

ATTORNEY OR PARTY WITHOUT AN ATTORNEY (NAME AND ADDRESS): TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 201 North First Street, San José, CA 95113 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San José, California 95113 BRANCH NAME: Family Justice Center	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER PARTY:	
STIPULATION AND WAIVER OF HEARING ON REQUEST FOR ORDER	CASE NUMBER: APJ:

THIS STIPULATION MAY NOT BE USED TO WAIVE A HEARING ON A REQUEST FOR A DOMESTIC VIOLENCE RESTRAINING ORDER

In light of the ongoing public health emergency and its effect on the Court’s ability to conduct hearings on all but the most urgent matters, the parties to the above-captioned matter hereby STIPULATE and AGREE to all of the following:

1. The Court may issue a decision on the Request for Order re: _____ (the “RFO”), filed by _____ (name of party) on _____ (date filed) based solely on the pleadings and without conducting a hearing.

2. The following pleadings have been filed, and should be considered by the Court, in rendering its decision (identify all relevant pleadings by date, party, and title of document):

3. The pleadings listed above were timely and properly served, and/or any defects in notice or service are hereby waived.

4. All objections to the authenticity and admissibility of evidence included in the foregoing pleadings are waived unless submitted in writing and attached to this stipulation.

5. The Court may consider the additional materials which have not yet been filed but are described below and attached to this stipulation (no more than 5 pages per side, including exhibits):

6. Upon the filing of this completed stipulation, the Clerk will vacate any hearing on the RFO and instead place the RFO on the Court’s calendar for tracking purposes only. The Court will issue a written decision on the RFO and send a copy to the parties.

- 7. For any RFO seeking an order regarding child custody and/or visitation, the parties understand they must participate in confidential mediation pursuant to Family Code section 3170 and Local Family Rule 2. The Court will order the parties to complete Parent Orientation and Mediation unless the file shows the process has been completed. The Court may also issue temporary child custody and/or visitation orders pending the completion of mediation.

- 8. Each party consents to receive notices from the Court concerning the RFO at the following e-mail address and telephone number:
Petitioner's e-mail: _____ Telephone: _____
Respondent's e-mail: _____ Telephone: _____
Other Party's e-mail: _____ Telephone: _____

- 9. The parties understand their statutory right to present live testimony that is relevant and within the scope of a hearing on the RFO. The parties also understand their right to cross-examine any adverse witnesses.

- 10. Each party represented by counsel has consulted with his/her/their attorney of record regarding these rights and the consequences of giving them up. Each self-represented party has considered these rights and the consequences of giving them up.

- 11. If one or both parties required the assistance of an interpreter to read and understand this stipulation, the interpreter shall sign below. The interpreter can be a friend or family member who assisted in translating this form.

- 12. The parties are entering into this stipulation freely and voluntarily, and not due to coercion, duress or threats of any kind.

- 13. The parties understand the court may determine a hearing is necessary despite this stipulation, and will notify the parties if the RFO is re-scheduled for a hearing.

Dated: _____ (Signature of Petitioner)

Dated: _____ (Signature of Attorney for Petitioner)

Dated: _____ (Signature of Respondent)

Dated: _____ (Signature of Attorney for Respondent)

Dated: _____ (Signature of Other Party)

Dated: _____ (Signature of Attorney for Other Party)

(Interpreter for Petitioner) (Interpreter for Respondent) (Interpreter for Other Party)