

**SANTA BARBARA COUNTY SUPERIOR COURT
OFFICE OF THE FAMILY LAW FACILITATOR – ANACAPA DIVISION**

**ESTABLISHING OR MODIFYING CHILD CUSTODY
and/or VISITATION**

Due to the outbreak of the Covid-19 virus, the Office of the Family Law Facilitator is physically closed. All classes and one-on-one clinics are canceled until further notice. In the meantime, the Facilitator is available for remote consultation.

If you want to establish or modify your child custody and/or visitation orders, please do the following:

- **STEP ONE:** Educate yourself using the California Court's excellent self-help website: <https://www.courts.ca.gov/selfhelp-custody.htm> . Read this article to have a basic understanding of child custody and visitation in California. You may also want to read the materials presented on the Santa Barbara County Superior Court's website: <https://www.sbcourts.org/dv/fl/litigants/> .
- **STEP TWO:** Do you have an existing court case about you, the other parent and the child(ren) in question?
 - **A. If you DO NOT have a court case (anywhere) yet**, you will need to decide the right kind of case for you to use:
 - **Petition for divorce case (FL-100):** If you and the other parent are married, and you wish to get a divorce, legal separation or annulment;
 - **Petition to establish orders for custody and support (FL-260):** If you and the other parent ARE married or if you have already established parentage of the children, and you want to only establish custody, visitation and/or support orders;
 - **Petition to determine parental relationship (FL-200):** If you and the other parent are not married, and parentage of the child(ren) needs to be established;
 - **Complaint to establish parental obligations:** If you want to use the services of the Department of Child Support Service to establish parentage and child support. You have the right to also get orders on your own in this type of case for custody and visitation.
 - **Request for Domestic Violence Restraining Order:** If you need a restraining order against the other parent, you can also get orders for custody and visitation at the same time in the same case.
 - **B. To start a court case**, go to the California Court's Judicial Council's website: <https://www.courts.ca.gov/selfhelp.htm> to get basic information, to find your court forms and to get basic instructions.
 - You may also get the assistance of the Santa Barbara County Superior Court's Family Law Facilitator for help. Call 805.882.4660 to speak to the receptionist and to schedule an appointment with the Family Law Facilitator.

- **B. If you already HAVE A COURT CASE, then proceed to STEP THREE:**

If you already have a family law case:

- **STEP THREE: Attend the PEACE parenting class.** Each parent is required to attend this FREE class. At the present time, it must be attended online: <https://www.sbcourts.org/dv/fl/PEACE/> .
- **STEP FOUR: Resolve your Custody and Visitation Issues:**

OPTION ONE:

Voluntary Resolution: Determine if the other parent will voluntarily do Family Court Services mediation. Mediation is a free service offered by the court. A mediator is neutral mental health professional who is a court employee. The mediator meets with both parents to help them, if possible, make an agreement regarding custody and visitation issues. Any agreement can be made into a signed court order. For more information, see <https://www.sbcourts.org/dv/fl/family-law-services.shtm> . In most cases, recent mediation is required before a judicial officer will make any decision regarding custody or visitation.

OPTION TWO:

- A. Get your forms:** <https://www.courts.ca.gov/formsrules.htm>
You can find the legal forms you need here—all free. You can fill them out, save them, and print them as you wish. You may ask for help from the Family Law Facilitator by calling 805.882.4660 to schedule an appointment.
- B. Use a program if you want to help you complete the forms:**
<https://share.vidyard.com/watch/yNziXLHmyWo9VRwSr4pXAx?> Watch the video on how to prepare legal forms online using either Law Help Interactive or Guide and File programs
 - a. **You may use one of the following programs:**
 - i. **Law Help Interactive:** <https://sharpcourts.org/divorce-legal-separation/>
 - ii. **Guide and File:** <https://california.tylerhost.net/SRL>
 - iii. **SAVE YOUR WORK BY CREATING AN ACCOUNT AND STORING YOUR DOCUMENTS!**
- C. Review your documents:** If you want, you may **have your documents reviewed** by the Family Law Facilitator prior to your filing the documents with the court. Services are only for self-represented litigants and are free. Send your documents to SBFLF@sbcourts.org for remote review. You may also ask to schedule a telephone appointment with the Family Law Facilitator at 805.882.4660. If no one answers, please leave a message and we will return your call as soon as we are able.

D. File your documents through the Clerk's Office of the court. The Clerk's Office is at the present time physically closed. Please go to www.sbcourts.org for detailed information on electronic filing through eFile CA.

a. **Pay the appropriate filing fee.** See the current fee schedule:

<https://www.courts.ca.gov/documents/StatewideCivilFeeSchedule-20200101.pdf>

For more information, call the Family Law Facilitator's Office at 805.882.4660.