

# Instructions For Temporary Orders

## WHEN TO USE THIS PACKET

The normal process for obtaining court orders is to complete an Order to Show Cause or Notice of Motion packet, file the paperwork, set a court date, attend a readiness hearing or pre-court mediation to work out a parenting plan for the child/children and attend a hearing so the court can make custody and visitation orders.

**However, if you believe that the health and safety of your child(ren) is/are at risk if the court does not make immediate orders, you can ask the court for “Temporary Orders.” To qualify for Temporary Orders, the physical or emotional safety of your child(ren) must be at risk. These orders are not the norm and are to be requested only in extreme situations. In addition, you must complete a document called “Request for Ex Part Hearing.” In that document, you must indicate what steps you took to resolve the issue with the other parent, or why you have not done so.**

To request temporary Orders you must:

1. Complete the order to Show Cause packet and check box 3(c) on the Order to Show Cause form [FL-300].
2. Check the “to be ordered pending the hearing box at items 1 & 2 on the Application for Order and Supporting Declaration form [FL-310]and explain in detail the danger to the child(ren) at item 10.
3. Complete a Temporary Order packet, including the document “Request for Ex Parte Hearing.”
4. If there is an existing custody and visitation order, you must attach a copy of that order.

Once the packets are completed and reviewed by the Fresno Superior Court Self-Help Center, you must submit the original and 2 copies to the Family Law Clerk on the 4<sup>th</sup> floor of the courthouse. Once submitted, the Court will review your paperwork and decide within a day or two if it will grant ex parte relief or Temporary Orders. If Temporary Orders are granted a hearing will be set and you will need to have someone other than you over the age of 18 personally serve the other party with the paperwork, no later than 5 days before the hearing. Whoever serves the papers must complete a Proof of Personal Service [FL-330] and file it with the court before the court date.

**SAMPLE**

**FORMS**

## How to fill out

# TEMPORARY ORDERS (Family Law) FL-305

## DIRECTIONS:

- ▶ Find a number on the sample form.  
*Example: 1*
- ▶ Go to the same number below to find out how to fill out the form
- ▶ Type or print in black ink
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

PETITIONER/PLAINTIFF RESPONDENT/DEFENDANT	CASE NUMBER
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**TEMPORARY ORDERS**  
Attachment to Order to Show Cause (FL-300)

1.  PROPERTY RESTRAINT

a.  Petitioner  Respondent is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.  
 The other party is to be notified of any proposed extraordinary expenditures and an accounting of such is to be made to the court.

b.  Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage including life, health, automobile, and disability held for the benefit of the parties or their minor child or children.

c.  Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2.  PROPERTY CONTROL

a.  Petitioner  Respondent is given the exclusive temporary use, possession, and control of the following property the parties own or are buying (*specify*):

b.  Petitioner  Respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:

Debt	Amount of payment	Pay to

3.  MINOR CHILDREN

a.  Petitioner  Respondent will have the temporary physical custody, care, and control of the minor children of the parties,  subject to the other party's rights of visitation as follows:

b.  Petitioner  Respondent must not remove the minor child or children of the parties

(1)  from the State of California.  
(2)  from the following counties (*specify*):  
(3)  other (*specify*):

c.  Child abduction prevention orders are attached (see form FL-341(B)).

d. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with § 3400).  
(2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.  
(3) Country of habitual residence: The country of habitual residence of the child or children is  
 the United States of America  other (*specify*):

(4) Penalties for violating this order: If you violate this order you may be subject to civil or criminal penalties, or both.

4.  OTHER ORDERS (*specify*):

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

5. The date of the court hearing is (*insert date when known*): \_\_\_\_\_

**CLERK'S CERTIFICATE**

I certify that the foregoing is a true and correct copy of the original on file in my office.

