

CUSTODY/VISITATION STIPULATION

Family Law

What you will find in this packet:

- **Additional Resources (FamLaw-101)**
- **Requirements for Filing Court Papers (MC-500)**
- **Custody/Visitation Stipulation Info (FamLaw-010a)**
- **Child Custody Information Sheet—Recommending Counseling (FL-313-INFO)**
- **Stipulation and Order for Custody and/or Visitation of Children (FL-355)**
- **Child Custody and Visitation Order Attachment (FL-341)**
- **Supervised Visitation Order (FL-341A)**
- **Child Abduction Prevention Order Attachment (FL-341B)**
- **Children's Holiday Schedule Attachment (FL-341C)**
- **Additional Provisions-Physical Custody Attachment (FL-341D)**
- **Joint Legal Custody Attachment (FL-341E)**

You Can Get Court Forms *FREE* at: www.cc-courts.org/forms

If you don't find what you're looking for here, you may want to check out the additional resources listed on the back of this page

~ Additional Resources ~

Contra Costa Superior Court

www.cc-courts.org/familylaw

Virtual Self-Help Law Center

www.cc-courthelp.org/familylawtopics

Family Law court is for people who are ending a marriage or other committed relationship, dividing what they own and owe, working out child custody and visitation issues, dealing with child support or spousal support, addressing domestic violence issues, or identifying a child's legal parents.

Often, people involved in court cases need more than just legal help. It's important that you understand what is happening to you and get the help you need. For some suggestions about where to get other help, go to the California Court's Self-Help Center at www.courts.ca.gov/selfhelp.htm or check out one of the sites below:

Contra Costa County Bar Association's Lawyer Referral Service

www.cccba.org/community/find-a-lawyer/index.php

Contra Costa County (CA) Resource Center (211)

65.166.193.134/IFTWSQL4/cccc/public.aspx

(or do an internet search for 211 Contra Costa County Resource Center)

Legal glossaries in 12 languages, prepared by the Superior Court in Sacramento

www.saccourt.ca.gov

A Guide to California's Free Website for Legal Help

www.lawhelpcalifornia.org

The
Contra Costa County

Bar Association

is proud to sponsor

the

F a m i l y L a w

MODERATE MEANS PROGRAM

IF you qualify*,

we will refer you to an experienced Family Law Attorney
who has agreed to represent clients at a reduced rate.

Please telephone us at:

925 / 677- 0234

Monday - Friday 1:00-4:00 p.m.

**This is not a low income or pro-bono service.*

The Clerk of the Court cannot accept for filing any papers that do not comply with California Rules of Court 2.100 et seq. (CRC 2.118)

To avoid having your papers rejected by the clerk:

Use Judicial Council forms whenever possible

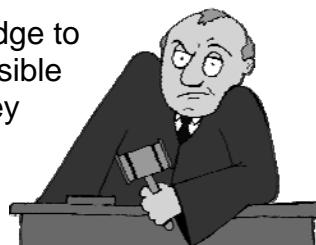
If you print Judicial Council forms from your computer, print them out single-sided. (Don't print double-sided unless you know how to tumble the pages). Judicial Council forms can be found at <http://www.courts.ca.gov/forms.htm>.

If the form you need is not on the Judicial Council website, you will have to make your own form which follows these rules

1. White or unbleached paper – 8 1/2 by 11 inches
2. One-sided paper – only one side of each page may be used
3. 12 pt font (Courier, Times New Roman, Arial or equivalent (Handwritten papers are OK – but write legibly)
4. Line spacing - One and one-half or double-spaced (use pleading paper – either the Judicial Council form MC-20 or create your own using the legal template in your word processor)
5. Margins – at least 1 inch from the left edge and ½ inch from right edge
6. Page Numbers – pages must be numbered consecutively on the bottom (1, 2, 3 ...)
7. Binding – Original and copies must be firmly bound (e.g. stapled) AND the Original must be 2-hole punched at the top.

