ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	FOR COURT USE ONLY
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: P.O. Box 21107 CITY AND ZIP CODE: Santa Barbara, CA 93121-1107 BRANCH NAME: ANACAPA DIVISION	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:	
ORDER TO SHOW CAUSE **MODIFICATION** **Child Custody** ___ **Visitation** ___ **Injunctive Order** **Child Support** **Spousal Support** ___ **Other** ***(specify):*** **Attorney Fees and Costs** CIM/PACT and/or FCS mediation order	CASE NUMBER:

1. TO *(name):*
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. **If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.**

a. Date:	Time: 10:30 a.m.	X Dept.:	Room:

b. The address of the court is X same as noted above ___ other *(specify):*

c. The parties are ordered to attend custody mediation services as follows:

3. THE COURT FURTHER ORDERS that a completed *Application for Order and Supporting Declaration* (form FL-310), a **blank** *Responsive Declaration* (form FL-320), and the following documents be served with this order:
   a. (1) Completed *Income and Expense Declaration* (form FL-150) and a **blank** *Income and Expense Declaration*
      (2) Completed *Financial Statement (Simplified)* (form FL-155) and a **blank** *Financial Statement (Simplified)*
      (3) Completed *Property Declaration* (form FL-160) and a **blank** *Property Declaration*
      (4) Points and authorities
      (5) Other *(specify):*

   b. Time for ___ service ___ hearing is shortened. Service must be on or before *(date):*
      Any responsive declaration must be served on or before *(date):*
   c. You are ordered to comply with the temporary orders attached.
   d. Other *(specify):* Parties are ordered to attend the Children in the Middle or PACT parenting class prior to mediation.

Date:

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.
You do not have to pay any fee to file declarations in response to this order to show cause (including a completed Income and Expense Declaration (form FL-150) or Financial Statement *(Simplified)* (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to *www.courtinfo.ca.gov/selfhelp/courtcalendars/.*

Request for Accommodations
Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the trial. Contact the clerk's office or go to *www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8)

Form Adopted for Mandatory Use
Judicial Council of California
FL-300 [Rev. July 1, 2005]

Legal Solutions Plus

Family Code, §§ 215, 270 et seq., 3000 et seq., 3500 et seq., 4300

48

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	FOR COURT USE ONLY
TELEPHONE NO.: FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: P.O. Box 21107 CITY AND ZIP CODE: Santa Barbara, CA 93121-1107 BRANCH NAME: ANACAPA DIVISION	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:	
NOTICE OF MOTION ___ **MODIFICATION** ___ **Child Custody** ___ **Visitation** ___ **Injunctive Order** **Child Support** ___ **Spousal Support** ___ **Other** ***(specify):*** **Attorney Fees and Costs** CIM/PACT order & FCS med. order	CASE NUMBER:

1. TO *(name):*
2. A hearing on this motion for the relief requested in the attached application will be held as follows:

a. Date:	Time: 10:30 a.m.	X Dept.:	Rm.:

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

3. Supporting attachments:
   a. Completed *Application for Order and Supporting Declaration* (form FL-310) and a **blank** *Responsive Declaration* (form FL-320)
   b. Completed *Income and Expense Declaration* (form FL-150) and a **blank** *Income and Expense Declaration*
   c. Completed *Financial Statement (Simplified)* (form FL-155) and a **blank** *Financial Statement (Simplified)*
   d. Completed *Property Declaration* (form FL-160) and a **blank** *Property Declaration*
   e. Points and authorities
   f. Other *(specify):*

Date:

(TYPE OR PRINT NAME) (SIGNATURE)

ORDER

4. Time for ___ service ___ hearing is shortened. Service must be on or before *(date):*
5. Any responsive declaration must be served on or before *(date):*
6. *If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed above.* The parties are ordered to attend orientation and mandatory custody services as follows:
   Attend the Children in the Middle/PACT parenting class prior to mediation.
   Attend Family Custody Services mediation on

Date:

JUDICIAL OFFICER

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.
You do not have to pay any fee to file declarations in response to this *Notice of Motion* (including a completed Income and Expense Declaration (form FL-150) or Financial Statement *(Simplified)* (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to *www.courtinfo.ca.gov/selfhelp/courtcalendars/*.

