SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN

IMPORTANT INFORMATION: READ BEFORE FILING EMERGENCY (EX-PARTE) HEARING

INFORMATION SHEET

Do not use this process for Domestic Violence Cases- please see Family Code § 6300 et seq.

Per California Rules of Court, Rule 5.151: The purpose of request for emergency orders is to address matters that cannot be heard on the court's regular hearing calendar. In this type of proceeding, notice to the other party is shorter than in other proceedings or notice can be waived under exceptional circumstances. The process is used for the following issues:

1. To prevent immediate danger or irreparable harm to a party or to the children;
2. To prevent immediate loss or damage to the property;
3. Order shortening time;
4. Continuing a hearing or trial;
5. Resident exclusion (Local Rule 6.4);
6. Change of Custody or a substantial change in current visitation orders (Local rule 6.4).

In your facts to support describe the emergency, you must include facts, not just opinions. For example, what you saw, heard, or know personally. Use facts to support why this needs to be decided by an emergency hearing (so quickly); what irreparable harm or immediate danger exists. If you have asked for the same order before, you must include that and whether the order was granted. If you have any documents to support your request, you can attach them to your request.

The declaration must state facts within your personal knowledge, such as anything you have observed or have been told directly by the other party, showing:

1) Immediate danger or irreparable harm to party; or
2) Immediate loss or damage to property; or
3) Immediate danger or irreparable harm to child(ren) per *Fam Code 3064(b*). Harm includes:
   a) Having a parent as committed domestic violence of recent origin or continuing pattern (include the date of the incident);
   b) Sexual abuse of the child of recent origin or pattern of sexual abuse (including the date of the incident); or
4) Immediate risk that the chil(ren) will be removed from California; or
5) Other basis for granting relief.

Note: The Temporary Emergency (Ex-Parte) Orders expire at the date and time set for the return hearing. See C.R.C., Rule 5.94.

These materials have been compiled through a grant from the Judicial Council of California. The opinions and findings in this publication are those of the author and not necessarily those of the Judicial Council of California. All rights reserved, August 2024, rev 7/2025. SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN, FAMILY LAW FACILITATOR, 1215 TRUXTUN AVE., BAKERSFIELD CA 93301; WMFACIL@KERN.COURTS.CA.GOV

SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN

REQUEST FOR ORDER
EMERGENCY (EX-PARTE) HEARING

1. **COMPLETE THE FORMS ATTACHED**. Type or print in blue or black ink only. Writing must be legible. See FL-300-INFO for more information and other required forms.

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. **Note**: You may need additional copies if there are multiple parties involved.

4. **FILING FEE.** There is a fee to file. If you cannot afford the 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 no later than 12:00pm the day (business day) before the hearing. The clerk will return your copies after the emergency hearing. One copy is for your records; the other copies are for service to the other party(ies).

6. **NOTICE (BY TEXT, CALL, E-MAIL) MUST BE GIVEN TO THE OTHER PARTY BY 8:30 AM ON THE DAY(BUSINESS DAY) BEFORE YOUR HEARING** .

7. **SERVE A COPY OF YOUR DOCUMENTS TO THE OTHER PARTY NO LATER THAN 1:00PM THE DAY(BUSINESS DAY) BEFORE THE HEARING (FORM FL-303).**

8. **ATTEND YOUR HEARING.**

9. **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 Responsive Declaration to Request for Order. If you prefer, you can arrange to have the Sherriff's Department or private process server serve the papers at a cost. See additional information regarding service deadlines on form FL-300-INFO. (FORM FL-330)

10. **FILE THE PROOF OF SERVICE(FORM FL-330).** After service has been completed, the person who served the papers must complete and sign the "Proof of Personal Service," included in this packet. Once completed, the form **must** be filed with the Family Law Department no later than **five (5) court days before the hearing**. *Note: Your case may not be heard unless proof of service is on file.

11. **FOLLOW-UP**. These documents only request a hearing before a judge on the issues addressed. Following the hearing, a "Findings and Order After Hearing" must be prepared consisting of additional forms that adhere and formalize any order made in Court.

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*

REQUEST FOR ORDER
INCLUDING TEMPORARY (EX-PARTE) ORDERS

REQUEST AN EMERGENCY HEARING DATE

Contact the Family Law Department by phone (661) 610-6400, by email WMFamilylaw@kern.Courts.Ca.Gov or in person at 1215 Truxtun Avenue, Bakersfield, CA 93301 to request an emergency hearing.

GIVE NOTICE OF THE EMERGENCY (EX-PARTE) HEARING TO THE OTHER PARTY

Notice of the hearing may be provided in person, by phone call, text message, email or in writing.

You must notify the other party no later than 8:30 am the day (business day) before the hearing.

COMPLETE, SIGN AND DATE ALL YOUR FORMS

The mandatory forms are FL-300, FL-105, FL-305 and FL-303.

You will need to provide 2 copies off all the forms.

You must file the forms with the Court no later than 12:00 pm the day (business day) before the hearing. Serve a copy of all the forms for the emergency hearing to the other party no later than 1:00 pm the day (business day) before the hearing

ATTEND THE EMERGENCY (EX-PARTE) HEARING

Attend the emergency ex-parte hearing. Do not be late.