You will need the **Original document**, signed in ink (blue is best), and correct number of identical copies (**original for the Court, a copy for each party**) for the clerk to file.

The Rules are important – Remember - You want the Judge to understand what you have written. Don't make that impossible by submitting papers that are too hard to read because they are upside down, the print is too small or too light, or the pages have fallen out of the file because they are too small or too large and/or not properly fastened.



FAMILY LAW CUSTODY/VISITATION STIPULATION

GENERAL INFORMATION

1. You can use the forms in this packet if you and the other parent have an open court case in Contra Costa County and you both agree that you want to create a custody and visitation order for your children. You can also use the forms in this packet when you have an open case in Contra Costa County and you both agree that you want to change your current custody and visitation order.
2. If you are not sure that you need custody and visitation orders, or if you are not sure that you want to change your current orders, you can contact an attorney outside the court who can give you legal advice. Court staff, including Family Law Facilitators, can provide procedural assistance; they cannot give legal advice. Check the court website at www.cc-courts.org/findlawyer for information about attorney referral services.

INSTRUCTIONS FOR USING STIPULATION FORMS

1. Review FL-313-INFO for information on child custody and visitation.
2. Prepare the Stipulation and Order For Custody and Visitation of Children (FL-355.) Attach FL-341 to describe your custody and visitation agreement. You may attach optional forms FL-341(B-E), if you need them.
3. You may want to have your forms reviewed before you file them. Come to the Help Desk at 751 Pine Street, Martinez, CA for a document review before you file. If your forms are not complete, the facilitators may refer you to a workshop for further assistance.
4. You and the other parent must sign the stipulation.
5. After you and the other parent have signed the stipulation, drop the stipulation off in the "in box" for the department that hears your case.
6. After the judge signs your stipulation, pick it up from the department's "out box". Then, make 2 copies and file the original and 2 copies at the Clerk's Office at 751 Pine Street, Martinez, CA. One copy is for you and one copy is for the other party. If you want to have your copies mailed to you, include a \$20 check for the filing fee for the stipulation and include 2 stamped envelopes, one addressed to you and one addressed to the other party. Court clerks will file the stipulation and send copies to you and the other party.

Parents who come to court about child custody and parenting time (visitation) face decisions about parenting plans for their children. This information sheet provides general information about child custody and parenting time matters, how to get help resolving a custody dispute or making a parenting plan, where to find an attorney, and where to find other resources.

What is a parenting plan?

A parenting plan describes how the parents will divide their responsibilities for taking care of their child.

The plan may include a general or specific schedule of days, times, weekends, holidays, vacations, transportation, pick-up/drop-off, limits on travel, counseling, and treatment services, and other details.

What are legal and physical custody?

A parenting plan usually includes:

- **Legal custody:** how parents make major decisions about the child's health, education, and welfare;
- **Physical custody:** where the child lives; and
- **Parenting time, time-share, or visitation:** when the child spends time with each parent.

Legal custody and *physical custody* may each be specified as *joint* (both parents have certain responsibilities) or *sole* (one parent has the responsibility alone).

Can we make our own parenting plan?

Yes. You have a right to make a parenting plan agreement on your own. This agreement may be called a *stipulation, time-share plan, or parenting plan*.

If both parents can agree on a parenting plan, the judge will probably approve it. The agreement becomes a court order after it is signed by both parents and the judge, and filed with the court.

What if there is domestic violence or a protective order?

If there is domestic violence or a protective order, talk with an attorney, counselor, or child custody recommending counselor before making a parenting plan.

For domestic violence help, call the National Domestic Violence Hotline at 1-800-799-7233 (TDD:1-800-787-3224) or call 211 if available in your area.

What if we don't have a parenting plan?

