

SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE

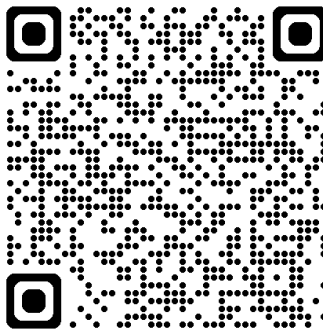
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REQUEST FOR ORDER

Forms included in this packet:		
READ	This packet	Instructions
COMPLETE AND FILE	FL-300	Request for Order
SERVE (LEAVE BLANK)	FL-320	Responsive Declaration to <i>Request for Order</i>
FILE AFTER SERVICE	FL-330	Proof of Personal Service
	FL-335	Proof of Service by Mail

For a list of legal packets and samples, scan the QR code below, or go to:

[https://www.tulare.courts.ca.gov/forms-filing/
local-forms-information-filing-instructions](https://www.tulare.courts.ca.gov/forms-filing/local-forms-information-filing-instructions)



Request for Order

This is an instructional guide to filing your paperwork to obtain a hearing in your *existing* family law case. Read these instructions in their entirety before you start filling out your forms.

Completing Forms:

- California Court forms: Fillable, printable PDF versions of the forms referenced in this packet are available at the California Court website. For details, visit:
<https://courts.ca.gov/rules-forms/find-your-court-forms>
- LawHelp Interactive: A free resource that assists litigants with completing legal forms through a series of guided interview questions. For details, visit:
<https://lawhelpinteractive.org/Interview/GenerateInterview/5956/engine>
- Legal packets and samples: The Tulare County Superior Court's website offers many packets and samples. For a current list, visit:
<https://www.tulare.courts.ca.gov/forms-filing/local-forms-information-filing-instructions>

Self-Help Resource Center:

If you do not have an attorney representing you, free assistance is available. Contact the Self-Help Resource Center (SHRC), also known as the Office of the Family Law Facilitator. SHRC staff will provide instructions on how to complete forms, how to serve the other party, and can answer procedural questions. However, SHRC staff **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The SHRC can be reached at (559) 737-5500 and selfhelp@tulare.courts.ca.gov, and offices are located at:

County Civic Center

221 S. Mooney Blvd., Room 203
Visalia, CA 93291

South County Justice Center

300 E. Olive Ave.
Porterville, CA 93257

Other Resources:

If you have further questions or concerns, you may wish to consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct research on your legal issue and find additional information at:

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
 - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available at the South County Justice Center in the Self-Help Resource Center lobby.
- Sacramento County Public Law Library: <https://saclaw.org/>

INSTRUCTIONS

The **Request for Order (FL-300)** form is the basic form you need to file to obtain a hearing in your *existing* family law case. If you do not already have a family law case, contact the Self-Help Resource Center for information on which forms you need to establish one.

Before you begin completing the **Request for Order (FL-300)** form, read the **Information Sheet for Request for Order (FL-300-INFO)**, which provides details on when and when not to use this form. The information sheet also lists other forms you may need to complete, depending on your request. Any form referenced but not included in this packet may be found on the California Court website (see *URL listed on page 2*).

Form FL-105 - Declaration Under UCCJEA:

- If your case begins with VFS and this will be the first **Request for Order (FL-300)** for child custody and visitation filed in the VFS case, you must file form **FL-105**.
- In all cases, you must file form **FL-105** if the child has moved since you last filed in the case.

Restraining Order After Hearing:

- When a **Restraining Order After Hearing (DV-130)** has *expired*, and you want to change orders that are still in effect (*such as child custody, visitation, or child support*), you will need to complete a family law **Petition** plus the **Request for Order (FL-300)**.
 - Contact the Self-Help Resource Center for more information on which family law **Petition** should be filed for your circumstances.
- If the **Restraining Order After Hearing (DV-130)** is *still in effect*, and you want to change existing child custody, visitation, or child support orders, do not use the **Request for Order (FL-300)**. For more information, read **How Do I Ask to Change or End a Domestic Violence Restraining Order? (DV-300-INFO)**.

