

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
FAMILY LAW COURT
4175 Main Street
Riverside, CA 92501
Hours 8:00 a.m. – 4:00 p.m. Telephone (951) 955-1940

**PETITION FOR CUSTODY AND SUPPORT OF MINOR CHILDREN
FORMS AND GENERAL INFORMATION PACKET**

PART I. BEGINNING THE PROCESS

This packet includes forms and instructions to *begin* your Custody/Support of Minor Children Case. The instructions are on colored paper; the forms are on white. Please read all instructions before you begin. The FILING FEE is \$335.00, unless you qualify for a fee waiver. Cash, checks, money orders, and credit cards are accepted.

ALERT! The forms in this packet only start your case. Additional forms and processing are necessary to obtain a final judgment. The additional forms and instructions are contained in a separate packet entitled “PART II. FINISHING YOUR CASE - (Judgment – Parental Relationship/Custody & Support).”

Even if you get temporary orders for child support, child custody and visitation, it is **very important** that you follow the procedure and submit the documents necessary to obtain a Judgment for Custody and Support.

The **Bar Association of Riverside County** can refer you to someone who can give you legal advice; the attorneys may charge a consultation fee.

Lawyer Referral Service - Riverside County Bar Association

4129 Main Street, Suite 100

Riverside, CA 92501

(951) 682-7520

(Se Habla Espanol)

Monday - Thursday 8:30 a.m. to 4:30 p.m.

Friday 8:30 a.m. to 3:30 p.m.

If you choose to represent yourself and would like legal assistance, you may come to the Family Law Assistance Center, located on the Third Floor.

7/1/07

Note: The forms in this packet may be changed in January and/or July of each year. The forms in this packet are current as of the date indicated on the cover. However, the forms may be outdated by the time you attempt to file them.

**Current forms are provided in the Clerk's Office, 1st Floor.
Outdated forms will not be accepted for filing.**

Riverside Superior Court Family Law Assistance Center

We Can Help With:

- ✚ Child Support/Spousal Support
- ✚ Child Custody and/or Visitation
- ✚ Divorce
- ✚ Establish Parentage/Parental Relationship
- ✚ Community Referrals
- ✚ Temporary Restraining Orders

FAMILY LAW ASSISTANCE CENTER SCHEDULE - (951) 955-1583
MONDAY - FRIDAY 8:00 A.M. TO 4 P.M.

OTHER PLACES TO GET LEGAL AID

If you need a lawyer and cannot afford one, the following agencies may be able to help you:

Public Service Law Corporation

4129 Main Street
Riverside, CA 92501
(951) 682-7968

*Monday - Thursday 2 p.m. to 4 p.m.
(Please call in advance for appointment)*

Latino Lawyers Association

2060 University Avenue, Room 113
Riverside, CA 92507
(951) 369-3009

Inland Counties Legal Services Corporation

1737 Atlanta Avenue, Suite H-2
Riverside, CA 92507
(951) 368-2530
(Se Habla Espanol)

FEE WAIVER

Review the “Information Sheet on Waiver of Court Fees and Costs” to determine if you qualify for a fee waiver.

COMPLETION OF FORMS

✚ To apply for a fee waiver you must complete the following two forms as indicated:

- A. **Information Sheet On Waiver Of Court Fees And Costs (FW-001-Info)**
<http://www.courtinfo.ca.gov/forms/documents/fw001info.pdf>
- B. **Application for Waiver of Court Fees and Costs (FW-001)**. You must provide all of the requested information.
<http://www.courtinfo.ca.gov/forms/fillable/fw001.pdf>
- C. **Order on Application for Waiver of Court Fees and Costs (FW-003)**. Complete the top portion of this form only.
<http://www.courtinfo.ca.gov/forms/fillable/fw003.pdf>

THESE FORMS DO NOT HAVE TO BE SERVED ON THE OTHER PARTY.

FILING

✚ An original and one copy of each of these forms must be returned to the filing window in the Clerk’s Office. These forms must be submitted at the time you submit your initial pleadings. (Either **Summons & Petition**, if you are the Petitioner, or **Response**, if you are the Respondent.)

NOTIFICATION OF APPROVAL OR DENIAL OF APPLICATION

- A. **Order granted.** If your application is granted, you will not have to pay for any court fees unless your income changes. You are required to inform the Court if your income changes.
- B. **Order granted in part.** If your application is granted “in part,” you are required to pay a portion of the fees as indicated in the Order. If you do not remit payment within 10 days of receiving the Order, all documents previously filed will have no legal effect.
- C. **Order denied.** If your Order is denied, you are required to pay the full filing fee of \$335.00. If you do not remit payment within 10 days of receiving the Order, all documents previously filed will have no legal effect.

PART 1. BEGINNING THE PROCESS

NOTE: ALL BOLDED ITEMS IN THESE INSTRUCTIONS ARE THE NAMES OF FORMS FOLLOWED BY THE FORM NUMBER.

COMPLETION OF FORMS

1. To begin your case you must complete the following four forms:
 - a. **Petition for Custody and Support of Minor Children** (FL-260)
www.courtinfo.ca.gov/forms/fillable/fl260.pdf
 - b. **Summons** (FL-210)
www.courtinfo.ca.gov/forms/fillable/fl210.pdf
 - c. **Certificate of Counsel** (Local Form)
<http://www.riverside.courts.ca.gov/localfrms/fillableforms/1a.pdf>
 - d. **Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act** (FL-105)
www.courtinfo.ca.gov/forms/fillable/fl105.pdf
 - e. **Income and Expense Declaration** (FL-150)
www.courtinfo.ca.gov/forms/fillable/fl150.pdf
2. All forms can be typed or completed in black or blue ink, neatly and legibly. You must answer all questions. If a question does not apply to you, insert “n/a” or “not applicable.” All forms must be signed and dated where indicated.

FILING

3. After the forms are completed, the *original and two copies* should be delivered to the filing window in the Clerk’s Office. You will need to pay the filing fee of \$335.00 at that time, unless you qualify for a fee waiver. See enclosed instructions for completing and filing a fee waiver.
4. The Clerk will keep the original **Petition** and **Summons** and will return to you copies of each. One copy of each of the documents is for your files, and the other copy is to be “personally served” on the other party.

NOTE: The **Summons** contains automatic restraining orders that apply to you after you have filed the **Petition** and to the other party once he or she has been served. Please read the back of the **Summons**.

SERVICE

5. Service refers to someone over the age of 18, other than you, personally delivering a copy of the filed papers to the other party. Along with a copy of the filed papers, the other party must be given the following blank forms:

- Response to Petition for Custody and Support of Minor Children** (FL-270) www.courtinfo.ca.gov/forms/fillable/fl270.pdf
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act** (FL-105) www.courtinfo.ca.gov/forms/fillable/fl105.pdf
- Income and Expense Declaration** (FL-150) www.courtinfo.ca.gov/forms/fillable/fl150.pdf
- Proof of Service by Mail** (FL-335) www.courtinfo.ca.gov/forms/fillable/fl335.pdf

6. After service has been completed, the **Proof of Service of Summons (Family Law)** (FL-115) must be completed by the person who served the papers. You must file the **Proof of Service of Summons (Family Law)** at the filing window in the Clerk's Office. www.courtinfo.ca.gov/forms/fillable/fl115.pdf

ALERT!: These forms simply start your case. Additional forms and processing are necessary to obtain a Final Judgment. The additional forms and instructions are contained in a separate packet entitled "Part II. Finishing Your Case - (Judgment - Parental Relationship/Custody and Support)"
