

SANTA BARBARA COUNTY SUPERIOR COURT
FAMILY COURT SERVICES



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Santa Barbara, CA 93101
805.882.4667

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805.614.6429

SCHEDULING AND/OR CANCELING A MEDIATION APPOINTMENT WITH FAMILY COURT SERVICES

BACKGROUND INFORMATION

In California parents are required to attend mediation prior to going to Court when there is a disagreement regarding custody and/or visitation of a minor child. Mediation is an opportunity for separating or divorcing parents to meet with a neutral professional in a secure environment to discuss future arrangements for their child/ren. The goal of mediation is to develop a mutually agreed upon, comprehensive parenting plan based on the best interest of the child/ren.

Both parents must be present for mediation to occur. All children of the relationship who are ages six and over also need to be available, but not within listening range, at the time of the mediation appointment, as the mediator may elect to speak with them. The parent who the children are with on the day of the appointment needs to make these arrangements and to assure that the children have a private space to talk.

Mediations are currently conducted via Zoom. However, the mediator and/or the Court may require that parties attend in person under certain circumstances.

PROCEDURE TO SET A MEDIATION APPOINTMENT

1. **You must have an existing family law court case** with the Santa Barbara County Superior Court. The types of acceptable court cases include divorce, legal separation, annulment, paternity, child support enforcement case (with the Dept. of Child Support Services), restraining order case or an action for custody and support of minor children. If you don't yet have a case filed with this court, contact the Office of the Family Law Facilitator for further assistance.
2. **Complete the PEACE CLASS: Both parents are required to complete the free online Parent Education and Co-Parenting Effectively (PEACE) class prior to attending mediation and the parent setting the mediation will not be given an appointment unless he/she has already done so.** The link to the PEACE class is as follows:

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

3. **Contact the other parent and confer** with him or her regarding a mutually-acceptable date for a mediation appointment. Appointments are generally available approximately a month after the date of setting. Appointments are usually set Monday – Friday at either 8:30 a.m. or 1:30 p.m. A Spanish-speaking mediator is available upon request and arrangements can be made for other languages as well if Family Court Services is notified in advance. Mediation is free of charge.
4. Contact the appropriate office of Family Court Services and **set the appointment**. (Note: If you have an attorney, then the attorney needs to set the appointment for you.)
 - a. If you have a court case in the **Lompoc or Cook Divisions (North County)** of the court, call **805.614.6429**.
 - b. If you have a court case in the **Anacapa Division (South County)** of the court, call **805.882.4667**.
 - c. **If there is a history of domestic violence in your case, the Family Court Services Office should be advised immediately so appropriate arrangements for your session can be made.**
5. Within three court days of making the appointment, the parent setting the appointment must **file and serve a Notice of Remote Mediation with Family Custody/Court Services form (local form SC-4042)**. All local forms are available at <https://www.santabarbara.courts.ca.gov/> under the Forms and Filing tab (click on Local Forms and then Family Law Forms).

PROCEDURE TO CANCEL A MEDIATION APPOINTMENT

If one parent is unable to attend the scheduled mediation, then that parent needs to **file and serve the Notice of Cancellation form (local form SC-4017)**. This must be done within **seven calendar days of the receipt of the Notice of Mediation**. Family Court Services then needs to be informed of the cancellation **no less than seven calendar days before the mediation appointment**.

FAILURE TO ATTEND THE SCHEDULED MEDIATION

The failure to attend mediation **without a good reason** makes the parent subject to **possible sanctions** by the court at its discretion.

DISPUTES REGARDING ATTENDANCE AND CANCELLATION

If there is a disagreement between the parents regarding attendance at, cancellation of, scheduling or rescheduling of a mediation appointment, then **either parent can file the Request for Case Management form (local form SC-4014)**. This will set a date for hearing by the assigned judicial officer.

NOTE:

- **The staff of Family Court Services are not authorized or permitted to referee any mediation scheduling disputes between the parents.**
- **The Local Rules of Court regarding mediation (chapter fifteen) can be found on the Santa Barbara County Superior Court Website at <https://www.santabarbara.courts.ca.gov/forms-filing/local-rules>. Additional information regarding mediation can be found at: <https://www.santabarbara.courts.ca.gov/divisions/family-law/family-court-services>.**