

ESTABLISHING OR MODIFYING ORDERS FOR CUSTODY/VISITATION:

How to Prepare Your Legal Papers

- While you are waiting for class to begin, please:
- Mute your audio
- Print the class documents. Go to “Family Law Court Resources,” “Family Law Facilitator Classes”:
www.santabarbara.courts.ca.gov

Have a pen and paper available

- Be ready to start promptly at 10:30 a.m.

Thank you!

Orders for custody/visitation:

Santa Barbara County Superior Court
Deborah K Mullin, J.D.

Preparation of legal papers to go
to court



How can we help you...

FAMILY LAW FACILITATOR

805.882.4660

www.sbcourts.org

[Email: SBFLF@sbcourts.org](mailto:SBFLF@sbcourts.org)

- Court attorney who can help you better represent yourself
- Available to either side
- Nothing is confidential
- Can help you with legal papers
- Can help you with service of the legal papers
- Can help with the filing of papers
- FLF does **not** go to court with you
- FLF does **not** represent you



“I don’t remember who said this, but there really are places in the heart you don’t even know exist until you love a child.”

Anne Lamott, author of *Operating Instructions: A Journal of My Son’s First Year*

INTRODUCTION

Our goal in this class:

To help you to know what to put on the legal papers to go to court regarding custody and/or visitation. You want the judge to make decisions...

Remember: You can avoid preparing legal papers if you and the other parent attend FREE voluntary mediation first!

**Call Family Court Services
for an appt. 805-882-4667**



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STEPS TO BE ABLE TO GO TO COURT REGARDING CUSTODY AND VISITATION:

1. Must have a **court case** in Santa Barbara County Superior Court;
2. Must **attend once the free 2-hour PEACE** parenting class online;
- 3A. **Must attend voluntary mediation through Family Court Services and come to an agreement that is signed by a judge;**

OR

- 3B. **Must prepare legal papers (Request for Order FL-300) to get a court-ordered mediation appointment and a court hearing date;**
4. **Attend court-ordered Family Court Services mediation, and if there's no signed agreement, then;**
5. **Go to court** and have a judge make orders regarding custody and visitation

OPTIONS FOR PREPARING LEGAL PAPERS TO GO TO COURT:

- **California Courts Self-Help Center:** Lots of Information and the free forms available that you complete on your own
- **Law Help Interactive:** Free forms that you complete yourself by answering written interview questions
- **Guide and File:** Answer online questions and automatically create the forms. File electronically or print and file on your own.

Websites to create the legal forms:

California Courts Self-Help Center: Extensive information and free forms to complete on your own: <https://selfhelp.courts.ca.gov/child-custody-and-parenting-time-index>

Law Help Interactive: By answering written interview questions, you complete legal forms for free: <https://www.butte.courts.ca.gov/self-help/online-resources>

Guide and File: Answer online questions on your own and your forms are created for free. You can then print the documents to serve and file or electronically file: www.guideandfile.com

Let's make sure you understand **the basics...**

Physical Custody

Means you have **responsibility for the child on the day-to-day level**

Legal Custody

Means you have **responsibility for making decisions** regarding the child's welfare

Options: **Pick One:**

- Joint legal and physical custody, **OR**
- Joint legal custody and sole physical custody, **OR**
- Sole physical and legal custody

It's not about YOU...

THINK OF YOUR CHILDREN'S **BEST INTERESTS**

- Who can provide for the basics?
- What's unique about your situation: Age, health, personality, experiences and abilities of the kids?
- What kind of emotional ties exist between parent and child?



YOUR KIDS ARE NOT
IN A SACK OF
POTATOES!

- How cooperative are the parents?
- Is there any history of domestic abuse by a parent?

Goal: Stability and continuity for the child

STEPS FOR GOING TO COURT REGARDING CUSTODY AND VISITATION

1

Have a court case in the Santa Barbara Superior Court

2

Attend the PEACE class

3

Do FREE voluntary mediation with Family Court Services
805-882-4667

4

If mediation doesn't work, prepare your legal papers

5

- File and serve your papers.
- Prepare for court

PEACE Parenting Class



- NOT offered in **person**
- **Attend online any day and time of the week**
- Must be able to **print Certificate of Attendance**
- **File the Certificate of Attendance** with court
- **FREE**