Filing Fees:

- There is a fee for filing the **Request for Order (FL-300)**. To apply for a fee waiver, request a Fee Waiver packet from the Clerk of Court, and complete forms **FW-001** and **FW-003**.

STEP 1: COMPLETE THE FORMS

Request for Order (FL-300):

- **Top of page 1:** Enter your name and address, the names of the Petitioner, Respondent, and Other Parent/Party (*if necessary*), and your court case number.
 - Mark the box for the legal issue you want the court to make orders on.
 - Mark the box for **Change** if you are requesting a change to an existing order.
 - Mark the box for **Temporary Emergency Orders** if you are requesting that the court make emergency orders that will be effective until the hearing date. If so, complete the following forms:

- **Temporary Emergency (Ex Parte) Orders (FL-305)**, and
- **Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders (FL-303)**.

Temporary Emergency Orders: The court can only grant emergency custody orders if:

- (1) the safety of the child(ren) is at risk (based on independently verified information i.e. you cannot use the child's testimony alone), and/or
- (2) the other parent is planning to take the child(ren) out of state without permission before a regularly set hearing could take place.

- **Item 1, under Notice of Hearing:** Enter the name of the other person in your case.
 - If you are requesting a modification of child support and the Department of Child Support Services (DCSS) is enforcing the order, list both the other parent and DCSS.
- **Items 2 through 8:** Leave these sections blank. These are for the court to complete.
- **Pages 2 through 4:** Complete each item that applies to your request.
 - **Item 1, Restraining Order Information:** Add details if there is a restraining order in effect between you and the other party.
 - **Item 2, Child Custody and Visitation:** Complete if you are requesting to establish or change existing orders.
 - Optional form: Complete and attach the **Child Custody and Visitation (Parenting Time) Application Attachment (FL-311)** to provide the court with details on your proposed visitation schedule. For example, which party is responsible for transportation for visits, where exchanges will occur, whether you are requesting supervised visitation, and how holidays and other special occasions will be shared.
 - **Item 3, Child Support:** Add information about the children, any existing orders, and the reasons why the court should make or change the child support orders.
 - File the **Income and Expense Declaration (FL-150)**, per item 3(c).
 - **Item 4, Spousal Support:** Add information about any existing orders, and why the court should make or change the spousal support orders.
 - Attach **Spousal or Partner Support Declaration Attachment (FL-157)**, per 4(c), if you are requesting that the court modify an order post-judgment.
 - File the **Income and Expense Declaration (FL-150)**, per item 4(d).
 - **Item 5, Property Control:** Complete if you are requesting possession of property or are requesting that the other party be responsible for making payments on debts.
 - **Item 6, Attorney's Fees and Costs:** Complete if you are requesting reimbursement for such costs.
 - **Item 7, Other Orders Requested:** Complete if you are requesting other orders not listed on this form. Examples include parenting classes, drug testing, etc.
 - **Item 8, Time for Service:** Complete if you are requesting orders related to service or are requesting that a hearing is set sooner. Provide reasons at 8(c).
 - **Item 9, Facts to Support:** Add details that support your request.
- **Bottom of Page 4:** Date and sign.

STEP 2: FILE THE FORMS

Now that you've completed your forms, make the appropriate number of copies as indicated below:

- Two copies of: **Request for Order (FL-300)** and **any attachments or supplemental forms** (for example, **UCCJEA (FL-105)**, **Income and Expense Declaration (FL-150)**, etc.).
- One copy of: Fee Waiver forms **FW-001** and **FW-003**.

Bring the originals and copies to the Clerk of Court, located in Room 201 of the Visalia Courthouse, or at the filing windows at the South County Justice Center in Porterville or Visalia DCSS office. When you file your forms, the Clerk will keep the originals and return your copies to you stamped "filed." One of the copies is for you to keep and the other is to serve on the other party.