(SEAL) Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**TEMPORARY ORDERS**

Form Adopted for Mandatory Use  
Judicial Council of California  
FL-305 (Rev. July 1, 2002)

Page 1 of 1  
Family Code, §§ 2045, 6324, 6325, 6326,  
6327-6330, 6331-6333  
www.courtinfo.ca.gov

- 1 Print your full name. You are the "Petitioner" if you started the case. You are the "Respondent" if the other party started the case against you.
- 2 If you are requesting a property restraint, check the box "Property Restraint." In a., check either box "Petitioner" or "Respondent" to stop that person from hiding or disposing of any property. Check the box "the other party is to be notified" to say that you must be told in advance of any unusual spending. Check b. to state that neither party may change any insurance policy. Check c. to state that neither party may take on any new debts for which the other could be forced to pay.
- 3 If you want an order about property control, check "Property Control." In a., check either box "Petitioner" or "Respondent" to give that person permission to use certain property. List the items. In b, check either box "Petitioner" or "Respondent" to ask the court to order the other person to make payments on any bills due while the order is in place. List the bills (debts), amount of payment, and to whom it should be paid.
- 4 Check "Minor Children" if you have children under age 18 from this relationship. In a., check either box "Petitioner" or "Respondent" to ask the court to order with whom the children will live. Check "subject to the other party's rights of visitation" and list the times/places if the other party can visit the children. If you are requesting the other parent not to visit with the children pending the hearing, write "none." In b., check boxes "Petitioner" & "Respondent" to ask the court not to allow either parent to take the children away. Check "From the State of California". Check. "From the following counties" and write in Fresno County. In c., check if you are requesting Child Abduction Prevention orders and complete form FL-341(B). In d.3., check where the child usually lives. If "Other", write the country.
- 5 Print any other orders you are requesting the court to make pending the hearing..
- 6 Leave this blank. The judge will sign.
- 7 Leave this blank. The court clerk will sign.

How to fill out

# SUPERVISED VISITATION ORDER FL-341(A)

## DIRECTIONS

- ▶ Find the number on the sample form.  
Example: 1
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.
- ▶ If you know the CASE NUMBER fill it in. If not known, leave it blank.

**NOTE: Only complete this document if you request supervised visitation between now and the hearing.**

PETITIONER / PLAINTIFF RESPONDENT / DEFENDANT		1	CASE NUMBER
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FL-341(A)

**SUPERVISED VISITATION ORDER**  
Attachment to Child Custody and Visitation Order Attachment (form FL-341)

2 Evidence has been presented in support of a request that the contact of  Petitioner  Respondent with the child(ren) supervised based upon allegations of  abduction of child(ren)  physical abuse  drug abuse  neglect  sexual abuse  domestic violence  alcohol abuse  other (specify):

3  Petitioner  Respondent disputes these allegations and the court reserves the findings on these issues pending further investigation and hearing or trial.

4 The court finds, under Family Code section 3100, that the best interest of the child(ren) requires that visitation by  Petitioner  Respondent must, until further order of the court, be limited to contact supervised by the person(s) set forth in item 6 below pending further investigation and hearing or trial.

**THE COURT MAKES THE FOLLOWING ORDERS**

3. CHILD(REN) TO BE SUPERVISED

Child's name	Birth date	Age	Sex
5			

6 TYPE  
a.  Supervised visitation b.  Supervised exchange only c.  Therapeutic visitation

7 SUPERVISED VISITATION PROVIDER  
a.  Professional (individual provider or supervised visitation center) b.  Nonprofessional

8 AUTHORIZED PROVIDER  
Name Address Telephone

Any other mutually agreed upon third party as arranged.

9 7. DURATION AND FREQUENCY OF VISITS (see form FL-341 for specifics of visitation):

10 8. PAYMENT RESPONSIBILITY Petitioner: \_\_\_\_\_% Respondent: \_\_\_\_\_%

9.  Petitioner will contact professional provider or supervised visitation center no later than (date).  
 Respondent will contact professional provider or supervised visitation center no later than (date).

11 10. THE COURT FURTHER ORDERS

Date: \_\_\_\_\_

JUDICIAL OFFICER \_\_\_\_\_

Form Adopted for Mandatory Use  
Judicial Council of California  
FL-341(A) (Rev. January 1, 2002)