PETITIONER/PLAINTIFF:	CASE NUMBER
RESPONDENT/DEFENDANT:	

7. PROOF OF SERVICE BY MAIL

a. I am at least age 18, **not a party to this action,** and am a resident or employed in the county where the mailing took place. My residence or business address is: 1100 ANACAPA STREET, SANTA BARBARA, CA 93101

b. I served copies of the following documents by enclosing them in a sealed envelope with postage fully prepaid, depositing them in the United States mail as follows:

(1) Papers served:

(a) *Notice of Motion* and a completed *Application for Order and Supporting Declaration* (form FL-310) **and** a blank *Responsive Declaration* (form FL-320)

(b) Completed *Income and Expense Declaration* (form FL-150) **and** a blank *Income and Expense Declaration*

(c) Completed *Financial Statement (Simplified)* (form FL-155) **and** a blank *Financial Statement (Simplified)*

(d) Completed *Property Declaration* (form FL-160) **and** a blank *Property Declaration*

(e) Points and authorities

(f) Other *(specify):*

(2) Manner of service:

(a) Date of deposit:

(b) Place of deposit *(city and state):* SANTA BARBARA, CA

(c) Addressed as follows:

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

Date:

DEBORAH MULLIN, FAMILY LAW FACILITATOR
(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Request for Accommodations
Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the trial. Contact the clerk's office or go to *www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8)

PETITIONER:	CASE NUMBER:
RESPONDENT:	

APPLICATION FOR ORDER AND SUPPORTING DECLARATION
— THIS IS NOT AN ORDER—

Petitioner **Respondent** **Claimant** **requests the following orders be made:**

1. CHILD CUSTODY **To be ordered pending the hearing**
   a. Child *(name, age)*
   b. Legal custody to (person who makes decisions about health, education, etc.)*(name)*
   c. Physical custody to (person with whom child lives)*(name)*
   d. Modify existing order
      (1) filed on *(date)*:
      (2) ordering *(specify)*:

   As requested in form FL-311 FL-312 FL-341(C) FL-341(D) FL-341(E)

2. CHILD VISITATION **To be ordered pending the hearing**
   As requested in:
   a. Attachment 2a
   b. form FL-311
   c. Other *(specify)*:
   d. Modify existing order
      (1) filed on *(date)*:
      (2) ordering *(specify)*:

3. CHILD SUPPORT *(An earnings assignment order may be issued.)*
   a. Child (name, age)
   b. Monthly amount (if not by guideline) $
   c. Modify existing order
      (1) filed on *(date)*:
      (2) ordering *(specify)*:

4. SPOUSAL OR PARTNER SUPPORT *(An earnings assignment order may be issued.)*
   a. Amount requested *(monthly)*: $
   b. Terminate existing order
      (1) filed on *(date)*:
      (2) ordering *(specify)*:
   c. Modify existing order
      (1) filed on *(date)*:
      (2) ordering *(specify)*:

5. ATTORNEY FEES AND COSTS a. Fees: $ b. Costs: $

6. PROPERTY RESTRAINT **To be ordered pending the hearing**
   a. The petitioner respondent claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.

      The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.

   b. Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.

   c. Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100) and *Temporary Restraining Order (Domestic Violence Prevention)* (form DV-110).

Form Adopted for Mandatory Use
Judicial Council of California
FL-310 [Rev. January 1, 2005]

Family Code, §§ 2045, 6224, 6226, 6320-6326, 6380-6383

Legal Solutions Plus

51

PETITIONER:	CASE NUMBER:
RESPONDENT:	

7. PROPERTY CONTROL **To be ordered pending the hearing**

a. The petitioner respondent is given the exclusive temporary use, possession, and control of the following property we own or are buying *(specify)*:

b. The petitioner respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:

Debt	Amount of payment	Pay to

8. I **request** that time for service of the *Order to Show Cause* and accompanying papers be shortened so that these documents may be served no less than *(specify number)*: days before the time set for the hearing. I need to have the order shortening time because of the facts specified in the attached declaration.

