

FINDINGS AND ORDER AFTER HEARING

FORMS AVAILABLE ON THE INTERNET AT WWW.SUTTERCOURTS.COM OR WWW.COURTS.CA.GOV

In order to submit a Findings and Order After Hearing to the Court you will need the following:

- **YOUR MINUTES FROM THE COURT HEARING**
- **FL-340** *Findings and Order After Hearing*

Use this attachment ONLY IF CUSTODY/VISITATION ORDERS are addressed in the Clerk's Minutes.

- **FL-341** *Child Custody and Visitation Order Attachment*

You may also need the following forms, which can be found online or at the Self-Help desk:

- **FL-341(C)** *Children's Holiday Schedule Attachment*
- **FL-341(D)** *Additional Provisions – Physical Custody Attachment*
- **FL-341(E)** *Joint Legal Custody Attachment*

Use this attachment to write down all of the orders that are addressed in the Clerk's Minutes.

- **MC-025** *Blank Attachment to Any Judicial Council Form*
- **FL-190** *Notice of Entry of Judgment*. You must provide TWO postage pre-paid envelopes.

If child support orders, spousal support orders, or property orders are addressed in the Clerk's Minutes, you will need the following forms, which can be found online or at the Self-Help desk:

- **FL-342** *Child Support Information and Order Attachment*
- **FL-343** *Spousal or Family Support Order Attachment*
- **FL-344** *Property Order Attachment*


GENERAL INFORMATION

After your hearing, you will need to prepare documents for the Judge to sign. A *Findings and Order After Hearing* (FL-340) needs to be prepared and signed by the Judge to provide you with an enforceable order. In order to complete a *Findings and Order After Hearing*, you will need to obtain a copy of the Minutes from the date of your hearing. When you submit your documents to the Court, if you wish to have the order mailed to you, you will need to include TWO postage pre-paid envelopes in addition to the envelopes provided with the Notice of Entry of Judgment. One envelope should be addressed to YOURSELF. The other should be addressed to the OTHER PARTY. If you do not provide envelopes, you may pick up your orders at the civil division counter.

REVISED 1/1/2020

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER**

**FAMILY LAW FACILITATOR
FAMILY LAW INFORMATION CENTER**


530-822-3305

TO SERVE PROPOSED ORDER ON THE OTHER PARTY

If the other party appeared at the hearing, you must serve them a copy of the proposed order to make sure that it matches what was ordered in court.

California Rule of Court 5.125 requires that the prevailing party provide the other party with a copy of the PROPOSED ORDER before submitting it to the Court. If the other party appeared in court, you must serve them with a proposed Findings and Order After Hearing within 10 days of the hearing date. **Do a Proof of Service to show that the other party was served.** If the other party does not return the signed order, or object, within 20 days of the hearing date, you may submit an original order with a copy for each party in the case, the Notice of Entry of Judgment with a copy for each party in the case, the Proof of Service showing that the proposed order was served on the other party, and the addressed stamped envelopes as indicated above.

If the other party did not appear at your hearing, submit to the court clerk the original proposed order with TWO COPIES, and the original Notice of Entry of Judgment with TWO COPIES and TWO postage pre-paid envelopes.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <div style="border: 1px solid red; padding: 5px; margin: 5px 0;">YOUR NAME YOUR STREET ADDRESS YOUR CITY, STATE, and ZIP CODE</div> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF COUNTY NAME STREET ADDRESS: COURT'S PHYSICAL ADDRESS MAILING ADDRESS: _____ CITY AND ZIP CODE: COURT'S CITY, STATE, and ZIP CODE BRANCH NAME: _____	<div style="border: 2px solid red; padding: 10px; font-weight: bold; color: red;"> YOU MUST HAVE THE MINUTES FROM YOUR HEARING TO FILL OUT THIS FORM. </div>
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: FILL THIS OUT EXACTLY AS IT APPEARS ON YOUR OTHER DOCUMENTS OTHER PARTY: _____	
FINDINGS AND ORDER AFTER HEARING	CASE NUMBER: CASE NUMBER HERE