AFTER THE HEARING, THE CLERK WILL RETURN COPIES OF ALL THE FORMS

The copies will include the signed temporary orders made by the judge ,if any. The temporary orders will expire the day of the next hearing.

SERVE A COPY OF THE DOCUMENTS TO THE OTHER PARTY

The other party must be personally served.

(use FL-330)

Service must be completed at least 16 court days before the hearing.

The person who serves the other party must be a 3rd party (not you) over the age of 18.

FILE THE PROOF OF SERVICE

You must file the proof of service (FL-330) at least 5 court days before the hearing.

If you are not able to serve the forms, you can ask for more time by filing forms to reschedule the hearing

ATTEND MEDIATION AND THE HEARING

FL-300-INFO Information Sheet for Request for Order

1 USE *Request for Order* (form FL-300):

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

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

- To ask for a restraining order against your spouse or domestic partner, a former spouse or domestic partner, or someone you have a child with. Read *How to Ask for a Temporary Restraining Order* (form DV-505-INFO).
- To ask to change or end a *Restraining Order After Hearing* granted under the Domestic Violence Prevention Act, including form DV-130 and form JV-255 in a juvenile case. For more information, read *How Do I Ask to Change or End a Domestic Violence Restraining Order?* (form DV-300-INFO).
- Before you have filed a Petition to start your family law case (form FL-300 may be filed with the Petition).
- If you and the other party have an agreement. For information about how to write up your agreement, get it approved by the court, and filed in your case, see www.courts.ca.gov/selfhelp-agreeFL, speak with an attorney, or get help at your court's Self-Help Center or Family Law Facilitator's Office.
- When specific Judicial Council forms must be used to ask the court for other orders. For example, to ask: –For an order for contempt, use form FL-410. –To set aside a child support order, use form FL-360 or form FL-640. –To set aside a voluntary declaration of paternity, use form FL-280.

3 Forms checklist

a. Form FL-300, *Request for Order,* is the basic form you need to file with the court. Depending on your request, you may need these additional forms:

b. To request child custody or visitation (parenting time) orders, you may need to complete some of these forms:
- ❑ FL-105, *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act*
- ❑ FL-311, *Child Custody and Visitation (Parenting Time) Application Attachment*
- ❑ FL-312, *Request for Child Abduction Prevention Orders*
- ❑ FL-341(C), *Children's Holiday Schedule Attachment*
- ❑ FL-341(D), *Additional Provisions—Physical Custody Attachment*
- ❑ FL-341(E), *Joint Legal Custody Attachment*

c. If you want child support, you need this form:
- ❑ A current form FL-150, *Income and Expense Declaration.* You may use form FL-155, *Financial Statement (Simplified)*, instead of form FL-150 if you meet the requirements listed on page 2 of form FL-155.

d. If you want spousal or partner support or orders about your finances, you need these forms:
- ❑ A current FL-150, *Income and Expense Declaration*
- ❑ FL-157, *Spousal or Partner Support Declaration Attachment* (if the request is to change a support judgment)

e. If you want attorney's fees and costs, you need these forms:*
- ❑ A current FL-150, *Income and Expense Declaration*
- ❑ FL-319, *Request for Attorney's Fees and Costs Attachment* (or provide the information in a declaration)
- ❑ FL-158, *Supporting Declaration for Attorney's Fees and Costs* (or provide the information in a declaration)

(*The above forms are not required when asking for attorney's fees and costs under the Domestic Violence Prevention Act.)

f. To request temporary emergency (ex parte) orders, you need these forms:
- ❑ FL-305, *Temporary Emergency Orders* to serve as the proposed temporary emergency orders.
- ❑ Your declaration describing how and when you gave notice about the request for temporary emergency orders. You may use form FL-303, *Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders.*
- ❑ Other forms required by local courts. See item 9 on page 3 of this form for more information.

g. If you plan to have witnesses testify at the hearing, you need form:
- ❑ FL-321, *Witness List*

h. If you want to request a separate trial (bifurcation) on an issue, you need form:
- ❑ FL-315, *Request or Response to Request for Separate Trial*

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4 Complete form FL-300 (Page 1)

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

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

In the next section, check "CHANGE" if you want to change an existing order. Check "TEMPORARY EMERGENCY (EX PARTE) ORDER" if you are asking that the court make emergency orders that will be effective until the hearing date.

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

Item 1: List the name(s) of the other person(s) in your case who will receive your request. In some cases, this might include a grandparent who is joined as a party in the case, a local child support agency, or a lawyer who represents a child in the case.

Item 2: Leave this blank. The court clerk will fill in the date, time, and location of the hearing.

