

ATTORNEY OR PARTY WITHOUT ATTORNEY		FOR COURT USE ONLY
NAME:	STATE BAR NO:	
FIRM NAME:		
ADDRESS:		
CITY:	STATE: ZIP CODE:	
E-MAIL ADDRESS (OPTIONAL):	TELEPHONE NO:	
ATTORNEY FOR (NAME):	FAX NO. (OPTIONAL):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY Monterey Division 1200 Aguajito Road Monterey, California 93940		
PLAINTIFF/PETITIONER:		
DEFENDANT/RESPONDENT:		
AT-ISSUE MEMORANDUM, CERTIFICATE OF READINESS ☐ COUNTER AT-ISSUE MEMORANDUM NATURE OF CASE		CASE NUMBER:
NATURE OF CASE ☐ Family Law: ☐ Paternity: ☐ Other (Specify):		

- I hereby represent to the court that all essential parties have
 - ☐ been served with process or appeared and this action is at issue as to all such parties.
 - ☐ not been served with process or appeared, and this action is not at issue as to all such parties.
- My parties are ready and they desire to have the case set for trial. All discovery will be completed at least 30 days prior to the trial except as may be allowed by order of the court for good cause shown or as may be had by stipulation of the parties or through voluntary exchange of information.
- I understand that this case will be set for trial without the necessity for further appearance: that the Court will set long cause cases (more than one day) for trial not less than 90 days nor more than 180 days from the date of this At-Issue Memorandum, and set short cause cases (one day or less) not less than 30 days nor more than 90 days from the date of this At-Issue Memorandum. I certify that I will be available for the trial of this case during the time specified above except for those dates indicated below:
- Calendaring information (**All items must be completed or At-Issue Memorandum will not be filed**).

Is a settlement conference requested? ☐ Yes ☐ No If yes, a settlement conference statement must be filed.	Date Petition filed: Estimated time of trial:
Dates not available for trial: (See No. 3 above for guidelines)	

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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5. Attorney and any party unrepresented by an attorney (Item (a) must be completed for party (filing):

a. Name and Address	(1) Attorney Appearing (Name): (2) Telephone Number: (3) Representing ☐ Petitioner ☐ Respondent ☐ Other Party (Name):
b. Name and Address	(1) Attorney Appearing (Name): (2) Telephone Number: (3) Representing ☐ Petitioner ☐ Respondent ☐ Other Party (Name):
c. Name and Address	(1) Attorney Appearing (Name): (2) Telephone Number: (3) Representing ☐ Petitioner ☐ Respondent ☐ Other Party (Name):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on (date) _____, at _____, California.

Type or Print Name

Signature

Any party not in agreement with the information, estimates or the statement that all essential parties have been served with process or have appeared in this action and that the action is at issue as to all such parties shall, within 10 days after service of this at-issue memorandum, serve and file a counter at-issue memorandum.

CERTIFICATE OF MAILING CCP §1013A

I do hereby certify that I am not a party to the within stated cause and that on _____, I deposited true and correct copies of the following document(s):

☐ AT-ISSUE MEMORANDUM, CERTIFICATE OF READINESS

☐ COUNTER AT-ISSUE MEMORANDUM

Addressed as shown in item 5, excluding item 5a ☐

My ☐ Residence ☐ Business address is: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on (date) _____, at _____, California.

Type or Print Name

Signature

- Date:

(SIGNATURE OF [ATTORNEY FOR] PETITIONER)

a. ☐ No mailing is required because service was by publication or posting and the address of the respondent remains unknown.

b. ☐ A copy of this *Request to Enter Default*, including any attachments and an envelope with sufficient postage, was provided to the court clerk, with the envelope addressed as follows (*address of the respondent's attorney or, if none, the respondent's last known address*):

Date:

(SIGNATURE OF DECLARANT)

☐ Request to Enter Default mailed to the respondent or the respondent's attorney on (date):

☐ Default entered as requested on (date):

☐ Default **not** entered. Reason:

Clerk, by _____, Deputy

PETITIONER: RESPONDENT:	CASE NUMBER:
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5. Memorandum of costs

- a. ☐ Costs and disbursements are waived.
- b. Costs and disbursements are listed as follows:
- | | | |
|--|-----------|--|
| (1) ☐ Clerk's fees | \$ | |
| (2) ☐ Process server's fees | \$ | |
| (3) ☐ Other (<i>specify</i>): | \$ | |
| | \$ | |
| | \$ | |
| | \$ | |
| TOTAL | \$ | |
- c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

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)

6. Declaration of nonmilitary status (*required for a judgment*).

The respondent is not in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that the respondent is not in the U.S. military service because (*check all that apply*):

