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CHILDREN AND PARENTAGE ORDERS:

24. The Petitioner and Respondent are the parents of each minor child listed here:

Name:	Birth Date:

Any reference in this document to a minor child refers to any minor child listed above unless otherwise specified.

JURISDICTION OVER CHILD CUSTODY (Family Code section 3048, Mandatory)

25. This court's basis for the exercise of jurisdiction over each minor child is that this is a proceeding under the California Family Code in which this court is authorized to make child custody orders, (Family Code section 3021(a)-(g) or Family Code section 3104) AND;
- The country of habitual residence of each minor child for all purposes is the United States, (42 United States Code section 11601 et seq.) AND;
 - The home state for all purposes is the State of California, (Family Code section 3421, 42 United States Code section 11601 et seq.); OR
 - Each minor child has a significant connection with this state and there is either no home state or no home state that has not already declined to exercise its jurisdiction (Family Code sections 3421, 3423) OR
 - This state has temporary emergency jurisdiction under the UCCJEA (Family Code section 3424) OR
 - All necessary parties have acquiesced in this court's exercise of jurisdiction over the custody of each child.

CHILD CUSTODY ORDERS (Family Code sections 3000-3204):

Unless otherwise provided herein, the agreements that are to be included in a judgment or modification of a prior judgment shall be considered as a final determination of the child custody and visitation litigation.

Under Family Code section 3025, access to records and information pertaining to a minor child, including health care and school records, shall not be denied to a parent because that parent is not a custodial parent.

26. Custody of each minor child is awarded pursuant to the Family Court Services agreement dated/filed: _____
27. Existing child custody orders shall remain in full force and effect except as otherwise provided herein.

LEGAL CUSTODY ORDERS

Legal custody of each minor child is awarded as follows:

28. JOINT LEGAL CUSTODY. (Family Code section 3003) Both parents shall share the right and responsibility to make decisions relating to the health, education and welfare of each minor child. Such decisions shall include, but are not limited to, those specified in item 48 herein, if any.

Joint legal custody does not permit actions that are inconsistent with the physical custody unless the action is expressly authorized by the court. Either parent acting alone may exercise legal control of each minor child except under circumstances, if any, in which the consent of both parents is required by agreement or court order (Family Code section 3083).

29. The consequences for failure to obtain mutual consent when required by court order are as follows (Family Code section 3083):
- a. Willful disobedience of a lawful court order may be contempt of court (Code of Civil Procedure sections 1209-1222) and a misdemeanor (Penal Code section 166).
 - b. Such failure may be a lawful reason for the court to change the legal and physical custody of a minor child.
 - c. Other consequences, if any, may be specified in this agreement or by court order.

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30. SOLE LEGAL CUSTODY (Family Code section 3006) is awarded to the Petitioner Respondent, who shall have the right and responsibility to make decisions relating to the health, education and welfare of each minor child.

PHYSICAL CUSTODY ORDERS

Physical custody of each minor child is awarded as follows (*Select one of the following*):

31. JOINT PHYSICAL CUSTODY. (Family Code section 3004) Each parent shall have significant periods of physical custody. Joint physical custody shall be shared by the parents in such a way so as to ensure each minor child of frequent and continuing contact with both parents. (See item 33 for specific arrangements, if any)
32. SOLE PHYSICAL CUSTODY (Family Code section 3007) is awarded to Petitioner Respondent. Each minor child shall reside with and be under the supervision of that parent subject to the power of the court to order visitation.
Reasonable visitation IS (OR) IS NOT, awarded to Petitioner Respondent.
(See item 33 for specific arrangements, if any)

PARENTING PLAN:

33. Petitioner Respondent shall have the custody of and responsibility for each minor child during the following times periods and the times not specified herein shall be for the other party:
(ONLY CHECK BOXES THAT APPLY, COMPLETE BLANKS THAT APPLY, AND CIRCLE THE OPTIONS THAT APPLY)
- Alternate weeks or weekends from _____ (day) at _____ (time) to _____ (day) at _____ (time) starting _____ (date).
- Alternate weeks or weekends from _____ (day) at _____ (time) to _____ (day) at _____ (time) starting _____ (date).
- 1st 2nd 3rd 4th 5th weekends of each month from _____ (day) at _____ (time) to _____ (day) at _____ (time) starting _____ (date).
- 1st 2nd 3rd 4th 5th weekends of each month from _____ (day) at _____ (time) to _____ (day) at _____ (time) starting _____ (date).
(1st weekend is the weekend with the first Saturday of each month)
- Each week from _____ (day) at _____ (time) to _____ (day) at _____ (time) starting _____ (date).
- Each week from _____ (day) at _____ (time) to _____ (day) at _____ (time) starting _____ (date).
- Each week on _____ (day) from _____ (time) to _____ (time) starting _____ (date).
- Each week on _____ (day) from _____ (time) to _____ (time) starting _____ (date).