9. OTHER RELIEF *(specify)*: Parties are to be ordered to attend the Children in the Middle Parenting Class or the PACT class prior to mediation and to attend mediation through Family Custody Services, 1100 Anacapa St., Santa Barbara, CA 93101 on

10. FACTS IN SUPPORT of relief requested and change of circumstances for any modification are *(specify)*: contained in the attached declaration.

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

Date:

(TYPE OR PRINT NAME) (SIGNATURE OF APPLICANT)

PETITIONER/PLAINTIFF:	CASE NUMBER
RESPONDENT/DEFENDANT:	

CHILD CUSTODY AND VISITATION APPLICATION ATTACHMENT

TO **Petition, Response, Application for Order or Responsive Declaration** **Other *(specify)*:**

To be ordered now and effective until the hearing

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

Child's name	Date of Birth	Legal Custody to *(person who makes decisions about health, education, etc.)*	Physical Custody to *(person with whom the child lives)*

2. **Visitation.**
   a. Reasonable right of 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 mediation at *(specify location)*:
   d. No visitation
   e. Visitation for the ☐ petitioner ☐ respondent will be as follows:

   (1) ☐ **Weekends starting** *(date)*:
   (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.
   (day of week) *(time)*
   to _____ at _____ ☐ a.m. ☐ p.m.
   (day of week) *(time)*

   (a) ☐ The parents will alternate the fifth weekends, with the ☐ petitioner ☐ respondent having the initial fifth weekend, which starts *(date)*:

   (b) ☐ The petitioner will have fifth weekends in ☐ odd ☐ even months.

   (2) ☐ **Alternate weekends starting** *(date)*:
   The ☐ petitioner ☐ respondent will have the children with him or her during the period
   from _____ at _____ ☐ a.m. ☐ p.m.
   (day of week) *(time)*
   to _____ at _____ ☐ a.m. ☐ p.m.
   (day of week) *(time)*

   (3) ☐ **Weekdays starting** *(date)*:
   The ☐ petitioner ☐ respondent will have the children with him or her during the period
   from _____ at _____ ☐ a.m. ☐ p.m.
   (day of week) *(time)*
   to _____ at _____ ☐ a.m. ☐ p.m.
   (day of week) *(time)*

   (4) **Other** *(specify days and times as well as any additional restrictions)*:

See Attachment 2e(4).

PETITIONER:	CASE NUMBER:
RESPONDENT:	

3. **Supervised visitation.**
I request that *(name):* have supervised visitation with the minor children according to the schedule set out on page 1 and that the visits be supervised by *(name):*
who is a professional nonprofessional supervisor. The supervisor's phone number is *(specify):*
I request that the costs for supervision be paid as follows: petitioner: percent; respondent: percent.
If item 3 is checked, you must attach a declaration that shows why unsupervised visitation would be bad for your children. The judge is required to consider supervised visitation if one parent is alleging domestic violence and is protected by a restraining order.

4. **Transportation for visitation and place of exchange**
   a. Transportation **to** the visits will be provided by *(name):*
   b. Transportation **from** the visits will be provided by *(name):*
   c. Drop-off of the children will be at *(address):*
   d. Pick-up of the children will be at *(address):*
   e. The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
   f. During the exchanges, the parent driving the children will wait in the car and the other parent will wait in his or her home while the children go between the car and the home.
   g. Other *(specify):*

5. **Travel with children.** The petitioner respondent other *(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):*

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

7. **Children's holiday schedule.** I request the holiday and visitation schedule set out on the attached form FL-341(C) other *(specify):*

8. **Additional custody provisions.** I request the additional orders regarding custody set out on the attached form FL-341(D) other *(specify):*