1. This proceeding was heard on (date) DATE OF HEARING at (time) TIME OF HEARING in Dept.: WHICH COURTROOM Room: _____

by Judge (name) JUDGE'S NAME HERE Temporary Judge

On the order to show cause, notice of motion or request for order filed (date) DATE MOTION WAS FILED by (name): NAME OF THE PARTY WHO FILED THE MOTION

a. Petitioner/plaintiff present CHECK THE BOXES TO SHOW WHO WAS PRESENT Attorney present (name): _____

b. Respondent/defendant present Attorney present (name): _____

c. Other party present Attorney present (name): _____

THE COURT ORDERS

2. Custody and visitation/parenting time: As attached on form FL-341 Other Not applicable

3. Child support: As attached on form FL-342 Other

4. Spousal or family support: As attached on form FL-343 Other

5. Property orders: As attached on form FL-344 Other

6. Attorney's fees: As attached on form FL-346 Other

7. Other orders: As attached Not applicable

8. All other issues are reserved until further order of court.

9. This matter is continued for further hearing on (date): _____ at (time): _____ in Dept.: _____ on the following issues:

IF YOU ARE USING THE MC-25 FORM YOU WILL CHECK THE "OTHER" BOX TO SHOW WHAT THE COURT DID AND DID NOT ORDER AT THE HEARING. IF YOU DID NOT ADDRESS SOME OF THESE ISSUES, CHECK "NOT APPLICABLE"

Date: DO NOT DATE OR SIGN THIS FORM JUDICIAL OFFICER _____

Approved as conforming to court order. IF THE OTHER PARTY WAS PRESENT IN COURT, THEY WILL NEED TO SIGN THIS ORDER.

SIGNATURE OF ATTORNEY FOR PETITIONER / PLAINTIFF RESPONDENT/DEFENDANT OTHER PARTY

CHECK WHETHER THEY ARE THE "PETITIONER" OR "RESPONDENT"

PETITIONER: RESPONDENT: Y:	FILL THIS OUT EXACTLY AS THE INFORMATION APPEARS ON YOUR OTHER DOCUMENTS	CASE NUMBER: <div style="border: 2px solid red; padding: 2px; text-align: center;"> COURT CASE NUMBER </div>
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CHECK A BOX TO SHOW WHAT THIS FORM IS BEING ATTACHED TO

CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT

- TO Findings and Order After Hearing (form FL-340) Judgment (form FL-180) Judgment (form FL-250)
 Stipulation and Order fo Custody and/or Visitation of Children (form FL-355)
 Other (specify):

1. **Jurisdiction.** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (Fam. Code, §§ 3400–3465).
2. **Notice and opportunity to be heard.** The responding party was given notice and an opportunity to be heard, as provided by the laws of the State of California.
3. **Country of habitual residence.** The country of habitual residence of the child or children in this case is the United States Other (specify):
4. **Penalties for violating this order.** If you violate this order, you may be subject to civil or criminal penalties, or both.
5. **Child Custody.** Custody of the minor children of the parties is awarded as follows:

CHECK THIS BOX IF THE COURT ADDRESSED CHILD CUSTODY.

<u>Child's Name</u>	<u>Birth Date</u>	<u>Legal custody to: (person who makes decisions about health, education, etc.)</u>	<u>Physical custody to: (person with whom child lives)</u>
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CHILD'S FULL NAME (OLDEST CHILD FIRST)	CHILD'S DATE OF BIRTH MONTH / DAY / YEAR	WRITE IN THE NAME(S) OF WHO WAS AWARDED LEGAL CUSTODY	WRITE IN THE NAME(S) OF WHO WAS AWARDED PHYSICAL CUSTODY
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6. **Child abduction prevention.** There is a risk that one of the parties will take the children out of California without the other party's permission. (*Child Abduction Prevention Orders Attachment (form FL-341(B))* must be attached and must be obeyed.)

7. **Visitation (Parenting Time)**
 - a. Reasonable right of visitation to the party without physical custody (**not appropriate in cases involving domestic violence**)
 - b. See the attached _____-page document
 - c. The parties will go to child custody mediation or child custody mediation (specify location): _____, and _____
 - d. No Visitation (Parenting Time)
 - e. Visitation (Parenting Time) for the petitioner respondent other (name): _____ will be as follows:

CHECK THE BOXES THAT MATCH EXACTLY WHAT THE COURT ORDERED.

