

SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN

PETITION FOR CUSTODY AND SUPPORT OF MINOR CHILDREN
Starter Packet

HOW TO BEGIN YOUR ACTION

1. COMPLETE THE FORMS. (Type or print, blue or black ink only)
 - Summons
 - Petition
 - Declaration Under UCCJEA
 - Confidential - Party Identification & Notice of Related Case(s)
 - Family Law Certificate of Assignment - Venue Declaration
2. DATE, PRINT NAME AND SIGN ALL FORMS BEFORE FILING.
3. MAKE COPIES OF EACH FORM. Make two (2) copies of each form, front and back pages.
4. FILING FEE. There is a fee of **\$435.00** to file. If you cannot afford the filing fee, you may be eligible to have the fee “waived” by completing an **Application for Fee Waiver**– *ask the clerk for a packet.*
5. FILE YOUR FORMS. The original form and all copies must be filed with the Family Law Department. The clerk will keep the original and return both file stamped copies to you for further action. One copy is for your records, the other copy is for service on the other party.
6. SERVE YOUR DOCUMENTS. “**SERVICE**” means that someone other than you, over the age of 18, must **personally** deliver (serve) a copy of the filed endorsed papers to the other party. You must also serve the other party with the blank Response– *ask the clerk for a packet.* If you prefer, you can arrange to have the Sherriff’s Department or private process server serve the papers at a cost.
7. FILE THE PROOF OF SERVICE OF SUMMONS. After service has been completed, the person who served the papers must complete and sign the “Proof of Service of Summons,” included in this packet. Once completed, the form **must** be filed with the Family Law Department.
8. FOLLOW-UP. **These forms only begin the action.** *Note: In order to obtain an enforceable order or a Judgment (Final Order) additional forms are required – *ask the clerk for further packets.*

NOTICE

PERSONNEL OF THE CLERKS OFFICE OF THE SUPERIOR COURT ARE NOT ALLOWED
BY LAW TO GIVE LEGAL ADVICE OR ASSIST IN THE PREPARATION OF ANY FORMS.

PURSUANT TO CA RULE OF COURT 2.200, A PARTY WHOSE ADDRESS CHANGES WHILE AN ACTION IS PENDING MUST SERVE ON ALL PARTIES AND FILE A WRITTEN NOTICE OF CHANGE OF ADDRESS WITH THE COURT- Ask the clerk for Notice of Change of Address and Other Contact Information form

CONFIDENTIAL

KRN SUP CRT FL-0122

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.: FAX NO. (Optional):		
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN		
CASE NAME:		
CONFIDENTIAL - PARTY IDENTIFICATION AND NOTICE OF RELATED CASE(S)		CASE NUMBER:

Pursuant to Kern County Superior Court Local Rules of Court, Rule 6.11, in order to avoid duplicate cases, conflicting orders and unnecessary hearings, parties must disclose all related cases when a Family Law case is filed or when a party discovers there is a related case in Kern County or another county. A related case means one or both parties and/or minor children of the parties are involved in other case(s). Examples of related cases include family law, guardianship, domestic violence, criminal, and/or a juvenile case involving a minor child of one or both of the parties.

1. **PARTIES TO THE CASE:** For the case number listed above, specify identifying information for any adult, parent and/or guardian who is a party to the case. If information is not available, write **UNKNOWN**.

a. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

Name:

Date of Birth:

Other name(s) used:

b. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

Name:

Date of Birth:

Other name(s) used:

c. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

Name:

Date of Birth:

Other name(s) used:

2. ☐ **THERE ARE NO RELATED CASES.**

3. **RELATED CASES:** If you, your minor children, or the minor children of any other party to this Family Law proceeding have been involved in another court action with any of the persons listed on this form, provide the case information below. If any information is unknown, leave the section blank.

Case Number	Case Name	Person Involved	Court Location
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a.

b.

c.