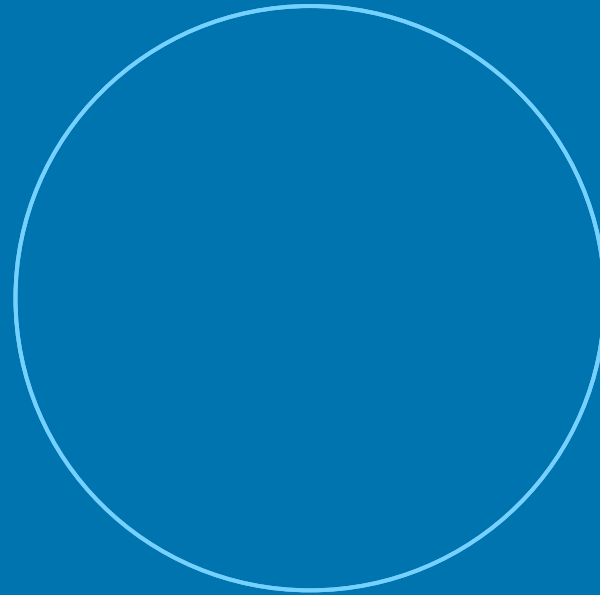
ENGLISH: <https://www.santabarbara.courts.ca.gov/divisions/family-law/peace-online>

ESPAÑOL: <https://www.santabarbara.courts.ca.gov/divisions/family-law/peace-en-linea>

SPECIAL REQUESTS

to make in your legal papers...

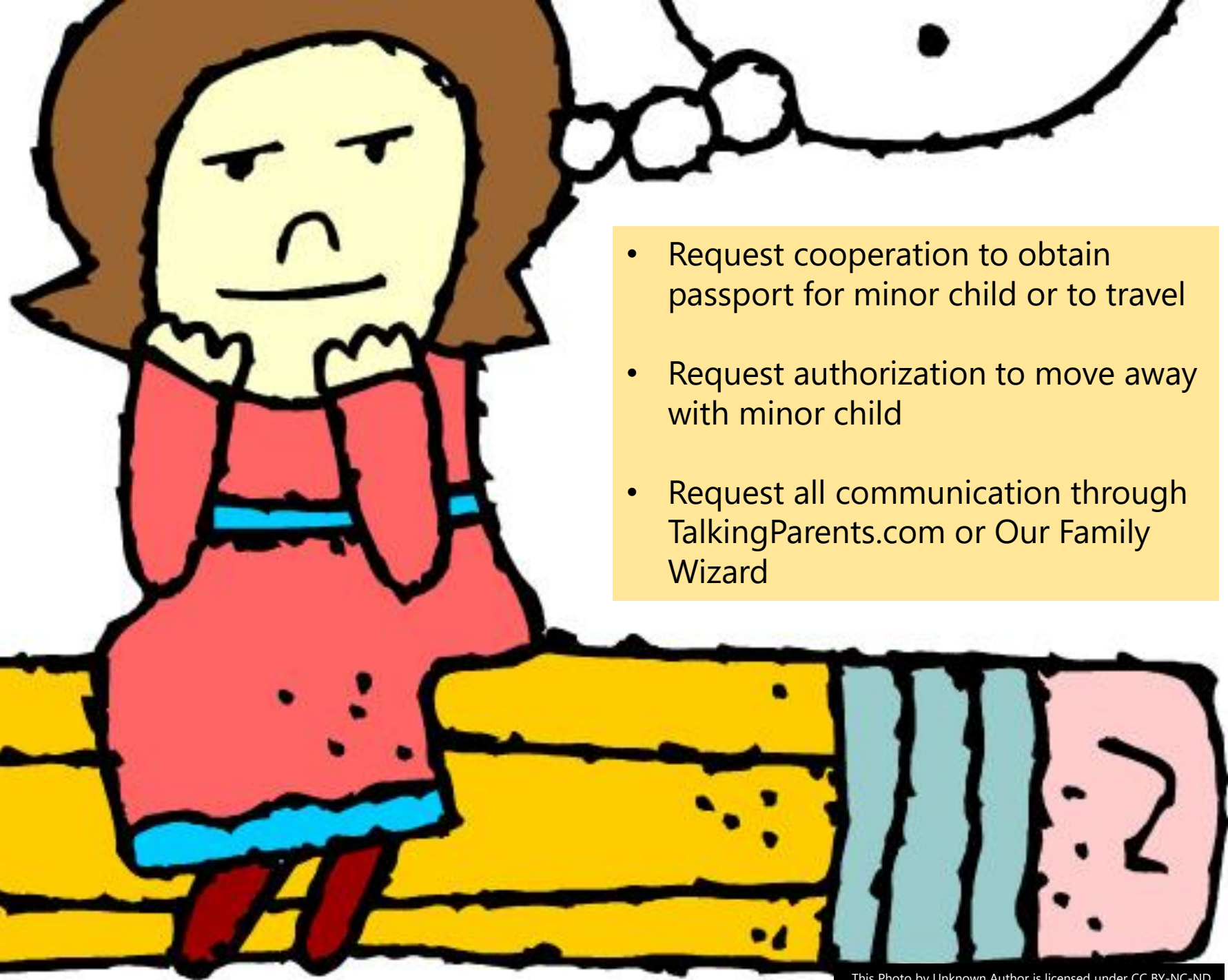
**If you don't ask for it,
you won't get it!**