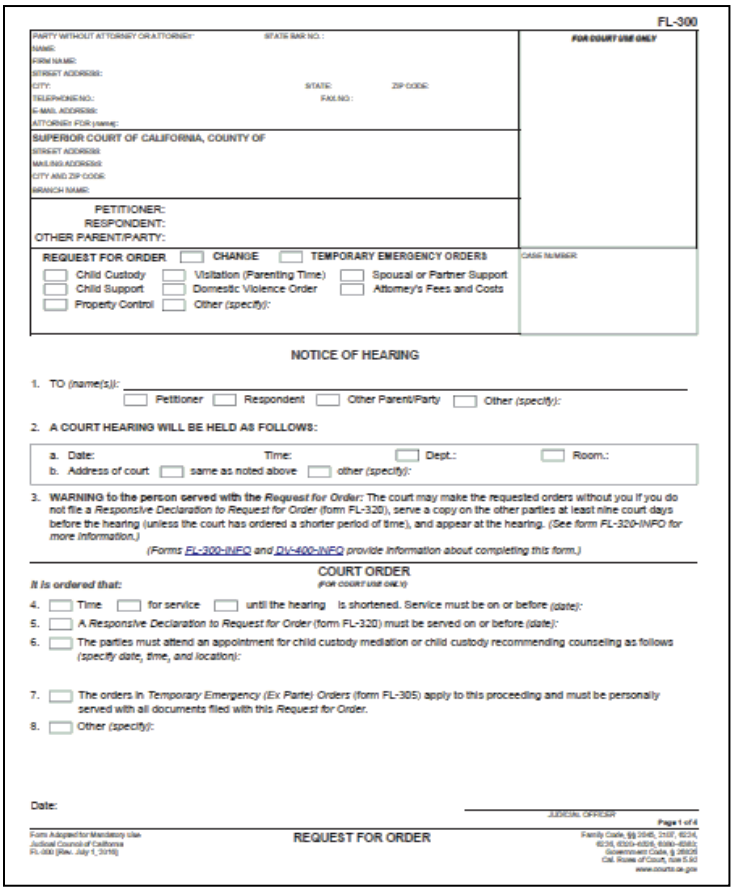
Item 3: This is a notice to all other parties.

Items 4-5: Leave these blank. The court will complete them if the orders are granted.

Item 6: In some counties, the court clerk will check item 6 and provide the details for your required child custody mediation or recommending counseling appointment. Other courts require the party or the party's lawyer to make the appointment and then complete item 6 before filing form FL-300.

Ask your court's Family Law Facilitator or Self-Help Center to find out what your court requires.

Items 7–8: Leave these blank. The court will complete them, if needed.



FL-300

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 ☐ CHANGE ☐ TEMPORARY EMERGENCY ORDERS
☐ Child Custody ☐ Visitation (Parenting Time) ☐ Spousal or Partner Support
☐ Child Support ☐ Domestic Violence Order ☐ Attorney's Fees and Costs
☐ Property Control ☐ Other (specify):

CASE NUMBER

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

(Forms FL-300-INFO and DV-400-INFO provide information about completing this form.)

COURT ORDER
(FOR COURT USE ONLY)

It is ordered that:

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

Date:

JUDICIAL OFFICER

Page 1 of 4

Form Adopted for Mandatory Use
Judicial Council of California
FL-300 [Rev. July 1, 2016]

REQUEST FOR ORDER

Family Code, §§ 3048, 3087, 6234, 6236, 6320–6326, 6380–6383; Government Code, § 26826; Cal. Rules of Court, rule 5.90
www.courts.ca.gov

Note: You may file one form FL-150 to respond to items 3, 4, and 6.

5 Complete form FL-300 (pages 2–4)

6 Complete additional forms and make copies

Complete any additional forms that you need to file with the *Request for Order*. Make at least two copies of your full packet.

7 File your documents

Give your paperwork and the copies you made to the court clerk to process. You may take them to the clerk's office in person, mail them, or, in some counties, you can e-file them.

The clerk will keep the original and give you back the copies you made with a court date and time stamped on the first page of the *Request for Order*. The procedure may be different in some courts if you are requesting temporary emergency orders.

8 Pay filing fees

A fee is due at the time of filing.

If you cannot afford to pay the filing fee, and you do not already have a valid fee waiver order in this case, you can ask the court to waive the fee by completing and filing form FW-001, *Request to Waive Court Fees* and form FW-003, *Order on Court Fee Waiver*.

9 **Temporary Emergency (Ex Parte) Orders**
(nondomestic violence restraining orders)

Courts can make temporary orders in your family law case to respond to emergencies that cannot wait to be heard on the court's regular hearing calendar.

The emergency must involve an immediate danger or irreparable harm to a party or children in the case, or an immediate loss or damage to property.

To request these orders:

- Complete form FL-300. Describe the emergency and explain why you need the temporary emergency orders before the hearing.
- Complete form FL-305 to serve as your proposed temporary orders.
- Include a declaration describing how and when you notified the other parties (or why you could not give notice) about your request and the hearing (see form FL-303).
- Complete other forms if required by your local court rules.
- Follow your court's local procedures for reserving the day for the hearing, submitting your paperwork, and paying filing fees.

10 **General information about "service"**
"Service" is the act of giving your legal papers to all persons named as parties in the case so that they know what orders you are asking for and have information about the hearing.

If the other parties are NOT properly served, the judge cannot make the orders you requested on the date of the hearing.

