

SUPERIOR COURT of CALIFORNIA, COUNTY of SONOMA
Family Law Division

3055 Cleveland Ave.
Santa Rosa, CA 95403-2122 (707) 521-6500
Hours: 8:00 a.m. - 4:30 p.m. Monday through Friday
<http://sonoma.courts.ca.gov/>

FAMILY LAW NOTICE OF MOTION PACKET
FOR CUSTODY and VISITATION

\$2.50

Filing Fee: \$40.00 for the first hearing OR \$65.00 if you have been to court previously for custody.

Add \$395.00 if you have NOT paid a first appearance filing fee previously.

Included in this packet are the forms you will need to fill out and file with the Clerk's Office to obtain a hearing for custody and/or visitation.

Forms may be hand printed, using either blue or black ink. Hand printed forms will be accepted for filing as long as they are legible. (You can also access and complete these forms through the internet. Go to <http://www.courts.ca.gov/forms.htm>).

- Notice of Motion..... FL-301 1/01/07
- Application for Order and Supporting Declaration..... FL-310 7/01/11
- (After completing, make two copies of the documents listed above.)
- Proof of Personal Service..... FL-330 1/01/12
- Information sheet for Proof of Personal Service..... FL-330-INFO 1/01/12

• (This form is filed with the clerk after you have been assigned a hearing date and have served the other person.)

LEAVE BLANK:

- Responsive Declaration to Order to Show Cause or Notice of Motion..... FL-320 7/01/11
- Proof of Service By Mail..... FL-335 1/01/12
- Information sheet for Proof of Service By Mail..... FL-335-INFO 1/01/12

Submit the original and two copies of the completed papers to the family law division. The clerk will file the completed papers and return two copies of the forms to you. One set of the paperwork is yours to keep for your records. Please bring it with you to all court appearances and when you seek legal assistance from any source.

The other set of papers needs to be personally served on the other party, along with the blank Responsive Declaration, FL-320 and blank Proof of Service by Mail FL-335, at least 21 days before the scheduled hearing. *You may not serve the papers yourself.* Anyone other than yourself and over the age of 18 may serve the papers, or you may ask the sheriff's department to serve the papers for you (for a fee). If a party other than the sheriff serves the papers, the person serving the papers must complete and sign the Proof of Personal Service. The Proof of Personal Service FL-330 must then be filed with the family law clerk.

Personal service is the preferred method for serving the other party. There are certain instances, however, when the motion forms can be served by mail. If you have questions about whether or not your papers can be served by mail, please ask the family law clerk, or seek legal assistance.