OTHER IDEAS to insert in your legal papers:

- Request supervised visitation
- Request drug or alcohol testing
- Request parenting classes
- Request text to confirm visitation
- Request for child to speak to court

- Request cooperation to obtain passport for minor child or to travel
- Request authorization to move away with minor child
- Request all communication through TalkingParents.com or Our Family Wizard



Co-Parenting Essentials Program: Online courses with certificate included!

POSSIBLE PARENTING CLASSES



The SCOPE Program

2 hr Streamlined CO-Parenting Education Program

For Parents New to Coparenting.

Understand What Your Children Need....

Get Started Now!



The COPE Program

16 hr Coparenting Education for High Conflict Cases. Inclusion in 4 online groups - 6 hrs of Face to Face Support on Your Case

Si Habla Español

Get Started Now!



The STOP Program

4 hr Strategies That Offer Peace Program

Understand what Children Need...

Manage Conflict Peacefully.

Get Started Now!



The CARES Program

4 to 16 hr programs customizable to your court order and specific case needs. Inclusion in Online Groups - Information Most Relevant to Your Case

Si Habla Español

Ask Us How!

<https://coparentingessentials.com/>



CLASSES



(805) 965-1001

- **Dedicated Dads**
- **Connected Couples,
Connected Families**
- **Parenting Classes**



Our Locations

**SANTA BARBARA
(Administration)**
123 West Gutierrez Street
Santa Barbara, CA 93101
(805) 965-1001
Fax: (805) 965-2178

**SANTA MARIA YOUTH
& FAMILY CENTER**
105 N. Lincoln Street
Santa Maria CA 93458
(805) 928-1707
Fax: (805) 922-4797

LOMPOC
101 South B Street
Lompoc, CA 93436
(805) 735-4376
Fax: (805) 737-3251

**DOROTHY JACKSON FAMILY
RESOURCE CENTER**
646 North H Street
Lompoc, CA 93436
(805) 743-4146

**LONG-TERM CARE
OMBUDSMAN PROGRAM**
(805) 922-1236
Fax: (805) 922-1541

**SANTA MARIA FAMILY
RESOURCE CENTER**
648 E. Enos Dr.
Santa Maria, CA 93454
(805) 928-4150

CARPINTERIA
5201 Eighth Street
Suite 202A
Carpinteria, CA 93013
(805) 965-1001

LITTLE HOUSE BY THE PARK
4681 11th Street
Guadalupe, CA 93434
(805) 343-1194

CO-PARENTING COMMUNICATION

Website Resources

Separated or divorced parents may find that using an online co-parenting system to communicate issues such as scheduling changes, providing the other parent with academic, behavioral or medical information regarding their child, tracking events and activities, creating a photo gallery, and tracking co-parenting expenses is a helpful way to communicate regarding their children. Parents may also find it very useful to use an online shared calendar. This is particularly helpful for parents who have difficulty communicating in-person, by phone or text, or using their personal e-mail addresses. It minimizes stressful discussions and may help to improve their communication which will benefit their children. The following is a list of some websites that provide this kind of management system.

- OurFamilyWizard.com
- BothParents.com
- TalkingParents.com
- ShareKids.com

Santa Barbara County Superior Court does not endorse one online co-parenting communication program over the other. This list is not comprehensive, but is strictly for the purpose of informing parents about this resource, which may be helpful in improving overall communication regarding their children. Some of the websites are free, and some charge for their service. You may want to explore these websites to see which one is the best fit for you.



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Special Email Programs to Use Instead of Texting!