Date:

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY)

(SIGNATURE OF PARTY OR ATTORNEY)

Page 1 of 1

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ EMAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	For Court Use Only
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN ☐ METROPOLITAN DIVISION 1215 TRUXTUN AVENUE, BAKERSFIELD, CA 93301 ☐ MOJAVE BRANCH 1773 HIGHWAY 58 BUSINESS, MOJAVE, CA 93501 ☐ RIDGECREST BRANCH 132 E COSOS STREET, RIDGECREST, CA 93555 ☐ DELANO/MCFARLAND BRANCH 1122 JEFFERSON STREET, DELANO, CA 93215 ☐ LAMONT/ARVIN BRANCH 12022 MAIN STREET, LAMONT, CA 93241 ☐ SHAFTER/WASCO BRANCH 325 CENTRAL VALLEY HIGHWAY, SHAFTER, CA 93263	
PETITIONER(S)	
RESPONDENT(S)	
OTHER PARENT	
FAMILY LAW CERTIFICATE OF ASSIGNMENT – VENUE DECLARATION	CASE NUMBER(s):

INSTRUCTIONS: In order for the court to assign your case to the proper court location, this venue declaration is required when an individual files a new family law case, **excluding domestic violence cases**. For active Department of Child Support Services (DCSS) cases, this cover sheet must be submitted with the first paper filed by a party requesting custody or visitation orders after both parents have become parties to the DCSS case.

SANCTIONS: Notice is hereby given that knowingly or purposefully filing a case in the improper venue is good cause for imposing monetary sanctions.

I, _____, declare that this action is filed in the proper venue within the County of Kern based on the type of case and according to zip codes per Appendix A.
 Relevant authority: Superior Court of California, County of Kern, Local Rule 1.7.4 – 1.7.5 and CCP § 395(a).

(Check one and enter Zip Code)

- ☐ Petitioner resides in the County of Kern within Zip Code _____
- ☐ Respondent resides in the County of Kern within Zip Code _____
- ☐ In the DCSS case, the party or other parent requesting custody or visitation orders resides in the County of Kern within Zip Code _____
- ☐ Petition to Establish Parental Relationship **Minor(s) reside(s) in the County of Kern** within Zip Code _____
- ☐ Petition for Grandparent Visitation **Minor(s) reside(s) in the County of Kern** within Zip Code _____
- ☐ Other (Specify case type and Zip Code) _____

FOR COURT USE ONLY
☐ METROPOLITAN DIVISION 1215 TRUXTUN AVENUE, BAKERSFIELD, CA 93301 ☐ MOJAVE BRANCH 1773 HIGHWAY 58 BUSINESS, MOJAVE, CA 93501 ☐ RIDGECREST BRANCH 132 E COSOS STREET, RIDGECREST, CA 93555 ☐ DELANO/MCFARLAND BRANCH 1122 JEFFERSON STREET, DELANO, CA 93215 ☐ LAMONT/ARVIN BRANCH 12022 MAIN STREET, LAMONT, CA 93241 ☐ SHAFTER/WASCO BRANCH 325 CENTRAL VALLEY HWY, SHAFTER, CA 93263

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 PARTY OR ATTORNEY)

SUMMONS

(Parentage—Custody and Support)

CITACIÓN (Paternidad—Custodia y Manutención)

NOTICE TO RESPONDENT (Name):

AVISO AL DEMANDADO (Nombre):

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

You have been sued. Read the information below and on the next page.
Lo han demandado. Lea la información a continuación y en la página siguiente.

Petitioner's name:

El nombre del demandante:

CASE NUMBER: (Número de caso)

You have **30 calendar days** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-220 or FL-270) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.

Tiene 30 días de calendario después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-220 o FL-270) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.

If you do not file your *Response* on time, the court may make orders affecting your right to custody of your children. You may also be ordered to pay child support and attorney fees and costs.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten la custodia de sus hijos. La corte también le puede ordenar que pague manutención de los hijos, y honorarios y costos legales.

For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (www.courts.ca.gov/selfhelp), at the California Legal Services website (www.lawhelpca.org), or by contacting your local bar association.

Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio web de los Servicios Legales de California (www.lawhelpca.org), o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE: *The restraining order on page 2 remains in effect against each parent until the petition is dismissed, a judgment is entered, or the court makes further orders. This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.*

AVISO: *La orden de protección que aparecen en la pagina 2 continuará en vigencia en cuanto a cada parte hasta que se emita un fallo final, se despidan la petición o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas orden puede hacerla acatar en cualquier lugar de California.*

FEE WAIVER: If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.

EXENCIÓN DE CUOTAS: *Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.*

[SEAL]

1. The name and address of the court are: (El nombre y dirección de la corte son:)

2. The name, address, and telephone number of petitioner's attorney, or petitioner without an attorney, are: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son:)

Date (Fecha): _____ Clerk, by (Secretario, por) _____, Deputy (Asistente)

STANDARD RESTRAINING ORDER
(Parentage—Custody and Support)

ORDEN DE RESTRICCIÓN ESTÁNDAR
(Paternidad—Custodia y Manutención)

Starting immediately, you and every other party are restrained from removing from the state, or applying for a passport for, the minor child or children for whom this action seeks to establish a parent-child relationship or a custody order without the prior written consent of every other party or an order of the court.

This restraining order takes effect against the petitioner when he or she files the petition and against the respondent when he or she is personally served with the *Summons* and *Petition* OR when he or she waives and accepts service.

This restraining order remains in effect until the judgment is entered, the petition is dismissed, or the court makes other orders.

This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.

En forma inmediata, usted y cada otra parte tienen prohibido llevarse del estado a los hijos menores para quienes esta acción judicial procura establecer una relación entre hijos y padres o una orden de custodia, ni pueden solicitar un pasaporte para los mismos, sin el consentimiento previo por escrito de cada otra parte o sin una orden de la corte.

Esta orden de restricción entrará en vigencia para el demandante una vez presentada la petición, y para el demandado una vez que éste reciba la notificación personal de la Citación y Petición, o una vez que renuncie su derecho a recibir dicha notificación y se dé por notificado.

Esta orden de restricción continuará en vigencia hasta que se emita un fallo final, se despidan la petición o la corte dé otras órdenes.

Cualquier agencia del orden público que haya recibido o visto una copia de esta orden puede hacerla acatar en cualquier lugar de California.

NOTICE — ACCESS TO AFFORDABLE HEALTH INSURANCE Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay toward high-quality, affordable health care. For more information, visit www.coveredca.com. Or call Covered California at 1-800-300-1506.

AVISO — ACCESO A SEGURA DE SALUD MÁS ECONOMICO Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir al costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite www.coveredca.com. O llame a Covered California al 1-800-300-0213.

- Child's name

Birthdate

Age

 continued on Attachment 1.

- a. ☐ I am married to the respondent, and no action is pending in any court for dissolution, legal separation, or nullity.
- b. ☐ Respondent and I have signed a voluntary declaration of parentage or paternity regarding the minor children, and no action regarding the children has been filed in any other court. A copy is attached.
- c. ☐ Respondent and I have legally adopted a child together.
- d. ☐ Respondent and I have been determined to be the parents in juvenile court or governmental child support.

Case number:

County:

State:

Country (if not the United States):

- 4. Child custody and visitation (parenting time).** I request the following orders:

Petitioner

Respondent

Joint

Other

- a. Legal custody of children to: ☐ ☐ ☐ ☐
- b. Physical custody of children to: ☐ ☐ ☐ ☐
- c. Visitation (parenting time) of children with: ☐ ☐ ☐ ☐
- d. If "Other" is checked above, name of the other person is (*specify*): _____

The proposed schedule for visitation (parenting time) is as follows:

☐ See the attached form FL-311, *Child Custody and Visitation (Parenting Time) Application Attachment*.