DCSS Cases: Copies and filing location

- **Three copies:** If you are asking to change a child support order that DCSS is enforcing, make **three** copies of the **Request for Order (FL-300)** and any attachments or supplemental forms (for example, the **Income and Expense Declaration (FL-150)**).
 - The third copy will be served on DCSS.
- **Filing location:** If your case begins with VFS, you will need to file at the Court Clerk's Office in the Visalia DCSS office, located at 8040 W. Doe Ave., Visalia, CA 93291.
 - Documents may be filed at the Visalia DCSS office Monday through Thursday only (*the Visalia DCSS office is closed to the public on Friday*).
 - If you are filing on a Friday, you may file at the Visalia Courthouse or South County Justice Center in Porterville.

STEP 3: SERVE THE FORMS

The next step is to have someone serve your forms on the other party (*and DCSS, if the request is for child support and DCSS is enforcing*). The server must be at least 18 years old and not a party to the case.

The other party must be served with:

- A copy of your filed **Request for Order (FL-300)** and any attachments or supplemental forms (for example, **UCCJEA (FL-105)**, **Income and Expense Declaration (FL-150)**, etc.).
- A blank **Responsive Declaration to Request for Order (FL-320)**.
- A blank **Income and Expense Declaration (FL-150)** (*only if you filed your own FL-150*).

(*The other party does not need to be served with your **Fee Waiver** forms*)

Method of Service: Personal service or Mail service

- Your documents must be **personally** served if:
 - The court granted temporary emergency orders pending the hearing,
 - the responding party has not yet appeared in the case, or
 - the court ordered personal service on the other party.
- The other party may be **served by mail** if:
 - You are requesting a change to an existing order for custody, visitation, or support, and you can verify the other party's current address *within the last 30 days*.
 - This is done by completing the **Declaration Regarding Address Verification (FL-334)**, which will be filed along with the **Proof of Service by Mail (FL-335)**.

STEP 4: FILE THE PROOF OF SERVICE

After the other party has been served, the server must complete and sign the appropriate **Proof of Service** form, stating who, when, where, and how the service took place. Depending on the method of service, the server will complete one of the following forms:

- **Proof of Personal Service (FL-330)**, or
- **Proof of Service by Mail (FL-335)**.

Make one (1) copy of the **Proof of Service** (and **FL-334**, if applicable) and bring the original and copy to the Clerk of Court for filing. The Clerk will keep the original and give you back a copy. A filed **Proof of Service** tells the court that the other party received the forms and was notified of the court date in a legally acceptable way. If there is no filed **Proof of Service**, you risk the court not hearing your issue.

STEP 5: ATTEND THE HEARING

The hearing information is listed on the **Request for Order (FL-300)**, at item 2 of page 1. Bring all of your filed forms to the hearing. If you need further assistance, contact the Self-Help Resource Center.

At the initial hearing on a request for child custody and visitation orders:

If the parents disagree over the custody and/or visitation of their children, the judge may:

- (1) refer the parents to meet with a *Child Custody Recommending Counselor* to develop a parenting plan that is in the child's best interests, and
- (2) set a further hearing to review the *Counselor's* report.

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
REQUEST FOR ORDER <input type="checkbox"/> CHANGE <input type="checkbox"/> TEMPORARY EMERGENCY ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Child Support <input type="checkbox"/> Property Control <input type="checkbox"/> Attorney's Fees and Costs <input type="checkbox"/> Other (specify):	CASE NUMBER:

Note: Read form [FL-300-INFO](#) for information about how to complete this form. To ask to change or end an order that was granted in a Restraining Order After Hearing (form DV-130 or JV-255), read form [FL-300-INFO](#) and form [DV-300-INFO](#).

NOTICE OF HEARING

1. TO (name): _____
☐ Petitioner ☐ Respondent ☐ Other Parent/Party ☐ Other (specify):

2. **A COURT HEARING WILL BE HELD AS FOLLOWS:**

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Room.:
b. Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):			

3. **WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form *FL-320-INFO* for more information.)

COURT ORDER

(FOR COURT USE ONLY)

It is ordered that:

4. ☐ Time ☐ for service ☐ until the hearing is shortened. Service must be on or before (date):
5. ☐ A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date):
6. ☐ The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
7. ☐ The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
8. ☐ Other (specify):

Date: _____

JUDICIAL OFFICER

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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REQUEST FOR ORDER

Note: Place a mark **X** in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* ([form MC-031](#)) for this purpose.)

