

SUPERIOR COURT OF CALIFORNIA

COUNTY OF TULARE

www.tulare.courts.ca.gov • (559) 730-5000

GRANDPARENT VISITATION

Forms included in this packet:			
READ	This packet		Instructions
COMPLETE AND FILE	NEW CASE	FAM-011	Petition for Grandparent Visitation (Local Form)
		SUM-100	Summons
		FL-105/GC-120	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
		FL-105(A)	Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
		FL-300	Request for Order
	JOINDER	FL-371	Notice of Motion and Declaration for Joinder
		FL-375	Summons (Joinder)
		FL-300	Request for Order
	SERVE (LEAVE BLANK)	BOTH NEW CASE & JOINDER	FL-320
FILE AFTER SERVICE	NEW CASE	FL-115	Proof of Service of Summons
	JOINDER	FL-330	Proof of Personal Service
		FL-335	Proof of Service by Mail

Grandparent Visitation

This is an instructional guide to filing your paperwork to obtain an order of grandparent visitation. Read these instructions in its entirety before you start filling out your forms.

Completing Forms:

Fillable, printable pdf versions of the Judicial Council forms contained in this packet are available online at <https://courts.ca.gov/rules-forms/find-your-court-forms>. You can type the forms and print them out for filing.

The local form contained in this packet is available on the Tulare County Superior Court's website at: <https://www.tulare.courts.ca.gov/forms-filing/local-forms-information-filing-instructions>.

Self Help Resource Center:

If you do not have an attorney representing you, free assistance is available. Please contact the Self-Help Resource Center, also known as the Office of the Family Law Facilitator. The Self-Help Resource Center will provide instructions on how to complete the forms and how to properly serve notice on all the necessary parties. They can answer your procedural questions and explain the court process but **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The Self-Help Resource Center can be reached at (559) 737-5500 and selfhelp@tulare.courts.ca.gov, and offices are located at:

- County Civic Center: 221 S. Mooney Blvd., Room 203, Visalia CA 93291
- South County Justice Center: 300 E. Olive Ave, Porterville, CA 93257

Other Resources:

If you have further questions or concerns, you may wish to consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct self-research, and find additional information at:

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
 - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available in the Self-Help Resource Center in the South County Justice Center.
- Sacramento County Public Law Library: <https://saclaw.org/>

INSTRUCTIONS

Generally, if a child's parents are married and live together with their child, the grandparents can't file papers to ask for visitation. The parents get to decide if their child visits their grandparents. When a child's parents go through a divorce or separation, grandparents can sometimes feel they are being deprived of time with their grandchildren. California recognizes the rights of grandparents to obtain visitation orders with their grandchildren, provided that certain conditions are met. To be awarded visitation, the court must find that the grandparents have an existing relationship with their grandchild, and that visitation is in the grandchild's best interest. Nonetheless, the parent's right to make decisions for their children is given great deference by the courts. If both parents, or a single parent with physical custody, object to grandparent visitation, the court will generally honor that decision.

If you are a grandparent thinking about filing a case, consider meeting with a private mediator or counselor first. In mediation, parents and grandparents meet with a neutral person who has experience mediating with families. If mediation works out, it can avoid court and is more likely to help you build a better relationship. If you decide to start a court case, it can often cause tension between you and the grandchild's parents. Further, the judge may not order the visits you want. If the parents are open to mediation, it can be best for everyone.

If you determine that you'd like to file a case, please read this packet to determine if and how you can file for grandparent visitation.

STEP 1

DETERMINE WHETHER YOU CAN FILE FOR GRANDPARENT VISITATION

Before you begin filling out your forms, determine whether you can file for grandparent visitation:

- If the parents are **not** married, you **can** file for grandparent visitation.
- If the parents are married and still together, you **cannot** file for grandparent visitation.
- If the parents are married, but at least one of the following is true, you **can** file for grandparent visitation:
 - The parents are currently separated on a permanent or indefinite basis.
 - One of the parents has been absent for more than a month without the spouse knowing his/her whereabouts.
 - One of the parents joins in the grandparents' petition.
 - The child is residing with someone other than either parent.
 - The child has been adopted by a stepparent.
 - One of the parents is incarcerated or involuntarily institutionalized.