PETITIONER:	CASE NUMBER:
RESPONDENT:	

4. e. ☐ I request that the child abduction prevention orders requested on form FL-312 be approved.
 f. ☐ I request that the proposed holiday schedule set out in ☐ form FL-341(C) ☐ other be approved.
 g. ☐ I request that additional orders regarding child custody set out in ☐ form FL-341(D) ☐ other be approved.
 h. ☐ I request that joint legal custody orders set out in ☐ form FL-341(E) ☐ other be approved.
 i. ☐ I request that visitation (parenting time) be supervised with the following persons, with the following restrictions:

☐ Continued on Attachment 4i.

j. ☐ Other (*specify*):

5. **Fees and cost of litigation**

- a. Attorney's fees will be paid by ☐ petitioner ☐ respondent.
 b. ☐ Each party will pay their own attorney's fees.

6. **Child support.** The court may make orders for support of the children and issue an earnings assignment without further notice to either party.

7. Other (*specify*):

8. **I have read the restraining order on the back of the *Summons* (form FL-210) that is being filed with this petition, and I understand that it applies to me when this petition is filed.**

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 PETITIONER)

A blank *Response to Petition for Custody and Support of Minor Children* (form FL-270) must be served on the respondent with a copy of this Petition.

NOTICE: If you have a child from this relationship, the court is required to order child support based on the incomes of both parents. You should supply the court with information about your income. Otherwise, the child support order will be based on information supplied by the other parent. Any party required to pay child support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

ATTORNEY OR PARTY WITHOUT ATTORNEY 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	☐ Confidential (list state only)	☐ 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 (name, state, or tribe, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. ☐ Family						
b. ☐ Probate Guardianship						
c. ☐ Other						

Proceeding	Case Number	Court (name, state, location)
d. ☐ Juvenile		
e. ☐ Adoption		

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

Court	County	State or Tribe	Case number (if known)	Orders expire (date)
a. ☐ Criminal				
b. ☐ Family				
c. ☐ Juvenile				
d. ☐ 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:

**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 (name and complete current address)	Relationship
From:	To present	☐ Confidential (list state only)	☐ Confidential (list state only)	
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 (name and complete current address)	Relationship
From:	To present	☐ Confidential (list state only)	☐ Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

Page

PETITIONER:
RESPONDENT:
OTHER PARENT/PARTY:

CASE NUMBER:

CHILD CUSTODY AND VISITATION (PARENTING TIME) APPLICATION ATTACHMENT
—This is not a court order—

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

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

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

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

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

1. Minor Children

☐ Attachment 1.

Child's Name

Birthdate

Age

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

Petitioner Respondent Joint Other parent/party

a. Physical custody of children to.....
(The person with whom the child will regularly live)

☐
☐
☐
☐

b. Legal custody of children to
(The person who decides about the child's health, education, and welfare)

☐
☐
☐
☐

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

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

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

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

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

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



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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4. ☐ **Petitioner's** ☐ **Respondent's** ☐ **Other Parent's/Party's** parenting time (visitation) will be (check all that apply):

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

(1) ☐ **Weekends starting (date):**

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

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

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

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

(2) ☐ **Alternate weekends starting (date):**

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

(3) ☐ **Weekdays starting (date):**

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

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

b. ☐ **Virtual visitation**

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

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

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



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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5. ☐ **Child custody and visitation when there are allegations of a history of abuse or substance abuse**

a. **Allegations**

- (1) ☐ Petitioner ☐ Respondent ☐ Other parent/party is (or are) alleged to have a history of abuse against any of the following persons: a child, the other parent, their current spouse, or the person they live with or are dating or engaged to.
- (2) ☐ Petitioner ☐ Respondent ☐ Other parent/party is (or are) alleged to have the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.