1. ☐ **RESTRAINING ORDER INFORMATION**
 One or more domestic violence restraining/protective orders are now in effect between (*specify*):
☐ Petitioner ☐ Respondent ☐ Other Parent/Party (*Attach a copy of the orders if you have one.*)
 The orders are from the following court or courts (*specify county and state*):

a. <input type="checkbox"/> Criminal: County/state (<i>specify</i>):	Case No. (<i>if known</i>):
b. <input type="checkbox"/> Family: County/state (<i>specify</i>):	Case No. (<i>if known</i>):
c. <input type="checkbox"/> Juvenile: County/state (<i>specify</i>):	Case No. (<i>if known</i>):
d. <input type="checkbox"/> Other: County/state (<i>specify</i>):	Case No. (<i>if known</i>):

2. ☐ **CHILD CUSTODY** ☐ I request temporary emergency orders
☐ **VISITATION (PARENTING TIME)**
 - a. I request that the court make orders about the following children (*specify*):

<u>Child's Name</u>	<u>Date of Birth</u>	<input type="checkbox"/> <u>Legal Custody to (person who decides: health, education, etc):</u>	<input type="checkbox"/> <u>Physical Custody to (person with whom child lives):</u>
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 - b. ☐ The orders I request for ☐ child custody ☐ visitation (parenting time) are:

(1) ☐ Specified in the attached forms:
☐ [Attachment 2a.](#)

☐ Form [FL-305](#)
☐ Form [FL-311](#)
☐ Form [FL-312](#)
☐ Form [FL-341\(C\)](#)

☐ Form [FL-341\(D\)](#)
☐ Form [FL-341\(E\)](#)
☐ Other (*specify*):

(2) ☐ As follows (*specify*):
☐ [Attachment 2b.](#)

 - c. The orders that I request are in the best interest of the children because (*specify*):
 ☐ [Attachment 2c.](#)

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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2. d. ☐ This is a change from the current order for ☐ child custody ☐ visitation (parenting time).
- (1) ☐ The order for legal or physical custody was filed on (date): . The court ordered (specify):
- (2) ☐ The visitation (parenting time) order was filed on (date): . The court ordered (specify):

☐ [Attachment 2d.](#)

3. ☐ CHILD SUPPORT

(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form [FL-195](#))

- a. I request that the court order child support as follows:

Child's name and age

☐ I request support for each child Monthly amount (\$) requested
based on the child support guideline. (if not by guideline)

☐ [Attachment 3a.](#)

- b. ☐ I want to change a current court order for child support filed on (date):
The court ordered child support as follows (specify):

- c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form [FL-150](#)) or I filed a current *Financial Statement (Simplified)* (form [FL-155](#)) because I meet the requirements to file form FL-155.

- d. The court should make or change the support orders because (specify): ☐ [Attachment 3d.](#)

4. ☐ SPOUSAL OR DOMESTIC PARTNER SUPPORT

(Note: An *Earnings Assignment Order for Spousal or Partner Support* (form [FL-435](#)) may be issued.)

- a. ☐ Amount requested (monthly): \$

- b. ☐ I want the court to ☐ change ☐ end the current support order filed on (date):
The court ordered \$ per month for support.

- c. ☐ This request is to modify (change) spousal or partner support after entry of a judgment.
I have completed and attached *Spousal or Partner Support Declaration Attachment* (form [FL-157](#)) or a declaration that addresses the same factors covered in form FL-157.

- d. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) in support of my request.