- a. ☐ the search results that I received from scra.dmdc.osd.mil/ say the respondent is not in the U.S. military service.
- b. ☐ I am in regular communication with the respondent and know that they are not in the U.S. military service.
- c. ☐ I recently contacted the respondent, and they told me that they are not in the U.S. military service.
- d. ☐ I know that the respondent was discharged from U.S. military service on or about (*date*): _____.
- e. ☐ the respondent is not eligible to serve in the U.S. military because they are incarcerated (in jail or prison).
- f. ☐ other (*specify*): _____

Note

- U.S. military status can be checked online at scra.dmdc.osd.mil/.
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see selfhelp.courts.ca.gov/military-defaults.

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)

1. I declare that if I appeared in and were sworn, I would testify to the truth of the facts in this declaration.
2. I agree that my case will be proven by this declaration and that I will not appear before the court unless I am ordered by the court to do so.
3. All the information in the ☐ amended ☐ Petition ☐ Response is true and correct.
4. **Type of case** (check a, b, or c):
 - a. ☐ **Default without agreement**
 - (1) No response has been filed and there is no written agreement or stipulated judgment between the parties;
 - (2) The default of the respondent was entered or is being requested, and I am not seeking any relief not requested in the petition; and
 - (3) The following statement is true (check one):
 - (A) ☐ There are no assets or debts to be disposed of by the court.
 - (B) ☐ The community and quasi-community assets and debts are listed on the **completed** current *Property Declaration* (form FL-160), which includes an estimate of the value of the assets and debts that I propose to be distributed to each party. The division in the proposed *Judgment* (form FL-180) is a fair and equal division of the property and debts, or if there is a negative estate, the debts are assigned fairly and equitably.
 - b. ☐ **Default with agreement**
 - (1) No response has been filed and the parties have agreed that the matter may proceed as a default matter without notice; and
 - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.
 - c. ☐ **Uncontested**
 - (1) Both parties have appeared in the case; and
 - (2) The parties have entered into a written agreement regarding their property and their marriage or domestic partnership rights, including support, the original of which is being or has been submitted to the court. I request that the court approve the agreement.

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PETITIONER: RESPONDENT:	CASE NUMBER:
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- d. ☐ This matter is proceeding as an uncontested action. Service of the final *Declaration of Disclosure* (form FL-140) is mutually waived by both parties. A waiver provision executed by both parties under penalty of perjury is contained on the *Stipulation and Waiver of Final Declaration of Disclosure* (form FL-144), in the settlement agreement or proposed judgment, or in another, separate stipulation.
6. ☐ **Child custody and visitation (parenting time)** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. ☐ The information in *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (UCCJEA) (form FL-105) ☐ has ☐ has not changed since it was last filed with the court. (If changed, attach updated form.)
- b. ☐ There is an existing court order for custody/parenting time in another case in (county):
The case number is (specify):
- c. ☐ The current custody and visitation (parenting time) previously ordered in this case, or the current schedule is (specify):
- ☐ Contained on Attachment 6c.
- d. ☐ The facts that support the requested judgment are (In a default case, state your reasons below):
- ☐ Contained on Attachment 6d.
7. ☐ **Child support** should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. If there are minor children, check and complete item (1) if applicable and item (2) or (3):
- (1) ☐ Child support is being enforced in another case in (county):
The case number is (specify):
- (2) ☐ The information in the child support calculation attached to the proposed judgment is correct based on my personal knowledge.
- (3) ☐ I request that this order be based on the ☐ Petitioner's ☐ Respondent's earning ability. The facts in support of my estimate of earning ability are (specify):
- ☐ Contained on Attachment 7a(3).
- b. Complete items (1) and (2) regarding public assistance.
- (1) I ☐ am receiving ☐ am not receiving ☐ intend to apply for public assistance for the child or children listed in the proposed order.
- (2) To the best of my knowledge, the other party ☐ is ☐ is not receiving public assistance.
☐ Petitioner ☐ Respondent is presently receiving public assistance, and all support should be made payable to the local child support agency at the address set forth in the proposed judgment. A representative of the local child support agency has signed the proposed judgment.
8. **Spousal, Partner, and Family Support** (If a support order or attorney fees are requested, submit a completed Income and Expense Declaration (form FL-150) unless a current form is on file. Include your best estimate of the other party's income. Check at least one of the following.)
- a. ☐ I knowingly give up forever any right to receive spousal or partner support.
- b. ☐ I ask the court to reserve jurisdiction to award spousal or partner support in the future to:
☐ Petitioner ☐ Respondent
- c. ☐ I ask the court to terminate forever spousal or partner support for: ☐ Petitioner ☐ Respondent
- d. ☐ Spousal support or domestic partner support should be ordered as set forth in the proposed *Judgment* (form FL-180) based on the factors described in:
☐ Spousal or Partner Support Declaration Attachment (form FL-157)
☐ written agreement
☐ attached declaration (Attachment 8d)
- e. ☐ Family support should be ordered as set forth in the proposed *Judgment* (form FL-180).
- f. ☐ Other (specify):