11 **Serve the Request for Order and blank forms**

The other party must be "served" with a:

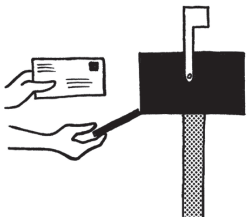
- Copy of the *Request for Order* and all the other forms and attachments filed with the court clerk.
- Copy of any temporary emergency orders granted.
- Blank form FL-320, *Responsive Declaration to Request for Order.*
- Blank form FL-150, *Income and Expense Declaration* (if you served form FL-150 or FL-155).

12 **Who can be a "server"**
You cannot serve the papers. Have someone else (who is at least 18 years old) do it. The server can be a friend, a relative who is not involved in your case, a sheriff, or a professional process server.

13 **"Personal Service"**
Personal service means that your server walks up to each person to be served, makes sure the right person is served, and then hand-delivers a copy of all the papers (and the blank forms). If the person served does not take the papers, the server may leave the papers near the person.

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

14 **"Service by mail"**



Service by mail means that your server places copies of all the documents (and blank forms) in a sealed envelope and mails them to the address of each party being served (or to the party's lawyer, if the party has one).

The server must be 18 years of age or over and live or work in the county where the mailing took place.

Important! For questions about personal service or service by mail, talk with a lawyer or check with your court's Family Law Facilitator or Self-Help Center at *www.courts.ca.gov/1083.htm.*

15 When to use personal service or service by mail

Personal Service

Personal service is the best way to make sure the other adults in your case are correctly served. Sometimes you **must** use personal service.

You **must** use personal service when the court:

☑ Ordered personal service;

☑ Granted temporary emergency orders;

☑ Does not yet have the power to make orders that apply to the other party because the person has either NOT previously:

- Been served with a *Summons* and *Petition;**
  OR
- Appeared in the case by filing a:
  a. *Response* to a *Petition*;
  b. *Appearance, Stipulations, and Waivers;*
  c. Written notice of appearance;
  d. Request to strike all or part of the *Petition;* or
  e. Request to transfer the case.

*Note: A *Request for Order* may be served at the same time as the family law *Summons* and *Petition.*

1. After serving, the server must fill out a *Proof of Personal Service* (form FL-330) and give it to you. If the server needs instructions, give them form FL-330-INFO, *Information Sheet for Proof of Personal Service*
2. Take the completed *Proof of Personal Service* form to the clerk's office (or e-file it, if available in your court) at least 5 court days before your hearing.

Deadline: The deadline for personal service is **16 court days** before the hearing date, unless the court orders a different deadline.

Service by Mail

If you are not required to use personal service, you may use service by mail.

Important! Check with your court's Family Law Facilitator's Office or Self-Help Center, or ask a lawyer to be sure you are allowed to use service by mail in your case.

A *Request for Order* to change a judgment or final order on the issue of child custody, visitation (parenting time), or child support may be served by mail if:

☑ The documents do not include temporary emergency orders;
☑ The court did not order personal service; and
☑ You have verified the other party's current residence or office address. (You may use *Address Verification* (form FL-334).)

To change a judgment or final order on any other issue, including spousal or domestic partner support, the *Request for Order* may need to be personally served on the other party.

1. After serving, the server must fill out a *Proof of Service by Mail* (form FL-335) and give it to you. If the server needs instructions, give them *Information Sheet for Proof of Service by Mail* (form FL-335-INFO).
2. Take the completed *Proof of Personal Service* form to the clerk's office (or e-file it, if available in your court) at least 5 court days before your hearing.

Deadline: Unless the court orders a different time, service by mail must be completed at least **16 court days *PLUS* 5 calendar days** before the hearing date (if service is in California). Other time lines apply for service outside of California.

16 Get ready for your hearing

- Take at least two copies of your documents and filed forms to the hearing. Include a filed *Proof of Service* form.
- Find more information about preparing for your hearing at www.courts.ca.gov/1094.htm.
- For information about having the other party testify in court, go to www.courts.ca.gov/29283.htm.

17 After the hearing, the order made on form FL-340, *Findings and Order After Hearing*, must be filed and served.

18 Do you have questions or need help?

- Find a lawyer through your local bar association, the State Bar of California at calbar.ca.gov, or the Lawyer Referral Service at 1-866-442-2529.
- For free and low-cost legal help (if you qualify), go to www.lawhelpca.org.
- Contact the Family Law Facilitator or Self-Help Center for information and assistance, and referrals to local legal services providers. Go to www.courts.ca.gov/selfhelp-courtresources.htm.

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: STATE BAR NUMBER:	FOR COURT USE ONLY
FIRM NAME:	
STREET ADDRESS:	
CITY: STATE: ZIP CODE:	
TELEPHONE NO.: FAX NO.:	
E-MAIL ADDRESS:	
ATTORNEY FOR *(name)*:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
STREET ADDRESS:	
MAILING ADDRESS:	
CITY AND ZIP CODE:	
BRANCH NAME:	
PETITIONER:	
RESPONDENT:	
OTHER PARENT/PARTY:	
DECLARATION REGARDING NOTICE AND SERVICE OF REQUEST FOR TEMPORARY EMERGENCY (EX PARTE) ORDERS	CASE NUMBER:

NOTICE: Do not use this form to ask for domestic violence restraining orders. Before completing this form, read your court's local procedures for requesting temporary emergency orders and obtaining the information needed to complete item 2 of this form. Courts may grant temporary emergency orders with or without an emergency hearing. Find local rules at **courts.ca.gov/3027.htm**.