PARTY WITHOUT ATTORNEY OR ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name): Self represented	STATE BAR NO.: FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Barbara STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: ANACAPA 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:	

FL-300
Pgs. 1-2

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 checked="" 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 _____ Page 1 of 4

REQUEST FOR ORDER

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):

<u>Child's Name</u>	<u>Date of Birth</u>	<input type="checkbox"/> <u>Legal Custody to</u> (person who decides: health, education, etc):	<input type="checkbox"/> <u>Physical Custody to</u> (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.
See my attached declaration.

- 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.

REQUEST FOR ORDER

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 based on the child support guideline. Monthly amount (\$) requested (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 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.

FL-300
Pgs. 3-4

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 *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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CHILD CUSTODY AND VISITATION (PARENTING TIME) APPLICATION ATTACHMENT

—This is not a court order—

FL-311

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

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

Child's Name	Date of Birth	Legal Custody to (person who decides about the child's health, education, and welfare)	Physical Custody to (person the child regularly lives with)

b. Custody with allegations of a history of abuse or substance abuse

- (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.
- (3) I ask that the court NOT order sole or joint custody of the minor child to the person(s) alleged to have a history of abuse or substance abuse.
- (4) Even though there are allegations, I ask that the court make the child custody orders in item 1a. *(Write the reasons why you think it would be good for the children that the person(s) be granted custody, even though there are allegations against them of a history of abuse or substance abuse.)*

Below: Attachment 1b. Other (specify):

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).

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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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 after school
 to _____ at _____ a.m. _____ p.m./ if applicable, specify: start of school 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 after school
 to _____ at _____ a.m. _____ p.m./ if applicable, specify: start of school after school
- (3) Weekdays starting (date):
 from _____ at _____ a.m. _____ p.m./ if applicable, specify: start of school after school
 to _____ at _____ a.m. _____ p.m./ if applicable, specify: start of school after school
- (4) Other visitation (parenting time) days and restrictions are: listed in Attachment 2e(4) as follows:

3. Visitation (parenting time) with allegations of a history of abuse, substance abuse, or other parenting concerns

- a. Supervised visitation (parenting time)
 - (1) I ask that petitioner respondent other parent/party have supervised visitation with the minor children according to the schedule in item 2 because of (specify):
 - (a) Domestic violence, child abuse, or neglect.
 - (b) Substance abuse: 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.
 - (c) Other parenting concerns (specify below):

(2) The reasons why the court should make the orders are (specify): *(Write the reasons why you think unsupervised visitation (parenting time) would be bad for the children.)*

Below in Attachment 3a(2) Other (specify):

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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(3) I ask for the following orders about the supervised visitation provider:

(a) Visitation (parenting time) be monitored by *(name, if known)*: _____

(i) The person or agency is a professional provider. A professional provider must meet the requirements listed in *Declaration of Supervised Visitation Provider (Professional) (form FL-324(P))* and sign the declaration.

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

(iii) The provider's phone number is *(specify)*: _____

(b) Any costs of supervision be paid as follows: petitioner: _____ percent; respondent: _____ percent; other parent/party: _____ percent.

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

(Complete 3b only if you want the court to order unsupervised visitation to a person alleged to have a history of abuse or substance abuse.)

(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.

(3) 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

(4) The reasons why the court should make the orders are *(specify)*:
(Write the reasons why you think it would be good for the children that the person(s) be granted unsupervised visitation (parenting time) even though there are allegations against them of a history of abuse or substance abuse.)

Below: [in Attachment 3b](#). Other *(specify)*: _____

(5) *The orders for visitation (parenting time) that you request must be specific as to time, day, place, and manner of transfer of the child, as Family Code section 6323(c) requires.*

4. **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, 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)*: _____

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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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 below [on form FL-341\(C\)](#)

8. **Additional custody provisions.** I request the additional orders for custody set out below [on form FL-341\(D\)](#)

9. **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out below [on form FL-341\(E\)](#)

10. **Other.** I request the following additional orders *(specify)*: _____

□ 2/2/3 Plan

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B
Parent A	Parent A	Parent B	Parent B	Parent A	Parent A	Parent A
Parent B	Parent B	Parent A	Parent A	Parent B	Parent B	Parent B

january

2-2-5-5 PARENTING SCHEDULE

2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAT/SUN
28 December FATHER	29 FATHER	30 MOTHER	31 MOTHER	1 January FATHER	2/3 FATHER/ FATHER
4 FATHER	5 FATHER	6 MOTHER	7 MOTHER	8 MOTHER	9/10 MOTHER/ MOTHER
11 FATHER	12 FATHER	13 MOTHER	14 MOTHER	15 FATHER	FATHER/ FATHER
18 FATHER	19 FATHER	20 MOTHER	21 MOTHER	22 MOTHER	MOTHER/ MOTHER
25 FATHER	26 FATHER	27 MOTHER	28 MOTHER	29 FATHER	FATHER/ FATHER
1 February FATHER	2 FATHER	3 MOTHER	4 MOTHER	5 MOTHER	6/7 MOTHER/ MOTHER