PETITIONER: RESPONDENT:	CASE NUMBER:
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9. ☐ **Parentage** of the children of the petitioner and respondent born prior to their marriage or domestic partnership should be ordered as set forth in the proposed *Judgment* (form FL-180).
- a. ☐ A voluntary declaration of parentage or paternity is attached.
- b. ☐ Parentage was previously established by the court in (*county*):
The case number is (*specify*):
☐ The written agreement of the parties regarding parentage is attached here (Attachment 9b) or to the proposed *Judgment* (form FL-180).
10. ☐ **Attorney fees** should be ordered as set forth in the proposed *Judgment* (form FL-180).
☐ The facts in support of this request are on *Request for Attorney's Fees and Costs Attachment* (form FL-319).
☐ Other (*specify facts below*):
11. ☐ The judgment should be entered nunc pro tunc for the following reasons (*specify*):
12. ☐ Petitioner ☐ Respondent requests restoration of the former name as set forth in the proposed *Judgment* (form FL-180) (*proceedings for dissolution or nullity of marriage only*).
13. Irreconcilable differences have led to the irremediable breakdown of the marriage or domestic partnership, and there is no possibility of saving the marriage or domestic partnership through counseling or other means.
14. This declaration may be reviewed by a commissioner sitting as a temporary judge, who may determine whether to grant this request or require my appearance under Family Code section 2336.

STATEMENTS IN THIS BOX APPLY ONLY TO DISSOLUTIONS

15. If this is a dissolution of a marriage or domestic partnership created in another state, the petitioner or the respondent has been a resident of this county for at least three months and of the state of California for at least six months continuously and immediately preceding the date of the filing of the petition for dissolution of marriage or domestic partnership.
16. I ask that the court grant the request for a judgment of dissolution of marriage or domestic partnership based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
17. ☐ **Status only judgment:** This declaration is only for the termination of marital or domestic partner status. I ask the court to reserve jurisdiction over all other issues not requested in this declaration for later determination.

THIS STATEMENT APPLIES ONLY TO LEGAL SEPARATIONS

18. I ask that the court grant the request of a judgment for legal separation based on irreconcilable differences and that the court make the orders set forth in the proposed *Judgment* (form FL-180) submitted with this declaration.
- I understand that a judgment of legal separation does not terminate a marriage or domestic partnership, and that I am still married or a partner in a domestic partnership.**

19. ☐ Other (*specify*):

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 OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
MARRIAGE OR PARTNERSHIP OF PETITIONER: RESPONDENT:	
JUDGMENT ☐ DISSOLUTION ☐ LEGAL SEPARATION ☐ NULLITY ☐ Status only ☐ Reserving jurisdiction over termination of marital or domestic partnership status ☐ Judgment on reserved issues Date marital or domestic partnership status ends:	CASE NUMBER:

1. ☐ This judgment ☐ contains personal conduct restraining orders ☐ modifies existing restraining orders.
 The restraining orders are contained on page(s) _____ of the attachment. They expire on (date): _____
2. This proceeding was heard as follows: ☐ Default or uncontested ☐ By declaration under Family Code section 2336
☐ Contested ☐ Agreement in court
 - a. Date: _____ Dept.: _____ Room: _____
 - b. Judicial officer (name): _____ ☐ Temporary judge
 - c. ☐ Petitioner present in court ☐ Attorney present in court (name): _____
 - d. ☐ Respondent present in court ☐ Attorney present in court (name): _____
 - e. ☐ Claimant present in court (name): _____ ☐ Attorney present in court (name): _____
 - f. ☐ Other (specify name): _____
3. The court acquired jurisdiction of the respondent on (date): _____
 - a. ☐ The respondent was served with process.
 - b. ☐ The respondent appeared.