**SUPERVISED VISITATION ORDER**

Page 1 of 1  
Family Code, §§ 3100, 3107  
www.courtinfo.ca.gov

- 1 Print the full names of the parties in this case. You are the "Petitioner" if you started the case. You are the "Respondent" if another person started the case against you.
- 2 Mark the box for the person who will have their visitation supervised either "Petitioner" or "Respondent". Below that mark the box(s) stating the reason why their visitation will be supervised.
- 3 Leave these boxes unmarked.
- 4 Mark the box for the person who will have their visitation supervised either "Petitioner" or "Respondent".
- 5 Print the name(s), birth date(s), ages, and sex of the child(ren) involved in this order.
- 6 If you requested supervised **visitation** mark box (a). If you requested supervised **exchanges** mark box (b). If you requested **therapeutic visitation** mark box (c).
- 7 Mark box (a) if you requested visitation supervised through a professional agency. Mark box (b) if you requested supervision through a nonprofessional. This could be a friend or family member.
- 8 Print the name of the person or agency authorized to provide the supervision along with the address and telephone number. This box may be marked if you think that you and the other parent can agree upon a third party to supervise.
- 9 Print down how much time you requested the other party has for their supervised visitation. *Ex: Every Tuesday and Thursday for one hour. Or: Three times a week for one hour.*
- 10 If you request visitation supervised through a professional agency, print the percentage you think each parent should pay for the supervision. (*Example: Petitioner 50% Respondent 50%*)
- 11 Leave this area blank.

*How to fill out*

# REQUEST FOR EX PARTE HEARING

## DIRECTIONS

- ▶ Find the number on the sample form.  
*Example: 1*
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink

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5 In Pro Per  
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7 SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO  
8 CENTRAL DIVISION  
9  
10  
11 Case No. 2  
12 REQUEST FOR EX PARTE HEARING  
13 Petitioner, 3  
14 vs. 4  
15 Respondent  
16  
17 THIS IS A REQUEST FOR A CHANGE IN STATUS QUO  
18 I, 5  
19 1. I am the  Petitioner  Respondent in the above-referenced action.  
20 2. I have information that a similar application is being filed or has been filed in Fresno County  
21 Court or another court (specify) 6  
22  
23 OR,  I have no information that a similar application is being filed or has been filed before  
24 any other court related to the same parties in this action and involving the same issues.  
25 3. On 7 at \_\_\_\_\_ a.m./p.m., I contacted the other party in an  
26 attempt to resolve the conflict. I discussed the following issues with the other party: \_\_\_\_\_  
27  
28 8  
Request for Ex Parte Hearing - 1

- 1 Print your name and address. Also write your phone number so the court may call you, if needed.
- 2 Print the case number.
- 3 Print the name of the petitioner. The petitioner is the person who started the case.
- 4 Print the name of the respondent. The respondent is not the person who started the case.
- 5 Print your name to tell the court who is filing this request and mark the appropriate box below your name.
- 6 If you have information that a similar request is being or has been filed in any court, print that information. If you have no information about a similar or another request for similar orders currently before the court, mark the box next to "I have no info..."
- 7 One of Fresno Superior Court's requirements to filing this request is showing that you have attempted to resolve the issue with the other parent **prior** to filing, unless one of the reasons are indicated on item 10 (second page). Print the date and time you contacted the other party and what you discussed.

1 I contacted the other party in the following manner:

2  by telephone call on **8** at \_\_\_\_\_ a.m./p.m.

3  by personally advising on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

4  other: (describe) \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

8 4. I received the following response to my attempt to resolve the conflict: (describe) \_\_\_\_\_

9 **9** \_\_\_\_\_

10 \_\_\_\_\_

11 5. I have not given notice of this ex parte application for the following reason:

12 **10** (a) Notice of this ex parte application would frustrate the purpose of the orders sought herein

13 (explain below).

14  (b) The applicant would suffer immediate and irreparable harm before the adverse party

15 could be heard in opposition (explain below).

16  (c) No significant burden or inconvenience to the adverse party will likely result from the

17 orders sought herein (explain below).

18  (d) I am unable to locate or contact the other party to notify them of the request for a change

19 in status quo (please explain).

20  (e) Notifying the other party would subject me or the children to physical danger due to the

21 other party's history of domestic violence (please explain).

22  (f) I made the following reasonable and good faith efforts to notify the adverse party and

23 further efforts to notify the adverse party and further efforts to give notice would probably be

24 futile and burdensome (describe in detail) \_\_\_\_\_

25 \_\_\_\_\_

26 \_\_\_\_\_

27 \_\_\_\_\_

28 \_\_\_\_\_

Request for Ex Parte Hearing - 2

# REQUEST FOR EX PARTE HEARING

- Page two -

## DIRECTIONS

- ▶ Find the number on the sample form.  
*Example:* **8**
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.