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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ADDITIONAL PROVISIONS—PHYSICAL CUSTODY ATTACHMENT

- TO Petition Response Request for Order Responsive Declaration to Request for Order
 Stipulation and Order for Custody and/or Visitation of Children Findings and Order After Hearing or Judgment
 Custody Order—Juvenile —Final Judgment Other (specify):

The additional provisions to physical custody apply to (specify parties): Petitioner Respondent Other Parent/Party

- Notification of parties' current address.** Petitioner Respondent Other Parent/Party must notify all parties within (specify number): _____ days of any change in his or her
 - address for residence mailing work. e-mail
 - telephone/message number at home cell phone work the children's schools

The parties may not use such information for the purpose of harassing, annoying, or disturbing the peace of the other or invading the other's privacy. No residence or work address is needed if a party has an address with the State of California's Safe at Home confidential address program.
- Notification of proposed move of child.** Each party must notify the other (specify number): _____ days before any planned change in residence of the children. The notification must state, to the extent known, the planned address of the children, including the county and state of the new residence. The notification must be sent by certified mail, return receipt requested.
- Child care.**
 - The children must not be left alone without age-appropriate supervision.
 - The parties must let each other know the name, address, and phone number of the children's regular child-care providers.
- Right of first option of child care.** In the event any party requires child care for (specify number): _____ hours or more while the children are in his or her custody, the other party or parties must be given first opportunity, with as much prior notice as possible, to care for the children before other arrangements are made. Unless specifically agreed or ordered by the court, this order does not include regular child care needed when a party is working.
- Canceled visitation (parenting time).**
 - If the noncustodial party fails to arrive at the appointed time and fails to notify the custodial party that he or she will be late, then the custodial party need wait for only (specify number): _____ minutes before considering the visitation (parenting time) canceled.
 - If the noncustodial party is unable to exercise visitation (parenting time) on a given occasion, he or she must notify the custodial party (specify):
 at the earliest possible opportunity.
 Other (specify): _____
 - If the children are ill and unable to participate in the scheduled visitation (parenting time), the custodial party must give the noncustodial party (specify):
 as much notice as possible.
 A doctor's excuse.
 Other (specify): _____
- Phone contact between parents and children.**
 - The children may have telephone access to the parties and the parties may have telephone access to the children at reasonable times, for reasonable durations.
 - The custodial parent must make the child available for the following scheduled telephone contact (specify child's telephone contact with each party): _____
 - No party or any other third party may listen to, monitor, or interfere with the calls.

OPTIONAL
FORM:
FL-341(d)

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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- No negative comments.** The parties will not make or allow others to make negative comments about each other or about their past or present relationships, family, or friends within hearing distance of the children.
- Discussion of court proceedings with children.** Other than age-appropriate discussion of the parenting plan and the children's role in mediation or other court proceedings, the parties will not discuss with the children any court proceedings relating to custody or visitation (parenting time).
- No use of children as messengers.** The parties will communicate directly with each other on matters concerning the children and may not use the children as messengers between them.
- Alcohol or substance abuse.** The petitioner respondent other parent/party may not consume alcoholic beverages, narcotics, or restricted dangerous drugs (except by prescription) within (specify number): _____ hours before or during periods of time with the children and may not permit any third party to do so in the presence of the children.
- No exposure to cigarette or medical marijuana smoke.** The parties will not expose the children to secondhand cigarette or medical marijuana smoke.
- No interference with schedule of any party without that party's consent.** The parties will not schedule activities for the children during the other party's scheduled visitation (parenting time) without the other party's prior agreement.
- Third-party contact.**
 - The children will have no contact with (specify name): _____
 - The children must not be left alone in the presence of (specify name): _____
- Children's clothing and belongings.**
 - Each party will maintain clothing for the children so that the children do not have to make the exchanges with additional clothing.
 - The children will be returned to the other party with the clothing and other belongings they had when they arrived.
- Log book.** The parties will maintain a "log book" and make sure that the book is sent with the children between their homes. Using businesslike notes (no personal comments), parties will record information related to the health, education, and welfare issues that arise during the time the children are with them.
- Terms and conditions of order may be changed.** The terms and conditions of this order may be added to or changed as the needs of the children and parties change. Such changes will be in writing, dated and signed by the parties; each party will retain a copy. If the parties want a change to be a court order, it must be filed with the court in the form of a court document.
- Other (specify):**
Respondent must text Petitioner 4 or more hours before the scheduled visitation time to confirm that s/he will be doing the visitation. If Petitioner does not receive the text as stated, then Petitioner may consider the visitation canceled.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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JOINT LEGAL CUSTODY ATTACHMENT