THE COURT ORDERS, GOOD CAUSE APPEARING

4. a. ☐ Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
 (1) ☐ on (specify date): _____
 (2) ☐ on a date to be determined on noticed motion of either party or on stipulation.
- b. ☐ Judgment of legal separation is entered.
- c. ☐ Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): _____
- d. ☐ This judgment will be entered nunc pro tunc as of (date): _____
- e. ☐ Judgment on reserved issues.
- f. The ☐ petitioner's ☐ respondent's former name is restored to (specify): _____
- g. ☐ Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
- h. ☐ This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities—Health-Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME (Last name, first name of each party):	CASE NUMBER:
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4. i. ☐ The children of this marriage or domestic partnership are:
- (1) ☐ Name Birthdate
- (2) ☐ Parentage is established for children of this relationship born prior to the marriage or domestic partnership
- j. ☐ Child custody and visitation (parenting time) are ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement which contains the information required by Family Code section 3048(a).
- (2) ☐ *Child Custody and Visitation Order Attachment* (form FL-341).
- (3) ☐ *Stipulation and Order for Custody and/or Visitation of Children* (form FL-355).
- (4) ☐ Previously established in another case. Case number: Court:
- k. ☐ Child support is ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement which contains the declarations required by Family Code section 4065(a).
- (2) ☐ *Child Support Information and Order Attachment* (form FL-342).
- (3) ☐ *Stipulation to Establish or Modify Child Support and Order* (form FL-350).
- (4) ☐ Previously established in another case. Case number: Court:
- l. ☐ Spousal, domestic partner, or family support is ordered:
- (1) ☐ Reserved for future determination as relates to ☐ petitioner ☐ respondent
- (2) ☐ Jurisdiction terminated to order spousal or partner support to ☐ petitioner ☐ respondent
- (3) ☐ As set forth in the attached *Spousal, Partner, or Family Support Order Attachment* (form FL-343).
- (4) ☐ As set forth in the attached settlement agreement, stipulation for judgment, or other written agreement.
- (5) ☐ Other (specify):
- m. ☐ Property division is ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement.
- (2) ☐ *Property Order Attachment to Judgment* (form FL-345).
- (3) ☐ Other (specify):
- n. ☐ Attorney fees and costs are ordered as set forth in the attached
- (1) ☐ Settlement agreement, stipulation for judgment, or other written agreement.
- (2) ☐ *Attorney Fees and Costs Order* (form FL-346).
- (3) ☐ Other (specify):
- o. ☐ Other (specify):

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date: _____

JUDICIAL OFFICER

5. Number of pages attached: _____ ☐ SIGNATURE FOLLOWS LAST ATTACHMENT

NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar property interest. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

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):

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

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

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. ☐ The parties will go to child custody mediation or child custody recommending counseling at *(specify date, time, and location)*:

d. ☐ No Visitation (parenting time)

e. ☐ Visitation (parenting time) for the ☐ petitioner ☐ respondent ☐ other *(name)*:
will be as follows:

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

from _____ at _____ a.m. _____ p.m./ if applicable, specify: _____ start of school
(day of week) (time) _____ after school

to _____ at _____ a.m. _____ p.m./ if applicable, specify: _____ start of school
(day of week) (time) _____ after school

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

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

from _____ at _____ a.m. _____ p.m./ if applicable, specify: _____ start of school
(day of week) (time) _____ after school

to _____ at _____ a.m. _____ p.m./ if applicable, specify: _____ start of school
(day of week) (time) _____ after school

from _____ at _____ a.m. _____ p.m./ if applicable, specify: _____ start of school
(day of week) (time) _____ after school

to _____ at _____ a.m. _____ p.m./ if applicable, specify: _____ start of school
(day of week) (time) _____ after school

(4) ☐ **Other visitation (parenting time) days and restrictions are:** ☐ listed in Attachment 7e(4) ([*form MC-025*](#) may be used for this purpose) ☐ as follows:

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.

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 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.)

14. ☐ **Joint legal custody.** The parties 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.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

Attachment to: ☐ Findings and Order After Hearing (form FL-340) ☐ Judgment (form FL-180)
☐ Judgment (form FL-250) ☐ Restraining Order After Hearing (form DV-130)
☐ Other (specify):

THE COURT USED THE FOLLOWING INFORMATION IN DETERMINING THE AMOUNT OF CHILD SUPPORT:

1. ☐ A printout of a computer calculation and findings is attached and incorporated in this order for all required items not filled out below.

