

THERE WILL BE NO REFUNDS OR EXCHANGES ON THE PURCHASE OF SUPERIOR COURT FORMS OR PACKETS



SUPERIOR COURT OF CALIFORNIA
County of Kings
1640 Kings County Drive, Hanford, CA 93230
(559) 582-1010

PETITION FOR GRANDPARENT VISITATION PACKET



Online Assistance: www.courts.ca.gov/selfhelp.htm
The California Courts Self-Help Center

E-file California: <https://www.kings.courts.ca.gov/online-services/online-case-filing>

Kings County Superior Court: www.kings.courts.ca.gov

Hours of Operation (Except for Court Holidays): Monday – Friday 8:00a.m. to 4:00p.m.

FORMS INCLUDED IN THIS PACKET	
Summons	Judicial Council Form SUM-100
Petition for Grandparent Visitation	Local Form
Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)	Judicial Council Form FL-105
Information Sheet for Request for Order	Judicial Council Form FL-300-INFO
Request for Order	Judicial Council Form FL-300
Child Custody and Visitation (Parenting Time) Application Attachment	Judicial Council Form FL-311
Filing Fee: • Petition for Grandparent Visitation • Request for Order	\$435.00 60.00

SUMMONS

(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.*

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):

CASE NUMBER:
(Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

DATE: _____ Clerk, by _____, Deputy _____
(Fecha) (Secretario) _____ (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.

2. as the person sued under the fictitious name of (specify):

3. on behalf of (specify):

under: <input type="checkbox"/> CCP 416.10 (corporation) <input type="checkbox"/> CCP 416.20 (defunct corporation) <input type="checkbox"/> CCP 416.40 (association or partnership) <input type="checkbox"/> other (specify): _____	<input type="checkbox"/>	CCP 416.60 (minor) <input type="checkbox"/> CCP 416.70 (conservatee) <input type="checkbox"/> CCP 416.90 (authorized person)
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4. by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) TELEPHONE NO.:		For Court Use Only
ATTORNEY FOR (NAME): SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF KINGS STREET ADDRESS: 1640 Kings County Drive MAILING ADDRESS: (same) CITY AND ZIP CODE: Hanford, CA 93230		
PETITIONER/PLAINTIFF:		
RESPONDENT/DEFENDANT:		
PETITION FOR GRANDPARENT VISITATION		CASE NUMBER:

Petitioner(s) allege(s):

1. Petitioner(s) is (are) (specify): maternal paternal grandfather grandmother

Of the minor children listed below:

<u>Child's name</u>	<u>Birthdate</u>	<u>Gender (M/F)</u>	<u>Currently living with (person/s)</u>	<u>County</u>

2. Petitioner has standing to bring this petition because (must mark one):

- a. Parents are not married to each other
- b. The parents are married to each other and one or more of the following exist:
 - Currently living separately and apart on a permanent or indefinite basis
 - One of the parents has been absent for more than one month without the other spouse knowing the whereabouts of the absent parent.
 - One of the parents joins in the petition with the grandparents (signature attached).
 - The child is not residing with either parent.
 - The child has been adopted by a stepparent.
 - One of the parents is incarcerated or involuntarily institutionalized.

3. There is a pre-existing relationship and bond between the grandparent(s) and the grandchild(ren) such that visitation is the best interest of the child(ren), as described below:

4. Describe the relationship between the child(ren) and the grandparent(s), explain why visitation is in the child(ren)'s best interest, and include all facts supporting the requested visitation orders below:

5. A completed Summons and declaration under the Uniform Child Custody Jurisdiction and Enforcement Act is attached.
6. Petitioner(s) request(s) that the court grant reasonable visitation with the above named child(ren), and such other relief as the court may deem appropriate, pursuant to Family Code Section 3103.

Date: _____

Type or print name

Signature of Petitioner

Type or print name

Signature of Petitioner

PARENT CONSENT TO PETITIONER'S BEQUEST FOR GRANDPARENT VISITATION

I consent to and join in this Petition for Grandparent Visitation.