- (1) **Weekends starting (date):**
 (Note: The first weekend of the month is the first weekend with a Saturday.)
 1st 2nd 3rd 4th 5th weekend of the month
 from _____ at _____ a.m. p.m./ if applicable, specify: start of school after school
 (day of week) (time)
 to _____ at _____ a.m. p.m./ if applicable, specify: start of school after school
 (day of week) (time)
 (a) The parties will alternate the fifth weekends, with the petitioner respondent other parent/party having the initial fifth weekend, which starts (date): _____
 (b) The petitioner respondent other parent/party will have the fifth weekend in odd even numbered months.

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	FILL THIS OUT EXACTLY AS THE INFORMATION APPEARS ON YOUR OTHER DOCUMENTS	CASE NUMBER:	COURT CASE NUMBER
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7. Visitation (Parenting Time) (continued)

- e. (2) **Alternate weekends starting (date):**
- from _____ at _____ a.m. p.m./ if applicable, specify: start of school
(day of week) (time) after school
- to _____ at _____ a.m. p.m./ if applicable, specify: start of school
(day of week) (time) after school
- (3) **Weekdays starting (date):**
- from _____ at _____ a.m. p.m./ if applicable, specify: start of school
(day of week) (time) after school
- to _____ at _____ a.m. p.m./ if applicable, specify: start of school
(day of week) (time) after school
- (4) **Other visitation (parenting time) days and restrictions are:** listed in Attachment 7e(4) ([form MC-025](#) may be used for this purpose) as follows:

**CHECK THE BOXES THAT MATCH EXACTLY WHAT
 THE COURT ORDERED. MAKE SURE YOU GIVE
 ALL OF THE INFORMATION REQUESTED NEXT TO
 THE BOXES YOU CHECK.**

8. **Supervised visitation (parenting time).** Until further order of the court other (*specify*):
- The petitioner respondent other (*name*):
- will have supervised visitation (parenting time) with the minor children according to the schedule set forth on page 1.
(You must attach *Supervised Visitation Order* ([form FL-341\(A\)](#).)
9. **Transportation for visitation (parenting time)**
- a. The children must be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
- b. Transportation **to** begin the visits will be provided by the petitioner respondent
 other (*specify*):
- c. Transportation **from** the visits will be provided by the petitioner respondent
 other (*specify*):
- d. The exchange point at the beginning of the visit will be at (*address*):
- e. The exchange point at the end of the visit will be at (*address*):
- f. During the exchanges, the party driving the children will wait in the car and the other party will wait in his or her home (or exchange location) while the children go between the car and the home (or exchange location).
- g. Other (*specify*):
10. **Travel with children.** The petitioner respondent other parent/party(*name*):
- must** have written permission from the other parent or a court order to take the children out of
- a. the state of California.
- b. the following counties (*specify*):
- c. other places (*specify*):

THIS IS A COURT ORDER.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	FILL THIS OUT EXACTLY AS THE INFORMATION APPEARS ON YOUR OTHER DOCUMENTS	CASE NUMBER: <div style="border: 2px solid red; padding: 5px; text-align: center;"> COURT CASE NUMBER </div>
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11. **Holiday schedule.** The children will spend holiday time as listed below in the attached schedule (*Children's Holiday Schedule Attachment (form FL-341(C))* may be used for this purpose.)

CHECK THE BOXES THAT MATCH EXACTLY WHAT THE COURT ORDERED. MAKE SURE YOU GIVE ALL OF THE INFORMATION REQUESTED NEXT TO THE BOXES YOU CHECK.

12. **Additional custody provisions.** The parties will follow the additional custody provisions listed below in the attached schedule. (*Additional Provisions—Physical Custody Attachment (form FL-341(D))* may be used for this purpose.)

13. **Joint legal custody.** The parties will share joint legal custody as listed below in the attached schedule. (*Joint Legal Custody Attachment (form FL-341(E))* may be used for this purpose.)

14. **Access to children's records.** Both the custodial and noncustodial parent have the right to access records and information about their minor children (including medical, dental, and school records) and consult with professionals who are providing services to the children.

15. **Other** (*specify*):

THIS IS A COURT ORDER.

SHORT TITLE:

FILL THIS OUT EXACTLY AS IT APPEARS
ON YOUR OTHER DOCUMENTS

CASE NUMBER:

CASE NUMBER

ATTACHMENT (Number): WRITE IN 'Attachment 7 FL-340'

(This Attachment may be used with any Judicial Council form.)