STEP 2**START A NEW CASE OR JOIN A PENDING CASE**

Once you've determined that you can file for grandparent visitation, the next step is deciding whether to start a new case or join a pending case involving the parents of your grandchild. Most circumstances will require starting a new case. Joinder is only appropriate in limited instances, for example, where no judgment has been entered yet, or where there are still pending hearings on the first RFO for custody and visitation. The list below contains the only types of cases where joinder is appropriate. ***NOTE: If none of the circumstances listed below apply, you will need to start a new case.***

Family law cases where joinder is appropriate:

- Pre-Judgment Dissolution, Nullity, or Legal Separation cases.
- Pre-Judgment or pre-recitation of existence of Voluntary Declaration of Parentage (VDOP) in Uniform Parentage Act (UPA) cases, with custody and visitation hearings still set on the first RFO for custody and visitation.
- Petitions for Custody and Support, with custody and visitation hearings still set on the first RFO for custody and visitation.
- DVRO case where there is still a Temporary Restraining Order in place.

STEP 3**COMPLETE THE NECESSARY FORMS**

There are different forms to complete depending on if you start a new case or join a pending case. As indicated below, the **FL-300 – Request for Order** is required in both scenarios.

To start a new case, complete the following forms (the grandparents are the Petitioner, and both parents are the Respondents):

- **FAM-011 – Petition for Grandparent Visitation (Local Form)**
- **SUM-100 – Summons**
- **FL-105/GC-120 – Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)**
 - **Optional form:** If there are more than two grandchildren, complete form **FL-105(A) – Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)**
- **FL-300 – Request for Order**

To join a pending case, complete the following forms:

- **FL-371 – Notice of Motion and Declaration for Joinder**
- **FL-375 – Summons (Joinder)**
- **FL-300 – Request for Order**

STEP 4 MAKE COPIES OF YOUR FORMS

Make copies of all forms for yourself, each of your grandchild’s parents, and anyone who has custody of the grandchild, including any step-parents. For example, if there are two parents, you will need to make three copies (one for yourself and one for each parent).

Note: There is a fee for filing these forms. If you would like to apply for a fee waiver, please request a **Fee Waiver** packet from the Clerk, and make one copy each of:

- **FW-001 – Request to Waive Court Fees**
- **FW-003 – Order on Court Fee Waiver**

STEP 5 FILE COMPLETED FORMS WITH THE COURT

Return the original and copies of your forms to the Visalia Courthouse, Clerk of the Court, located at 221 S. Mooney Blvd, Room 201, Visalia, CA 93291, or the South County Justice Center, Court Clerk’s window, located at 300 E. Olive Ave, Porterville, CA 93257.

When you file your forms, the clerk will keep the originals and return your copies to you stamped “filed.” One copy is for you to keep, while the other copies are to serve on the parents.

STEP 6 SERVE THE PARENTS

Now that you’ve filed your paperwork, you need to serve these documents on the parents and any other person who has custody of your grandchild. “Service” means someone 18 years or older, other than you, will deliver the forms to the parents in person or by mail. In addition to the forms you filed from **STEP 3**, you must serve a blank **Responsive Declaration to Request for Order (FL-320)**. The Fee Waiver forms do not need to be served on the parents.

The person who serves the forms (called the “server”) must complete and sign the appropriate **Proof of Service** form, stating who, when, where, and how the service took place.

- **If you started a new case**, the documents must be personally served on the parents.
 - The server will complete form **FL-115 – Proof of Service of Summons**.
- **If you joined a pending case**, the documents can be served on the parents in person or by mail, if the parent has already appeared in the case.
 - The server will complete either form **FL-330 – Proof of Personal Service**, or form **FL-335 – Proof of Service by Mail**.
 - Note: If a parent has not appeared in the pending family law case, then that parent must be personally served.

STEP 7 FILE THE PROOF OF SERVICE

After your grandchild's parents are served and the server has completed the appropriate Proof of Service, make one copy. Then take the original and copy to the Clerk of the Court for filing. The **Proof of Service** tells the court that the parents received the forms and was notified of the court date in a legally acceptable way. The clerk will give you back your copy for your records. Keep this copy as proof that the other party was served. Bring your copy to the hearing in case the original is not in the file, especially if you file the **Proof of Service** close to the hearing date.