2. ☐ **Income**

	<u>Gross monthly income</u>	<u>Net monthly income</u>	<u>Receiving TANF/CalWORKs</u>
a. Each parent's monthly income is as follows:			
Petitioner: \$	\$		☐
Respondent: \$	\$		☐
Other Parent/Party: \$	\$		☐

b. **Earning capacity.** The court finds that the (check all that apply):

- (1) ☐ petitioner has the ability to earn \$ _____ per month.
 (2) ☐ respondent has the ability to earn \$ _____ per month.
 (3) ☐ other parent/party has the ability to earn \$ _____ per month.
 (4) The factors used to calculate earning capacity under Family Code section 4058(b) are stated
 (a) ☐ in *Earning Capacity Factors Attachment* (form [FL-302](#)).
 (b) ☐ as follows (specify):

3. ☐ **Children of this relationship**

a. Number of children who are the subjects of the support order (specify):

b. Approximate percentage of time spent with petitioner: %
 respondent: %
 other parent/party: %

4. ☐ **Hardships**

Hardships for the following have been allowed in calculating child support:

	<u>Petitioner</u>	<u>Respondent</u>	<u>Other Parent/Party</u>	<u>Approximate end date for the hardship</u>
a. ☐ Other minor children:	\$	\$	\$	
b. ☐ Extraordinary medical expenses:	\$	\$	\$	
c. ☐ Catastrophic losses:	\$	\$	\$	

THE COURT ORDERS

5. ☐ **Low-income adjustment**

- a. ☐ The low-income adjustment applies at the lowest amount of the range.
 b. ☐ The lowest amount of the low-income adjustment has been rebutted and does not apply because (specify reasons):

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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6. ☐ **Child support**

a. **Base child support**

☐ Petitioner ☐ Respondent ☐ Other parent/party must pay child support beginning (date): _____ and continuing until further order of the court, or until the child marries, dies, is emancipated, reaches age 19, or reaches age 18 and is not a full-time high school student, whichever occurs first, as follows:

<u>Child's name</u>	<u>Date of birth</u>	<u>Monthly amount</u>	<u>Payable to (name):</u>
		\$	
		\$	
		\$	
		\$	

Payable ☐ on the 1st of the month ☐ other (specify): _____

b. ☐ **Mandatory additional child support**

(1) Childcare costs related to employment or reasonably necessary job training

- | | | | | | | | |
|---|---|----------|----|-----------------------------|--|-----------|-------------------|
| (a) ☐ Petitioner must pay: | % | of total | or | ☐ \$ | | per month | child-care costs. |
| (b) ☐ Respondent must pay: | % | of total | or | ☐ \$ | | per month | child-care costs. |
| (c) ☐ Other parent/party must pay: | % | of total | or | ☐ \$ | | per month | child-care costs. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | | | | | | |

(2) Reasonable uninsured health care costs for the children

- | | | | | | | |
|---|---|----------|----|-----------------------------|--|------------|
| (a) ☐ Petitioner must pay: | % | of total | or | ☐ \$ | | per month. |
| (b) ☐ Respondent must pay: | % | of total | or | ☐ \$ | | per month. |
| (c) ☐ Other parent/party must pay: | % | of total | or | ☐ \$ | | per month. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | | | | | |

c. ☐ **Additional child support**

(1) ☐ Costs related to the educational or other special needs of the children

- | | | | | | | |
|---|---|----------|----|-----------------------------|--|------------|
| (a) ☐ Petitioner must pay: | % | of total | or | ☐ \$ | | per month. |
| (b) ☐ Respondent must pay: | % | of total | or | ☐ \$ | | per month. |
| (c) ☐ Other parent/party must pay: | % | of total | or | ☐ \$ | | per month. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | | | | | |

(2) ☐ Travel expenses for visitation

- | | | | | | | |
|---|---|----------|----|-----------------------------|--|------------|
| (a) ☐ Petitioner must pay: | % | of total | or | ☐ \$ | | per month. |
| (b) ☐ Respondent must pay: | % | of total | or | ☐ \$ | | per month. |
| (c) ☐ Other parent/party must pay: | % | of total | or | ☐ \$ | | per month. |
| (d) ☐ Costs to be paid as follows (specify): _____ | | | | | | |

d. ☐ **Non-Guideline Order**

This order is ☐ below ☐ above the child support guideline set forth in Family Code section 4055. *Non-Guideline Child Support Findings Attachment* (form [FL-342\(A\)](#)) is attached.

Total child support per month: \$

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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7. Health care expenses

- a. Health insurance coverage for the minor children of the parties must be maintained by the ☐ petitioner ☐ respondent ☐ other parent/party if available at no or reasonable cost through their respective places of employment or self-employment. Both parties are ordered to cooperate in the presentation, collection, and reimbursement of any health care claims. The parent ordered to provide health insurance must seek continuation of coverage for the child after the child attains the age when the child is no longer considered eligible for coverage as a dependent under the insurance contract, if the child is incapable of self-sustaining employment because of a physically or mentally disabling injury, illness, or condition and is chiefly dependent on the parent providing health insurance for support and maintenance.
- b. ☐ Health insurance is not available to the ☐ petitioner ☐ respondent ☐ other parent/party at a reasonable cost at this time.
- c. ☐ The party providing coverage must assign the right of reimbursement to the other party.