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

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

PETITIONER / PLAINTIFF:	CASE NUMBER:
RESPONDENT / DEFENDANT:	

REQUEST FOR CHILD ABDUCTION PREVENTION ORDERS

Attachment to ☐ **Petition** ☐ **Response** ☐ **Application for Order and Supporting Declaration** ☐ **Responsive Declaration** ☐ **Other *(specify)*:**

1. **Your name:**
2. **Do you think the other parent might take the children without your permission to**
   a. ☐ another county in California? ☐ Yes ☐ No If "Yes," what county? *(specify)*:
   b. ☐ another state? ☐ Yes ☐ No If "Yes," what state? *(specify)*:
   c. ☐ a foreign country? ☐ Yes ☐ No If "Yes," what country? *(specify)*:
   If "Yes," is the other parent a citizen of that country? ☐ Yes ☐ No
   If "Yes," does the other parent have family or emotional ties to that country? ☐ Yes ☐ No
   Explain:

3. **Why do you think the other parent might take the children without your permission?**
   The other parent *(check all that apply)*:
   a. ☐ has violated - or threatened to violate - a custody or visitation order in the past.
   Explain:

   b. ☐ does not have strong ties to California.
   Explain any work, financial, social, or family situation that makes it easy for the other parent to leave California.

   c. ☐ has recently done things that make it easy for him or her to take the children away without permission. He or she has *(check all that apply)*
   ☐ quit his or her job. ☐ sold his or her home.
   ☐ closed a bank account. ☐ ended a lease.
   ☐ sold or gotten rid of assets. ☐ hidden or destroyed documents.
   ☐ applied for a passport, birth certificate, or school or medical records.
   ☐ Other *(specify)*:

   d. ☐ has a history of *(check all that apply)*
   ☐ domestic violence.
   ☐ child abuse.
   ☐ not cooperating with me in parenting.
   ☐ taking the children without my permission.
   Explain:

   e. ☐ has a criminal record. *Explain:*

Form Adopted for Mandatory Use
Judicial Council of California
FL-312 [New July 1, 2003]

Legal Solutions Plus

55

PETITIONER / PLAINTIFF:	CASE NUMBER:
RESPONDENT / DEFENDANT:	

I REQUEST THE FOLLOWING ORDERS:

4. **Supervised Visitation**
I ask the court to order supervised visitation.
Terms of visitation are attached *(check one)*: form FL-341(A) as follows:

5. **Post a Bond**
I ask the court to order the other parent to post a bond for $ _____ . If the other parent takes the children without my permission, I can use this money to bring the children back.

6. **Do Not Move Without My Permission or Court Order**
I ask the court to order the other parent NOT to move with the children, without my written permission or a court order.

7. **No Travel Without My Permission or Court Order**
I ask the court to order the other parent NOT to travel with the children outside *(check all that apply)*
this county the United States
California other *(specify)*:
without my written permission or a court order.

8. **Notify Other State of Travel Restrictions**
I ask the court to order the other parent to register this order in the state of _____ before the children can travel to that state for visits.

9. **Turn In and Do Not Apply for Passports or Other Vital Documents**
I ask the court to order the other parent to turn in and NOT apply for passports or other documents (such as visas or birth certificates) that can be used for travel.

10. **Provide Itinerary and Other Travel Documents**
If the other parent is allowed to travel with the children, I ask the court to order the other parent to give me before leaving
the children's travel itinerary.
copies of round-trip airline tickets.
addresses and telephone numbers where the children can be reached.
an open airline ticket for me in case the children are not returned.
other *(specify)*:

11. **Notify Foreign Embassy or Consulate of Passport Restrictions**
I ask the court to order the other parent to notify the embassy or consulate of _____ of this order and to provide the court with proof of that notification within _____ calendar days.

12. **Foreign Custody and Visitation Order**
I ask the court to order the other parent to get a custody and visitation order in a foreign country equal to the most recent U.S. order before the children can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of that country.

