

CASE TITLE	CASE NUMBER
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CHILD CUSTODY AND CHILD SUPPORT ATTACHMENT

(This form must be attached to Mandatory Settlement Conference Term Sheet – Dissolution of Marriage Form (SDSC Form #D-294))

I. CUSTODY

- The existing order from the hearing on _____ shall remain in effect without modification.
- The existing order from the hearing on _____ shall remain in effect with the following modifications:

 _____.

Child custody and visitation (parenting time) shall be ordered as previously established in Case No.: _____
 Court: _____.

- The parties agree to the following orders regarding custody and visitation of the minor children:
 - Petitioner and Respondent shall share joint legal custody under Fam. Code § 3003.
 - Petitioner and Respondent shall share joint physical custody under Fam. Code § 3004.
 - Petitioner Respondent shall have sole legal custody under Fam. Code § 3006.
 - The children shall primarily reside with Petitioner Respondent.
 - Both parents shall have the right to access records and information about the minor children (including medical, dental, and school records) and consult with professionals who are providing services to the children.
 - Petitioner's Respondent's parenting time shall be as follows:

 _____.

- The parties agree to the orders in the attached:
 - Joint Legal Custody Attachment (JC Form #FL-341(E)).
 - Additional Provisions—Physical Custody Attachment (JC Form #FL-341(D)).
 - Children's Holiday Schedule Attachment (JC Form #FL-341(C)).
 - Visitation between the children and Petitioner Respondent shall be supervised, as set forth in the attached mandatory form Supervised Visitation Order (JC Form #FL-341(A)).

Fam. Code § 3048 findings. The court has jurisdiction to make these orders under the Uniform Child Custody Jurisdiction and Enforcement Act. Both parties received notice and an opportunity to be heard. The country of habitual residence of the minor children is the United States. The child's home state is California. Both parties must comply with the court order—failure to do so may result in civil or criminal penalties, or both.

II. CHILD SUPPORT

- The existing order from the hearing on _____ shall remain in effect without modification.
- Payment of child support. The Petitioner Respondent shall pay child support in the amount of \$ _____ per month. The effective date is _____ and payable on the 1st of the month half on the 1st and half on the 15th of the month other _____.
 - The order continues 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.
 - 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 Fam. Code § 4007.
- Child support shall be ordered as set forth in the attached Child Support Information and Order Attachment (JC Form #FL-342) and Non-Guideline Child Support Findings Attachment (JC Form #FL-342A).
- Child support shall be ordered as set forth in the attached Stipulation to Establish or Modify Child Support (JC Form #FL-350).
- Child support as previously established in another case, Case No.: _____
 Court: _____ is incorporated into this agreement and shall remain in effect without modification.

Pet. (Initials) _____ **Resp.** (Initials) _____

CASE TITLE	CASE NUMBER
------------	-------------

Parties agree the child support calculations are based on income and deduction information provided in the attached DissoMaster printout-and parties are satisfied with the accuracy of that information for purposes of calculating guideline child support without further verification.

Guideline child support.

- The parties agree to guideline child support based on the factors in the attached DissoMaster printout.
- The parties agree to guideline child support based on the following factors:

Factor	Petitioner	Respondent
Filing Status & Exemptions		
Timeshare		
Wages/Salary		
Self-Employment Income		
Other Taxable Income		
Non-Taxable Income		
Health Insurance		
Union Dues		
Mandatory Retirement		
Voluntary Retirement		
Property Tax Expenses		
Mortgage Interest		
Charitable Contribution		
Other:		
Other:		
Other:		

Mandatory additional child support shall be ordered for reasonable uninsured health-care costs for the children and child-care costs related to employment or reasonably necessary job training, payable pursuant to Fam. Code § 4063, as follows:

- each parent shall pay one half of such expenses.
- Petitioner shall pay (\$ or %) _____ and Respondent shall pay (\$ or %) _____ of such expenses.

Petitioner Respondent shall maintain health insurance coverage for the minor children.

The additional "standard" language of Child Support Information and Order Attachment (JC Form #FL-342) is also incorporated as part of this agreement: paragraph 6f (child support order suspension); paragraph 8 (issuance of earnings assignment); paragraph 9 (Fam. Code § 5616 language); paragraph 12 (required form Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures) (JC Form #FL-192)); paragraph 13 (Child Support Case Registry Form (JC Form #FL-191)); and the "notice" (regarding interest that accrues on overdue amounts). JC Forms #FL-342 and FL-192 shall be attached to the Marital Settlement Agreement or Stipulated Judgment.

Pursuant to Fam. Code § 5260, the parties agree to stay service of an earnings assignment order. The obligor is responsible for making direct payments during any period when the wage assignment is not in effect.

Good cause for staying a wage assignment exists only when all of the following conditions exists as follows:

The stay of the wage assignment is in the best interests of the child as follows:

The obligor has a history of uninterrupted, full, and timely payment, other than through a wage assignment or other mandatory process of previously ordered support, during the previous 12 months.

The obligor does not owe an arrearage for prior support.

Pet. (Initials) _____

Resp. (Initials) _____

CASE TITLE	CASE NUMBER
------------	-------------

Non-guideline child support.

The amount of child support under the guideline formula is \$_____ per month. In preparing the Marital Settlement Agreement/Stipulated Judgment, counsel and the parties will attach Non-Guideline Child Support Findings Attachment (JC Form #FL-342(A)).

The parties have agreed to an amount above below the guideline amount.

Application of the guideline formula in this case would be unjust or inappropriate and the amount of support that the parties have agreed to is consistent with the best interests of each child for the following reasons:

 _____.

Fam. Code § 4065. Both parties have acknowledged (1) they are fully informed of their rights under the California child support guidelines; (2) they have entered into this agreement freely without coercion or duress; (3) the agreement is in the best interest of each child; and (4) the needs of each child will be adequately met by the stipulated amount of child support.

Child Support Arrears

Petitioner Respondent owes child support arrears in the amount of \$_____ for the period:

 These arrears shall be paid as follows: _____. Arrears accrue interest at 10% per annum until paid in full.

No child support arrears are owed by either party.

Department of Child Support Services (DCSS) Enforcement

DCSS is enforcing child support in this case. Pursuant to Fam. Code § 4251, the Family Support Division of the Superior Court has jurisdiction over the issue of child support.

Pet. (Initials) _____

Resp. (Initials) _____