8. Earnings assignment

An earnings assignment order is issued. **Note:** The parent ordered to pay support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's wages and for payment of any support not paid by the assignment.

9. In the event that there is a contract between a person ordered to receive support and a private child support collector, the parent ordered to pay support must pay the fee charged by the private child support collector. This fee must not exceed 33-1/3 percent of the total amount of past due support nor may it exceed 50 percent of any fee charged by the private child support collector. The money judgment created by this provision is in favor of the private child support collector and the person ordered to receive support, jointly.

10. ☐ **Employment search order (Family Code section 4505)**
☐ Petitioner ☐ Respondent ☐ Other parent/party is ordered to seek employment with the following terms and conditions:

11. Other orders (specify):

12. Notices

- a. Notice of Rights and Responsibilities Regarding Child Support (form [FL-192](#)) must be attached and is incorporated into this order.
- b. If this form is attached to Restraining Order After Hearing (form [DV-130](#)), the support orders issued on this form (form FL-342) remain in effect after the restraining orders issued on form DV-130 end.

13. Child Support Case Registry Form

Both parties must complete and file with the court a Child Support Case Registry Form (form [FL-191](#)) within 10 days of the date of this order. Thereafter, the parties must notify the court of any change in the information submitted within 10 days of the change by filing an updated form.

NOTICE: Any parent ordered to pay child support must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
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SPOUSAL, DOMESTIC PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT

- TO ☐ *Findings and Order After Hearing* (form FL-340) ☐ *Judgment* (form FL-180)
☐ *Restraining Order After Hearing (CLETS-OAH)* (form DV-130) ☐ *Other* (specify):
☐ *Parties' Stipulation (Written Agreement)* dated (specify): _____

☐ **THE COURT FINDS** ☐ **THE PARTIES STIPULATE (AGREE)**

Specify if this attachment is about an order for temporary support or a judgment for permanent support (check either 1 or 2 below).

1. ☐ **This attachment relates to temporary spousal or domestic partner support.**

- a. ☐ This order attachment modifies an order or agreement for temporary support entered on (date):
 b. **Net income.** The parties' monthly income and deductions are as follows (complete (1), (2), or both):

		Total gross monthly <u>income</u>	Total monthly <u>deductions</u>	Total hardship <u>deductions</u>	Net monthly disposable <u>income</u>
(1) Petitioner:	☐ receiving TANF/CalWORKS	\$	\$	\$	\$
(2) Respondent:	☐ receiving TANF/CalWORKS	\$	\$	\$	\$

- c. ☐ A printout of a computer calculation of the parties' financial circumstances is attached for all required items not filled out above (for temporary support only).

2. ☐ **This attachment relates to a judgment for permanent spousal or domestic partner support.**

- a. ☐ This order attachment modifies a judgment entered on (date):
 b. ☐ The parties were married for (specify): _____ years and _____ months.
 c. ☐ The parties were registered as domestic partners or the equivalent for (specify): _____ years and _____ months.
 d. Family Code section 4320 factors (check either (1) or (2) below, then complete (3)).
 (1) ☐ The parties agreed to some or all of the factors as stated in *Spousal or Domestic Partner Support Declaration Attachment* (form FL-157) or in a similar written declaration filed with the court.
 (2) ☐ The court considered the parties' declarations and supporting documents regarding each Family Code section 4320 factor as stated in testimony, in *Spousal or Domestic Partner Support Declaration Attachment* (form FL-157), or in a similar written declaration filed with the court.
 (3) The parties' agreement, or the court's findings, on Family Code section 4320 factors are (specify):
 (A) ☐ included in [Attachment 2d\(3\)\(A\)](#).
 (B) ☐ included in *Spousal or Domestic Partner Support Factors Under Family Code Section 4320—Attachment* (form [FL-349](#)).
 (C) ☐ specified below:

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
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2. e. ☐ The parties are both self-supporting.
- f. ☐ The standard of living established during the marriage or domestic partnership was (*describe*): ☐ [See Attachment 2f.](#)

g. ☐ The court finds that the parties have knowingly, intelligently, and voluntarily entered into a stipulation.

