



STANISLAUS COUNTY SUPERIOR COURT

www.stanislaus.courts.ca.gov

Street Address: 1100 I Street, Modesto, CA 95353

Mailing Address: P.O. Box 1098, Modesto, CA 95354

Self Help Center: 800 11th Street, Room 220, Modesto, CA 95353
(PROVIDING ASSISTANCE TO PARTIES REPRESENTING THEMSELVES)

Revised 1/24

Stipulation and Order for Custody and/or Visitation of Children Packet

Judicial Council forms, local forms and information are available in the Clerk's Office, the Stanislaus County Law Library located at 1101 13th Street, Modesto, and on the following Websites:

Stanislaus County Superior Court: www.stanislaus.courts.ca.gov

Judicial Council's Self Help: www.courts.ca.gov/selfhelp.htm

Judicial Council Forms: www.courts.ca.gov/formsrules.htm

NOTES:

- A stipulation is an agreement between both parties. Both parties **MUST** sign the FL-355 form.
- Submit the original Stipulation and Order (FL-355) plus 2 copies to the Court. Include a self-addressed stamped envelope and we will mail the copies back to you after they have been reviewed by the judge.
- **Both parties** must have already paid their 1st appearance fees in this case. If either party has not paid, you **MUST** submit the fee with this stipulation.

Material distributed by the Superior Court Clerk's Office or Self Help Center **IS INTENDED FOR INFORMATIONAL AND EDUCATIONAL PURPOSES ONLY**. Such material is **NOT LEGAL ADVICE** and is not intended to be legal advice as to your specific case. **IT IS NOT INTENDED TO TAKE THE PLACE OF LEGAL ADVICE FROM AN ATTORNEY**. You are strongly urged to seek the advice of a licensed attorney before starting or completing your case in order to protect valuable legal rights that you may have, of which you may be unaware of. Please contact an attorney of your choice or contact the **LAWYERS REFERRAL SERVICE** of the **Stanislaus County Bar Association** at: (209) 571-5727 for a referral. The Clerk's Office cannot give you legal advice.

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 mediator 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 mediation with family court services (FCS) to try to work out a parenting plan.

What is mediation with family court services?

Family court services (FCS) provides mediation to help parents resolve disagreements about the care of their child. The mediator will meet with you and the other parent to try to help you both make a parenting plan. An orientation may be provided that offers additional information about the process.

If you are concerned about meeting with the other parent in mediation, or there is a domestic violence issue or a protective order involving the other parent, you may ask to meet alone with the mediator without the other parent. You may also request to have a support person with you at mediation. The support person may not speak for you.

Do we have to agree to a parenting plan in mediation?

No. You do not have to come to an agreement in mediation. 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 mediation, 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 <http://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 www.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 www.courts.ca.gov/forms for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)



| | | |
|---|----------------------|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____ | TELEPHONE NO.: _____ | FOR COURT USE ONLY |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS STREET ADDRESS: 1100 I STREET MAILING ADDRESS: P.O. BOX 1098 CITY AND ZIP CODE: MODESTO, CA 95353 BRANCH NAME: _____ | | |
| PETITIONER: RESPONDENT: OTHER: | | |
| STIPULATION AND ORDER FOR CUSTODY AND/OR VISITATION OF CHILDREN | | CASE NUMBER: _____ |
| <input type="checkbox"/> MODIFICATION | | |

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.
3. **The parties acknowledge they were advised that any violation of this order may result in civil or criminal penalties, or both.**
4. a. The parties stipulate that the attached document, dated (specify): _____ and consisting of (number): _____ pages is their custody and visitation agreement and request that it be made an order of the court, or
 - b. The parties stipulate that the attached forms
 FL-341 FL-341(A) FL-341(B) FL-341(C) FL-341(D) FL-341(E)
 are their agreement regarding custody and/or visitation of their children and request that they be made an order of the court.