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

I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

Date:

_____
SIGN HERE

PETITIONER:	CASE NUMBER:
RESPONDENT:	

CHILDREN'S HOLIDAY SCHEDULE ATTACHMENT

TO **Petition or Application for Order** **Findings and Order After Hearing or Judgment**
Stipulation and Order for Custody and/or Visitation of Children

1. **Holiday parenting.** The following table shows the holiday parenting schedules. Write "Pet" or "Resp" to specify each parent's years—odd, even, or both ("every year")—and under "Time" specify the starting and ending days and times.

Holiday	Time (from when to when) *(Unless otherwise noted, all single-day holidays start at a.m. and end at p.m.)*	Every Year *Petitioner/ Respondent*	Even Years *Petitioner/ Respondent*	Odd Years *Petitioner/ Respondent*
January 1 (New Year's Day)				
Martin Luther King's Birthday (weekend)				
Lincoln's Birthday				
President's Day (weekend)				
Spring Break, first half				
Spring Break, second half				
Mother's Day				
Memorial Day (weekend)				
Father's Day				
July 4th				
Labor Day (weekend)				
Columbus Day (weekend)				
Halloween				
Veteran's Day (weekend)				
Thanksgiving Day				
Thanksgiving weekend				
Winter Break, first half				
Winter Break, second half				
New Year's Eve				
Child's birthday				
Mother's birthday				
Father's birthday				
Breaks for year-round schools				
Summer Break, first half				
Summer Break, second half				
Other *(specify)*:				

Any three-day weekend not specified above will be spent with the parent who would normally have that weekend.

Other *(specify)*:

2. **Vacations.** The petitioner respondent may take a vacation of up to *(specify number)*: days weeks with the children the following number of times per year *(specify)*: . They must notify the other parent in writing of their vacation plans a minimum of *(specify number)*: days in advance and provide the other parent with a basic itinerary that includes dates of leaving and returning, destinations, flight information, and telephone numbers for emergency purposes.

The other parent has *(specify number)*: days to respond if there is a problem with the schedule.

a. This vacation may be outside of California.
b. Any vacation outside California the United States requires prior written consent of the other parent or a court order.
c. Other *(specify)*:

Form Approved for Optional Use
Judicial Council of California
FL-341(C) [Rev. January 1, 2005]

Legal Solutions Plus

Family Code, §§ 3003, 3083

PETITIONER:	CASE NUMBER
RESPONDENT:	

ADDITIONAL PROVISIONS—PHYSICAL CUSTODY ATTACHMENT

TO Petition or Application for Order Findings and Order After Hearing or Judgment
Stipulation and Order for Custody and/or Visitation of Children

1. **Notification of parent's current address.** Each parent must notify the other parent of his or her current address and telephone number within *(specify number):* days of any change in his or her

   a. address for residence mailing work.
   b. telephone/message number at home work the children's schools.

   Neither parent may use such information for the purpose of harassing, annoying, or disturbing the peace of the other or invading the other's privacy. If a parent has an address with the State of California's Safe at Home confidential address program, no residence or work address is needed.

2. **Notification of proposed move of child.** Each parent must notify the other parent *(specify number):* days prior to 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 parents 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 either parent requires child care for *(specify number):* hours or more while the children are in his or her custody, the other parent 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 parent is working.

5. **Canceled parenting time**

   a. If the noncustodial parent fails to arrive at the appointed time and fails to notify the custodial parent that he or she will be late, then the custodial parent need wait for only *(specify number):* minutes before considering the visitation canceled.
   b. In the event a noncustodial parent is unable to exercise visitation on a given occasion, he or she must notify the custodial parent at the earliest possible opportunity.
   c. The custodial parent must give the noncustodial parent as much notice as possible if the children are ill and unable to participate in scheduled time with the other parent. A doctor's excuse is required.

6. **Phone contact between parents and children**

   a. The children may have telephone access to the parents and the parents may have telephone access to the children at reasonable times, for reasonable durations.
   b. The scheduled phone contact between parents and the children is *(specify):*
   c. Neither parent nor any other third party may listen to or monitor the calls.