STEP 8 ATTEND THE HEARING

Your **Request for Order (FL-300)** shows the date, time, and place of your hearing. If you and the parents are present and the parents have filed a **Responsive Declaration to Request for Order (FL-320)**, you will be sent to mediation, also known as Child Custody Recommending Counseling (CCRC), to try to come up with an agreement about visitation. If you are unable to come to an agreement, the CCRC Counselor will prepare a written recommendation to the court, and the judge will decide whether and how visitation will take place.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TULARE <input type="checkbox"/> 221 S. Mooney Blvd., County Civic Center, Visalia CA 93291 <input type="checkbox"/> 300 E. Olive Ave., South county Justice Center, Porterville, CA 93257	
PETITIONER: RESPONDENT:	
PETITION FOR GRANDPARENT VISITATION	CASE NUMBER:

1. Petitioner's relationship to minor child(ren) listed below:

- Grandmother Grandfather
 My son (*name*) _____ is the parent of the child(ren).
 My daughter (*name*) _____ is the parent of the child(ren).
 Other (*specify relationship*): _____

<u>Child's name</u>	<u>Birthdate</u>	<u>Currently living with (relationship)/in (county)</u>	<u>Other Parent's Name</u>

Additional children are listed on Attachment 1

2. The parents of the child(ren) (*mark all boxes and complete all spaces that apply*):

- a. are currently married or have a domestic partnership and are living together.
- b. are divorced. A Judgment for Dissolution of Marriage or Domestic partnership was entered on: (*specify date*) _____, in _____ County, (*state/country*) _____
 Case Number: _____
- c. are currently involved in a divorce proceeding in _____ County, (*state/country*) _____ Case Number: _____
- d. are currently married or have a domestic partnership and one of the parents has been absent for more than one month without the other parent knowing the whereabouts of the absent parent.
- e. have never been married or in a domestic partnership.
- f. are currently living separate and apart on a permanent or indefinite basis.
- g. the mother father of the minor child(ren) is deceased.
- h. the child(ren) is/are not residing with either parent.

3. Describe the relationship that has existed between each child and the petitioner(s). Explain the reasons why grandparent visitation is in the best interest of each child.

continued on Attachment 2

4. Specify the duration and frequency of the visitation that the petitioner(s) are requesting:

continued on Attachment 2

5. A completed Declaration under Uniform Child Custody Jurisdiction and Enforcement Act (FL-105) is filed with this Petition.

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 sections 3100, 3102, 2013, and 3014.

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

TYPE OR PRINT NAME HERE

SIGNATURE OF PETITIONER

TYPE OR PRINT NAME HERE

SIGNATURE OF PETITIONER

PARENT CONSENT TO PETITIONER’S REQUEST FOR VISITATION:

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

Mother Father hereby consents to and joins in this Petition for Grandparent Visitation.

Date:

TYPE OR PRINT NAME HERE

SIGNATURE OF PETITIONER

**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)).

[SEAL]

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: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
4. by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
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	CASE NUMBER:
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:			
From:	To:			
From:	To:			
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.)

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 <i>(name, state, or tribe, location)</i>	Court order or judgment <i>(date)</i>	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 <i>(name, state, location)</i>
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 <i>(if known)</i>	Orders expire <i>(date)</i>
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 rights with any child in this case? Yes No (If yes, provide the following information):

a. Name and address of person:

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

Name of each child:

b. Name and address of person:

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

Name of each child:

c. Name and address of person:

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

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.

CASE NAME:	CASE NUMBER:
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**ATTACHMENT TO
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

Instructions: *If all the children subject to the proceeding have not lived together for the last five years, use as many copies of this form as needed to list all the children. Number each item and each page consecutively, and attach all pages to form FL-105/GC-120.*

3. b. ____ Name of child: *(Provide the child's current address 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.)*
- Residence information is the same as given for the child listed in item 2a on form FL-105/GC-120. *(If **not** the same, provide the information below.)*

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

3. b. ____ Name of child: *(Provide the child's current address 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.)*
- Residence information is the same as given for the child listed in item 2a on form FL-105/GC-120. *(If **not** the same, provide the information below.)*

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

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

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(s)): _____
 Petitioner Respondent Other Parent/Party Other (specify):

2. **A COURT HEARING WILL BE HELD AS FOLLOWS:**

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

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

COURT ORDER
(FOR COURT USE ONLY)

It is ordered that:

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

Date: _____

JUDICIAL OFFICER

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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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 Attachment 2d.

