



## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

### FAMILY SUPPORT DIVISION INFORMATION – CENTRAL

This document includes information about Family Support Division cases in the Central Division of the Superior Court. For additional information, visit the Family and Children page on the Court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).



#### **FAMILY SUPPORT DIVISION**

The Family Support Division (FSD) hears all court actions filed by the Department of Child Support Services (DCSS) regarding support, support enforcement, medical insurance, and parentage. FSD also hears support issues in family law cases in which DCSS is providing enforcement services. If DCSS has opened a case to establish parentage and/or child support against a non-custodial parent, a child support commissioner may order child support in that case. These cases are typically referred to as Family Support Division "Title IV-D," or governmental child support cases. FSD does not hear the following matters: divorce, custody, visitation, restraining orders, or property issues. These issues must be heard at one of the family law locations.

#### **EX PARTE COMMUNICATION**

Ex parte communication occurs when a person; talks, writes to, or otherwise communicates with the judicial officer about the case without the knowledge, presence, or consent of all parties involved in the matter. **Ex parte communication is not allowed.**

#### **NOTICE OF ELECTRONIC CASE FILE AND IMAGED DOCUMENTS**

All pleadings and documents, including all original documents attached to pleadings, filed in FSD "IMAGED" cases (initiated on or after August 24, 2015), and "PARTIAL IMAGED" cases (initiated on or before August 23, 2015), will be destroyed. Once imaged, all paper filings will be held for 30 days, and thereafter destroyed or recycled. See SDSC Local Rule 5.1.9.

#### **FILING DOCUMENTS**

Documents may be filed with the court in person, by messenger, mail, or by e-file. Documents may also be dropped in the FSD drop box located outside the Family Business Office on the fourth floor of the Central Courthouse.

#### **E-FILING**

FSD accepts e-filing for cases involving family support issues in FSD cases and Family cases with DCSS involvement. Some exceptions apply. Refer to Electronic Filing Requirements (Family) (SDSC Form #D-305) available on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) for additional information, and the current list of documents not accepted for e-filing.



#### **ACCESS TO FAMILY SUPPORT DIVISION COURT FILES AND RECORDS**

On November 9, 2021, FSD cases were re-designated as non-confidential and open for public inspection unless a statute, rule, or order provides otherwise. Parties submitting documents to the court shall be mindful of this change and ensure that confidential information is not publicly disclosed in violation of state or federal laws. For additional information and options available to access public court records visit the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).



#### **OBTAINING COPIES OF RECORDS**

Copies of public records can be obtained in person, by mail, or online. For additional information, restrictions, and fees, or access to request copies through the online Register of Actions (Family) visit the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov).



#### **FAMILY LAW FACILITATOR'S OFFICE (FLF)**

Court attorneys and paralegals experienced in family law are available at no cost to help self-represented parties who have questions about family law issues. Visit the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) for information about specific services provided by FLF, including hours of operation and locations.

#### **INTERPRETER**

If an interpreter is needed for a hearing, or if an interpreter was scheduled and is no longer needed, an Interpreter Request/Cancellation Form (SDSC Form #ADM-348) must be submitted. Visit the Language Access page on the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) for additional information.

#### **NOTICE OF REMOTE APPEARANCE**

A party who intends to appear remotely must comply with SDSC Local Rule 5.2.5. All requests must be made on mandatory Judicial Council form, Notice of Remote Appearance (JC Form #RA-010). Visit the court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) for additional information and requirements.



## **SETTING HEARINGS**

- **EX PARTE** - Hearing dates may be obtained in person at the FSD Business Office **no later than 10:00 a.m. the day before the requested hearing date**. Papers **MUST** be submitted to the court no later than 12:00 p.m., and served on all parties by 2:00 p.m., the court day before the hearing. Moving papers **MUST** include a completed Ex Parte Application and Order – Family Law (SDSC Form #D-046) (see SDSC Local Rule 5.3.1). **Consideration of late filed and/or late served papers is at the court’s discretion.**
- **REQUEST FOR ORDER (RFO)** (JC Form #FL-300) - Hearing dates may be obtained by mail or in person at the FSD Business Office, or by e-filing (see **E-FILING** section above for more information). If a request includes both FSD and Family issues under the same case number, the party is encouraged to submit two separate RFOs. A fee or approved fee waiver is required for RFOs regarding family issues (e.g. divorce, custody, etc.).