7. **No negative comments.** Neither parent will make or allow others to make negative comments about the other parent or the other parent's past or present relationships, family, or friends within hearing distance of the children.

8. **No use of children as messengers.** The parents will communicate directly with each other on matters concerning the children and may not use the children as messengers between them.

9. **Alcohol or substance abuse.** The petitioner respondent may not consume alcoholic beverages, narcotics, or restricted dangerous drugs (except by prescription) within *(specify number):* hours prior to or during periods of time with the children and may not permit any third party to do so in the presence of the children.

10. **No exposure to cigarette smoke.** The children will not be exposed to secondhand cigarette smoke while in the home or car of either parent.

11. **No interference with schedule of other parent without that parent's consent.** Neither parent will schedule activities for the children during the other parent's scheduled parenting time without the other parent's prior agreement.

12. **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)*:

13. **Children's clothing and belongings**

    a. Each parent 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 parent with the clothing and other belongings they had when they arrived.

14. **Log book.** The parents will maintain a "log book" and make sure that the book is sent with the children between their two homes. Using businesslike notes (no personal comments), parents will record information related to the health, education, and welfare issues that arise during the time the children are with them.

15. **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 parents change. Such changes will be in writing, dated and signed by both parents; each parent will retain a copy. If the parents want a change to be a court order, it must be filed with the court in the form of a court document.

16. **Other** *(specify)*:

PETITIONER:	CASE NUMBER:
RESPONDENT:	

JOINT LEGAL CUSTODY ATTACHMENT

TO **Petition or Application for Order** **Findings and Order After Hearing or Judgment**
Stipulation and Order for Custody and/or Visitation of Children

1. The parents will have joint legal custody of the minor children.
2. In exercising joint legal custody, the parents will share in the responsibility and confer in good faith on matters concerning the health, education, and welfare of the children. The parents must confer in making decisions on the following matters:

   a. Enrollment in or leaving a particular private or public school or daycare center

   b. Participation in particular religious activities or institutions

   c. Beginning or ending of psychiatric, psychological, or other mental health counseling or therapy

   d. Selection of a doctor, dentist, or other health professional (except in emergency situations)

   e. Participation in extracurricular activities

   f. Out-of-country or out-of-state travel

   g. Other *(specify)*:

   In all other matters in exercising joint legal custody, the parents may act alone, as long as the action does not conflict with any orders concerning the physical custody of the children.

3. If a parent does not obtain the required consent of the other parent to the decisions checked in item 2:

   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**

   a. The ____ petitioner ____ respondent will be responsible for making decisions regarding the following issues *(specify)*:

   b. Each parent will have access to the children's school, medical, and dental records and the right to consult with professionals who are providing services to the children

5. **Health-care notification**

   a. Each parent 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 commencement of the first such treatment or examination.

   b. Each parent 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 parent authorizing such emergency treatment must notify the other parent as soon as possible of the emergency situation and of all procedures or treatment administered to the children.

   c. Both parents are required to administer any prescribed medications for the children.

6. **School notification.** Each parent will be designated as a person the children's school will contact in the event of an emergency.

7. **Name.** Neither parent will 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 parent.

8. Other *(specify)*:

Form Approved for Optional Use
Judicial Council of California
FL-341(E) [Rev. January 1, 2005]

Legal Solutions Plus

Family Code, § 3003, 3083

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	FOR COURT USE ONLY
TELEPHONE NO. FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA COUNTY SUPE STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: P.O. Box 21107 CITY AND ZIP CODE: Santa Barbara, CA 93121-1107 BRANCH NAME: ANACAPA DIVISION	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
WITNESS **DECLARATION**	CASE NUMBER:

I, , declare:

1. I am not a party in the above-entitled matter. I have personal knowledge of the facts stated herein and, if called upon as a witness, could competently testify thereto.