If you can't reach an agreement, the court will refer you to family court services (FCS) for child custody mediation also called "child custody recommending counseling." At the appointment, you will meet with an FCS professional also called a "child custody recommending counselor." He or she will help you and the other parent reach an agreement about a parenting plan.

What is child custody recommending counseling with family court services?

Family court services (FCS) provides child custody recommending counseling (sometimes referred to as child custody mediation) to help parents resolve disagreements about the care of their child. The child custody recommending counselor will meet with you and the other parent to try to help you both make a parenting plan. There may be an orientation provided that offers additional information about the process.

If you are unable to reach an agreement after meeting with family court services, the child custody recommending counselor will make a written recommendation to the court about a parenting plan. You and the other parent and the attorneys (if any) will get a copy of the recommendation before the court hearing.

If you are concerned about meeting with the other parent, or there is a domestic violence issue or a protective order involving the other parent, you may



ask to meet alone with the child custody recommending counselor without the other parent. You may also request to have a support person with you. The support person may not speak for you.

Do we have to agree to a parenting plan when we meet?

No. You do not have to come to an agreement. When the parents can't agree, the judge will decide. For legal advice, contact an attorney. For other information, ask the self-help center or family court services about how the process works in your court.

Are there other ways to resolve our dispute?

Yes. You may try other alternative dispute resolution (ADR) options, including:

1. Meet and Confer: Parents and their attorneys (if any) may meet at any time and as often as necessary to work out a parenting plan without a court hearing. If there is a protective order limiting the contact between the parents, then the "meet and confer" can be through attorneys or a mediator in separate sessions.

2. Settlement Conference: In some courts, parents may meet with a judge, neutral evaluators, or family law attorneys not involved in the case to discuss settlement. Check with the local court to find out if this is an option. If there is a protective order, the settlement discussion can be through attorneys or a mediator in separate sessions.

3. Private Mediation: Parents may hire a private mediator to help them resolve their dispute.

4. Collaborative Law Process: Each parent hires a lawyer and agrees to resolve the dispute without going to court. The parents may also hire other experts.

Court Hearing

When the parents cannot agree to a parenting plan on their own, in child custody recommending

counseling, or in any other ADR process, the judge will decide.

If there is domestic violence or a protective order, a parent may be able to bring a support person with him or her to the court hearing, but the support person may not speak for that person.

Where can I get help?

This information sheet gives only basic information on the child custody process and is not legal advice. If you want legal advice, ask an attorney for assistance. For other information, you may want to:

1. Contact family court services.
2. Contact the family law facilitator or self-help center for information, local rules and court forms, and referrals to local legal services providers.
3. Find an attorney through your local bar association, the State Bar of California at www.calbar.ca.gov, or the Lawyer Referral Service at 1-866-442-2529.
4. Hire a private mediator for help with your parenting agreement. A mediator may be an attorney or counselor. Contact your local bar association, court ADR program, or family court services for a referral to local resources.
5. Find information on the Online Self-Help Center website at courts.ca.gov/selfhelp.
6. For free and low-cost legal help (if you qualify), go to www.lawhelpcalifornia.org.
7. Find information at your local law library or ask at your public library.
8. Ask for a court hearing and let the judge decide what is best for your child.



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 courts.ca.gov/forms for *Disability Accommodation Request* (form [MC-410](#)). (Civil Code, § 54.8.)

PARTY WITHOUT ATTORNEY OR ATTORNEY		STATE BAR NUMBER:	FOR COURT USE ONLY
NAME:			
FIRM NAME:			
STREET ADDRESS:		STATE: ZIP CODE:	
CITY:		FAX NO.:	
TELEPHONE NO.:			
EMAIL 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:			
STIPULATION AND ORDER FOR CUSTODY AND/OR VISITATION (PARENTING TIME) <input type="checkbox"/> MODIFICATION			CASE NUMBER:

Notice: If there are allegations or findings of abuse, the judge may not enter an order based on a stipulation until you have a hearing.