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: _____ (TYPE OR PRINT NAME) | ▶ | _____ (SIGNATURE OF RESPONDENT) |
| Date: _____ (TYPE OR PRINT NAME) | ▶ | _____ (SIGNATURE OF ATTORNEY FOR PETITIONER) |
| Date: _____ (TYPE OR PRINT NAME) | ▶ | _____ (SIGNATURE OF ATTORNEY FOR RESPONDENT) |
| Date: _____ (TYPE OR PRINT NAME) | ▶ | _____ (SIGNATURE OF OTHER) |
| Date: _____ (TYPE OR PRINT NAME) | ▶ | _____ (SIGNATURE OF ATTORNEY FOR OTHER) |

FINDINGS AND ORDER

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. Both parties have been advised that any violation of this order may result in civil or criminal penalties, or both.

THE COURT ORDERS:

1. The agreement of the parties regarding custody and visitation as set forth in the attached document dated (specify): _____ and consisting of (number): _____ pages or set forth in the attached forms:
 FL-341 FL-341(A) FL-341(B) FL-341(C) FL-341(D) FL-341(E)
 is adopted as the order of the court and fully incorporated by reference herein.

Date: _____

_____ JUDICIAL OFFICER Page 1 of 1

| | |
|---|--------------|
| 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 of Children* (form FL-355)
- Other (*specify*):

1. **Jurisdiction.** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (Family Code sections 3400–3465).
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 in this case is
 the United States Other (*specify*):
4. **Penalties for violating this order.** If you violate this order, you may be subject to civil or criminal penalties, or both.
5. **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.)
6. **Child Custody.** Custody of the minor children of the parties is awarded as follows:

| | | |
|---------------------|--|------------------------------|
| | <u>Legal custody to:</u> | |
| | <i>(person who decides about the child's</i> | <i>Physical custody to:</i> |
| | <i>health, education, and welfare)</i> | <i>(person the child</i> |
| <u>Child's Name</u> | <u>Birth Date</u> | <i>regularly lives with)</i> |

7. **Child custody orders with allegations of a history of abuse or substance abuse**
(Do not complete this section if the parties have entered, or will enter into, an agreement on child custody and/or visitation (parenting time), in writing or stated in court.)
 - a. 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 has (or have) either:
 - (1) 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; or
 - (2) the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.
 - b. The court does NOT grant sole or joint custody of the minor children to petitioner respondent
 other parent/party
 - c. 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 6 for the following reasons: Attachment 7c.

THIS IS A COURT ORDER.

**CHILD CUSTODY AND VISITATION (PARENTING TIME)
ORDER ATTACHMENT**

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| PETITIONER: RESPONDENT: OTHER PARENT/PARTY: | CASE NUMBER: |
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9. **Visitation (parenting time) with allegations of a history of abuse, substance abuse, or other parenting concerns**

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

- (1) Until further order of the court other (*specify*): _____, the
 petitioner respondent other parent/party (*name*): _____
 will have supervised visitation (parenting time) with the minor children according to the schedule on page 2.
- (2) **In addition, *Supervised Visitation Order* (form FL-341(A) is attached.**

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

(Do not complete this section if the parties have entered or will enter into an agreement on child custody and/or visitation (parenting time), in writing or stated in court.)

- (1) Even though there are allegations of a history of abuse or substance abuse under Family Code section 3011, the
 petitioner respondent other parent/party (*name*): _____
 has (or have) unsupervised visitation (parenting time) with the minor children as set forth in 8.
- (2) The reasons for granting unsupervised visitation to the person(s) alleged to have a history of abuse or substance abuse are: as follows: Attachment 9b.

- (3) The orders for visitation (parenting time) are specific as to time, day, place, and manner of transfer of the child, as Family Code section 6323(c) requires.

10. **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*): _____

11. **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.

**CHILD CUSTODY AND VISITATION (PARENTING TIME)
 ORDER ATTACHMENT**

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| PETITIONER: RESPONDENT: OTHER PARENT/PARTY: | CASE NUMBER: |
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12. **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.)

13. **Additional custody provisions.** The parents 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.)

14. **Joint legal custody.** The parents will share joint legal custody as listed below in the attached schedule. (*Joint Legal Custody Attachment (form FL-341(E))* 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.

**CHILD CUSTODY AND VISITATION (PARENTING TIME)
ORDER ATTACHMENT**

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| PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY: | CASE NUMBER: |
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SUPERVISED VISITATION ORDER
Attachment to Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341)

1. Evidence has been presented in support of a request that the contact of Petitioner Respondent Other Parent/Party with the child(ren) be supervised based upon allegations of
- abduction of child(ren) 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(ren) requires that visitation by Petitioner Respondent Other Parent/Party must, until further order of the court, be limited to contact supervised by the person(s) set forth in item 6 below pending further investigation and hearing or trial.

