

Request Visitation in a Guardianship Case

Step 1	Complete the following forms in blue or black ink: <ul style="list-style-type: none"><input checked="" type="checkbox"/> (GC-020) Notice of Hearing<input checked="" type="checkbox"/> (PB-4013) Petition for Visitation<input checked="" type="checkbox"/> (FL-311) Child Custody and Visitation Application Attachment<input checked="" type="checkbox"/> (PB-4011) Visitation Order<input checked="" type="checkbox"/> (FL-341) Child Custody and Visitation Order Attachment<input checked="" type="checkbox"/> (PB-4003-2) Confidential Document Cover Sheet (Guardianship)<input checked="" type="checkbox"/> (PB-4005) Referral for Investigator's Report<input checked="" type="checkbox"/> (PB-4014) Authorization for Release of Information
Step 2	Copies: Make 2 copies, in addition to the original.
Step 3	File: Turn in the original and copies to the Probate Clerk's Office located at: 191 North First Street, San Jose, CA 95113 The Clerk's Office opens at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-882-2100 for current office hours. Filing is FREE If you are the child(ren)'s parent. If you are NOT the child(ren)'s parent, the filing fee is \$60. If you cannot afford the filing fee, fill out the fee waiver forms FW-001-GC and FW-003-GC. Your forms will be file-stamped, you will be given a court hearing date and your copies will be returned to you. If you submit a fee waiver, you may have to return later to pick up your forms.
Step 4	Serve: After the filed copies are returned to you, make enough copies to have an adult, not you, mail a filed copy of following forms to every person who must be served: <ul style="list-style-type: none"><input checked="" type="checkbox"/> 1 Filed Copy of (local form PB-4013) Petition for Visitation<input checked="" type="checkbox"/> (FL-311) Child Custody and Visitation Application Attachment<input checked="" type="checkbox"/> 1 Filed Copy of (GC-020) Notice of Hearing The law says you must serve the following people by mail : <ul style="list-style-type: none">■ all grandparents■ the current guardian■ mother■ the child if s/he is 12 or older■ father■ any of the child(ren)'s brothers or sisters who are 12 or older. After papers are mailed, the server (person who mailed the forms) must complete the <i>Proof of Service by Mail</i> on page 2 of your copy of the <i>Notice of Hearing</i> . Service must be completed at least 15 days before the hearing. Make a copy of <i>Proof of Service by Mail</i> (on page 2 of the <i>Notice of Hearing</i>) and file it with the court at least 5 days before the court hearing . There is no fee to file this form. Keep a copy for yourself.
Step 5	When you come to court: Bring a copy of all the papers in your case and any papers which help prove the information in your Petition. If you have any witnesses, they should also be present.

HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on “Lawyer Referral services” to hire or consult with a private attorney.
- For free legal advice and information, see our “Do-It-Yourself Resources” flyer. Go to www.scscourt.org, click on “Self-Help” then “Self-Help Flyers”.
- The Self-Help Center/Family Law Facilitator – See our information flyer:
 - Contact us: Go to www.scscourt.org then click “**Contact the Self-Help Center**”. Walk-in assistance is limited to emergencies so contact us remotely first.
 - Obtain Forms: Go to www.scscourt.org then click “**Complete Forms at Home**”
 - Form Review: Email your forms as a PDF file to SHCProbate@scscourt.org.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self-Help Center/Family Law Facilitator's Office
201 N. First Street, San Jose, CA 95113
408-882-2926