- TO Petition Response Request for Order Responsive Declaration to Request for Order
 Stipulation and Order for Custody and/or Visitation Findings and Order After Hearing or Judgment
 Custody Order—Juvenile—Final Judgment Other (specify):

NOTICE In exercising joint legal custody, the parties may act alone, as long as the action does not conflict with any orders about the physical custody of the children. Use this form only if you want to ask the court to make orders specifying when the consent of both parties is required to exercise legal control of the children and the consequences for failing to obtain mutual consent.

- The parties (specify): Petitioner Respondent Other Parent/Party will have joint legal custody of the children.
- In exercising joint legal custody, the parties will share in the responsibility and discuss in good faith matters concerning the health, education, and welfare of the children. The parties must discuss and consent in making decisions on the following matters:
 - Enrollment in or leaving a particular private or public school or daycare center
 - Beginning or ending of psychiatric, psychological, or other mental health counseling or therapy
 - Participation in extracurricular activities
 - Selection of a doctor, dentist, or other health professional (except in emergency situations)
 - Participation in particular religious activities or institutions
 - Out-of-country or out-of-state travel
 - Other (specify):
- If a party does not obtain the consent of the other party to those items in 2, which are granted as court orders:
 - He or she may be subject to civil or criminal penalties.
 - The court may change the legal and physical custody of the minor children.
 - Other consequences (specify):
- Special decision making designation and access to children's records
 - The petitioner respondent other parent/party will be responsible for making decisions regarding the following issues (specify):
 - 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.
- Health-care notification.
 - Each party must notify the other of the name and address of each health practitioner who examines or treats the children; such notification must be made within (specify number): _____ days of the first treatment or examination.
 - Each party is authorized to take any and all actions necessary to protect the health and welfare of the children, including but not limited to consent to emergency surgical procedures or treatment. The party authorizing such emergency treatment must notify the other party as soon as possible of the emergency situation and of all procedures or treatment administered to the children.
 - The parties are required to administer any prescribed medications for the children.
- School notification. Each party will be designated as a person the children's school will contact in the event of an emergency.
- Name. The parties will not change the last name of the children or have a different name used on the children's medical, school, or other records without the written consent of the other party.
- Other (specify):

Remember:

Joint Legal Custody can be ordered by the court in 2 different ways:

- The words “joint legal custody” alone—which means **EITHER PARENT** can make decisions alone

OR

- “Joint legal custody” with other language to describe **HOW** the joint responsibility is shared. When do you want the 2 of you to be required to act together?

If you are getting public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and your court fees, you may use this form to ask the court to waive your court fees.

- You cannot give the court proof of your eligibility,
Your financial situation improves during this case, or
You settle your civil case for \$10,000 or more.

1 Your Information (person asking the court to waive the fees):

Name:
Street or mailing address:
City: State: Zip:
Phone:

2 Your Job, if you have one (job title):

Name of employer:
Employer's address:

3 Your Lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number):

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes No

b. (If yes, your lawyer must sign here) Lawyer's signature:

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived?

- Superior Court (See Information Sheet on Waiver of Superior Court Fees and Costs (form FW-001-INFO).)
Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See Information Sheet on Waiver of Appellate Court Fees (form APP-015/FW-015-INFO).)

5 Why are you asking the court to waive your court fees?

- I receive (check all that apply; see form FW-001-INFO for definitions):
Food Stamps Supp. Sec. Inc. SSP Medi-Cal County Relief/Gen. Assist. IHSS
CalWORKS or Tribal TANF CAPI WIC Unemployment
My gross monthly household income (before deductions for taxes) is less than the amount listed below.

Table with 6 columns: Family Size, Family Income, Family Size, Family Income, Family Size, Family Income. Rows for family sizes 1, 2, 3, 4, 5, 6.

