



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
SELF-HELP CENTER
www.occourts.org**

**HOW TO FILE A REQUEST FOR ORDER FOR
CUSTODY & VISITATION**

Description:

This workshop is for self-represented litigants who want to obtain orders regarding custody and visitation only (child or spousal support will not be addressed). The workshop will educate you about the laws and procedures that will affect your case and assist you in preparing any necessary paperwork for your case.

When & Where:

Central Justice Center
Self Help Center, 1st Fl., Rm. G-100
700 Civic Center Drive West
Santa Ana, CA 92701

Every Monday at 08:00 a.m., except holidays

Check-in closes at 8:15 a.m.

- Please arrive on-time as seating is limited and services are provided on a first-come, first-served basis. Only the first ten (10) qualified people will be admitted.
- If you want to guarantee your seat in advance, register online using My Court Card at <https://selfhelp.occourts.org/>.
- Please note that your homework packet must be completed properly for you to attend the workshop.
- Please plan to be at the courthouse **for 4 hours** to allow for both the workshop and for processing your paperwork.
- Children are not permitted in the workshop.

What to Bring:

- Copies of the *Petition* and the (if filed) *Response* as well as any document that has addressed custody and visitation, including but not limited to: *Judgments*, *Minute Orders*, and *Findings and Order After Hearings*.
- This homework packet, filled out completely, and a black pen.
- Your own interpreter, if necessary

* Workshop Presenters will **not** give legal advice *



REGISTRATION PACKET

CUSTODY AND/OR VISITATION REQUEST

INFORMATION ABOUT YOU AND THE OTHER PARTY

Your full name as it appears in the court records (also include your email and My Court Card #):

First name

Middle name

Last name

Email Address

My Court Card #

The Other Party's full name as it appears in the court records:

First name

Middle name

Last name

Your current address: _____

A phone number where the Self-Help Center Staff can contact you _____

The Other Party's current address: _____

Please list all cases and case numbers below:

Child Support [] No [] Yes (Case # and County _____)

Divorce [] No [] Yes (Case # and County _____)

Domestic Violence [] No [] Yes (Case # and County _____)

Juvenile Court [] No [] Yes (Case # and County _____)

Adoption [] No [] Yes (Case # and County _____)

Guardianship [] No [] Yes (Case # and County _____)

Other [] No [] Yes (Case # and County _____)

INFORMATION ABOUT YOUR CHILDREN WITH YOUR SPOUSE

How many children are involved in this case? _____

Have your children always lived together with their brothers / sisters? [] Yes [] No

If no, then use the “*Other Children’s Addresses*” section below to show where your other child(ren) have lived.

Where did each child live for the past FIVE years?

Child #1

| | | | | | |
|---------------------|----|---------|---|---------------|--------------|
| Child’s full name | | | Place of birth | Date of birth | Sex |
| Period of residence | | Address | Person child lived with (<i>name and present address</i>) | | Relationship |
| | to | NOW | | | |
| | to | | | | |
| | to | | | | |
| | to | | | | |
| | to | | | | |

Child #2

| | | | |
|-------------------|----------------|---------------|-----|
| Child’s full name | Place of birth | Date of birth | Sex |
|-------------------|----------------|---------------|-----|

Child #3

| | | | |
|-------------------|----------------|---------------|-----|
| Child’s full name | Place of birth | Date of birth | Sex |
|-------------------|----------------|---------------|-----|

Child #4

| | | | |
|-------------------|----------------|---------------|-----|
| Child’s full name | Place of birth | Date of birth | Sex |
|-------------------|----------------|---------------|-----|

Other Children’s Addresses

| | | | | | |
|---------------------|----|---------|---|---------------|--------------|
| Child’s full name | | | Place of birth | Date of birth | Sex |
| Period of residence | | Address | Person child lived with (<i>name and present address</i>) | | Relationship |
| | to | | | | |
| | to | | | | |
| | to | | | | |
| | to | | | | |
| | to | | | | |

INFORMATION ABOUT YOUR CURRENT ORDERS (IF ANY)

You must provide the information below about your most recent court orders, if any.

CUSTODY Order Date: _____

Ordering: JOINT or SOLE *PHYSICAL* TO: _____

JOINT or SOLE *LEGAL* TO: _____

VISITATION Order Date: _____

Ordering: _____

WHAT ORDERS WOULD YOU LIKE NOW?

CUSTODY

JOINT or SOLE *PHYSICAL* TO: _____

JOINT or SOLE *LEGAL* TO: _____

VISITATION

WHY? 1) What has *changed*? 2) Why is what you want now *better for the child(ren)* than either: what the court ordered before or what the other party may want? (Explain, attaching more sheets if necessary. This will be your declaration, so use **facts** to create a **persuasive** story.)

