



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

INSTRUCTIONS FOR REQUEST FOR ORDER

Note: The way you complete these forms and the information you provide may permanently determine your rights, now and in the future. You may also be limiting the court's ability to make orders on your behalf. You should consider consulting an attorney regarding your rights and obligations. The Family Law Facilitator's Office can help you complete these forms (see locations on the other side of this sheet).

1. Before you begin, read all the forms and this instruction sheet completely. **Remember to type or print clearly.**
2. It is important to understand the Request for Order forms are used only to schedule a hearing date to get court orders in a family law case. You can file the Request for Order at the same time you file a new case. If you have already filed a case with the court, make sure you place the case number on each of the forms.
3. You must fill out the following forms from the Request for Order Packet (SDSC Form #PKT-015):
 - Request for Order (JC Form #FL-300).
 - For child custody or visitation, you must also fill out a Family Court Services Screening Form (SDSC Form #FCS-046).
 - For spousal support, child support, or requests for child care and/or health care cost contributions, you must also fill out an Income and Expense Declaration (JC Form #FL-150). Attach copies of your pay stubs for the last two months and proof of any other income to the Income and Expense Declaration.
 - For attorney's fees and costs, you must fill out a Request for Attorney's Fees and Costs Attachment (JC Form #FL-319), an Income and Expense Declaration (JC Form #FL-150), and a Supporting Declaration for Attorney's Fees and Costs Attachment (JC Form #FL-158) or a comparable declaration that addresses the factors set forth in JC Form #FL-158. Attach copies of your pay stubs for the last two months and proof of any other income to the Income and Expense Declaration.
 - If you want the court to grant emergency orders until your hearing, you must also fill out an Ex Parte Application and Order (SDSC Form #ADM-252) and Temporary Emergency Court Orders (JC Form #FL-305).
4. Oral testimony and witnesses may be permitted if notice requirements are met. If there is additional information you want the court to know that supports your request for an order, you may use the Attached Declaration (JC Form #MC-031).
5. The packet also contains forms for the other party. Do not write on the forms after the page marked "Responding Party." Those forms are for the other party to complete. You will have those forms served on the other party along with copies of your completed forms.
6. Remember, if you were the petitioner in the original petition that started your family law case, you will always be called the "petitioner." If you were the respondent in the original petition that started your family law case, you will always be called the "respondent," even if you are the one who is now filing the Request for Order.
7. Once you complete the forms, make two copies of each form. Go to the business office of the court where your existing case is filed, or if you are filing a new case, the court location listed for your zip code on the Zip Code List (SDSC Form #ADM-254), and present the original and copies to the clerk.
8. The clerk will schedule a court hearing date (and a Family Court Services date for custody/visitation issues) and place the date and time for your hearing on both of your copies. Keep one set of copies for yourself. The other set of copies must be served on the other party so he/she will have notice of the court hearing date. It is your responsibility to have one copy of each of the forms filed with the court, and the blank forms marked for "Responding Party," served on the other party. Anyone over the age of 18, **other than you**, may personally serve the forms.

9. If the other party lives in California and has not filed any papers in the case, he/she must be personally served. If the other party lives outside California, he/she may be served by certified mail, restricted delivery, with a return receipt. If you are filing a post judgment motion to modify child custody, visitation, or child support orders, the motion may be served on a party by first-class mail at a verified address. See Declaration Regarding Address Verification-Post Judgment Request to Modify a Child Custody, Visitation, or Child Support Order (JC Form #FL-334) Note: A post judgment motion must be served on the party, not on the other party's attorney.
10. The person who served the other party must complete a Proof of Service (JC Form #FL-330 – *personal service*, or JC Form #FL-335 - *service by mail*). Make two copies of the completed form. Take the original and two copies to the business office of the same court where you filed the papers to start the case.
11. Make sure you are on time for your court hearing date. After the judge makes an order, you must prepare a Findings and Order After Hearing (JC Form #FL-340), including any required attachments, for the judge to sign. If you leave the court without preparing the Findings and Order After Hearing, you may be unable to enforce the court's orders.

● **FAMILY LAW FACILITATOR'S OFFICE**

The Superior Court operates this program at the following locations:

<u>Family Court</u>	<u>North County</u>	<u>East County</u>	<u>South County</u>
1555 Sixth Avenue San Diego, CA 92101	325 S. Melrose Drive Vista, CA 92081	250 E. Main Street El Cajon, CA 92020	500 Third Avenue Chula Vista, CA 91910

The Family Law Facilitator's Office provides assistance with completing the forms in this packet at no cost. If you are filing a new case, go to the Family Law Facilitator's Office in the court closest to your home. If you have an existing case, you may make an appointment online for workshop assistance at www.iflow.sdcourt.ca.gov, or you may receive assistance on a walk-in basis, first come, first served at the Facilitator's Office in the court where your case is located. Visit the court's website at www.sdcourt.ca.gov for further details.

● **FAMILY LAW MEDIATION PROJECT**

Mediation assistance is available to resolve contested issues between you and your spouse. Note: In this program, mediation is not provided for child custody or visitation issues. Both you and your spouse must be willing to attend mediation. Often, when parties are able to reach an agreement, no court appearance is necessary.

In the southern part of San Diego County, this program is operated by the National Conflict Resolution Center* located at 625 Broadway, Suite 1221, San Diego, CA 92101 (619) 238-2400. In the northern part of San Diego County, LIFELINE* (760) 940-6676 or (760) 726-4900 provides similar services. LIFELINE mediation is located in the North County Courthouse.

**These programs are not affiliated with the court, and each program is independently responsible for compliance with any and all applicable legal requirements. The court does not endorse, evaluate, supervise, or monitor these programs.*