b. **Child custody**

- (1) ☐ I ask that the court NOT order sole or joint custody of the minor child to the party or parties in 5a.
- (2) ☐ Even though there are allegations, I ask that the court make the child custody orders in item 4.
(Write the reasons why you think it would be in the best interests of the child that the party or parties be granted child custody, even though there are allegations against them of a history of abuse or substance abuse. The orders that you request about child custody or visitation must also be specific as to time, day, place, and manner of transfer (exchange) of the child, as Family Code sections 3011(a)(5)(A) and 6323(c) require.)
☐ Below ☐ in Attachment 5b(2) ☐ Other (specify):

c. **Visitation (Parenting Time)**

- (1) ☐ I ask that the court order supervised visitation as specified in item 6.
- (2) ☐ I ask that the court order unsupervised visitation to the party or parties as specified in item 4.
- (A) Even though there are allegations of a history of abuse or substance abuse, I request that the court order unsupervised visitation to (specify): ☐ petitioner ☐ respondent ☐ other parent/party
- (B) The reasons why the court should make the orders are
(Write the reasons why you think it would be in the best interests of the child that the party or parties be granted unsupervised visitation (parenting time) even though there are allegations against them of a history of abuse or substance abuse. The orders that you request about child custody or visitation must also be specific as to time, day, place, and manner of transfer (exchange) of the child, as Family Code sections 3011(a)(5)(A) and 6323(c) require.)
☐ Below ☐ in Attachment 5c(2)(B) ☐ Other (specify):

- (3) ☐ Other (specify):



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6. ☐ **Supervised visitation (parenting time)**

(To learn about supervised visitation, go to: selfhelp.courts.ca.gov/guide-supervised-visitation.)

- a. I ask that ☐ petitioner ☐ respondent ☐ other parent/party have supervised visitation with the minor children.
- b. The reasons why the court should make the orders are *(specify)*:
(Write the reasons why you think unsupervised visitation (parenting time) would NOT be in the best interest of the child.)
☐ Below ☐ in Attachment 6b ☐ Other *(specify)*:
- c. I ask that the visitations be monitored by *(name, if known)*:
 The provider's phone number is *(specify)*:
- (1) ☐ The person or agency is a professional provider.
 (A) A professional provider must meet the requirements listed in *Declaration of Supervised Visitation and Exchange Services Provider (Professional)* (form FL-324(P)) and sign the declaration.
 (B) Professional provider fees to be paid by petitioner: _____ percent. respondent: _____ percent.
 other parent/party: _____ percent.
- (2) ☐ The person is a nonprofessional provider. The person must meet the requirements listed in *Declaration of Supervised Visitation and Exchange Services Provider (Nonprofessional)* (form FL-324(NP)).
- d. Location of supervised visitation. I request that supervised visitation be *(check one)*:
 (1) ☐ In person at a safe location.
 (2) ☐ Virtual visitation (not in person).
 (3) ☐ Other *(describe)*:
- e. Schedule for supervised visitation *(specify)*:
 (1) ☐ Once a week, for *(number of hours for each visit)*:
 (2) ☐ Two times each week, for *(number of hours for each visit)*:
 (3) ☐ As specified in item 4.
 (4) ☐ Other *(describe)*:

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

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

- a. The children must be driven only by a licensed and insured driver. The vehicle must be legally registered with the Department of Motor Vehicles and must have child restraint devices properly installed, as required by law.
- b. ☐ Transportation **to** begin the visits will be provided by *(name)*:
- c. ☐ Transportation **from** the visits will be provided by *(name)*:
- d. ☐ The exchange point at the beginning of the visit will be *(address)*:
- e. ☐ The exchange point at the end of the visit will be *(address)*:
- f. ☐ During the exchanges, the party driving the children will wait in the car and the other party will wait in the home (or exchange location) while the children go between the car and the home (or exchange location).
- g. ☐ Other *(specify)*:



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8. ☐ **Travel with children.** The ☐ Petitioner ☐ Respondent ☐ Other parent/party **must** have written permission from the other parent or party, or a court order, to take the children out of the following places:
- a. ☐ the state of California.
 - b. ☐ the following counties (*specify*):
 - c. ☐ other places (*specify*):

9. ☐ **Child abduction prevention.** There is a risk that one of the parties will take the children out of California without the other party's permission. I request the orders set out on attached form FL-312.

10. ☐ **Child custody mediation**

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

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

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

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

13. ☐ **Other (*specify*):**

PARTY WITHOUT ATTORNEY <i>or</i> ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF 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 him or her 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:
- d. **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)