THE COURT MAKES THE FOLLOWING ORDERS

3. CHILD(REN) TO BE SUPERVISED

| | | | |
|---------------------|-------------------|------------|------------|
| <u>Child's Name</u> | <u>Birth Date</u> | <u>Age</u> | <u>Sex</u> |
|---------------------|-------------------|------------|------------|

4. TYPE

- a. Supervised visitation b. Supervised exchange only

5. SUPERVISED VISITATION PROVIDER

- a. Professional (individual provider or supervised visitation center) b. Nonprofessional

6. AUTHORIZED PROVIDER

| | | |
|-------------|----------------|------------------|
| <u>Name</u> | <u>Address</u> | <u>Telephone</u> |
|-------------|----------------|------------------|

Any other mutually agreed-upon third party as arranged.

7. DURATION AND FREQUENCY OF VISITS (*see form FL-341 for specifics of visitation*):

8. PAYMENT RESPONSIBILITY Petitioner: % Respondent: % Other Parent/Party: %

9. Petitioner will contact professional provider or supervised visitation center no later than (*date*):
 Respondent will contact professional provider or supervised visitation center no later than (*date*):
 Other Parent/party will contact professional provider or supervised visitation center no later than (*date*):

10. THE COURT FURTHER ORDERS

Date: _____

 JUDICIAL OFFICER

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|---|--------------|
| 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):*
- a. has violated—or threatened to violate—a custody or visitation (parenting time) order in the past.
 - b. does not have strong ties to California.
 - c. 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):*
 - quit a 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 the other parent or party in parenting.
 - e. has a criminal record.
 - f. 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:

- 2. **Supervised visitation (parenting time).** The terms are *(check one):*
 as specified on attached form FL-341(A) as follows: _____

- 3. **The party** in item 1 must post a bond for \$ _____ . The terms of the bond are *(specify):* _____

- 4. **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:
 - Current residence Current school district *(specify):* _____
 - This county Other *(specify):* _____

- 5. **The party in item 1 must not travel with the children** out of *(check all that apply):*
 - this county. the United States.
 - California. Other *(specify):* _____

- 6. **The party in item 1 must register this order** in the state of *(specify):* _____ before the children can travel to that state for visits.

- 7. **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.

CHILD ABDUCTION PREVENTION ORDER ATTACHMENT

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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 (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they are listed above in item 13.

Date: _____

JUDICIAL OFFICER

THIS IS A COURT ORDER.

CHILD ABDUCTION PREVENTION ORDER ATTACHMENT

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|---|--------------|
| 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.

| | Times (from when to when) <i>(Unless noted below, all single-day holidays start at _____ a.m. and end at _____ p.m.)</i> | Every Year <i>Petitioner/ Respondent/ Other Parent/Party</i> | Even Numbered Years <i>Petitioner/ Respondent/ Other Parent/Party</i> | Odd Numbered Years <i>Petitioner/ Respondent/ Other Parent/Party</i> |
|--|---|---|--|---|
| Holidays | | | | |
| 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 (<i>date</i>): | | | | |
| Child's birthday (<i>date</i>): | | | | |
| Child's birthday (<i>date</i>): | | | | |
| Mother's birthday (<i>date</i>): | | | | |
| Father's birthday (<i>date</i>): | | | | |
| Other Parent/Party's birthday (<i>date</i>): | | | | |
| Breaks for year-round schools | | | | |

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

| | Times (from when to when) <i>(Unless noted below, all single-day holidays start at _____ a.m. and end at _____ p.m.)</i> | Every Year <i>Petitioner/ Respondent/ Other Parent/Party</i> | Even Numbered Years <i>Petitioner/ Respondent/ Other Parent/Party</i> | Odd Numbered Years <i>Petitioner/ Respondent/ Other Parent/Party</i> |
|-----------------------|--|--|---|--|
| Other Holidays | | | | |
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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):

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| 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. address for 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 parents 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*): _____

 - c. No party or any other third party may listen to, monitor, or interfere with the calls.

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| 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*):**

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| 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*):**