INFORMATION ABOUT YOUR EXPENSES

The following people live with me:

| Name | Age | How this person is related to me? (ex. son) | That person's gross monthly income | Pays some of the household expenses? <input type="checkbox"/> Yes <input type="checkbox"/> No |
|------|-----|---|------------------------------------|--|
| | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Average monthly expenses: Estimated expenses Actual expenses Proposed Needs

- | | | | |
|---|----------|--|----------|
| a. Home <input type="checkbox"/> Rent or <input type="checkbox"/> Mortgage | \$ _____ | h. Laundry & cleaning | \$ _____ |
| b. Health care costs not covered by insurance | \$ _____ | i. Clothes | \$ _____ |
| c. Child Care, school expenses | \$ _____ | j. Education | \$ _____ |
| d. Groceries, household supplies | \$ _____ | k. Entertainment, gifts, vacation | \$ _____ |
| e. Eating out | \$ _____ | l. Auto expenses & transportation (insurance, gas, repairs, bus) | \$ _____ |
| f. Utilities (gas, electric, water, trash) | \$ _____ | m. Insurance (life, accident, etc. do not include auto, home, health) | \$ _____ |
| g. Telephone, cell phone, e-mail | \$ _____ | n. Savings and investments | \$ _____ |
| | | o. Charitable contributions | \$ _____ |
| | | p. Child, spousal support (another marriage) | \$ _____ |
| | | q. Wages/earnings withheld by court order | \$ _____ |
| | | r. Other monthly expenses | \$ _____ |

Installment payments

(List here any loan payments, credit cards, credit accounts, revolving accounts not already listed above)

| Name of account | Type of account (i.e. auto loan, credit card, etc.) | Monthly payment amount | Balance | Date of last payment (mo/yr) |
|-------------------------------------|--|------------------------|----------|---------------------------------|
| | | \$ _____ | \$ _____ | |
| | | \$ _____ | \$ _____ | |
| | | \$ _____ | \$ _____ | |
| | | \$ _____ | \$ _____ | |
| Total monthly installment payments: | | \$ _____ | | |

Additional Monthly Expenses for Children:

1. Children's health insurance/ health care \$ _____
2. Travel expenses for visitation \$ _____
3. Children's educational/special needs \$ _____
4. Expenses for children living with me from another relationship \$ _____

INFORMATION ABOUT YOUR INCOME

Employment:

(Give information on your current job or, if you're unemployed, your most recent job.)

- a. Employer:
- b. Employer's address:
- c. Employer's phone number:
- d. Occupation:
- e. Date job started:
- f. If unemployed, date job ended:
- g. I work about _____ hours per week.
- h. I get paid \$ _____ gross (before taxes) per month per week per hour

* If you have more than one job, attach an 8½" x 11" piece of paper and list the same information as above for your other jobs.

Monthly Deductions (List each payroll deduction and amount below):

1. Federal Income Tax \$ _____
2. CA State Income Tax \$ _____
3. FICA and Medicare \$ _____
4. CA SDI \$ _____
5. Other Payroll Deductions \$ _____

GLOSSARY

I. Child Custody and Visitation

Custodial Parent The parent that has primary care, custody, and control of the child(ren).

Custody Mediation A meeting with a trained, neutral third party who helps the parents try to agree on a [parenting plan](#) for their children.

Parenting Plan A detailed custody and visitation agreement that says when the child will be with each parent and how decisions are made. The parenting plan may be developed by the parents, through mediation, with the help of lawyers, or by a judge after a trial or hearing.

Supervised Visitation Visitation between a parent and a child that happens in the presence of another specified adult. The court may order supervised visitation when there has been domestic violence, child abuse, or a threat to take the child out of state.

Child Custody The rights and responsibilities between parents for their child(ren). A [parenting plan](#) must describe the [legal custody](#) and [physical custody](#) that is in the [best interest of the children](#). This term is also often used to describe who the children live with.

Legal Custody A parent's right and responsibility to make decisions about a child's health, education and well-being. There are two types of legal custody orders: [joint legal custody](#) and [sole legal custody](#)

Physical Custody Where the children live, who takes care of them, and how much time they spend with each parent. There are two types of physical custody arrangements: primary or sole physical custody and joint or shared physical custody.

Joint Legal Custody A type of court order that allows either or both parents to make important decisions about a child's health, education, and well-being.

Joint Physical Custody A type of court order in which a child spends about the same amount of time living with both parents.

Sole Legal Custody A type of court order in which one parent has the legal authority to make the major decisions affecting the child, such as decisions regarding: health care, education, and religion. If the parents do not agree on a decision about the child, the parent with sole legal custody has the right to make the final decision. "Sole custody" does not give one parent the right to move away with the child without notice to the other parent unless the court order specifically gives that right.

Sole Physical Custody A type of court order in which a child lives with one parent more than the other parent.

II. Miscellaneous

Declaration A sworn, written statement that is used as evidence in court. The statement supports or establishes a fact. The person that makes the declaration certifies or declares under penalty of perjury that the statement is true and correct. The person that makes the declaration is called the "declarant." The declarant must sign and date the declaration. The declaration must also say where the declaration was signed or that it was made under the laws of the State of California.

Commissioner A person chosen by the court and given the power to hear and make decisions in certain kinds of legal matters.