- I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to:
waive all court fees and costs
waive some of the court fees
let me make payments over time

6 Check here if you asked the court to waive your court fees for this case in the last six months.

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

Date:
Print your name here
Sign here

CONFIDENTIAL

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number and name:

Case Number:

Case Name:

FW-001

Your name: Case Number:

If you checked 5a on page 1, do not fill out below. If you checked 5b, fill out questions 7, 8, and 9 only. If you checked 5c, you must fill out this entire page. If you need more space, attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

7 Check here if your income changes a lot from month to month. If it does, complete the form based on your average income for the past 12 months.

8 Your Gross Monthly Income

a. List the source and amount of any income you get each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

(1) \$
(2) \$
(3) \$
(4) \$
b. Your total monthly income: \$

9 Household Income

a. List the income of all other persons living in your home who depend in whole or in part on you for support, or on whom you depend in whole or in part for support.

Table with 4 columns: Name, Age, Relationship, Gross Monthly Income. Rows (1) through (4).

b. Total monthly income of persons above: \$
Total monthly income and household income (8b plus 9b): \$

To list any other facts you want the court to know, such as unusual medical expenses, etc., attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

Important! If your financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010.

10 Your Money and Property

- a. Cash \$
b. All financial accounts (List bank name and amount):
(1) \$
(2) \$
(3) \$
c. Cars, boats, and other vehicles
Make / Year Fair Market Value How Much You Still Owe
(1) \$ \$
(2) \$ \$
(3) \$ \$
d. Real estate
Address Fair Market Value How Much You Still Owe
(1) \$ \$
(2) \$ \$
e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):
Describe Fair Market Value How Much You Still Owe
(1) \$ \$
(2) \$ \$

11 Your Monthly Deductions and Expenses

- a. List any payroll deductions and the monthly amount below:
(1) \$
(2) \$
(3) \$
(4) \$
b. Rent or house payment & maintenance \$
c. Food and household supplies \$
d. Utilities and telephone \$
e. Clothing \$
f. Laundry and cleaning \$
g. Medical and dental expenses \$
h. Insurance (life, health, accident, etc.) \$
i. School, child care \$
j. Child, spousal support (another marriage) \$
k. Transportation, gas, auto repair and insurance \$
l. Installment payments (list each below):
Paid to:
(1) \$
(2) \$
(3) \$
m. Wages/earnings withheld by court order \$
n. Any other monthly expenses (list each below):
Paid to: How Much?
(1) \$
(2) \$
(3) \$

Total monthly expenses (add 11a - 11n above): \$

FW-003 Order on Court Fee Waiver
(Superior Court)

1 Person who asked the court to waive court fees:

Name: _____
Street or mailing address: _____
City: _____ State: ____ Zip: _____

2 Lawyer, if person in **1** has one (name, firm name, address, phone number, e-mail, and State Bar number):

3 A request to waive court fees was filed on (date): _____

The court made a previous fee waiver order in this case on (date): _____

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of
Santa Barbara
1100 Anacapa Street

Santa Barbara, CA 93101
ANACAPA DIVISION

Fill in case number and name:

Case Number:

Case Name:

Read this form carefully. All checked boxes are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for **\$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

4 After reviewing your: Request to Waive Court Fees Request to Waive Additional Court Fees
the court makes the following orders:

a. The court grants your request, as follows:

- (1) **Fee Waiver.** The court grants your request and waives your court fees and costs listed below. (*Cal. Rules of Court, rule 3.55 and 8.818.*) You do not have to pay the court fees for the following:
- Filing papers in superior court
 - Making copies and certifying copies
 - Sheriff's fee to give notice
 - Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
 - Assessment for court investigations under Probate Code section 1513, 1826, or 1851
 - Preparing, certifying, copying, and sending the clerk's transcript on appeal
 - Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
 - Making a transcript or copy of an official electronic recording under rule 8.835
 - Court fee for phone hearing
 - Giving notice and certificates
 - Sending papers to another court department
- (2) **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.
- Jury fees and expenses Fees for a peace officer to testify in court
 Fees for court-appointed experts Court-appointed interpreter fees for a witness
 Other (specify): _____

FW-003

Fee Waiver Order

(3 pages)