1. I am *(specify)* ☐ attorney for ☐ petitioner ☐ respondent ☐ other parent/party
   ☐ not a party in the case *(name and title/relationship to party)*:

2. I ☐ did ☐ did not give notice *(select all that apply)*
   ☐ that there will be an emergency court hearing ☐ that papers will be submitted to the court on the request
   ☐ for temporary emergency (ex parte) orders
   ☐ to reschedule a hearing ☐ to reschedule a hearing involving temporary emergency (ex parte) orders
   on the date, time, and location indicated below:

   Date: Time: ☐ Dept.: ☐ Room:
   Address of court: ☐ same as noted above ☐ other *(specify)*:

3. **NOTICE** *(If you gave notice, complete item 3a. If you did not give notice complete item 3b or 3c.)*
   a. ☐ I gave notice as described in items (1) through (5) below:
      (1) I gave notice to *(select all that apply)*
      ☐ petitioner. ☐ petitioner's attorney.
      ☐ respondent. ☐ respondent's attorney.
      ☐ other parent/party. ☐ other parent's/party's attorney.
      ☐ child's attorney. ☐ other *(specify)*:
      (2) I gave notice on *(date)*: at: ☐ a.m. ☐ p.m.
      ☐ personally at *(location)*: , California.
      ☐ by telephone using telephone no.:
      ☐ by fax using fax no.:
      ☐ by voicemail using voicemail no.:
      ☐ by electronic means *(if permitted) (specify electronic service address of person)*:
      ☐ by overnight mail or other overnight carrier *(specify address of delivery)*:

      (3) I gave notice *(select one)*
      ☐ by 10 a.m. the court day before this emergency hearing.
      ☐ after 10 a.m. the court day before this emergency hearing because of the following exceptional circumstances *(specify)*:

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

(4) I notified the person in 3a(1) that the following temporary emergency orders are being requested *(specify):*

(5) The person in 3a(1) responded as follows: ☐ Attachment 3a(5)

(6) I ☐ do ☐ do not believe that the person in 3a(1) will oppose the request for temporary emergency orders.

b. ☐ **Request for waiver of notice.** Due to exceptional circumstances, I did not give notice about the request for temporary emergency orders. I ask that the court waive notice to the other party to help prevent *(specify)*

(1) ☐ immediate danger or irreparable harm to myself (or my client) or to the children in the case.
(2) ☐ an immediate risk that the children in the case will be removed from the state of California.
(3) ☐ immediate loss or damage to property subject to disposition in the case.
(4) ☐ other exceptional circumstances *(specify):*

Facts showing exceptional circumstances in support of the request to waive notice include *(specify):* ☐ Attachment 3b.

c. ☐ **Unable to provide notice.** I did not give notice about the request for temporary emergency orders. I used my best efforts to tell the opposing party when and where this hearing would take place but was unable to do so. The efforts I made to inform the other person were *(specify below):* ☐ Attachment 3c.

4. ☐ **SERVICE OF DOCUMENTS**

a. The following documents were served on
☐ petitioner ☐ petitioner's attorney ☐ other parent/party ☐ other parent/party's attorney
☐ respondent ☐ respondent's attorney ☐ child's attorney ☐ other *(specify):*
before the request was filed with the court:

(1) ☐ A copy of *Request for Order* (form FL-300) for temporary emergency orders, and *Temporary Emergency (Ex Parte) Orders* (form FL-305).
(2) ☐ A copy of a request to reschedule hearing and *Order on Request to Reschedule Hearing* (form FL-309). Form FL-306 may be used for the request.
(3) ☐ A copy of a request to reschedule hearing involving temporary emergency (ex parte) orders and *Order on Request to Reschedule Hearing* (form FL-309). Form FL-307 may be used for the request.
(4) ☐ Other documents *(specify):*

b. **Documents were served on** *(date):* at: ☐ a.m. ☐ p.m.
☐ personally at *(location):* , California.
☐ by fax on using fax no.:
☐ by electronic means *(if permitted) (specify electronic service address of person served):*
☐ by overnight mail or other overnight carrier *(specify address of delivery):*

c. Documents were not served on the opposing party due to the exceptional circumstances specified in
☐ 3b, above. ☐ 3c, above. ☐ Attachment 4c.

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)

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ATTORNEY OR PARTY WITHOUT 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:	
TEMPORARY EMERGENCY (EX PARTE) ORDERS ☐ Child Custody ☐ Visitation (Parenting Time) ☐ Property Control ☐ Other *(specify)*:	CASE NUMBER:

1. **TO *(name(s))*:** _____

☐Petitioner ☐Respondent ☐Other Parent/Party ☐Other *(specify)*:

A court hearing will be held on the *Request for Order* (form FL-300) served with this order, as follows:

a. Date: Time: ☐Dept.: ☐Room:

b. Address of court ☐same as noted above ☐other *(specify)*:

2. **Findings:** Temporary emergency (ex parte) orders are needed to: (a) help prevent an immediate loss or irreparable harm to a party or to children in the case, (b) help prevent immediate loss or damage to property subject to disposition in the case, or (c) set or change procedures for a hearing or trial.

