INSTRUCTIONS for RESPONSIVE DECLARATION TO REQUEST for ORDER IN FAMILY LAW MATTER

YOUR RESPONSIVE PACKET SHOULD HAVE THESE FORMS STAPLED TOGETHER:

1. FL-320 Responsive Declaration to Request for Order
2. Declaration of facts to support your request written by you – see Sample Support Declaration.
3. FL-335 Proof of Service by mail (or FL-330) Proof of Personal Service

YOU CAN ONLY RESPOND TO THE ISSUES CHECKED ON THE REQUEST FORM. TO ADD ISSUES, SEE INSTRUCTIONS TO FILE AND SERVE A REQUEST FOR ORDER FL-300. IF THE PAPERS TO WHICH YOU ARE RESPONDING INCLUDE ANY OF THESE ATTACHMENT FORMS, INCLUDE THE SAME FORMS AS PART OF YOUR RESPONSE. YOU SHOULD HAVE BEEN GIVEN BLANK COPIES WHEN YOU WERE SERVED. IF NOT, YOU CAN OBTAIN THEM AT www.courts.ca.gov.

For Child Support:

a. FL-150 Income and Expense Declaration
b. Support Calculation: See www.childsup.ca.gov for the on-line Guideline Calculator.

For Spousal support:

a. FL-150 Income and Expense Declaration
b. FL-157 Declaration form instead of #2 above.
c. For Temporary Support (before Judgment) a spousal support calculation. See Local Rule 9.13 at www.sonoma.courts.ca.gov, under General Info, Local Rules.

TIME TO FILE AND SERVE: Service must be 9 court days before hearing if served personally, plus 5 calendar days if served by mail. If child custody or visitation is an issue, proof of service must be in the court file at least 7 days prior to the Family Court Services date or your papers cannot be reviewed by Family Court Services.

PROOF OF SERVICE BY MAIL FL-335: You must have an adult mail a **copy** of the packet to the other party(ies) and complete the Proof of Service by Mail FL-335 attesting that they did so. Make a copy for each party (including yourself) of the entire Responsive Declaration packet, including the completed Proof of Service by Mail. Have the adult mail a copy to the other party(ies) before you file. If DCSS is a party, serve them by mail at 3725 Westwind Blvd, Suite 200, Santa Rosa, CA 95403.

PROOF OF PERSONAL SERVICE FL-330: As an alternative, you may have your Responsive Declaration personally served. First have an adult serve the other party(ies) by delivering the papers to them personally (not to another person in the home or to their mail box). Then have the adult complete the Proof of Personal Service FL-330. Attach it to your Responsive Declaration, and make one copy of the packet. File it with the clerk.

FILE WITH THE CLERK: After service is complete then file the original and one copy of your packet with the Family Law Clerk at 3055 Cleveland Avenue, Santa Rosa, CA 95403. They will keep the original and give you back the one copy for your records. There is no filing fee for a Responsive Declaration to Request for Order.

WHAT HAPPENS NEXT?

Attend your hearing – see the front of the Request for Orders for this date, time, department. The court will listen to both sides and then make an Order. If you want to watch a court proceeding in advance of your date in order to understand the process, the hearings are open to the public and held each week at the same time and place.

For Custody Orders: Both parents must attend an orientation and a recommending custody counseling session before attending their hearing. See the Custody and Visitation Orders. Go to www.sonoma.courts.ca.gov under Divisions, Family, Family Court Services, to attend orientation on-line. If you cannot resolve your issues at the recommending counseling session, a written recommendation will be made to the court as to the child's best interests. You and the other party will each receive a copy in the mail before the hearing - sometimes you receive a copy at the hearing.