3. **Jurisdiction**

- a. ☐ The issue of support for the ☐ petitioner ☐ respondent is reserved for later determination.
- b. ☐ The court terminates jurisdiction over the issue of support for the ☐ petitioner ☐ respondent.
- c. ☐ The court's jurisdiction over the issue of support will end on (*specify date*):

4. **Support amount and payment terms**

- a. The ☐ petitioner ☐ respondent must pay to the ☐ petitioner ☐ respondent as ☐ temporary ☐ permanent ☐ spousal support ☐ family support ☐ domestic partner support the following amount each month: \$
- b. Support payments will begin (*date*):
- c. Support payments are:
- (1) ☐ payable through (*specify end date*):
- (2) ☐ payable on the: day of each month.
- (3) ☐ Other (*specify*):

d. ☐ Support must be paid by ☐ check, money order, or cash ☐ other method (*specify*):

5. **Earnings assignment**

- a. ☐ An earnings assignment for the support will issue as requested by ☐ petitioner ☐ respondent.
Note: The payor of spousal, family, or domestic partner support is responsible for the payment of support directly to the recipient until support payments are deducted from the earnings, and for any support not paid by the assignment.
- b. ☐ Service of the earnings assignment is stayed provided the payor is not more than (*specify number*): days late in paying spousal, family, or domestic partner support.

6. **Termination (end) of support**

- a. By law, unless the parties otherwise agree in writing, the support payor's obligation to pay support will end when either party dies or the support payee remarries or registers a new domestic partnership.
- b. ☐ **Parties' agreement**
 The parties agree that the support payor's obligation to pay support will not end as described in 6a. Instead, the support payor's obligation to pay support will continue until (*specify below the terms of your agreement about when the support payee's obligation to pay support will end*):

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
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7. ☐ **Family support orders.** This order is for family support.
- Both parties must complete and file with the court a *Child Support Case Registry Form* (form [FL-191](#)) within 10 days of the date of this order.
 - The parents must notify the court of any change of information submitted within 10 days of the change by filing an updated form.
 - A *Notice of Rights and Responsibilities Regarding Child Support* (form FL-192) must be attached to the court order.
8. ☐ **Notice of change of employment**
The parties must inform each other in writing within 10 days of any change of employment, and include the new employer's name, address, and telephone number.
9. ☐ **Duty to become self-supporting**
- Notice: It is the goal of this state that each party must make reasonable good-faith efforts to become self-supporting as provided in Family Code section 4320. Failure to make reasonable good-faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support.
 - ☐ The ☐ petitioner ☐ respondent should make reasonable good-faith efforts to become self-supporting.
 - ☐ Other (*specify*):
10. ☐ **Attachment to Restraining Order After Hearing (form DV-130)**
- This form is attached to *Restraining Order After Hearing (CLETS-OAH) (Order of Protection)* (form DV-130).
 - The orders issued on this form (FL-343) do not expire on termination of the restraining orders issued on form DV-130.
11. ☐ **Other orders or agreements (*specify*):**

NOTICE: Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT:	CASE NUMBER:
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PROPERTY ORDER ATTACHMENT TO JUDGMENT

1. Division of community property assets

- a. ☐ There are no community property assets.
- b. ☐ The court finds that the net value of the community estate is less than \$5,000 and that the ☐ petitioner ☐ respondent cannot be found. Under Family Code section 2604, the entire community estate is awarded to the ☐ petitioner ☐ respondent.
- c. ☐ The petitioner will receive the following assets: ☐ [See Attachment 1c.](#)
- d. ☐ The respondent will receive the following assets: ☐ [See Attachment 1d.](#)
- e. The ☐ petitioner ☐ respondent will be responsible for preparing and filing a *Qualified Domestic Relations Order* (QDRO) to divide the following plan or retirement account(s) (*specify*):

The fee for preparation of the QDRO will be shared as follows:

- f. ☐ Other orders:
- g. ☐ Each spouse or domestic partner will receive the assets listed above as sole and separate property. The parties must execute any and all documents required to carry out this division.

2. Division of community property debts

- a. ☐ There are no community property debts.
- b. ☐ All community debts have been paid by the ☐ petitioner ☐ respondent.
The ☐ petitioner ☐ respondent must reimburse the other party: \$
The payment plan is as follows:
- c. ☐ The petitioner
- (1) is assigned the debts listed below;
 - (2) is solely responsible for paying the debts listed below; and
 - (3) will not hold the respondent legally responsible for the debts listed below.
- ☐ [See attachment 2c.](#)