The parties signing this stipulation agree that:

1. This court has jurisdiction over the minor children because California is the children's home state.
2. The habitual residence of the children is the United States of America.

In addition, the parties agree that (check item 3 or 4):

3. The attached agreement, dated (specify): _____ and consisting of (number): _____ pages is their agreement for custody and/or visitation (parenting time).
4. The attached forms are their agreement for custody and/or visitation (parenting time):
 FL-341 FL-341(A) FL-341(B) FL-341(C) FL-341(D) FL-341(E)

The parties further agree that (check all that apply):

5. a. Their agreement is in best interest of their child or children and they ask that it be made the order of the court.
- b. (1) The case involves allegations of a history of abuse or substance abuse by (check all that apply):
 - (a) 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.
 - (b) 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.
- (2) Even though there are allegations specified above, the parties agree that the stipulation for child custody or unsupervised visitation (parenting time) is in the best interests of the child and is specific as to time, day, place, and manner of transfer (exchange) of the child, as Family Code sections 3011(a)(5)(B) and 6323(c) require.

6. The parties acknowledge they were advised that any violation of this order may result in civil or criminal penalties, or both.

Each party declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:



(SIGNATURE OF PETITIONER)

Date:



(SIGNATURE OF RESPONDENT)

Date:



(SIGNATURE OF ATTORNEY FOR PETITIONER)

Date:



(SIGNATURE OF ATTORNEY FOR RESPONDENT)



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

(TYPE OR PRINT NAME)

(SIGNATURE OF OTHER PARENT/PARTY)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR OTHER PARENT/PARTY)

FINDINGS AND ORDERS

THE COURT FINDS:

1. This court has jurisdiction over the minor children because California is the children's home state.
2. The habitual residence of the children is the United States of America.
3. The parties have been advised that any violation of this order may result in civil or criminal penalties, or both.
4. The court finds that this order is in the best interests of the child or children listed in the parties' agreement.
5. Even though there are allegations in this case of a history of abuse or substance abuse by a party or parties, the court orders sole custody, joint custody, or unsupervised visitation (parenting time) to a party or parties with an alleged history of abuse or substance abuse, as provided in the parties' stipulation.
 - a. As required by Family Code section 3011(a)(5)(A), the court's reasons for making the orders (*check all that apply*):
 - (1) Are in writing and filed separately. (Form [FL-351](#) may be used for this purpose.)
 - (2) Were recorded as follows (*specify*): In a minute order By a court reporter
 Other (*specify*): _____
 - b. The court finds that the order is in the best interests of the child and is specific as to time, day, place, and manner of transfer (exchange) of the child, as Family Code sections 3011(a)(5)(B) and 6323(c) require.
6. The court adopts the parties' agreement regarding child custody and/or visitation (parenting time) as the order of the court, as specified in the attached:

document dated (*specify*): _____ and consisting of (*number*): _____ pages or forms:
 FL-341 FL-341(A) FL-341(B) FL-341(C) FL-341(D) FL-341(E)
7. Other orders:

Date:

JUDICIAL OFFICER

Stipulations and Family Code section 3044

Where past abuse has been found or alleged, the court must not sign a stipulation in which the parties state that Family Code section 3044 does not apply. When there has been a finding of domestic violence in the last five years, the court must not sign a stipulation in which the parties agree that the presumptions have been rebutted. The court must independently determine the best interest of the child in these cases.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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CHILD CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT

TO *Findings and Order After Hearing* (form FL-340) *Judgment* (form FL-180) *Judgment* (form FL-250)
 Stipulation and Order for Custody and/or Visitation (Parenting Time) (form FL-355)
 Other (specify):

- Jurisdiction.** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (Fam. Code, §§ 3400–3465).
- 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.
- Country of habitual residence.** The country of habitual residence of the child or children in this case is
 the United States Other (specify):
- Penalties for violating this order.** If you violate this order, you may be subject to civil or criminal penalties, or both.
- 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. (*Child Abduction Prevention Order Attachment* (form [FL-341\(B\)](#)) is attached and must be obeyed.)
- The court refers the parties to child custody mediation or child custody recommending counseling as follows:

- Child custody.** Custody of the minor children of the parties is awarded as follows:

a. <u>Child's Name</u>	<u>Birth Date</u>	Legal custody to: <i>(person who decides about the child's health, education, and welfare)</i>	Physical custody to: <i>(person the child regularly lives with)</i>
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- Joint legal custody of the child or children will be exercised as specified in the following order: [Attachment 7b](#)
 Joint Legal Custody Attachment (form FL-341(E))

- Child custody and visitation (parenting time) involving allegations of a history of abuse or substance abuse**

- Allegations have been raised in form FL-311, other documents filed in the court, or in a court hearing that
 - 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.
 - 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.
- The court does NOT grant sole or joint custody of the minor children to:
 petitioner respondent other parent/party
- (1) Even though there are allegations of a history of abuse or substance abuse, the court GRANTS sole or joint custody of the minor child as set out in item 7.
 (2) As required by Family Code section 3011(a)(5)(A), the court's reasons for making the orders:
 - Are in writing and filed separately (form [FL-351](#) may be used for this purpose.)
 - Were recorded as follows: In a minute order By a court reporter
 Other (specify):
- The court finds that the order is in the best interests of the child, protects the safety of the parties and the child, and is 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.

THIS IS A COURT ORDER.

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9. **Visitation (parenting time)**

- a. Reasonable right of visitation to the party without physical custody (**not appropriate in cases involving domestic violence**)
- b. See the attached _____ -page document
- c. No visitation (parenting time)
- d. The visitation (parenting time) will be supervised as specified in the attached *Supervised Visitation Order* (FL-341(A)).
- e. Visitation (parenting time) for the petitioner respondent other (name): will be in person, by virtual visitation (not in person), and/or other ways as specified below:

(1) **In person**, as follows(A) **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 (if applicable)</u>
<input type="checkbox"/> 1st	from _____ to _____	at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 2nd	from _____ to _____	at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 3rd	from _____ to _____	at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 4th	from _____ to _____	at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after
<input type="checkbox"/> 5th	from _____ to _____	at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.	<input type="checkbox"/> start of <input type="checkbox"/> after
(a) <input type="checkbox"/> The parties will alternate the fifth weekends, with the <input type="checkbox"/> petitioner <input type="checkbox"/> respondent <input type="checkbox"/> other parent/party having the initial fifth weekend, starting (date):			
(b) <input type="checkbox"/> The <input type="checkbox"/> petitioner <input type="checkbox"/> respondent <input type="checkbox"/> other parent/party will have the fifth weekend in <input type="checkbox"/> odd <input type="checkbox"/> even numbered months.			
(B) <input type="checkbox"/> Alternate weekends starting (date):			
from _____ to _____ at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> start of <input type="checkbox"/> after			
(C) <input type="checkbox"/> Weekdays starting (date):			
from _____ to _____ at _____ a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. <input type="checkbox"/> start of <input type="checkbox"/> after			
(D) <input type="checkbox"/> Other visitation (parenting time) days and restrictions are <input type="checkbox"/> listed in Attachment 9e(1)(D) (form MC-025 may be used for this purpose) <input type="checkbox"/> as follows:			

(2) **Virtual visitation**, as follows:**THIS IS A COURT ORDER.**

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(3) **Other ways visitation can happen** that are in the best interests of the child are as follows:

10. **Supervised visitation (parenting time).**

Until further order of the court other (specify):
 petitioner respondent other parent/party (name):

will have supervised visitation (parenting time) with the minor children according to the attached **Supervised Visitation Order (form FL-341(A))**.