Date:

Type or print name

Signature of parent of minor child(ren)

ATTORNEY OR PARTY WITHOUT ATTORNEY		STATE BAR NUMBER:		FOR COURT USE ONLY
NAME:	FIRM NAME:	STATE:	ZIP CODE:	
STREET ADDRESS:		FAX NO.:		
CITY:	TELEPHONE NO.:			
EMAIL ADDRESS:				
ATTORNEY FOR (name):				
SUPERIOR COURT OF CALIFORNIA, COUNTY OF				
STREET ADDRESS:				
MAILING ADDRESS:				
CITY AND ZIP CODE:				
BRANCH NAME:				
<i>(This section applies to cases other than probate guardianships.)</i>				
PETITIONER:				
RESPONDENT:				
OTHER PARTY:				
CHILD'S NAME (Juvenile cases only):				
<i>(This section applies only to probate guardianship cases.)</i>				
GUARDIANSHIP OF (name):				
Minor				
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)				

1. I am (check one): a party to this proceeding to determine custody of a child the authorized representative of the agency, which is a party to this proceeding to determine custody of a child.

2. There are (specify number): minor children who are subject to this proceeding, as follows (list oldest child first):

Full Name	Date of birth	Place of birth (city and state)
a.		
b.		
c.		
d.		

Check this box if you need to list more children. (On form MC-020 or a separate piece of paper, write "FL-105, Attachment 2, Additional Children" at the top, provide all requested information for each additional child, and attach to this form.)

3. a. Check this box if there is only one child or if all of the children listed in item 2 have lived together for the past five years. (Provide the current address of the child listed in item 2a and their residence history for the past five years. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)

Dates of residence (Month/Year)		Residence (City, State)	Person child lived with and complete current address	Relationship
From:	To present	<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			

Additional addresses are listed on Attachment 3a. (Form MC-020 may be used for this purpose.)

b. Check this box if there is more than one child and all the children have not lived together for the past five years. (Attach form FL-105(A)/GC-120(A) and list each other child's current address and their residence history for the past five years.)

Page 1 of 2

CASE NAME:	CASE NUMBER:
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4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

Yes No (If yes, attach a copy of the orders if you have one and provide the following information):

Proceeding	Case number	Court (name, state or tribe, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Probate Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state or tribe, location)
d. <input type="checkbox"/> Juvenile		
e. <input type="checkbox"/> Adoption		

5. One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State or Tribe	Case Number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody of or claims to have rights to custody of or visitation with any child in this case? Yes No (If yes, provide the following information):

a. Name and address of person: b. Name and address of person: c. Name and address of person:

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Has physical custody Has physical custody Has physical custody
 Claims custody rights Claims custody rights Claims custody rights
 Claims visitation rights Claims visitation rights Claims visitation rights

Name of each child:

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Name of each child:

Name of each child:

7. Number of pages attached: _____

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

Date:



(NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

FL-300-INFO Information Sheet for Request for Order

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.
- When *Restraining Order After Hearing* (form DV-130) has expired, and you want to change the orders that are still in effect (examples: child custody, visitation (parenting time), child support, and other orders).
- To change or end *Juvenile Restraining Order After Hearing* (form JV-255) when the case is closed (dismissed) and the order was granted under the Code of Civil Procedure.

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

- To ask for a restraining order against your spouse or domestic partner, a former spouse or domestic partner, or someone you have a child with. Read *How to Ask for a Temporary Restraining Order* (form DV-505-INFO).
- To ask to change or end a *Restraining Order After Hearing* granted under the Domestic Violence Prevention Act, including form DV-130 and form JV-255 in a juvenile case. For more information, read *How Do I Ask to Change or End a Domestic Violence Restraining Order?* (form DV-300-INFO).
- Before you have filed a Petition to start your family law 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 selfhelp.courts.ca.gov/family-law/agreements, 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 other orders. For example, to ask 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 the forms listed in items b through h, below:
- 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 may need or want to use these forms:
 - A current FL-150, Income and Expense Declaration
 - FL-157, Spousal or Partner Support Declaration Attachment
- 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)

(*The above forms are not required when asking for attorney's fees and costs under the Domestic Violence Prevention Act.)
- f. To request temporary emergency (ex parte) orders, you need these forms:
 - 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 may want to use:
 - 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



FL-300-INFO Information Sheet for Request for Order

4 Complete form FL-300 (Page 1)

Caption: Complete the top part with your name, address, and telephone number. Below that, fill in the court's address.

Write the name of the Petitioner, Respondent, or Other Parent/Party. (You must use the party names as they appear in the petition.)

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 the boxes that apply to the orders you are requesting. Finally, in the box on the right, write your case number.

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.