PETITIONER: RESPONDENT:	CASE NUMBER:
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2. d. ☐ The respondent
- (1) is assigned the debts listed below;
 - (2) is solely responsible for paying the debts listed below; and
 - (3) will not hold the petitioner legally responsible for the debts listed below.
- ☐ [See attachment 2d.](#)
- e. **Notice regarding division of community property (items c. and d.):**
Creditors are not bound by this judgment. If a creditor seeks payment from the party who is not listed as responsible for the debt, that party can file a *Request for Order* (form FL-300) to seek reimbursement from the party who was assigned the debt.
- f. The court reserves jurisdiction to divide any community debts not listed here and to enforce the terms of this judgment. This enforcement may include ordering a defaulting party to reimburse the other party for failing to follow the terms of this judgment.
- g. ☐ Other orders:
3. ☐ **Equalization of division of property and debt orders.** To equalize the division of the community property assets and debts, the ☐ petitioner ☐ respondent must pay to the other the sum of: \$, payable as follows:
4. **Separate property**
- a. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the petitioner:
- b. ☐ The court confirms the following assets or debts as the sole separate property, or sole responsibility, of the respondent:
5. ☐ The settlement agreement between the parties dated: is attached and made a part of this judgment.
6. ☐ **Sale of property.** The following property will be offered for sale and sold for the fair market value as soon as a willing buyer can be found, and the net proceeds from the sale will be ☐ divided equally ☐ other (*specify*):
7. ☐ Other orders (*specify*):

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARTY:	CASE NUMBER:
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ATTORNEY'S FEES AND COSTS ORDER ATTACHMENT

Attached to:

- ☐ *Findings and Orders After Hearing (form FL-340)*
☐ *Judgment (Uniform Parentage—Custody and Support) (form FL-250)*
☐ *Judgment (form FL-180)*
☐ *Other (specify):*

THE COURT FINDS

1. ☐ An award of attorney's fees and costs is appropriate because there is a demonstrated disparity between the parties in access to funds to retain or maintain counsel and in the ability to pay for legal representation.
 - a. ☐ The party requested to pay attorney's fees and costs has or is reasonably likely to have the ability to pay for legal representation for both parties.
 - b. ☐ The requested attorney's fees and costs are reasonable and necessary.
2. ☐ An award of attorney's fees and costs is not appropriate because *(check all that apply)*:
 - a. ☐ there is not a demonstrated disparity between the parties in access to funds to retain or maintain counsel or in the ability to pay for legal representation.
 - b. ☐ the party requested to pay attorney's fees and costs does not have or is not reasonably likely to have the ability to pay for legal representation for both parties.
 - c. ☐ the requested attorney's fees and costs are not reasonable or necessary.
3. ☐ Other *(specify)*:

THE COURT ORDERS

4. a. The ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other party to pay attorney's fees and costs in this legal proceeding
- b. in the amount of:
 - (1) ☐ Fees: \$
 - (2) ☐ Costs: \$
 - (3) ☐ Interest is not included and is not waived.
- c. Payable to ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other party
- d. ☐ From the payment sources of *(if specified)*:

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARTY:	CASE NUMBER:
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4. e. With a payment schedule of *(specify)*:
- (1) ☐ Due in full, on or before *(date)*:
 - (2) ☐ Due in installments, with monthly payments of *(specify)*: \$, on the *(specify)*: day of each month, beginning *(date)*: until paid in full.
 - (3) ☐ If any payment is not timely made and more than days overdue, the entire unpaid balance will immediately become due with interest at the legal rate, which is currently 10 percent per year, from the date of default to the date payment is finally made.
 - (4) ☐ No interest will accrue as long as payments are timely made.
 - (5) ☐ Other *(specify)*:

5. ☐ This amount includes *(check all that apply)*:
- a. ☐ a fee in the amount of *(specify)* \$ to hire an attorney in a timely manner before the proceedings in the matter go forward.
 - b. ☐ attorney's fees and costs incurred to date in the amount of *(specify)*: \$
 - c. ☐ estimated attorney's fees and costs in the amount of *(specify)*: \$
 - d. ☐ attorney's fees and costs for limited scope representation in the amount of *(specify)*: \$
 - e. ☐ any amounts previously ordered that have not yet been paid *(specify)*: \$
 - f. ☐ Other *(specify)*:

6. ☐ Other orders *(specify)*:

NOTICE: Any party required to pay attorney's fees and costs must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
NOTICE OF ENTRY OF JUDGMENT	CASE NUMBER:

You are notified that the following judgment was entered on (date):

1. ☐ Dissolution
2. ☐ Dissolution—status only
3. ☐ Dissolution—reserving jurisdiction over termination of marital status or domestic partnership
4. ☐ Legal separation
5. ☐ Nullity
6. ☐ Parent-child relationship
7. ☐ Judgment on reserved issues
8. ☐ Other (specify): _____

Date: _____ Clerk, by _____, Deputy

—NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY—

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION Effective date of termination of marital or domestic partnership status (specify): _____ WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.
--

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Notice of Entry of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed at (place): _____, California, on (date): _____

Date: _____ Clerk, by _____, Deputy

Name and address of petitioner or petitioner's attorney 	Name and address of respondent or respondent's attorney