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

- 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 the petitioner respondent
 other (specify):
- c. Transportation **from** the visits will be provided by the petitioner respondent
 other (specify):
- d. The exchange point at the beginning of the visit will be at (address):
- e. The exchange point at the end of the visit will be at (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):

12. **Travel with children.** The petitioner respondent other parent/party (name):

must have written permission from the other parent or a court order to take the children out of

- a. the state of California.
- b. the following counties (specify):
- c. other places (specify):

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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13. **Holiday schedule.** The children will spend holiday time as listed below in the attached schedule. (*Children's Holiday Schedule Attachment* ([form FL-341\(C\)](#)) may be used for this purpose.)

14. **Additional custody provisions.** The parties will follow the additional custody provisions listed below in the attached schedule. (*Additional Provisions—Physical Custody Attachment* ([form FL-341\(D\)](#)) may be used for this purpose.)

15. **Access to children's records.** Both the custodial and noncustodial parent have the right to access records and information about their minor children (including medical, dental, and school records) and consult with professionals who are providing services to the children.

16. **Other (specify):**

THIS IS A COURT ORDER.

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SUPERVISED VISITATION (PARENTING TIME) AND EXCHANGES ORDER

ATTACHMENT TO: *Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341)*
 Other (specify):

1. Evidence has been presented in support of a request that the contact of Petitioner Respondent Other Parent/Party with the child or children be supervised based upon allegations of
 child abduction physical abuse drug abuse neglect
 sexual abuse domestic violence alcohol abuse other (specify):
 Petitioner Respondent Other Parent/Party disputes these allegations and the court reserves the findings on these issues pending further investigation and hearing or trial.
2. The court finds, under Family Code section 3100, that the best interest of the child or children requires that visitation by Petitioner Respondent Other Parent/Party must, until further order of the court, be limited to contact supervised by the person or supervised visitation center set forth in this order pending further investigation and hearing or trial.

THE COURT MAKES THE FOLLOWING ORDERS**3. CHILDREN**

- a. Name: _____ Date of birth: _____
- b. Name: _____ Date of birth: _____
- c. Name: _____ Date of birth: _____

The names and birthdates of additional children are attached to the order.

4. PROFESSIONAL SUPERVISED VISITATION WITH CHILDREN

a. Provider Information (check one):

- (1) Chosen provider (name): _____ Telephone: _____
Address (if known): _____

If the chosen provider cannot provide services, parties must use the alternate provider.

- Alternate provider (name): _____ Telephone: _____
Address (if known): _____

Petitioner Respondent Other Parent/Party to contact the provider by (date): _____

- (2) The parties have not yet chosen a provider. A list of professional providers (check all that apply):

is attached to this order.

was given in court to: Petitioner Respondent Other Parent/Party

Petitioner Respondent Other Parent/Party must choose and contact a provider by (date): _____

- (3) The professional provider will be a mutually agreed-upon third party as arranged by the parties.

- (4) Other (specify): _____

b. Frequency of visits (check one):

- (1) Once a week, for (number of hours for each visit): _____
- (2) Two times each week, for (number of hours for each visit): _____
- (3) According to the schedule specified in: Form FL-341 Other (specify): _____

c. Visits must be (check one):

- (1) In person at a safe location.
- (2) Virtual visitation (not in person).
- (3) Other (specify): _____

d. Payment responsibility: Petitioner: % Respondent: % Other: %

THIS IS A COURT ORDER.



PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:
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5. **NONPROFESSIONAL SUPERVISED VISITATION WITH CHILDREN**

a. Nonprofessional provider (person) to supervise visits:

Name: _____ Relationship to child: _____
 Address (if known): _____
 Telephone (if known): _____

b. Frequency of visits (check one):

(1) Once a week, for (number of hours for each visit): _____
 (2) Two times each week, for (number of hours for each visit): _____
 (3) According to the schedule specified in: Form FL-341 Other (specify): _____

c. Visits must be (check one):

(1) In person at a safe location. (specify location): _____
 (2) Virtual visitation (not in person). (Provider, child, and visiting parent may need to access the internet.)
 (3) Other (specify): _____

d. Resources for nonprofessional providers:

(1) Find your Declaration (form FL-324(NP)) at: courts.ca.gov/sites/default/files/courts/default/2024-11/fl324np.pdf.
 (2) For online information, go to: www2.courtinfo.ca.gov/accesstovisitation/story_html5.html.
 (3) For information about safe locations and virtual visits, go to: selfhelp.courts.ca.gov/guide-supervised-visitation.

