

Set or Change Custody, Visitation, Support and/or Other Orders (Non-Emergency)

Step 1	<p>Complete the following forms in blue or black ink:</p> <p><input checked="" type="checkbox"/> FL-300 Request for Order</p> <p><input type="checkbox"/> MC-025 Attachment to Judicial Council Form</p> <p><input type="checkbox"/> FL-311 Child Custody and Visitation (Parenting Time) Application Attachment</p> <p><input type="checkbox"/> FL-150 Income and Expense Declaration, if child support or spousal support is at issue</p>
Step 2	<p>Copies: Make 2 copies, in addition to the original. Note: If DCSS is involved or there is minor's counsel, you will need to make additional copies.</p>
Step 3 There is a filing fee, unless the fee is waived or it is about child support and DCSS is involved.	<p>File: File the original and copies in the Clerk's Office of the courthouse located at: 201 North First Street, San Jose, CA 95113</p> <p>The Clerk's Office opens at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-534-5600 for current office hours.</p> <p>If the Department of Child Support Services (DCSS) is involved in your case, ask the court clerk to keep 1 filed copy to give to DCSS for you.</p> <p><input type="checkbox"/> If you are not asking for a fee waiver, you will pay the filing fee and get copies back with a file-stamp.</p> <p><input type="checkbox"/> If you are asking for a fee waiver, your file-stamped copies may be returned immediately, OR you may be asked to return in up to 24 hours, OR your file stamped forms may be mailed to you. Please check with the clerk who takes your forms.</p>
Step 4	<p>Service: After the filed copies are returned to you:</p> <ul style="list-style-type: none"> • Keep a filed copy for your records • Personal Service: Have an adult, not you, hand deliver a filed copy and a blank FL-320 <i>Responsive Declaration to Request for Order</i> and a blank FL-150 (if asking for child or spousal support) on the other party. <p>Service must be completed at least <u>16 court days</u> before the court hearing (weekends and holidays do not count)</p> <p>Whoever serves must complete the attached <i>Proof of Personal Service</i> form (FL-330) and give it back to you. You must file the original and a copy of this form at the Clerk's Office, the clerk will stamp the copy and give it back to you. Keep this copy for your records.</p>
STEP 5	<p>Go to your court date.</p>

WHAT IS A REQUEST FOR ORDER AND WHY WOULD I FILE ONE?

A *Request for Order* is a request for a court hearing so the Judge can make a court order. If you want the Judge to make or change an order for custody, visitation, support or other orders in an existing case, you will file a *Request for Order*. If you do not already have an open case, you will need to file additional paperwork to open one. See below to find out how you can get assistance through the Self-Help Center/Family Facilitator's Office.

WHAT HAPPENS IF I CANNOT GET THE OTHER PARTY SERVED?

If you are unable to serve the other party on time, the court will not be able to make any court orders at the hearing. The Judge may grant a reissuance (this means a new court date is scheduled). If so, any emergency/temporary orders that were made will usually remain in effect until the new court date.

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 SHCDocReview@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