- 8** Mark the box that explains how you contacted the other party (whether by phone or in person, email, etc.). If you contacted the other party in a manner other than by phone or in person, explain how you made contact.
- 9** Print what the other party said when you discussed the issues.
- 10** If you did not contact the other party prior to filing this request, you must indicate why you did not by marking the appropriate box(es).

1 Explanation: \_\_\_\_\_  
 2 \_\_\_\_\_ **11** \_\_\_\_\_  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_  
 5 \_\_\_\_\_  
 6 There are the following temporary or permanent orders in effect: \_\_\_\_\_ **12** \_\_\_\_\_  
 7 \_\_\_\_\_  
 8 A copy of the orders is attached as exhibit \_\_\_\_\_ **13** \_\_\_\_\_  
 9 7. There is presently a court hearing set in this matter on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in  
 10 Dept. \_\_\_\_\_ of the Fresno County Courts.  
 11 8. The parties  have  have not been to Family Court Services for mediation. If so, mediation  
 12 was held on \_\_\_\_\_, 200\_\_, and the mediator was \_\_\_\_\_ **14** \_\_\_\_\_  
 13 A copy of the report and recommendation is attached as Exhibit \_\_\_\_\_.  
 14 I believe that if the current custody or visitation orders are not changed, then the child(ren)  
 15 may be in danger of immediate physical or emotional harm: (please explain) \_\_\_\_\_  
 16 \_\_\_\_\_ **15** \_\_\_\_\_  
 17 \_\_\_\_\_  
 18 \_\_\_\_\_  
 19 \_\_\_\_\_  
 20 \_\_\_\_\_  
 21  See additional pages attached.  
 22 Proposed custody and visitation plan: \_\_\_\_\_ **16** \_\_\_\_\_  
 23 \_\_\_\_\_  
 24 \_\_\_\_\_  
 25 \_\_\_\_\_  
 26 \_\_\_\_\_  
 27 \_\_\_\_\_  
 28  See additional pages attached.

Request for Ex Parte Hearing - 3

## REQUEST FOR EX PARTE HEARING

- Page three -

### DIRECTIONS

- ▶ Find the number on the sample form.  
*Example: 11*
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink

- 11** If you need additional space to explain why you have not made contact with the other party, print that reason.
- 12** If there are temporary or permanent orders regarding the issue you are bringing before the court, state what those orders are and attach a copy and label it "Exhibit A."
- 13** If there is a court hearing in Fresno already scheduled in this case, print that date, time, and department of the hearing.
- 14** If you have been to mediation in this case, mark the box "have," and list the most recent date and mediator's name. If this order is the same as in item **12** do not attach another copy. If this order is different, attach a copy of the most recent order and label it "Exhibit B." If you have not been to mediation before regarding this child or case, mark the box "have not."
- 15** Explain how the child would be in danger of immediate physical or emotional harm if the current order is not changed. If you need more space, attach a sheet of paper and mark this box.
- 16** Print how you propose to change the custody and visitation. If you need more space, attach a sheet of paper and mark this box.

1 9. I  have  have not contacted Child Protective Services for an investigation of the problem.  
2 CPS  has  has not opened an investigation of the problem. CPS case number: 18  
3 CPS caseworker and phone number: \_\_\_\_\_  
4 10. I  have  have not contacted the District Attorney Child Abduction Unit. The District  
5 Attorney  has  has not opened an investigation.  
6 I  have  have not contacted the Police or Sheriff's Department about the problem. Law  
7 enforcement  did  did not issue an Emergency Protective Order, which expires on \_\_\_\_  
8 enforce  report number: \_\_\_\_\_. The following people were placed  
9 under arrest: \_\_\_\_\_  
10 Law enforcement  did  did not issue an Emergency Protective Order, which expires on \_\_\_\_  
11 \_\_\_\_\_ and a  attached as Exhibit \_\_\_\_.  
12 I declare under penalty of perjury that the foregoing is true and correct.  
13 Dated: \_\_\_\_\_, 200\_\_\_\_  22 \_\_\_\_\_  
14 \_\_\_\_\_  
15 Signature  
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Request for Ex Parte Hearing - 4

## REQUEST FOR EX PARTE HEARING

- Page four -

### DIRECTIONS

- ▶ Find the number on the sample form.  
*Example:* **17**
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.