6. **SUPERVISED EXCHANGES (Drop-off and Pick-up of Children)**

a. Type of provider:

(1) Professional provider

Name: _____ Relationship to child: _____

Address (if known): _____

Payment responsibility Petitioner: % Respondent: % Other: %

Petitioner Respondent Other Parent/Party to contact the provider by (specify date) (date): _____

Location of supervised exchanges to be decided by the professional provider.

(2) Nonprofessional provider

Name: _____ Relationship to child: _____

Address (if known): _____

Telephone (if known): _____

Safe location for exchanges:

(For more information, see item 5d. Resources for nonprofessional providers.)

b. Supervised exchanges will be according to the schedule specified:

(1) In form FL-341

(2) Other (specify): _____

(3) Below:

7. **THE COURT FURTHER ORDERS**

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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CHILD ABDUCTION PREVENTION ORDER ATTACHMENT

TO **Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341)**
 Custody Order—Juvenile—Final Judgment (form JV-200)
 Other (specify):

1. The court finds there is a risk that (specify name of party): **will take the child without permission because that party (check all that apply):**

- has violated—or threatened to violate—a custody or visitation (parenting time) order in the past.
- does not have strong ties to California.
- has done things that make it easy for him or her to take the children away without any permission, such as (check all that apply):

<input type="checkbox"/> quit a job.	<input type="checkbox"/> sold his or her home.
<input type="checkbox"/> closed a bank account.	<input type="checkbox"/> ended a lease.
<input type="checkbox"/> sold or gotten rid of assets.	<input type="checkbox"/> hidden or destroyed documents.
<input type="checkbox"/> applied for a passport, birth certificate, or school or medical records.	
<input type="checkbox"/> Other (specify):	
- has a history of (check all that apply):

<input type="checkbox"/> domestic violence.
<input type="checkbox"/> child abuse.
<input type="checkbox"/> not cooperating with the other parent or party in parenting.
- has a criminal record.
- has family or emotional ties to another county, state, or foreign country.

(NOTE: If item "f" is checked, at least one other factor must be checked, too.)

THE COURT ORDERS, to prevent the party in item 1 from taking the children without permission:

- Supervised visitation (parenting time).** The terms are (check one):

<input type="checkbox"/> as specified on attached form FL-341(A)	<input type="checkbox"/> as follows:
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- The party in item 1 must post a bond for \$** . The terms of the bond are (specify):
- The party in item 1 must not move from the following locations with the children without permission in writing from the other parent or party or a court order:**

<input type="checkbox"/> Current residence	<input type="checkbox"/> Current school district (specify):
<input type="checkbox"/> This county	<input type="checkbox"/> Other (specify):
- The party in item 1 must not travel with the children out of (check all that apply):**

<input type="checkbox"/> this county.	<input type="checkbox"/> the United States.
<input type="checkbox"/> California.	<input type="checkbox"/> Other (specify):
- The party in item 1 must register this order** in the state of (specify): before the children can travel to that state for visits.
- The party in item 1 must not apply for a passport or any other vital document**, such as a visa or birth certificate, that can be used for travel.

THIS IS A COURT ORDER.