The form is a "Request for Order" (FL-300) from the Superior Court of California. It is a multi-page document with the following sections:

- PARTY WITHOUT ATTORNEY OR ATTORNEY:** Fields for name, address, phone number, and attorney information.
- STATE BAR NUMBER:** For the attorney.
- FOR COURT USE ONLY:** A large box for the court's use.
- SUPERIOR COURT OF CALIFORNIA, COUNTY OF:** Fields for street address, mail address, and city and zip code.
- BRANCH NAME:** For the court's use.
- PETITIONER, RESPONDENT, OTHER PARENT/PARTY:** Fields for name and address.
- REQUEST FOR ORDER:** Options for "CHANGE" (checkbox), "TEMPORARY EMERGENCY ORDERS" (checkbox), and "Other (specify)" (text box). Sub-options include Child Custody, Visitation (Parenting Time), Spousal or Partner Support, Property Control, and Attorney's Fees and Costs.
- CASE NUMBER:** For the court's use.
- NOTICE OF HEARING:** Fields for "TO (name(s))" (Petitioner, Respondent, Other Parent/Party, Other (specify)) and "Date" (checkbox).
- 2. A COURT HEARING WILL BE HELD AS FOLLOWS:** Fields for "Date" (checkbox), "Time" (checkbox), "Dept." (checkbox), and "Room" (checkbox). Sub-options include "Address of court" (checkbox) and "same as noted above" (checkbox).
- 3. WARNING TO THE PERSON SERVED WITH THE REQUEST FOR ORDER:** Text stating that 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.)
- COURT ORDER:** A section for the court to enter an order. It includes a "Note" about service and a "Court Order" section with checkboxes for time, date, and location.
- REQUEST FOR ORDER:** A section for the court officer to sign and date.
- Page 1 of 4** (bottom right corner).

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.

FL-300-INFO Information Sheet for Request for Order

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 or irreparable harm to a party or children in the case, or an immediate loss or damage to property.

Under Family Code section 3064, "immediate harm to a child" includes, but is not limited to, a child:

- *Whose parent has committed acts of domestic violence; or*
- *Who is a victim of sexual abuse.*

When deciding whether there is immediate harm to a child, the court will consider whether a parent has illegal access to firearms or ammunition.

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 forms required by local court rules.
- Follow your court's local procedures for reserving the day for the hearing, submitting your paperwork, and paying filing fees.

- Copy of 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 the right person is served, and then hand-delivers a copy of all the papers (and the blank forms). If the person served does not take the papers, the server may leave the papers near the person.



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

14 "Service by mail" 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 the party 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 selfhelp.courts.ca.gov/court-based-self-help-services.

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, 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.



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 the person 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 them 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 them *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.
- For information about preparing for and presenting your case at the hearing, visit these two online resources: selfhelp.courts.ca.gov/tips-your-day-court and selfhelp.courts.ca.gov/debt-lawsuits/trial/present-case.
- Information about having the other party or witnesses testify in court (including information about subpoenas) is online at selfhelp.courts.ca.gov/request-for-order/notice-attcncl-subpoena.

17 After the hearing, form FL-340 Findings and Order After Hearing, must be completed, 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 www.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 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 selfhelp.courts.ca.gov/court-based-self-help-services.

PARTY WITHOUT ATTORNEY OR ATTORNEY		STATE BAR NUMBER:	FOR COURT USE ONLY	
NAME:				
FIRM NAME:				
STREET ADDRESS:				
CITY:	STATE:	ZIP CODE:		
TELEPHONE NO.:	FAX NO.:			
EMAIL ADDRESS:				
ATTORNEY FOR (name):				
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	CASE NUMBER:
<input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Child Support <input type="checkbox"/> Property Control <input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Attorney's Fees and Costs		

Note: Read form FL-300-INFO for information about how to complete this form. To ask to change or end an order that was granted in a Restraining Order After Hearing (form DV-130 or JV-255), read form FL-300-INFO and form DV-300-INFO

NOTICE OF HEARING

1. TO (name): _____
 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.)

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

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REQUEST FOR ORDER

Note: Place a mark **X** 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. <input type="checkbox"/> Criminal: County/state (specify):	Case No. (if known):
b. <input type="checkbox"/> Family: County/state (specify):	Case No. (if known):
c. <input type="checkbox"/> Juvenile: County/state (specify):	Case No. (if known):
d. <input type="checkbox"/> 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

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.