Vacation periods, holidays, and other non-school periods shall be shared by the parties as follows and the above schedule shall not apply to the time periods specified below:

- Thanksgiving break from _____ (day) at _____ (time) to _____ (day) at _____ (time) in odd even all years with PETITIONER and in odd even all years with RESPONDENT.
- Winter vacation, first part, from last day of school / _____ (date) at _____ (time) to Dec 24 25 26 / _____ (date) at _____ (time) in odd even all years with PETITIONER and odd even all years with RESPONDENT.
- Winter vacation, second part, from Dec 24 25 26 / _____ (date) at _____ (time) to day before school resumes / _____ (date) at _____ (time) in odd even all years with PETITIONER and odd even all years with RESPONDENT.

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- Spring vacation, all or first part, from _____ last day of school / _____ (date) at _____ (time) to _____ day before school resumes / _____ (date) at _____ (time) in _____ odd _____ even _____ all years with PETITIONER and in _____ odd _____ even _____ all years with RESPONDENT.
- Spring vacation, second part, from _____ (date) at _____ (time) to _____ day before school resumes / _____ (date) at _____ (time) in _____ odd _____ even _____ all years with PETITIONER and _____ odd in _____ even _____ all years with RESPONDENT.
- Summer (or other breaks, including year-round school breaks) shall be shared by alternating _____ one _____ two / _____ (number) week periods with PETITIONER RESPONDENT having the first period starting on the last school day at _____ (time) in _____ odd _____ even _____ all years and the other party having the first period in _____ odd _____ even _____ all years.
- _____ (number) weeks each summer for PETITIONER who shall give written notice of dates by _____ (date). Failure to give such notice results in the other party having priority if dates conflict.
- _____ (number) weeks each summer for RESPONDENT who shall give written notice of dates by _____ (date). Failure to give such notice results in the other party having priority if dates conflict.
- Monday holidays to be with the party who has the weekend, extending such weekend 24 hours. (including Martin Luther King, Jr.'s Birthday, President's Day, Cesar Chavez Day, Memorial Day, and Labor Day)
- If Mother's Day or Father's Day occurs on a weekend otherwise scheduled for the other party, the parties shall exchange the entire weekend for that party's next scheduled weekend.
- All holidays not specified otherwise shall be SHARED OR ALTERNATED ANNUALLY by the parties.
- Other:

Other occasions not specified above such as New Year's Day, President Lincoln's Birthday, Passover, Easter, Mother's Day, Father's Day, Independence Day, Rosh Hashanah, Yom Kippur, Native American Day, Veteran's Day, Halloween, Thanksgiving, Hanukkah, Christmas, and birthdays shall be shared as follows:

other occasions	times with Petitioner	years	times with Respondent	years
		odd even all		odd even all
		odd even all		odd even all
		odd even all		odd even all
		odd even all		odd even all
		odd even all		odd even all
		odd even all		odd even all
		odd even all		odd even all
		odd even all		odd even all

OTHER ORDERS RELATING TO THE LEGAL AND PHYSICAL CUSTODY OF MINOR CHILDREN (Optional):

- 34. In the event of any dispute regarding custody, visitation, time sharing or other matters concerning a minor child, the parties shall attempt to mediate such dispute through Family Court Services. (Family Code sections 3160-3186)
- 35. Each party shall advise the other of his or her current address, place of employment and phone numbers and shall advise the other of any changes as soon as reasonably possible. (OR, within _____ days of any such change)
- 36. Each party shall advise all schools and health care providers of the name, address and phone numbers of the other party in any registration, enrollment, emergency notification or other forms in which family information is requested period.