(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)

- b. I want to change a current court order for child support filed on *(date)*: Attachment 3a.
 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.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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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. 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. **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 www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MARRIAGE OF PETITIONER: RESPONDENT:	
NOTICE OF MOTION AND DECLARATION FOR JOINDER	CASE NUMBER:

NOTICE OF MOTION

1. TO Petitioner Respondent

2. A hearing on this motion for joinder will be held as follows:

a. Date:	Time:	Dept.:	Rm.:
----------	-------	--------	------

b. The address of court: is shown above is:

c. Petitioner Respondent Claimant will apply to this court for an order joining claimant as a party to this proceeding on the grounds set forth in the Declaration below.

3. The pleading on joinder accompanies this notice of motion.

Dated:

_____ (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE)

DECLARATION FOR JOINDER

4. The name of the person to be joined is:

5. Facts showing that each person sought or seeking to be joined possesses or controls or claims to own any property subject to disposition by this court, or that such person has or claims custody, physical control, or visitation rights with respect to any minor child of the marriage, are (specify) :

PETITIONER:	CASE NUMBER:
RESPONDENT:	

6. Facts showing that it would be appropriate for this court to determine the particular issue in the proceedings are:

7. Facts showing that each person sought or seeking to be joined is either indispensable to a determination of the particular issue or necessary to the enforcement of any judgment rendered on the issue are:

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

Date:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO. (Optional): _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MARRIAGE OF PETITIONER: RESPONDENT:	
CLAIMANT:	
SUMMONS (JOINDER)	

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.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response or pleading, if any, may be filed on time.

¡AVISO! Usted ha sido demandado. El tribunal puede decidir contra Ud. sin audiencia a menos que Ud. responda dentro de 30 días. Lea la información que sigue.

Si Usted desea solicitar el consejo de un abogado en este asunto, debería hacerlo inmediatamente, de esta manera, su respuesta o alegación, si hay alguna, puede ser registrada a tiempo.

1. TO THE PETITIONER RESPONDENT CLAIMANT
 A pleading has been filed under an order joining (*name of claimant*):

as a party in this proceeding. If you fail to file an appropriate pleading within **30** days of the date this summons is served on you, your default may be entered and the court may enter a judgment containing the relief requested in the pleading, court costs, and such other relief as may be granted by the court, which could result in the garnishment of wages, taking of money or property, or other relief.

2. TO THE CLAIMANT EMPLOYEE BENEFIT PLAN
 A pleading on joinder has been filed under the clerk's order joining (*name of employee benefit plan*):

as a party claimant in this proceeding. If the employee benefit plan fails to file an appropriate pleading within **30** days of the date this summons is served on it, a default may be entered and the court may enter a judgment containing the relief requested.

Dated: _____ Clerk, By _____, Deputy

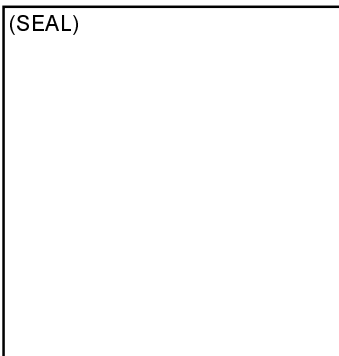
3. NOTICE TO THE PERSON SERVED: You are served

- a. As an individual.
 b. As (or on behalf of) the person sued under the fictitious name of:

c. On behalf of:

- Under: CCP 416.10 (Corporation) CCP 416.60 (Minor)
 CCP 416.20 (Defunct Corporation) CCP 416.70 (Incompetent)
 CCP 416.40 (Association or Partnership) CCP 416.90 (Individual)
 Other: FC 2062 (Employee Benefit Plan)

- d. By personal delivery on (*date*):



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

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

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

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

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

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

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

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

Date:

_____ _____

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

PARTY WITHOUT ATTORNEY <i>or</i> ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (<i>name</i>):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PROOF OF SERVICE OF SUMMONS	CASE NUMBER:

