - I consent to the order requested for child custody (legal and physical custody)
 - I consent to the order requested for visitation (parenting time).
 - I do not consent to the order requested for child custody visitation (parenting time) but I consent to the following order:
- CHILD SUPPORT**
 - I have completed and filed a current *Income and Expense Declaration* (form FL-150) or, if eligible, a current *Financial Statement (Simplified)* (form FL-150) to support my responsive declaration.
 - I consent to the order requested.
 - I consent to the order requested.
 - I do not consent to the order requested but I consent to the following order:
- SPOUSAL OR DOMESTIC PARTNER SUPPORT**
 - I have completed and filed a current *Income and Expense Declaration* (form FL-150) to support my responsive declaration.
 - I consent to the order requested.
 - I do not consent to the order requested but I consent to the following order:

Form Adopts for Mandatory Use
 Judicial Council of California
 FL-320 (Rev. July 1, 2016)

RESPONSIVE DECLARATION TO REQUEST FOR ORDER

Page 1 of 3
 Code of Civil Procedure, § 1505
 Cal. Rules of Court, rule 5.92
 www.court.ca.gov

8 **Pay filing fees**

Generally, you do not have to pay a fee to file the *Responsive Declaration*. However, if you have never filed any papers in the case, you may have to pay a “first appearance fee,” which, in general, everyone has to pay when filing court papers in a case for the first time.

If you cannot afford to pay the filing fee, you can ask the court to waive the fees. To do so, complete and file form FW-001, *Request to Waive Court Fees* and form FW-003, *Order on Court Fee Waiver*.

9 **Serve your papers on the other party**

“Service” is the act of giving your legal papers to all persons named as parties in the case so that they know what orders you want the court to make. Note: If a party has a lawyer in the case, the papers should be served on that party’s lawyer.



10 How to “serve”

Server. You cannot serve the papers. Have someone else (who is at least 18 years old) do it. The “server” can be a friend, a relative who is not involved in your case, a county sheriff, or a professional process server.

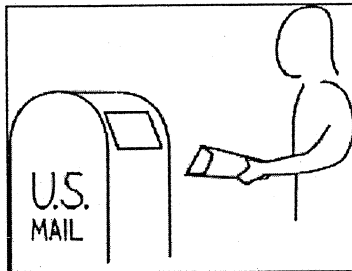
Personal service.

Your papers may be served by “personal service.” “Personal service” means that your “server” walks up to each person to be served, makes sure he or she is the right person, and then gives a copy of all the papers to him or her.



Service by mail.

“Service by mail” means that your “server” places copies of all the documents in a sealed envelope and mails them to the address of each party being served (or to the party’s lawyer, if he or she has one.) The server must be 18 years of age or over and must live or work in the county where the mailing took place.



11 Deadline for service

Personal service or service by mail on the other party must be completed at least *9 court days* before the court hearing. If the court has ordered a shorter time to serve your responsive papers, be sure to have them served by the date specified in the court order.

12 Server must complete a Proof of Service

After personal service, the server should complete a form FL-330, Proof of Personal Service. Form FL-330-INFO, Information Sheet for Proof of Personal Service has instructions to help the person complete the form.

After service by mail, the server should complete form FL-335, Proof of Service by Mail. Form FL-335-INFO, Information Sheet for Proof of Service by Mail has instructions to help the person complete the form.

13 File the Proof of Service before your hearing date

The *Proof of Service* shows the judge that the person received a copy of your *Responsive Declaration to Request for Order*. Make three copies of the completed *Proof of Service*. Take the original and copies to the court clerk as soon as possible **before your hearing**.

The clerk will keep the original and give you back the copies stamped “Filed.” Bring a copy stamped “Filed” to your hearing. (If unstamped copies of your paperwork were served, you can file the completed *Proof of Service* when you file the original *Responsive Declaration*.)

14 Participate in child custody mediation or child custody recommending counseling

If the *Request for Order* includes a court order for you to attend mediation or child custody recommending counseling, the date, time, and location is found on page 1 of the *Request for Order*. For more information, read *Child Custody Information Sheet* (form FL-313-INFO or form FL-314-INFO).

15 Get ready for your hearing

- Take at least two copies of your documents and filed forms to the hearing. Include a filed *Proof of Service* form.
- Find more information about preparing for the hearing at www.courts.ca.gov/1094.htm.

16 Still have questions or need help?

- Contact the Family Law Facilitator or Self-Help Center for information, local rules, and referrals to local legal services providers. Go to <http://www.courts.ca.gov/1083.htm/>.
- Talk to a lawyer if you want legal advice, someone to go to court with you, or other legal help. Find an attorney through your local bar association, the State Bar of California at calbar.ca.gov, or the Lawyer Referral Service at 1-866-442-2529.
- For free and low-cost legal help (if you qualify), go to lawhelpcalifornia.org.

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Madera STREET ADDRESS: 200 South G Street MAILING ADDRESS: Same CITY AND ZIP CODE: Madera CA 93637 BRANCH NAME: Civil Division	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
RESPONSIVE DECLARATION TO REQUEST FOR ORDER	CASE NUMBER:
HEARING DATE: TIME: DEPARTMENT OR ROOM:	

Read *Information Sheet: Responsive Declaration to Request for Order* (form FL-320-INFO) for more information about this form.

1. RESTRAINING ORDER INFORMATION
 - a. No domestic violence restraining/protective orders are now in effect between the parties in this case.
 - b. I agree that one or more domestic violence restraining/ protective orders are now in effect between the parties in this case.

2. CHILD CUSTODY
 VISITATION (PARENTING TIME)
 - a. I consent to the order requested for child custody (legal and physical custody).
 - b. I consent to the order requested for visitation (parenting time).
 - c. I do not consent to the order requested for child custody visitation (parenting time)
 but I consent to the following order:

3. CHILD SUPPORT
 - a. I have completed and filed a current *Income and Expense Declaration* (form FL-150) or, if eligible, a current *Financial Statement (Simplified)* (form FL-155) to support my responsive declaration.
 - b. I consent to the order requested.
 - c. I consent to guideline support.
 - d. I do not consent to the order requested but I consent to the following order:

4. SPOUSAL OR DOMESTIC PARTNER SUPPORT
 - a. I have completed and filed a current *Income and Expense Declaration* (form FL-150) to support my responsive declaration.
 - b. I consent to the order requested.
 - c. I do not consent to the order requested but I consent to the following order:

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
---------------------------------------------------	--------------

5. PROPERTY CONTROL
- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:
-
6. ATTORNEY'S FEES AND COSTS
- a. I have completed and filed a current *Income and Expense Declaration* (form FL-150) to support my responsive declaration.
- b. I have completed and filed with this form a *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.
- c. I consent to the order requested.
- d. I do not consent to the order requested but I consent to the following order:
-
7. DOMESTIC VIOLENCE ORDER
- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:
-
8. OTHER ORDERS REQUESTED
- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:
-
9. TIME FOR SERVICE / TIME UNTIL HEARING
- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:
-
10. FACTS TO SUPPORT my responsive declaration are listed below. The facts that I write and attach to this form cannot be longer than 10 pages, unless the court gives me permission. Attachment 10.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date:

 (TYPE OR PRINT NAME)



 (SIGNATURE OF DECLARANT)