COURT ORDERS: The following temporary emergency orders expire on the date and time of the hearing scheduled in (1), unless extended by court order:

3. ☐ **CHILD CUSTODY**

a.

Child's name	Date of Birth	Temporary physical custody, care, and control to: Petitioner	Respondent	Other Party/Parent
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐

☐Continued on Attachment 3(a)

b. ☐ **Visitation (Parenting Time)** The temporary orders for physical custody, care, and control of the minor children in (3) are subject to the other party's or parties' rights of visitation (parenting time) as follows *(specify)*:

☐See Attachment 3(b)

THIS IS A COURT ORDER.

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

3. ☐ **CHILD CUSTODY (continued)**
   c. **Travel restrictions**
      (1) The party or parties with temporary physical custody, care, and control of minor children **must not remove the minor children from the state of California unless the court allows it after a noticed hearing.**
      (2) ☐ Petitioner ☐ Respondent ☐ Other Parent/Party must not remove their minor children *(specify):*
         (a) ☐ from the state of California.
         (b) ☐ from the following counties *(specify):*
         (c) ☐ other *(specify):*

   d. ☐ **Child abduction prevention orders** are attached (see form FL-341(B)).

   e. (1) **Jurisdiction:** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).
      (2) **Notice and opportunity to be heard:** The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
      (3) **Country of habitual residence:** The country of habitual residence of the child or children is *(specify):*
      ☐ The United States of America ☐ Other *(specify):*
      (4) **If you violate this order, you may be subject to civil or criminal penalties, or both.**

4. ☐ **PROPERTY CONTROL**
   a. ☐ Petitioner ☐ Respondent ☐ Other Parent/Party is given exclusive temporary use, possession, and control of the following property that the parties ☐ own or are buying ☐ lease or rent

   b. ☐ Petitioner ☐ Respondent ☐ Other Parent/Party is ordered to make the following payments on the liens and encumbrances 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:

5. ☐ All other existing orders, not in conflict with these temporary emergency orders, remain in full force and effect.

6. ☐ **OTHER ORDERS** *(specify):* ☐ Additional orders are listed in Attachment 6.

Date:

JUDGE OF THE SUPERIOR COURT

THIS IS A COURT ORDER.

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

   b. Address of court ☐ same as noted above ☐ 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:

REQUEST FOR ORDER

Note: Place a mark ☒ in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* (form MC-031) for this purpose.)

1. ☐ RESTRAINING ORDER INFORMATION
   One or more domestic violence restraining/protective orders are now in effect between *(specify):*
   ☐ Petitioner ☐ Respondent ☐ Other Parent/Party *(Attach a copy of the orders if you have one.)*
   The orders are from the following court or courts *(specify county and state):*
   a. ☐ Criminal: County/state *(specify):* Case No. *(if known)*:
   b. ☐ Family: County/state *(specify):* Case No. *(if known)*:
   c. ☐ Juvenile: County/state *(specify):* Case No. *(if known)*:
   d. ☐ Other: County/state *(specify):* Case No. *(if known)*:

2. ☐ CHILD CUSTODY ☐ I request temporary emergency orders
   ☐ VISITATION (PARENTING TIME)
   a. I request that the court make orders about the following children *(specify):*

Child's Name	Date of Birth	☐ Legal Custody to *(person who decides: health, education, etc):*	☐ Physical Custody to *(person with whom child lives):*

☐ Attachment 2a.

   b. ☐ The orders I request for ☐ child custody ☐ visitation (parenting time) are:
      (1) ☐ Specified in the attached forms:
      ☐ Form FL-305 ☐ Form FL-311 ☐ Form FL-312 ☐ Form FL-341(C)
      ☐ Form FL-341(D) ☐ Form FL-341(E) ☐ Other *(specify):*
      (2) ☐ As follows *(specify):* ☐ Attachment 2b.

   c. The orders that I request are in the best interest of the children because *(specify):* ☐ Attachment 2c.

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

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 based on the child support guideline. ☐ Monthly amount ($) requested (if not by guideline)

   ☐ Attachment 3a.
   b. ☐ I want to change a current court order for child support filed on *(date):*
   The court ordered child support as follows *(specify):*

   c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form FL-150) or I filed a current *Financial Statement (Simplified)* (form FL-155) because I meet the requirements to file form FL-155.
   d. The court should make or change the support orders because *(specify)*: ☐ Attachment 3d.

4. ☐ SPOUSAL OR DOMESTIC PARTNER SUPPORT
   (Note: An *Earnings Assignment Order For Spousal or Partner Support* (form FL-435) may be issued.)
   a. ☐ Amount requested *(monthly):* $
   b. ☐ I want the court to ☐ change ☐ end the current support order filed on *(date):*
   The court ordered $ per month for support.
   c. ☐ This request is to modify (change) spousal or partner support after entry of a judgment.
   I have completed and attached *Spousal or Partner Support Declaration Attachment* (form FL-157) or a declaration that addresses the same factors covered in form FL-157.
   d. I have completed and filed a current *Income and Expense Declaration* (form FL-150) in support of my request.
   e. The court should make, change, or end the support orders because *(specify):* ☐ Attachment 4e.