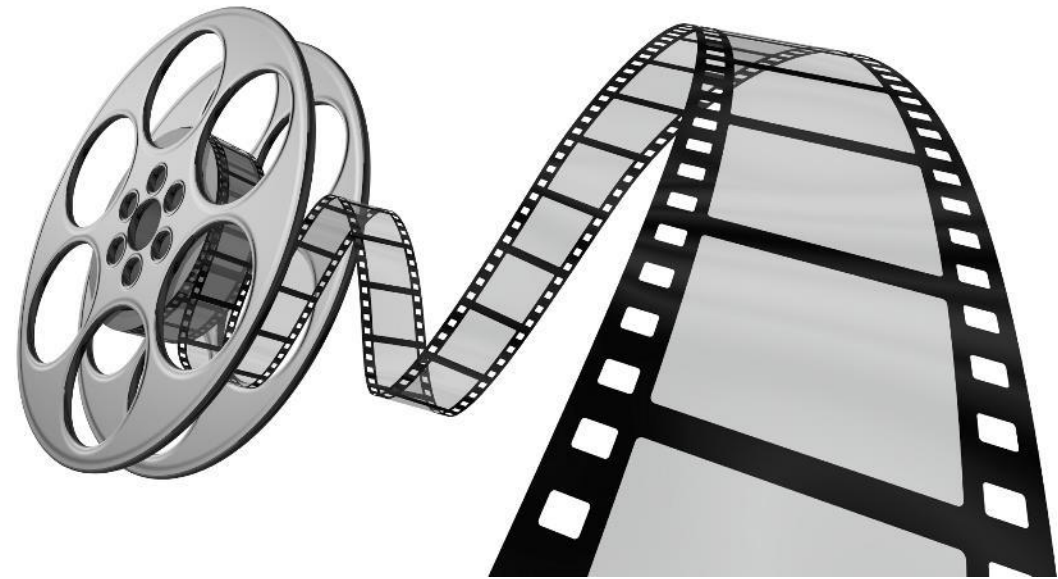
WRITING YOUR DECLARATION:

A judge is a judge because a judge loves to judge!

- **State facts, not conclusions**
- Give a **lot of details, not generalizations**
- **Allow the judge to draw their own conclusions**
- Tell your story in a way that the judge can understand:
 1. What do you **specifically want**?
 2. Why is this in your **child's best interests**?
 3. If you want to change a custody order that is post-Judgment, what is the "**change of circumstances**?"

- **What is the background story?**
- **How was your relationship together?**
- **When did you separate?**
- **What kind of parenting arrangement have you followed since then?**
- **What problems are there now?**
- **What do you propose as a solution, and why?**
- **History of domestic abuse?**
- **Criminal history?**
- **Attach documents and pictures as exhibits. Discuss in your declaration.**

Imagine that you are a movie director, and you want to tell your story.....



Your declaration is limited to no more than 10 pages long, typed, double-spaced, font size 11-12

ready. set.
go!

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READY? PROCESS YOUR LEGAL PAPERS:

STEP 1: Prepare your documents (look at Slide #7 for online options):

1. **FL-300 Request for Order**
2. **FL-311 Child Custody and Visitation Application Attachment**
3. **OPTIONAL FORMS** to attach:
 - **FL-341(c) Holiday Schedule Attachment**
 - **FL-341(d) Additional Provisions- Physical Custody**
 - **FL-341(e) Joint Legal Custody Attachment**
4. Your **declaration**: Dated and signed under penalty of perjury with any exhibits attached
5. **Witness Declarations**: Use the Judicial Council MC-030 form



FINAL STEPS:

STEP 2: Get your court date and file your documents with the Clerk's Office

STEP 3: Have the other parent properly served. File your Proof of Service.

STEP 4: Prepare for court: Be organized and knowledgeable

STEP 5: Go to court

REMEMBER: The Family Law Facilitator is here to help you as you represent yourself. Get more specific information to educate yourself: <https://www.courts.ca.gov/1185.htm>
Call our office for further assistance.

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.

Personal service is best

Check out this website for more information:

<https://www.courts.ca.gov/1185.htm>

What the **Family Law Facilitator's Office** can do for you now:

- Direct you to the proper website to complete the necessary forms
- Review your documents if you scan them to **SBFLF@sbcourts.org**. Make an appointment.
- Help you to get your documents properly filed and served
- Help you feel prepared for court



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Best wishes and best of luck!



Trust yourself

Thank you.

For further assistance, please:
call **805.882.4660**

or email us at **SBFLF@sbcourts.org**.

Check us out at
<https://www.santabarbara.courts.ca.gov>