

INFORMATION SHEET

Stipulation and Order re: Ruling on Request for Order Without a Hearing

Purpose of this Form

This form is designed to facilitate a faster and easier process for obtaining a ruling by stipulated agreement. The court may make orders based on the submission of the Stipulation and Order re: Ruling on Request without a formal hearing or trial (RI- FL 075). **This form requires an agreement by all parties.** Once signed and submitted, this form allows the issue(s) in the Request for Order to be ruled on by the court based on the evidence that is presented before or at the time the form is filed as stated on the form. It is recommended that updated Declarations and Income & Expense statements with supporting evidence be submitted with this agreement.

NOTE: All parties must agree and sign the stipulation in order to forego a formal hearing.

Required Form

Stipulation and Order re: Ruling on Request for Order without a Hearing (Form RI-FL075).

“Under Family Code section 217, at a hearing on any request for order brought under the Family Code, absent a stipulation of the parties or a finding of good cause under (b), the court must receive any live, competent, and admissible testimony that is relevant and within the scope of the hearing.” Cal. Rules of Court, Rule 5.113(a). This requirement that the court accept live testimony in most Family Law proceedings was put in place after an extensive study conducted by a task force set up at the suggestion of the California Supreme Court to study and propose measures to assist trial courts in achieving efficiency and fairness in marital dissolution proceedings and to ensure access to justice for litigants. See <https://www.courts.ca.gov/documents/elkins-finalreport.pdf>. At the same time, the report also recognized that live testimony may be superfluous for some basic RFOs and that the parties may stipulate to having a matter heard on the basis of declarations and other exhibits submitted, without the need for time-consuming and often costly court appearances. This stipulation allows for parties to ask the court for a ruling on a matter without the need for a court hearing. **You should not sign this form if you want to present live testimony, make oral argument, or if there is additional evidence that you want the judge to consider that has not already been filed.**

Additional Forms

- Updated Income & Expense Declaration (FL-150). This must be completed and filed if support, costs, or fees are at issue and your last Income & Expense Declaration was filed more than 3 months ago or if there are major changes to your income, finances or living situation.
- Additional Declaration(s) signed under penalty of perjury including documentary evidence or attachments you want the court to review. Optional forms: Declaration re Supplemental Information and Request for Order (RI-FL073), Declaration (MC-030), and Attached Declaration (MC-031) may be used for this purpose.

Filing Requirements

- All parties must sign the Stipulation and Order re: Ruling on Request for Order without a Hearing (Form RI-FL075).
- List the evidence, which includes documents you want the court to consider in making a ruling on Attachments 2(a) (for the person who *filed* the initial RFO) or Attachment 2(b) (for the person who *opposes* the initial RFO). If a document listed has previously been filed with the court, list the document filed and the date of filing. If a document is being attached to form RI-FL075, list the document and check the appropriate box marked “Attached”. NOTE: By filing this stipulation, each party stipulates that they have received any new or additional documents submitted as listed in 2a and 2b.
- Submit the Stipulation and Order re: Ruling on Request for Order without Hearing (RI-FL075) via eSubmit, drop box or mail along with the \$20 filing fee. Note: If you submit this stipulation by mail or drop box, enclose a self-addressed stamped envelope for the court to mail back a conformed copy to each party.

Assistance

Self-Represented litigants may request assistance from our Self-Help Services Department by email: selfhelp@riverside.courts.ca.gov or by phone: (951) 274-4499 or (760) 393-2163.