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

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 STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTONREY FOR *(name)*:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
(This section applies to cases other than probate guardianships.) PETITIONER: RESPONDENT: OTHER PARTY: CHILD'S NAME *(Juvenile cases only)*:	
(This section applies only to probate guardianship cases.) 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.)*

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CASE NAME:	CASE NUMBER:

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:	b. Name and address of person:	c. Name and address of person:
☐ Has physical custody	☐ Has physical custody	☐ Has physical custody
☐ Claims custody rights	☐ Claims custody rights	☐ Claims custody rights
☐ Claims visitation rights	☐ Claims visitation rights	☐ Claims visitation rights
Name of each child:	Name of each child:	Name of each child:

7. ☐ Number of pages attached: _____

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

Date:

_____ ▶ _____

(NAME OF DECLARANT) (SIGNATURE OF DECLARANT)

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

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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:			

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):*

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

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

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

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

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

(3) ❑ I ask that the court NOT order sole or joint custody of the minor child to the person(s) alleged to have a history of abuse or substance abuse.

(4) ❑ Even though there are allegations, I ask that the court make the child custody orders in item 1a.
(Write the reasons why you think it would be good for the children that the person(s) be granted custody, even though there are allegations against them of a history of abuse or substance abuse.)
❑ Below: ❑ Attachment 1b. ❑ Other *(specify):*

2. ❑ **Visitation (Parenting Time).**
Note: Unless specifically ordered, a child's holiday schedule order has priority over the regular parenting time.
a. ❑ Reasonable right of parenting time (visitation) to the party without physical custody **(not appropriate in cases involving domestic violence)**.
b. ❑ See the attached _____-page document dated *(specify date):*
c. ❑ The parties will go to child custody mediation or child custody recommending counseling at *(specify date, time, and location):*
d. ❑ No visitation (parenting time).

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

e. ❑ Visitation (parenting time). *(Specify start and ending date and time. If applicable, check "start of" OR "after school.")*
❑ **Petitioner's** ❑ **Respondent's** ❑ **Other Parent's/Party's** parenting time (visitation) will be as follows:

(1) ❑ **Weekends starting** *(date):*
(Note: The first weekend of the month is the first weekend with a Saturday.)
❑ 1st ❑ 2nd ❑ 3rd ❑ 4th ❑ 5th weekend of the month
from _____ at _____ ❑ a.m. ❑ p.m./ If applicable, specify: ❑ start of school ❑ after school
(day of week) *(time)*
to _____ at _____ ❑ a.m. ❑ p.m./ If applicable, specify: ❑ start of school ❑ after school
(day of week) *(time)*

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

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

(2) ❑ **Alternate weekends starting** *(date):*
from _____ at _____ ❑ a.m. ❑ p.m./ If applicable, specify: ❑ start of school ❑ after school
(day of week) *(time)*
to _____ at _____ ❑ a.m. ❑ p.m./ If applicable, specify: ❑ start of school ❑ after school
(day of week) *(time)*

(3) ❑ **Weekdays starting** *(date):*
from _____ at _____ ❑ a.m. ❑ p.m./ If applicable, specify: ❑ start of school ❑ after school
(day of week) *(time)*
to _____ at _____ ❑ a.m. ❑ p.m./ If applicable, specify: ❑ start of school ❑ after school
(day of week) *(time)*

(4) ❑ Other visitation (parenting time) days and restrictions are: ❑ listed in Attachment 2e(4)
❑ as follows:

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

a. ❑ **Supervised visitation (parenting time)**

(1) I ask that ❑ petitioner ❑ respondent ❑ other parent/party have supervised visitation with the minor children according to the schedule in item 2 because of *(specify):*

(a) ❑ Domestic violence, child abuse, or neglect.

(b) ❑ Substance abuse: the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.

(c) ❑ Other parenting concerns *(specify below):*

(2) The reasons why the court should make the orders are *(specify)*:
(Write the reasons why you think unsupervised visitation (parenting time) would be bad for the children.)
❑ Below ❑ in Attachment 3a(2) ❑ Other *(specify):*

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

(3) I ask for the following orders about the supervised visitation provider:

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

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

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

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

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

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

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

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

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

(3) Even though there are allegations of a history of abuse or substance abuse, I request that the court order unsupervised visitation to *(specify):* ❑ Petitioner ❑ Respondent ❑ Other parent/party

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

❑ Below: ❑ in Attachment 3b. ❑ Other *(specify):*

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

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

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

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

b. ❑ Transportation **to** begin the visits will be provided by *(name):*

c. ❑ Transportation **from** the visits will be provided by *(name):*

d. ❑ The exchange point at the beginning of the visit will be *(address):*

e. ❑ The exchange point at the end of the visit will be *(address):*

f. ❑ During the exchanges, the party driving the children will wait in the car and the other party will wait in the home (or exchange location) while the children go between the car and the home (or exchange location).