WRITE "OTHER ORDER ATTACHMENT TO FINDINGS AND ORDER AFTER HEARING"

READ THE MINUTES AND WRITE IN HERE
ALL ORDERS MADE AT THE HEARING
THAT YOU HAVE NOT ALREADY WRITTEN
IN ANOTHER ATTACHMENT. DO NOT
ADD OR LEAVE OUT ANY ORDERS. THE
ORDERS MUST MATCH THE CLERK'S
MINUTES EXACTLY.

USE THIS FORM ONLY IF THE COURT TALKED ABOUT
OTHER ISSUES IN THE MINUTES

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page _____ of _____

(Add pages as required)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <div style="border: 1px solid red; padding: 5px; margin: 5px 0;"> YOUR NAME YOUR STREET ADDRESS YOUR CITY, STATE, and ZIP CODE </div> TELEPHONE NO.: TELEPHONE # FAX NO. (<i>Optional</i>): E-MAIL ADDRESS (<i>Optional</i>): ATTORNEY FOR (<i>Name</i>):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF COUNTY NAME STREET ADDRESS: COURT'S PHYSICAL ADDRESS MAILING ADDRESS: CITY AND ZIP CODE: COURT'S CITY, STATE, and ZIP CODE BRANCH NAME:	
PETITIONER: RESPONDENT:	
NOTICE OF ENTRY OF JUDGMENT	CASE NUMBER: <div style="border: 1px solid red; padding: 2px; display: inline-block;"> COURT CASE NUMBER </div>

You are notified that the following judgment was entered on (*date*):

1. Dissolution
2. Dissolution—status only
3. Dissolution—reserving jurisdiction over termination of marital status or domestic partnership
4. Legal separation
5. Nullity
6. Parent-child relationship
7. Judgment on reserved issues
8. Other (*specify*):

WRITE IN :
 "FINDINGS AND ORDER AFTER HEARING HELD ON" (THEN WRITE IN THE DATE OF THE HEARING)

Date: _____ Clerk, by _____, Deputy

—NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY—

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION

Effective date of termination of marital or domestic partnership status (*specify*):

WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Notice of Entry of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed at (*place*): _____, California, on (*date*): _____

Date: _____, Deputy

IF DCSS IS INVOLVED IN YOUR CASE, YOU WILL ALSO NEED TO FIT THE AGENCY'S ADDRESS IN THIS AREA

Name and address of petitioner or petitioner's attorney <div style="border: 1px solid red; padding: 5px; margin: 5px 0;"> PETITIONER'S NAME PETITIONER'S ADDRESS PETITIONER'S CITY, STATE, and ZIP CODE </div>	Name and address of respondent or respondent's attorney <div style="border: 1px solid red; padding: 5px; margin: 5px 0;"> RESPONDENT'S NAME RESPONDENT'S STREET ADDRESS RESPONDENT'S CITY, STATE, and ZIP CODE </div>
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <div style="border: 1px solid red; padding: 5px; margin: 5px 0;"> YOUR NAME YOUR STREET ADDRESS YOUR CITY, STATE, ZIP </div> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF COUNTY NAME STREET ADDRESS: _____ MAILING ADDRESS: COURT'S PHYSICAL ADDRESS CITY AND ZIP CODE: COURT'S CITY, STATE, ZIP CODE BRANCH NAME: _____	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT/PARTY: _____	CASE NUMBER: CASE NUMBER <i>(if applicable, provide):</i> HEARING DATE: _____ HEARING TIME: _____ DEPT.: _____
PROOF OF SERVICE BY MAIL	

NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.

2. My residence or business address is:

SERVER'S STREET ADDRESS
 SERVER'S CITY, STATE, ZIP

3. I served a copy of the following documents (specify):

WRITE IN THE NAME AND FORM NUMBER OF THE DOCUMENT YOU ARE HAVING SERVED.

by enclosing them in an envelope AND

CHECK THE APPROPRIATE BOX

- a. depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
- b. placing the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. The envelope was addressed and mailed as follows:

- a. Name of person served: OTHER PARTY'S NAME
- b. Address: ADDRESS WHERE THE DOCUMENTS WERE MAILED
- c. Date mailed: DATE MAILED
- d. Place of mailing (city and state): CITY AND STATE WHERE MAILED

5. I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. (Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order (form FL-334) may be used for this purpose.)

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: DATE

PRINT SERVER'S NAME

SIGNATURE OF SERVER

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON COMPLETING THIS FORM)