1. At the time of service I was at least 18 years of age and not a party to this action. **I served the respondent with copies of:**
 - a. Family Law: *Petition—Marriage/Domestic Partnership* (form FL-100), *Summons* (form FL-110), and blank *Response—Marriage/Domestic Partnership* (form FL-120)
 - or-
 - b. Uniform Parentage: *Petition to Determine Parental Relationship* (form FL-200), *Summons* (form FL-210), and blank *Response to Petition to Determine Parental Relationship* (form FL-220)
 - or-
 - c. Custody and Support: *Petition for Custody and Support of Minor Children* (form FL-260), *Summons* (form FL-210), and blank *Response to Petition for Custody and Support of Minor Children* (form FL-270)
 - and
 - d. (1) Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105)
 - (2) Completed and blank *Declaration of Disclosure* (form FL-140)
 - (3) Completed and blank *Schedule of Assets and Debts* (form FL-142)
 - (4) Completed and blank *Income and Expense Declaration* (form FL-150)
 - (5) Completed and blank *Financial Statement (Simplified)* (form FL-155)
 - (6) Completed and blank *Property Declaration* (form FL-160)
 - (7) *Request for Order* (form FL-300), and blank *Responsive Declaration to Request for Order* (form FL-320)
 - (8) Other (*specify*):

2. Address where respondent was served:

3. I served the respondent by the following means (*check proper boxes*):
 - a. **Personal service.** I personally delivered the copies to the respondent (Code Civ. Proc., § 415.10) on (*date*): _____ at (*time*): _____
 - b. **Substituted service.** I left the copies with or in the presence of (*name*): _____ who is (*specify title or relationship to respondent*):
 - (1) **(Business)** a person at least 18 years of age who was apparently in charge at the office or usual place of business of the respondent. I informed the person of the general nature of the papers.
 - (2) **(Home)** a competent member of the household (at least 18 years of age) at the home of the respondent. I informed the person of the general nature of the papers.

on (*date*): _____ at (*time*): _____

I thereafter mailed additional copies (by first class, postage prepaid) to the respondent at the place where the copies were left (Code Civ. Proc., § 415.20b) on (*date*): _____

A **declaration of diligence** is attached, stating the actions taken to first attempt personal service.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

3. c. **Mail and acknowledgment service.** I mailed the copies to the respondent, addressed as shown in item 2, by first-class mail, postage prepaid, on *(date)*: _____ from *(city)*: _____
- (1) with two copies of the *Notice and Acknowledgment of Receipt* (form FL-117) and a postage-paid return envelope addressed to me. **(Attach completed *Notice and Acknowledgment of Receipt* (form FL-117).**
(Code Civ. Proc., § 415.30.)
- (2) to an address outside California (by registered or certified mail with return receipt requested). **(Attach signed return receipt or other evidence of actual delivery to the respondent.)** (Code Civ. Proc., §§ 415.40, 417.20.)
- d. **Other** *(specify code section)*: _____
- Continued on Attachment 3d.

4. **Person who served papers**

Name:
Address:

Telephone number:

This person is

- a. exempt from registration under Business and Professions Code section 22350(b).
- b. not a registered California process server.
- c. a registered California process server: an employee or an independent contractor
- (1) Registration no.: _____
- (2) County: _____
- (3) **The fee** for service was *(specify)*: \$ _____

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

-or-

6. **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

Date:

(NAME OF PERSON WHO SERVED PAPERS)

▶

(SIGNATURE OF PERSON WHO SERVED PAPERS)

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

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

4. By personally delivering copies to the person served, as follows:

a. Date:	b. Time:
c. Address:	

5. I am

a. <input type="checkbox"/> not a registered California process server.	d. <input type="checkbox"/> exempt from registration under Business & Profession Code section 22350(b).
b. <input type="checkbox"/> a registered California process server.	e. <input type="checkbox"/> a California sheriff or marshal.
c. <input type="checkbox"/> an employee or independent contractor of a registered California process server.	

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

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

Date:

_____ (TYPE OR PRINT NAME OF PERSON WHO SERVED THE PAPERS)	▶	_____ (SIGNATURE OF PERSON WHO SERVED THE PAPERS)
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ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER: <i>(If applicable, provide):</i> HEARING DATE: HEARING TIME: DEPT.:
PROOF OF SERVICE BY MAIL	

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:

3. I served a copy of the following documents *(specify)* :

by enclosing them in an envelope AND

- a. **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
- b. **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. The envelope was addressed and mailed as follows:

- a. Name of person served:
- b. Address:

- c. Date mailed:
- d. Place of mailing *(city and state):*

5. I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. *(Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order (form FL-334) may be used for this purpose.)*

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

Date:

_____ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF PERSON COMPLETING THIS FORM)