g. ❑ Other *(specify):*

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:

5. ❑ **Travel with children.** The ❑ Petitioner ❑ Respondent ❑ Other parent/party **must** have written permission from the other parent or party, or a court order, to take the children out of the following places:

   a. ❑ the state of California.

   b. ❑ the following counties *(specify):*

   c. ❑ other places *(specify):*

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

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

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

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

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

ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (under Family Code, §§ 17400, 17406) *(Name, State Bar number, and address):* TELEPHONE NO.: FAX NO.: ATTORNEY FOR *(Name)* :	*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: *(If applicable, provide):* 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. ☐ not a registered California process server.
   b. ☐ a registered California process server.
   c. ☐ an employee or independent contractor of a registered California process server.
   d. ☐ exempt from registration under Business & Profession Code section 22350(b).
   e. ☐ a California sheriff or marshal.

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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INFORMATION SHEET FOR PROOF OF PERSONAL SERVICE

Use these instructions to complete the *Proof of Personal Service* (form FL-330).

A person at least 18 years of age or older must serve the documents. There are two ways to serve documents: (1) personal delivery and (2) by mail. See the *Proof of Service by Mail* (form FL-335) if the documents are being served by mail. The person who serves the documents must complete a proof of service form for the documents being served. **You cannot serve documents if you are a party to the action.**

INSTRUCTIONS FOR THE PERSON WHO SERVES THE DOCUMENTS (TYPE OR PRINT IN BLACK INK)

You must complete a proof of service for each package of documents you serve. For example, if you serve the respondent and the other parent, you must complete two proofs of service; one for the respondent and one for the other parent.

Complete the top section of the proof of service forms as follows:
First box, left side: In this box print the name, address, and phone number of the person for whom you are serving the documents.
Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. Use the same address for the court that is on the documents you are serving.
Third box, left side: Print the names of the petitioner/plaintiff, respondent/defendant, and other parent in this box. Use the same names listed on the documents you are serving.
First box, top of form, right side: Leave this box blank for the court's use.
Second box, right side: Print the case number in this box. This number is also stated on the documents you are serving.
Third box, right side: Print the hearing date, time, and department. Use the same information that is on the documents you are serving.

1. You are stating that you are over the age of 18 and that you are neither a party of this action nor a protected person listed in any of the orders.
2. Print the name of the party to whom you handed the documents.
3. List the name of each document that you delivered to the party.
4. a. Write in the date that you delivered the documents to the party.
   b. Write in the time of day that you delivered the documents to the party.
   c. Print the address where you delivered the documents.
5. Check the box that applies to you. If you are a private person serving the documents for a party, check box "a."
6. Print your name, address, and telephone number. If applicable, include the county in which you are registered as a process server and your registration number.
7. You must check this box if you are not a California sheriff or marshal. You are stating under penalty of perjury that the information you have provided is true and correct.
8. Do not check this box unless you are a California sheriff or marshal.

Print your name, fill in the date, and sign the form.

If you need additional assistance with this form, contact the family law facilitator in your county.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF KERN

In re the Matter of: PETITIONER: vs. RESPONDENT: OTHER PARENT:	Case No.: **REQUEST FOR TEMPORARY ORDERS; NOTICE TO OTHER PARTY** ☐ **EX PARTE COMPLIANCE: DATE** ☐ **PARTY DECLINED TO COMPLETE**

I. ☐ **BRIEF EXPLANTION OF EMERGENCY:**

II. ☐ **NOTICE**

A. Notice was provided that I would be seeking the following temporary orders concerning:
- ☐ Child Custody
- ☐ Child Visitation
- ☐ Supervised Visitation
- ☐ Suspended Visitation
- ☐ Property Control/Restraints
- ☐ Other:

B. Notice was given by on (date) at .m.

C. Notice given to ☐ Other Party ☐ Attorney or Atty Representative for Other Party
☐ Minor's Counsel: Date Time:

D. Notice was effected:
- ☐ In Person Directly
- ☐ By Telephone at
- ☐ Written Message left at
- ☐ Telephonic Message left at

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on (date) in , California.

Printed Name of Person Providing Notice _____ Signature of Person Providing Notice _____

CASE INFORMATION

III. **EXISTING ORDERS/COUNSEL**

A. Will this request **CHANGE** existing child custody/visitation and/or other orders in this or another case?
- ☐ Yes, Date of existing order: ☐ No ☐ Unknown
- ☐ Other Case Numbers:

B. Does the other party involved in this matter have an attorney?
- ☐ Yes, Attorney name (if known): ☐ No ☐ Unknown

IV. **REPLY RECEIVED TO THE NOTICE**

A. The following response to the notice was received:
- ☐ No Reply
- ☐ They agree with the request
- ☐ They do not object to the request
- ☐ Other:
- ☐ They object to the request
- ☐ They take no position on the request
- ☐ They want to be present to object

V. **LACK OF NOTICE (if applicable)**

A. Notice was not provided: ☐ Notice not attempted ☐ Notice attempted but failed
Explain:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on (date) in , California.

Printed Name of Party/Attorney _____ Signature of Party/Attorney _____

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