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37. Each party shall provide the other, within a reasonable period of time, with copies of all schedules of school and extracurricular activities, school report cards, progress and special reports, medical reports and health care instructions regarding any minor child.
38. Each party shall advise the other, within a reasonable period of time prior thereto, of all school and extracurricular activities of any minor child in which parents are invited or allowed to observe or participate.
39. Each party shall advise the other, within a reasonable period of time prior thereto, of any medical and mental health treatment or evaluation of any minor child, including the name and address of the provider of such services.
40. In emergency situations, either party may authorize necessary health care treatment and procedures for any minor child and such party shall notify the other thereof as soon as reasonably possible.
41. Neither party shall make derogatory nor disparaging remarks about the other to, or in the presence of, or within the hearing of, any minor child.
42. Neither party shall be under the influence of alcohol, nor other substance which substantially impairs that party's ability to care for a minor child, at any time such party is responsible for the health and safety of any minor child.
43. Neither party shall change the residence of any minor child from the state of California (AND from the counties of Orange and _____) without the prior written consent of the other or prior order of court.
44. Neither party shall change the residence of any minor child for more than 30 days, without the written consent of the other or an order of this court, without giving written notice to the other party in the manner provided in Family Code section 3024.
45. A party who is unable to assume responsibility for the care of any minor child during any scheduled period of custody for that party is responsible for making adequate alternative arrangements for the care of such child.
46. (For joint legal custody orders) The rights to make decisions, that the parties shall share, relating to the health, education and welfare of each minor child under item 29, include, but are not limited to:
 - a) Enrollment or termination of attendance in any public or private school.
 - b) Participation in regularly occurring extracurricular activities.
 - c) Non-emergency medical, dental and orthodontic treatment other than routine checkups.
 - d) Participation in mental health counseling, therapy or treatment.
 - e) Change in area of child's residence.
 - f) Issuance of driver's license.
 - g) Issuance of a passport.
 - h) Other

ORDERS FOR TRANSPORTATION AND EXCHANGE OF PHYSICAL CUSTODY/VISITATION (Optional):

47. Each party shall provide for the transportation of each minor child at the BEGINNING or ENDING of that party's period of physical custody except as otherwise provided herein.
48. Petitioner Respondent shall provide for all transportation for exchanges of physical custody or visitation except as otherwise provided herein.
49. The parties shall exchange periods of physical custody through each child's school or childcare provider when such exchanges are to occur at times when that child is attending school or childcare. If the child is absent from such location the receiving party shall pick up the child from the other party's residence unless agreed or specified herein.

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OTHER ORDERS:

50. _____

CHILD SUPPORT ORDERS (Family Code section 3500 et seq.):

- 51. Jurisdiction over child support is reserved.
- 52. A completed *Stipulation to Establish or Modify Child Support and Order* (form [FL-350](#)) is filed herewith or has been filed and remains in full force and effect. OR
- 53. The Local Child Support Agency is currently enforcing child support orders in another case (*provide case number*): _____
- 54. Petitioner Respondent shall pay the Petitioner Respondent for the support of each minor child, the amounts set forth below, through the California State Disbursement Unit (complete item 62 for such orders) payable one half on the 1st and 15th days of each month commencing: _____ (*date*) OR payable on the _____ day(s) of each month commencing: _____ (*date*).

Child's name	Birth date:	Amount/mo.
		\$
		\$
		\$
		\$
TOTAL CHILD SUPPORT AMOUNT PAYABLE EACH MONTH:		\$

The above payments shall continue for each child until such child reaches the age of 18 years, dies, marries or is otherwise emancipated or until further order of court, whichever first occurs.

The above payments shall continue for an unmarried child who has attained the age of 18 years, is a full-time high school student, and who is not self-supporting, until the time the child completes the 12th grade or attains the age of 19 years, whichever first occurs. (Family Code section 3901)

- The person to whom payments are made, shall notify the person ordered to make the payments of the happening of any contingency terminating child support as provided by Family Code section 4007.