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2. 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):

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 2d.

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.

Attachment 3a.

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 make, change, or end the support orders because (specify): Attachment 4e.

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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.

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

7. OTHER ORDERS REQUESTED (specify):

Attachment 7.

8. 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 *Request for Order* to be sooner.

c. I need the order because (specify):

Attachment 8.

9. 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 9.

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 courts.ca.gov/forms for *Disability Accommodations Request* (form MC-410). (Civ. Code, § 54.8.)

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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):

This section is for information only and is not a part of your request for orders:

California's public policies and law on child custody and visitation include that:

- In general, children should have frequent and continuing contact with their parents, and parents should be encouraged to share the responsibility of raising their children, except when domestic abuse has happened or contact with a parent is not in the best interests of the children.
- When making any orders about physical and legal custody and visitation (parenting time), the court must consider the best interests of the child, which primarily include the health, safety, and welfare of the child.
- If a parent has been abusive, judges use laws to help protect children when deciding to make orders about child custody and visitation (parenting time). A judge may deny an abusive parent custody or unsupervised visitation with a child.
- Children have the right to be safe and free from abuse.
- A child's exposure to domestic violence and domestic violence committed where a child lives are detrimental to the health, safety, and welfare of the child.
- For more information, read selfhelp.courts.ca.gov/child-custody/#best-interest and selfhelp.courts.ca.gov/domestic-violence-child-custody

Complete items 1 through 13 that apply to your request for orders.

1. **Minor Children**

Child's name

Birthdate

Age

Attachment 1.

2. **Custody** of the minor children is requested as follows:

a. Physical custody of children to.....
(The person with whom the child will regularly live)
b. Legal custody of children to
(The person who decides about the child's health, education, and welfare)

Note: To ask the court for joint legal custody orders that specify when the parents must agree before making decisions (for example, before choosing or changing the children's school, doctor, or religious or school activities), use *Joint Legal Custody Attachment* (form FL-341(E)) or a document that includes the same content as form FL-341(E).

To learn about physical and legal custody, go to selfhelp.courts.ca.gov/child-custody.

c. There are allegations of a history of abuse or substance abuse in this case. *(You must complete item 5.)*
d. Other (specify):

3. **Visitation (Parenting Time)** I request that the court order (check one):

a. Reasonable right of visitation (parenting time) to the party in item 2a without physical custody, including but not limited to, virtual visitation. **(Not appropriate in cases involving domestic violence and substance abuse).**
b. Visitation (parenting time) as described in the attached _____-page document dated (specify date):
c. The visitation schedule in item 4 that includes in-person, virtual, other visitation.
d. Supervised visitation. *(You must complete item 6.)*
e. No visitation (parenting time) to the person without physical custody for the reasons described in item 13.

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

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4. Petitioner's Respondent's Other Parent's/Party's visitation (parenting time) will be (check all that apply):

a. In person, as follows (Specify start and ending date and time. If applicable, check "start of" OR "after school"):

(1) Weekends starting (date):

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

Weekend	Day(s)	Times	Start of (or After) School (if applicable)
<input type="checkbox"/> 1st	from _____ to _____	at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after <input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 2nd	from _____ to _____	at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after <input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 3rd	from _____ to _____	at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after <input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 4th	from _____ to _____	at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after <input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 5th	from _____ to _____	at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. at _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after <input type="checkbox"/> start of <input type="checkbox"/> after

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

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

(2) Alternate weekends starting (date):

(Specify day(s) from _____ at _____ a.m. p.m. start of after and times): to _____ at _____ a.m. p.m. start of after

(3) Weekdays starting (date):

(Specify day(s) from _____ at _____ a.m. p.m. start of after and times): to _____ at _____ a.m. p.m. start of after

(4) Other visitation (parenting time) days and restrictions are listed in Attachment 4a(4)
 as follows:

b. Virtual visitation

I ask that the court order virtual visitation as described in Attachment 4b. below:

Virtual visitation means using audiovisual electronic technology (like a smartphone, tablet, smart watch, or computer) for a parent and a child to see and hear each other. Learn more about how to have safe virtual visits at selfhelp.courts.ca.gov/child-custody/virtual-visitation.

c. Other ways that visitation (parenting time) can happen that are in the best interests of the child (specify):

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5. **Child custody and visitation when there are allegations of a history of abuse or substance abuse**

a. **Allegations**

(1) Petitioner Respondent Other parent/party is (or are) alleged to have a history of abuse against any of the following persons: a child, the other parent, their current spouse, or the person they live with or are dating or engaged to.