- 17** If you contacted Child Protective Services (CPS), mark the “have” box. If CPS has not been contacted, mark the box “have not.”
- 18** If CPS has opened a case, mark the box “has” and write the CPS case number and the name of the CPS caseworker and phone number. If CPS has not opened a case, mark the box “has not.”
- 19** If you contacted the District Attorney’s Child Abduction Unit, mark the appropriate box and indicate if they have opened an investigation.
- 20** If you have contacted law enforcement regarding this incident or recent incidents, mark the appropriate box and print the report number. If any person was arrested, write the name(s) of the arrested.
- 21** If law enforcement issued an Emergency Protective Order (EPO, mark the appropriate box and print the date the EPO expires. Attach a copy of the EPO and mark it as Exhibit “C.”
- 22** By dating and signing this document, you are declaring under penalty of perjury that the information on this document is true and correct.

# **Blank Forms**

**(To be completed)**

PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:	CASE NUMBER:
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**TEMPORARY ORDERS**  
**Attachment to Order to Show Cause (FL-300)**

1.  **PROPERTY RESTRAINT**
- a.  Petitioner  Respondent is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.  
 The other party is to be notified of any proposed extraordinary expenditures and an accounting of such is to be made to the court.
- b.  Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage including life, health, automobile, and disability held for the benefit of the parties or their minor child or children.
- c.  Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.

2.  **PROPERTY CONTROL**
- a.  Petitioner  Respondent is given the exclusive temporary use, possession, and control of the following property the parties own or are buying (*specify*):
- b.  Petitioner  Respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
|             |                          |               |

3.  **MINOR CHILDREN**
- a.  Petitioner  Respondent will have the temporary physical custody, care, and control of the minor children of the parties,  subject to the other party's rights of visitation as follows:
- b.  Petitioner  Respondent must not remove the minor child or children of the parties
- (1)  from the State of California.
- (2)  from the following counties (*specify*):
- (3)  other (*specify*):
- c.  Child abduction prevention orders are attached (see form FL-341(B)).
- d. (1) Jurisdiction: This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with § 3400).
- (2) Notice and opportunity to be heard: The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
- (3) Country of habitual residence: The country of habitual residence of the child or children is
- the United States of America  other (*specify*):
- (4) Penalties for violating this order: If you violate this order you may be subject to civil or criminal penalties, or both.**

4.  **OTHER ORDERS** (*specify*):

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

5. **The date of the court hearing is** (*insert date when known*):

**CLERK'S CERTIFICATE**

[SEAL]

I certify that the foregoing is a true and correct copy of the original on file in my office.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

PETITIONER / PLAINTIFF:  RESPONDENT / DEFENDANT:	CASE NUMBER:
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**SUPERVISED VISITATION ORDER**  
**Attachment to Child Custody and Visitation Order Attachment (form FL-341)**

1. Evidence has been presented in support of a request that the contact of  Petitioner  Respondent with the child(ren) be supervised based upon allegations of
- abduction of child(ren)  
  physical abuse  
  drug abuse  
  neglect  
 sexual abuse  
  domestic violence  
  alcohol abuse  
  other (*specify*):
- Petitioner  Respondent disputes these allegations and the court reserves the findings on these issues pending further investigation and hearing or trial.
2. The court finds, under Family Code section 3100, that the best interest of the child(ren) requires that visitation by  Petitioner  Respondent must, until further order of the court, be limited to contact supervised by the person(s) set forth in item 6 below pending further investigation and hearing or trial.

**THE COURT MAKES THE FOLLOWING ORDERS**

**3. CHILD(REN) TO BE SUPERVISED**

<u>Child's name</u>	<u>Birth date</u>	<u>Age</u>	<u>Sex</u>
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**4. TYPE**

- a.  Supervised visitation                      b.  Supervised exchange only                      c.  Therapeutic visitation

**5. SUPERVISED VISITATION PROVIDER**

- a.  Professional (individual provider or supervised visitation center)                      b.  Nonprofessional

**6. AUTHORIZED PROVIDER**

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
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Any other mutually agreed-upon third party as arranged.