BASIS FOR CHILD, SPOUSAL, AND FAMILY SUPPORT CALCULATION (Optional, Family Code section 4005)

- 55. A printout of a computer calculation of the parties' financial circumstances is attached or on file herein.
- OR, the parties' financial circumstances are as follows:

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	Petitioner	Respondent
Federal tax filing status (Family Code section 4059a):		
Approximate percentage of physical custody (Family Code section 4055b1D):	%	%
Gross monthly income or earning capacity (Family Code section 4058):	\$	\$
Net monthly disposable income (Family Code section 4059-60):	\$	\$
Hardship expenses (Family Code section 4071):	\$	\$
Health insurance / plan premiums (Family Code section 4059d)	\$	\$
Other (Family Code section 4059):	\$	\$
Child care costs:	\$	\$

ORDERS FOR CHILD CARE COSTS (Family Code section 4062(a)(1)):

56. The child care costs related to employment or to reasonably necessary education or training for employment skills shall be paid as follows:
- The above child support includes a contribution towards the child care expenses for one or more minor children.
 - Each party shall pay one half of such child care costs in addition to any other support.
 - Petitioner shall pay (\$ or %) _____ and Respondent shall pay (\$ or %) _____ of such child care costs.
 - Each party shall be responsible for childcare expenses during that party's periods of physical custody.
 - Other orders for child care costs: _____

STIPULATED CHILD SUPPORT DECLARATIONS (Family Code section 4065) (Mandatory if amount differs from guideline formula):

57. Child support **is** **is not** based on the Statewide Uniform Guideline.
- The parties are fully informed of their rights concerning child support, this support order is agreed to without coercion or duress, is in the best interest of each minor child, and the needs of each minor child will be adequately met by the agreed amount of child support herein.
 - The right to support has not been assigned to the county pursuant to section 11477 of the Welfare and Institutions Code and no public assistance application is pending.

JOINDER IN STIPULATION LOCAL CHILD SUPPORT AGENCY (Family Code section 4065(c)):

(Mandatory where Local Child Support Agency (LCSA) providing services pursuant to section 11477 of the Welfare and Institutions Code)

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR LOCAL CHILD SUPPORT AGENCY)

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MODIFICATION OF CHILD SUPPORT (Notice required by Family Code section 4010):

58. Child support orders may be modified under the provisions of Family Code sections 3650-3680. Information on modification of child support is provided in *Notice of Rights and Responsibilities Regarding Child Support* (form [FL-192](#)), and assistance may be obtained through the Office of the Family Law Facilitator.

WAGE AND EARNINGS ASSIGNMENT ORDER (Mandatory under Family Code section 5230):

59. *Income Withholding for Support* (form [FL-195](#)), shall be filed ordering the employer of the obligor to pay the obligee that portion of the obligor's earnings as will be sufficient to pay an amount to cover the support ordered in this case and any amount ordered by the court toward the liquidation of the following arrearages:

- a monthly payment of \$ _____ toward arrearages of \$ _____ in child support as of _____.
- a monthly payment of \$ _____ toward arrearages of \$ _____ in spousal support as of _____.

ORDERS FOR HEALTH CARE COVERAGE AND COSTS FOR CHILDREN (Mandatory under Family Code section 3751(a)(2)):

60. Petitioner shall pay (\$ or %) _____ and Respondent shall pay (\$ or %) _____ of reasonable uninsured health care costs. Petitioner Respondent Both parents shall maintain health insurance coverage under Family Code sections 3750-3753 for the benefit of each supported child if that insurance is available at no cost or at reasonable cost to the parents as defined by Family Code section 3751(a)(2), (presumed reasonable if does not exceed 5% of gross income). If such coverage is not available, such coverage shall be obtained if it becomes available at no cost or reasonable cost.

Each parent shall provide the other with insurance coverage information, identification documents, claim forms and other documents and information necessary to utilize insurance coverage for each supported child and to obtain reimbursement for health care services costs incurred for each supported child.

Any reimbursement due from one party to the other under this order or otherwise under Family Code section 4063 shall be paid within 30 days of demand in the manner specified in Family Code section 4063 unless a different period of time is specified here: _____ (form [FL-192](#) contains additional information on health care costs and reimbursement procedures) Reasonable and necessary health care costs of each supported child not covered by insurance, including medical, pharmaceutical, vision, dental, orthodontic and mental health costs, shall be shared as allocated above, and each parent shall reimburse the other for his or her share of such expenses paid by the other.

- The parties waive the right to written notice of an application for a health insurance coverage order under Family Code section 3761.

DEPENDENCY EXEMPTIONS (Optional):

61. In absence of any specific agreement the custodial parent is usually entitled to claim exemptions (see Internal Revenue Code section 152(e)).