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PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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8. **The party in item 1 must turn in all the children's passports and other vital documents in the party's possession or control as specified below** (List the documents that must be turned in. Include the details for turning in the documents to the court, one of the attorneys, the other party, or another person):

9. **The party in item 1 must give the other parent or party the following before traveling with the children:**

- The children's travel itinerary
- Copies of round-trip airline tickets
- Addresses and telephone numbers where the children can be reached at all times
- An open airline ticket for the other parent in case the children are not returned
- Other (specify):

10. **The party in item 1 must notify the embassy or consulate of (specify country):** about this order and provide the court with proof of that notification within (specify number): days.

11. **The party in item 1 must get a custody and visitation (parenting time) order** equivalent to the most recent U.S. order before the children may travel to that country for visits. The court recognizes that foreign orders may be changed or enforced according to the laws of that country.

12. **Enforcing the order.** The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at (phone number and address):

13. **Other orders (specify):**

14. This order is valid in other states and in any country that has signed the Hague Convention on Child Abduction.

NOTICE TO AUTHORITIES IN OTHER STATES AND COUNTRIES

This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (Fam. Code, § 3400 et seq.) and the Hague Convention on Civil Aspects of International Child Abduction (22 U.S.C. § 9001 et seq.). If jurisdiction is based on other factors, they are listed above in item 13.

Date:

JUDICIAL OFFICER

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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CHILDREN'S HOLIDAY SCHEDULE ATTACHMENT

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

1. **Holiday parenting.** The following table shows the holiday parenting schedules. Write "Petitioner," "Respondent," "Other Parent," or "Other Party" to specify each parent's (or party's) years—odd or even numbered years or both ("every year")—and under "Times," specify the starting and ending days and times.

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

Holidays	Times (from when to when) (Unless noted below, all single-day holidays start at _____ a.m. and end at _____ p.m.)	Every Year Petitioner/ Respondent/ Other Parent/Party	Even Numbered Years Petitioner/ Respondent/ Other Parent/Party	Odd Numbered Years Petitioner/ Respondent/ Other Parent/Party
December 31 (New Year's Eve)				
January 1 (New Year's Day)				
Martin Luther King's Birthday (weekend)				
February 12 (Lincoln's Birthday)				
President's Day (Weekend)				
President's Week Recess, first half				
President's Week Recess, second half				
Spring Break, first half				
Spring Break, second half				
Mother's Day				
Memorial Day (weekend)				
Father's Day				
July 4th				
Summer Break				
Labor Day (weekend)				
Columbus Day (weekend)				
Halloween				
November 11 (Veterans Day)				
Thanksgiving Day				
Thanksgiving weekend				
December/January School Break				
Child's birthday (date):				
Child's birthday (date):				
Child's birthday (date):				
Mother's birthday (date):				
Father's birthday (date):				
Other Parent/Party's birthday (date):				
Breaks for year-round schools				

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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1. Holiday parenting (continued)

Any three-day weekend not specified in item 1 will be spent with the parent or party who would normally have that weekend.
 Other (specify):

2. Vacations

The Petitioner Respondent Other Parent/Party:

a. May take vacation with the children of up to (specify number): days weeks the following number of times per year (specify):

b. Must notify the other parent or party in writing of vacation plans a minimum of (specify number): days in advance and provide the other parent or party with a basic itinerary that includes dates of leaving and returning, destinations, flight information, and telephone numbers for emergency purposes.

(1) The other parent or party has (number): days to respond if there is a problem with the vacation schedule.

(2) If the parties cannot agree on the vacation plans (check all that apply):

(A) They must confer to try to resolve any disagreement before filing for a court hearing.

(B) In even-numbered years, the parties will follow the suggestions of Petitioner Respondent Other Parent/Party for resolving the disagreement.

(C) In odd-numbered years, the parties will follow the suggestions of Petitioner Respondent Other Parent/Party for resolving the disagreement.

(D) Other (specify):

c. This vacation may be outside the state of California.

d. Any vacation outside California the United States requires prior written consent of the other parent or a court order.

e. Other (specify):

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

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

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

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

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

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

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

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

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

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