(2) Petitioner Respondent Other parent/party is (or are) alleged to have the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.

b. **Child custody**

(1) I ask that the court NOT order sole or joint custody of the minor child to the party or parties in 5a.

(2) Even though there are allegations, I ask that the court make the child custody orders in item 4.

(Write the reasons why you think it would be in the best interests of the child that the party or parties be granted child custody, even though there are allegations against them of a history of abuse or substance abuse. The orders that you request about child custody or visitation must also be specific as to time, day, place, and manner of transfer (exchange) of the child, as Family Code sections 3011(a)(5)(A) and 6323(c) require.)

Below: Attachment 5b(2) Other (specify):

c. **Visitation (Parenting Time)**

(1) I ask that the court order supervised visitation as specified in item 6.

(2) I ask that the court order unsupervised visitation to the party or parties as specified in item 4.

(A) Even though there are allegations of a history of abuse or substance abuse, I request that the court order unsupervised visitation to (specify): petitioner respondent other parent/party.

(B) The reasons why the court should make the orders are

(Write the reasons why you think it would be in the best interests of the child that the party or parties be granted unsupervised visitation (parenting time) even though there are allegations against them of a history of abuse or substance abuse. The orders that you request about child custody or visitation must also be specific as to time, day, place, and manner of transfer (exchange) of the child, as Family Code sections 3011(a)(5)(A) and 6323(c) require.)

Below: In Attachment 5c(2)(B) Other (specify):

(3) Other (specify):

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6. **Supervised visitation (parenting time)**(To learn about supervised visitation, go to: selfhelp.courts.ca.gov/guide-supervised-visitation.)

a. I ask that petitioner respondent other parent/party have supervised visitation with the minor children.

b. The reasons why the court should make the orders are (specify):

(Write the reasons why you think unsupervised visitation (parenting time) would NOT be in the best interest of the child.)

Below In Attachment 6b Other (specify):

c. I ask that the visitations be monitored by (name, if known):

The provider's phone number is (specify):

(1) The person or agency is a professional provider.

(A) A professional provider must meet the requirements listed in *Declaration of Supervised Visitation and Exchange Services Provider (Professional)* (form FL-324(P)) and sign the declaration.

(B) Professional provider fees to be paid by: petitioner: percent. respondent: percent.
other parent/party: percent.

(2) The person is a nonprofessional provider. The person must meet the requirements listed in *Declaration of Supervised Visitation and Exchange Services Provider (Nonprofessional)* (form FL-324(NP)).

d. Location of supervised visitation. I request that supervised visitation be (check one):

(1) In person at a safe location.

(2) Virtual visitation (not in person).

(3) Other (describe):

e. Schedule for supervised visitation (specify):

(1) Once a week, for (number of hours for each visit):

(2) Two times each week, for (number of hours for each visit):

(3) As specified in item 4.

(4) Other (describe):

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

Note: In cases of domestic violence, the court must have enough information to make orders that are specific as to the time, day, place, and manner of transfer (exchange) of the child for custody and visitation under Family Code section 6323(c).

a. The children must be driven only by a licensed and insured driver. The vehicle must be legally registered with the Department of Motor Vehicles and must have child restraint devices properly installed, as required by law.

b. Transportation to begin the visits will be provided by (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 the home (or exchange location) while the children go between the car and the home (or exchange location).

g. Other (specify):

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8. **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 state of California.
- the following counties (*specify*):
- other places (*specify*):

9. **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.

10. **Child custody mediation**
I request an order for the parties to go to child custody mediation or child custody recommending counseling (*specify date, time, and location, if applicable*):

Note: Parents with a family court case who do not agree about child custody or visitation are required to attend mediation to try to develop a parenting plan that is in the best interest of their child. A party who alleges domestic violence in a written declaration under penalty of perjury or who is protected by a protective order may ask the mediator or child custody recommending counselor to meet with the parties separately and at separate times. A court order for separate sessions is not required.

11. **Children's holiday schedule.** I request the holiday and vacation schedule set out below on form FL-341(C)

12. **Additional custody provisions.** I request the additional orders for custody set out below on form FL-341(D)

13. **Other (*specify*):**