- Petitioner Respondent shall have the right to claim each minor child, OR each child listed _____, as a dependent and exemption for all state and federal income tax purposes every year, OR in each year listed _____, and each party shall execute and deliver, on demand, any documents necessary for such claim, including *Release/Revocation of Release of Claim to Exemption for Child by Custodial Parent* (IRS form [8332](#)).
- A party required to pay child support to the other shall not make the above claims for any year for which the full amount of child support has not been paid.

INFORMATION REQUIRED FOR STATE DISBURSEMENT ORDERS (Mandatory for welfare recipients, Family Code section 4200):

62. All support payments shall be paid to the office of the **CA State Disbursement Unit, PO Box 989067, West Sacramento, CA 95798-9067** by check or money order including the number of this case.

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- The *Child Support Case Registry Form* (form [FL-191](#)) shall be completed and submitted to the court. The Local Child Support Agency may appear on behalf of the public interest in any proceeding to enforce support.

OTHER ORDERS:

63. _____

SPOUSAL OR FAMILY SUPPORT ORDERS (Family Code sections 92, 142, 3590-3604, 3650-3654, 4300-4360):

64. Unless otherwise agreed in writing, the obligation of a party under an order for support of the other party terminates upon the death of either party or the remarriage of the other party (Family Code section 4337).

65. The court reserves jurisdiction to award spousal support to both parties Petitioner Respondent until further order of court or until the date of _____, whichever first occurs.

66. Petitioner Respondent shall pay Petitioner Respondent, as spousal support family support: \$_____ per month beginning _____ (date),
 (If step down:) then \$_____ per month beginning _____ (date), then \$_____ per month beginning _____ (date),
 payable one half on the 1st and 15th days of each month, OR on the _____ day(s) of each month.
 payable through the California State Disbursement Unit (complete item 62).
 payable by wage and earnings assignment order (Family Code section 5230, using *Earnings Assignment Order for Spousal or Partner Support* (form [FL-435](#)) or form [FL-195](#), if used in conjunction with child support).

67. These payments shall continue until further order of court, the date of _____ or until termination by law under Family Code section 4337, whichever first occurs.

68. The duration of the court’s jurisdiction over spousal support MAY NOT BE, OR MAY BE extended if an application to extend jurisdiction is filed herein prior to the date that either the court’s jurisdiction or any spousal support order otherwise expires.

69. **THE FOLLOWING WAIVER TERMINATES THE PARTIES’ RIGHTS TO SPOUSAL SUPPORT.**
 IN A PROCEEDING FOR DISSOLUTION OR LEGAL SEPARATION THE COURT WOULD OTHERWISE RETAIN JURISDICTION TO AWARD SPOUSAL SUPPORT TO EITHER PARTY INDEFINITELY WHERE THE MARRIAGE IS OF LONG DURATION. A MARRIAGE IS PRESUMED TO BE OF LONG DURATION IF OVER 10 YEARS BUT THIS MAY APPLY TO SHORT DURATIONS (Family Code section 4336).

Petitioner and Respondent both waive any and all rights to receive spousal support from the other at any time hereafter. No spousal support shall be paid by either party to the other and the court shall not retain jurisdiction to award spousal support so either party from the other at any time hereafter regardless of the needs or ability to pay of either party or any other circumstances. The right to receive spousal support or alimony from the other is terminated forever.

The parties should initial here if they agree with, have read and understand this **SPOUSAL SUPPORT WAIVER:**

Petitioner: _____ Respondent: _____

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HEALTH CARE COVERAGE AND COSTS FOR SPOUSE:

70. Petitioner Respondent shall maintain health insurance coverage for the benefit of the other, if eligible for such coverage under an existing insurance plan, to continue for so long as the other is eligible, and shall notify the other as soon as possible upon receiving notice of termination of such eligibility and of information necessary to convert such policy to any other available policy for which the other party would be eligible. (including COBRA rights, see California Health and Safety Code sections 1366.20-.28, 1373.621 and Internal Revenue Code section 4980B).

SPOUSAL SUPPORT ADMONITION (Family Code section 4330):

71. The parties acknowledge, by signing this agreement, that it is the goal of this state that each party shall make reasonable, good faith efforts to become self-supporting as provided for in Family Code section 4320. The failure to make good faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support.

OTHER ORDERS:

72.
