

<b>Attorney or Party without Attorney</b> Name, Address, Telephone No., State Bar Membership No.	<b>Court Use Only</b>
Attorney For (Name):	
<b>Superior Court of California, County of Sonoma</b> Civil & Family Law Courthouse, Family Law Division 3055 Cleveland Avenue Santa Rosa, CA 95403	
Petitioner/Plaintiff: Respondent/Defendant: Claimant/Other Parent:	<b>Case Number:</b>

**DECLARATION REGARDING NOTICE AND DELIVERY  
OF REQUEST FOR FAMILY LAW TEMPORARY ORDERS**

(FOR DOMESTIC VIOLENCE TEMPORARY RESTRAINING ORDERS, USE LOCAL FORM FL-040)

In most cases you must tell the other side that you are requesting a court order before the judicial officer will review your request. You must also deliver a copy of your request to the other party. Notice and delivery must be given in accordance with the schedule on the reverse side of this form.

**The Judicial Officer will be asked to review the request for temporary orders on \_\_\_\_\_ (date), at the above address.**

I, (Name of Person Giving Notice): \_\_\_\_\_ declare that:

**1. NOTICE AND DELIVERY WAS DONE ON \_\_\_\_\_ (date) at \_\_\_\_\_ (time).**  
To (name) \_\_\_\_\_  
At this address \_\_\_\_\_

**OR**

**2. NOTICE WAS GIVEN ON \_\_\_\_\_ (date) at \_\_\_\_\_ (time).**  
To (name) \_\_\_\_\_  
At this address \_\_\_\_\_  
By  Personal Delivery     Fax     US Mail     Telephone     Voice Mail

**DELIVERY WAS MADE ON: \_\_\_\_\_ (date) at \_\_\_\_\_ (time).**  
To (name) \_\_\_\_\_  
At this address \_\_\_\_\_  
By  Personal Delivery     Fax     US Mail     Overnight Mail

**OR**

**3. NOTICE WAS NOT GIVEN**  
 I have **NOT** given notice of my request for temporary orders. I have a legally sufficient basis for not giving notice. The facts that justify not giving notice are as follows. Please attach additional page(s) if necessary.  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

**FREQUENTLY ASKED QUESTIONS REGARDING  
NOTICE AND DELIVERY REQUEST FOR TEMPORARY ORDERS**

**1. Do I have to tell the other person that I am requesting temporary orders?**

The law requires that a person who is requesting temporary orders notify the other person that temporary orders are being requested and that a copy of your request is provided to the other person before the Judge reviews it unless there is good cause not to give notice. You must also include local form CA-106 “Declaration in Opposition to Temporary Order” with the documents you deliver to the opposing party/attorney when providing notice that you are requesting temporary orders

**2. Are there situations in which I don’t have to tell the other person that I am requesting temporary orders?**

If immediate harm could be suffered if notice were given or if giving notice is impossible, you may not have to give notice. If you think you should not be required to give notice, complete No. 3 on the reverse of this form. Be sure and state your reasons for not telling the other person that you are requesting temporary orders.

It is possible that the judicial officer reviewing your application may find your reasons for not giving notice insufficient. This can result in your application being rejected until you actually give notice. You should take this into consideration when determining whether or not you are going to submit your application without giving notice.

**3. Can I deliver a copy of the documents to the other person myself?**

Yes you can. If you are afraid, you may have someone else over 18 deliver them for you. If someone else delivers the documents, have that person complete the front of this form.

**4. What if the other person is in the Sonoma County jail? How can I deliver documents?**

If the other person is in the Sonoma County jail, copies can be provided to the other person by delivering them to jail personnel at the front desk of the jail. Also “Friends Outside” whose offices are in the main lobby of the jail, will arrange to have the paperwork delivered to the other person. Friends Outside does charge a small fee for this service.

**5. What are the ways I can give notice?**

Notice may be given in person, by telephone, fax, voicemail message or in writing (excluding text, e-mail or other electronic media).

**TIME FRAME FOR GIVING NOTICE AND DELIVERY OF REQUEST FOR  
FAMILY LAW TEMPORARY ORDERS**

Read the column and select the appropriate column (A, B or C). For fax delivery, the opposing party must agree to accept delivery of the documents by facsimile. If delivery is accomplished by this method, use column A.

<b>A</b>	<b>B</b>	<b>C</b>
<b>If you gave notice by 10:00 a.m. and delivered by 11:00 a.m., by personal service on:</b>	<b>If you gave notice by 10:00 a.m. and delivered by overnight or next day mail was received by 11:00 a.m. on:</b>	<b>If you mailed noticed by 10:00 a.m. by first class mail on:</b>
Monday, Judge will consider Tuesday after 10:00 a.m.	Monday, Judge will consider Thursday after 10:00 a.m.	Monday, Judge will consider on next Monday after 8:30 a.m.
Tuesday, Judge will consider Wednesday after 10:00 a.m.	Tuesday, Judge will consider Friday after 10:00 a.m.	Tuesday, Judge will consider on next Tuesday after 8:30 a.m.
Wednesday, Judge will consider Thursday after 10:00 a.m.	Wednesday, Judge will consider Monday after 10:00 a.m.	Wednesday, Judge will consider on next Wednesday after 8:30 a.m.
Thursday, Judge will consider Friday after 10:00 a.m.	Thursday, Judge will consider Tuesday after 10:00 a.m.	Thursday, Judge will consider on next Thursday after 8:30 a.m.
Friday, Judge will consider Monday after 10:00 a.m.	Friday, Judge will consider Wednesday after 10:00 a.m.	Friday, Judge will consider on next Friday after 8:30 a.m.
Saturday or Sunday, Judge will consider Tuesday after 10:00 a.m.	Saturday or Sunday, Judge will consider Thursday after 10:00 a.m.	Saturday or Sunday, Judge will consider on Monday of the following week after 8:30 a.m. (8 to 9 days later)