- e. The court should make, change, or end the support orders because (specify): ☐ [Attachment 4e.](#)

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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5. ☐ **PROPERTY CONTROL** ☐ I request temporary emergency orders
- a. The ☐ petitioner ☐ respondent ☐ other parent/party be given exclusive temporary use, possession, and control of the following property that we ☐ own or are buying ☐ lease or rent (*specify*):
- b. The ☐ petitioner ☐ respondent ☐ other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:
- | | | | |
|---------------|------------|------------------|-----------------|
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
- c. ☐ This is a change from the current order for property control filed on (*date*):
- d. Specify in [Attachment 5d](#) the reasons why the court should make or change the property control orders.
6. ☐ **ATTORNEY'S FEES AND COSTS**
- I request attorney's fees and costs, which total (*specify amount*): \$ _____ . I filed the following to support my request:
- a. A current *Income and Expense Declaration* (form [FL-150](#)).
- b. A *Request for Attorney's Fees and Costs Attachment* (form [FL-319](#)) or a declaration that addresses the factors covered in that form.
- c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form [FL-158](#)) or a declaration that addresses the factors covered in that form.
7. ☐ **OTHER ORDERS REQUESTED (*specify*):** ☐ [Attachment 7.](#)
8. ☐ **TIME FOR SERVICE / TIME UNTIL HEARING** I urgently need:
- a. ☐ To serve the *Request for Order* no less than (*number*): _____ court days before the hearing.
- b. ☐ The hearing date and service of the *Request for Order* to be sooner.
- c. I need the order because (*specify*): ☐ [Attachment 8.](#)
9. ☐ **FACTS TO SUPPORT** the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission. ☐ [Attachment 9.](#)

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to courts.ca.gov/forms for *Disability Accommodations Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

1. ☐ **RESTRAINING ORDER INFORMATION**

a. ☐ No domestic violence restraining/protective orders are now in effect between the parties in this case.

b. ☐ I agree that one or more domestic violence restraining/protective orders are now in effect between the parties in this case.

2. ☐ **CHILD CUSTODY**

☐ **VISITATION (PARENTING TIME)**

a. ☐ I consent to the order requested for child custody (legal and physical custody).

b. ☐ I consent to the order requested for visitation (parenting time).

c. ☐ I do not consent to the order requested for ☐ child custody ☐ visitation (parenting time)
☐ but I consent to the following order:

3. ☐ **CHILD SUPPORT**

a. I have completed and filed a current *Income and Expense Declaration* ([form FL-150](#)) or, if eligible, a current *Financial Statement (Simplified)* (form FL-155) to support my responsive declaration.

b. ☐ I consent to the order requested.

c. ☐ I consent to guideline support.

d. ☐ I do not consent to the order requested ☐ but I consent to the following order:

4. ☐ **SPOUSAL OR DOMESTIC PARTNER SUPPORT**

a. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) to support my responsive declaration.

b. ☐ I consent to the order requested.

c. ☐ I do not consent to the order requested ☐ but I consent to the following order:

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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5. ☐ PROPERTY CONTROL
- a. ☐ I consent to the order requested.
- b. ☐ I do not consent to the order requested ☐ but I consent to the following order:
-
6. ☐ ATTORNEY'S FEES AND COSTS
- a. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) to support my responsive declaration.
- b. I have completed and filed with this form a *Supporting Declaration for Attorney's Fees and Costs Attachment* (form [FL-158](#)) or a declaration that addresses the factors covered in that form.
- c. ☐ I consent to the order requested.
- d. ☐ I do not consent to the order requested ☐ but I consent to the following order:
-
7. ☐ OTHER ORDERS REQUESTED
- a. ☐ I consent to the order requested.
- b. ☐ I do not consent to the order requested ☐ but I consent to the following order:
-
8. ☐ TIME FOR SERVICE / TIME UNTIL HEARING
- a. ☐ I consent to the order requested.
- b. ☐ I do not consent to the order requested ☐ but I consent to the following order:
-
9. ☐ FACTS TO SUPPORT my responsive declaration are listed below. The facts that I write and attach to this form cannot be longer than 10 pages, unless the court gives me permission. ☐ [Attachment 9.](#)

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: _____

 (TYPE OR PRINT NAME)



 (SIGNATURE OF DECLARANT)

- Date:

(SIGNATURE OF PERSON WHO SERVED THE PAPERS)

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
3. I served a copy of the following documents (*specify*) :

a. ☐ **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.

b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

- Name of person served:
- Address:
- Date mailed:
- Place of mailing (*city and state*):

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(TYPE OR PRINT NAME)  _____
(SIGNATURE OF PERSON COMPLETING THIS FORM)