## **LODGMENTS**

Exhibits exceeding 10 pages **MUST** be lodged. To lodge documents, you **MUST** comply with SDSC Local Rule 5.5.5.



**STEP 1:** File with the court a Notice of Intent to Lodge Documents (SDSC Form #D-235) or pleading listing the names or description of each exhibit. The lodgment **MUST** be timely filed and served with your moving, responding or reply papers.

**NOTE: DO NOT ATTACH THE EXHIBITS.**

**STEP 2:** No sooner than **10 court days** and no later than **five court days** prior to the hearing date, absent a court order, attach a filed copy of the D-235 or pleading to the exhibits and submit the documents to the court. The form Lodged Documents (SDSC Form #ADM-378) may be attached.

**STEP 3:** Serve lodged documents on DCSS. Options for service include: 1) emailing the documents to DCSS at the following address: [DCSSElectronicService@sdcountry.ca.gov](mailto:DCSSElectronicService@sdcountry.ca.gov), 2) taking the documents to the nearest DCSS office, or 3) placing the lodgment in the designated DCSS lodgment box located in the Central and North County Family Business Offices. See SDSC Local Rule 5.5.5. for additional information and requirements.

## **SERVICE OF PROCESS OF COURT DOCUMENTS**

Generally, all documents filed with the court must be served on all parties, including DCSS, if applicable. Additional information regarding specific questions regarding service can be found on-line through the self-help resources at California Courts [www.courts.ca.gov/self-help](http://www.courts.ca.gov/self-help), by obtaining assistance from FLF, or by seeking the advice of an attorney. Effective March 20, 2023, FSD does not accept service copies on behalf of DCSS.

## **REQUEST TO RESCHEDULE RFO HEARING**

A party may request to reschedule a hearing as follows:

### **RFO NOT SERVED**

- Prior to Hearing: By appearing ex parte and submitting the following: Ex Parte Application and Order – Family Law (SDSC Form #D-046), Request to Reschedule Hearing (JC Form #FL-306), and Order on Request to Reschedule Hearing (JC Form #FL-309). Requests should be made at least **FIVE COURT DAYS** prior to the hearing date.
- Day of Hearing: By appearing at the hearing, making an oral request, and submitting an Order on Request to Reschedule Hearing (JC Form #FL-309).

### **RFO SERVED**

- Prior to Hearing: By appearing ex parte and submitting the following: Ex Parte Application and Order – Family Law (SDSC Form #D-046), Request to Reschedule Hearing (JC Form #FL-306), declaration regarding notice, and Order on Request to Reschedule Hearing (JC Form #FL-309). Requests should be made at least **FIVE COURT DAYS** prior to the hearing date.
- Day of Hearing: By appearing at the hearing, making an oral request, and submitting an Order on Request to Reschedule Hearing (JC Form #FL-309).

## **BY STIPULATION**

- Parties may also request to reschedule a hearing by submitting an Agreement and Order to Reschedule Hearing (JC Form #FL-308) prior to or at the time of the hearing.

***NOTE: requests received less than five court days prior to the hearing are forwarded to the judicial officer for consideration. It is possible that no decision will be made with regards to the request until the day of the hearing. The clerk’s office CANNOT continue a hearing set by the judicial officer.***

## **CANCELLING A HEARING**

If the RFO was **NOT SERVED**, the moving party may cancel the hearing prior to the hearing date by contacting the FSD Business Office. If the RFO was **SERVED** or a **RESPONSE** to the RFO has been filed, the clerk’s office **CANNOT** cancel the hearing. For information regarding options, contact FLF or your caseworker at DCSS. **The clerk’s office CANNOT cancel a hearing set by the judicial officer.**