**7. DURATION AND FREQUENCY OF VISITS** (*see form FL-341 for specifics of visitation*):

**8. PAYMENT RESPONSIBILITY**      Petitioner: \_\_\_\_\_%      Respondent: \_\_\_\_\_%

9.  Petitioner will contact professional provider or supervised visitation center no later than (*date*):  
 Respondent will contact professional provider or supervised visitation center no later than (*date*):

**10. THE COURT FURTHER ORDERS**

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

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In Pro Per

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO  
CENTRAL DIVISION**

	)	Case No.
Petitioner,	)	<b>REQUEST FOR EX PARTE HEARING</b>
vs.	)	
	)	
Respondent	)	

---

**THIS IS A REQUEST FOR A CHANGE IN STATUS QUO**

I, \_\_\_\_\_, declare:

1. I am the  Petitioner  Respondent in the above-referenced action.
2. I have information that a similar application is being filed or has been filed in Fresno County Court or another court (specify): \_\_\_\_\_

**OR,**  I have no information that a similar application is being filed or has been filed before any other court related to the same parties in this action and involving the same issues.

3. On \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., I contacted the other party in an attempt to resolve the conflict. I discussed the following issues with the other party: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

1 I contacted the other party in the following manner:

2  by telephone call on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

3  by personally advising on \_\_\_\_\_ at \_\_\_\_\_ a.m./ p.m.

4  other: (describe) \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7  
8 4. I received the following response to my attempt to resolve the conflict: (describe) \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

11 5. I have not given notice of this ex parte application for the following reasons:

12  (a) Notice of this ex parte application would frustrate the purpose of the orders sought herein  
13 (explain below).

14  (b) The applicant would suffer immediate and irreparable harm before the adverse party  
15 could be heard in opposition (explain below).

16  (c) No significant burden or inconvenience to the adverse party will likely result from the  
17 orders sought herein (explain below).

18  (d) I am unable to locate or contact the other party to notify them of the request for a change  
19 in status quo (please explain).

20  (e) Notifying the other party would subject me or the children to physical danger due to the  
21 other party's history of domestic violence (please explain).

22  (f) I made the following reasonable and good faith efforts to notify the adverse party and  
23 further efforts to notify the adverse party and further efforts to give notice would probably be  
24 futile and burdensome (describe in detail). \_\_\_\_\_

25 \_\_\_\_\_

26 \_\_\_\_\_

27 \_\_\_\_\_

28 \_\_\_\_\_

1 Explanation: \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 6. There are the following temporary or permanent orders in effect: \_\_\_\_\_

6 \_\_\_\_\_

7 A copy of the orders is attached as exhibit \_\_\_\_\_.

8 9 7. There is presently a court hearing set in this matter on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in  
10 Dept. \_\_\_\_\_ of the Fresno County Courts.

11 8. The parties  have  have not been to Family Court Services for mediation. If so, mediation  
12 was held on \_\_\_\_\_, 200\_\_, and the mediator was \_\_\_\_\_.

13 A copy of the report and recommendation is attached as Exhibit \_\_\_\_\_.

14 I believe that if the current custody or visitation orders are not changed, then the child(ren)  
15 may be in danger of immediate physical or emotional harm: (please explain) \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

20  See additional pages attached.

21 Proposed custody and visitation plan: \_\_\_\_\_

22 \_\_\_\_\_

23 \_\_\_\_\_

24 \_\_\_\_\_

25 \_\_\_\_\_

26  See additional pages attached.

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9. I  have  have not contacted Child Protective Services for an investigation of the problem.  
CPS  has  has not opened an investigation of the problem. CPS case number: \_\_\_\_\_.  
CPS caseworker and phone number: \_\_\_\_\_.

10. I  have  have not contacted the District Attorney Child Abduction Unit. The District  
Attorney  has  has not opened an investigation.

I  have  have not contacted the Police or Sheriff's Department about the problem. Law  
enforcement report number: \_\_\_\_\_. The following people were placed  
under arrest: \_\_\_\_\_.

Law enforcement  did  did not issue an Emergency Protective Order, which expires on \_\_\_\_  
\_\_\_\_\_ and a copy is attached as Exhibit \_\_\_\_.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: \_\_\_\_\_, 200\_\_\_\_

\_\_\_\_\_  
Signature