2. See the attached declaration which is incorporated herein.

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

Date:

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

Attorney for Plaintiff Petitioner Defendant
Respondent X Other (Specify): WITNESS

Your name:
Street Address:
City, State and Zip Code:
Tel. No.:

In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

_____, Plaintiff/Petitioner,	CASE NO.:
v.	NOTICE OF MEDIATION WITH FAMILY CUSTODY SERVICES
_____, Defendant/Respondent,	Mediation date: Mediation time: Location: 1100Anacapa St., First Floor, Santa Barbara, CA 93101
_____, Other Parent.	Assigned to: _____
_____/	

TO:_____:

This matter has been set for mediation with Family Custody Services before a court-appointed mediator on _____ (date) at _____ a.m./p.m. (time) at the Family Custody Services office located at the Santa Barbara County Superior Court, 1100 Anacapa Street, First Floor, Santa Barbara, California 93101.

The purpose of family custody mediation is to provide a forum for separated parents to meet and discuss custody and visitation issues in a secure environment, with a trained, professional mediator. The goal is to develop a parenting plan structured around the best interests of the children. Mediation is designed to reduce anger and polarization by encouraging a cooperative parenting relationship.

The process is private and confidential. A mediator may not testify unless both parents

waive the confidentiality of the mediation, and a judge finds the testimony admissible.

The mediator's role is to help parents resolve contested issues. The mediator does not judge or give legal advice. Mediation is not psychotherapy. The mediator's role is strictly one of a facilitator of communication, a guide for defining issues, exploring the alternatives, and achieving a parenting plan through communication and negotiation. Parents are encouraged, but not required, to reach an agreement.

Children five years of age and older will be interviewed by the mediator. The interview with the children will not be used to elicit a preference between parents. Parents are **strongly discouraged** from asking children to express a preference, as this can be extremely divisive and emotionally harmful.

Any child five years of age and older shall be brought to mediation by the parent having the child with him/her on the date of the mediation. If any of the children are twelve years of age or younger, the parent having the child with him/her on the date of the mediation shall also arrange to bring to mediation a person to watch the child during the mediation process, and/or to remove the child after the interview with the mediator, so that both parents may jointly participate in mediation without the children present.

Unless good cause is shown, the Court may issue fines against attorneys or parties who: cancel mediation with less than three days' notice, fail to appear to be at a scheduled mediation, or fail to produce a child at mediation as required by these rules.

For further information about mediation, you should contact your attorney or contact Family Custody Services at (805) 568-3133.

If there is a history of domestic violence, the Family Custody Services office should be advised immediately.

DATED: _____ _____
(Signature)

63

Your name:
Street Address:
City, State and Zip Code:
Tel. No.:

In Pro Per

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

_____, Plaintiff/Petitioner,	CASE NO.:
v.	NOTICE OF REQUIRED ATTENDANCE AT "CHILDREN IN THE MIDDLE"OR PACT PARENTING CLASS
_____, Defendant/Respondent,	[Local Rule 1507]
_____, Other Parent.	Assigned to:
_____/	

TO:_____:

PLEASE BE ADVISED that pursuant to this Court's Local Rule No. 1507, it is now mandatory for all parties to a Family Law proceeding in which there are minor children, including, but not limited to, actions for legal separation, dissolution of marriage, or actions to establish or modify custody or visitation, including cases which are uncontested, to attend and complete the mandatory parent education program entitled "Children in the Middle" in the Santa Barbara Division of the Court, or the "Parent and Child Training" program in the Santa Maria Division of the Court. Attendance by the parties shall be prior to the first of the following events:

a. Expiration of sixty (60) days of service of the pleadings that commence the proceeding; or

b. Custody mediation provided through the Family Custody Services Division of the

Superior Court; or

c. Entry of any order or judgment involving custody or visitation.

Court-approved information entitled "Packet for 'Children in the Middle' Parent Education Program" is attached. You are advised to review the packet and comply with its terms. Please call (805) 568-3133 (Santa Barbara) or 805-346-7679 (Santa Maria) for additional information.

DATED: _____ _____
(Signature)