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OPTIONS FOR DOING THE LEGAL PAPERS TO GO TO COURT:

- **California Courts Self-Help Center:** Lots of Information and the free forms available that you complete on your own
- **Law Help Interactive:** Free forms that you complete yourself by answering written interview questions
- **Guide and File:** Answer online questions and automatically create the forms. File electronically or print and file on your own.

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Websites to create the legal forms:

- **California Courts Self-Help Center:** Extensive information and free forms to complete on your own: <https://selhelp.courts.ca.gov/child-custody>
- **Law Help Interactive:** By answering written interview questions, you complete legal forms for free: <https://www.butte.courts.ca.gov/self-help/online-resources>
- **Guide and File:** Answer online questions on your own and your forms are created for free. You can then print the documents to serve and file or electronically file: www.guideandfile.com

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"Custody" = RESPONSIBILITY

1. Physical custody: 	2. Legal custody: 
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#1: PHYSICAL CUSTODY:

- Based on who is *responsible* for the child on the day-to-day level?
- Based on how much time the child spends with each parent
- Determines where the child will live: "you," "me," or "us"



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PHYSICAL custody:
can be ordered as either:

JOINT:	SOLE TO ONE PARENT:
<ul style="list-style-type: none"> Child spends a significant amount of time in each parent's home Does not have to be 50/50 in order to be joint physical custody 	<ul style="list-style-type: none"> The child lives with and is under the supervision of one parent and the other parent has "visitation"

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VISITATION: Times when non-custodial parent has the children and is fully responsible for them

- Ex.: Every other weekend and one evening during the week
- "Supervised" visitation means that a neutral third party is present during visitation:
 - Done by court order
 - Due to drug, alcohol or physical abuse; mental health problems; or long period of no contact with children

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Looking for what is the BEST INTERESTS of the child...

Try to create the ideal "parenting plan" or "timeshare schedule"

- What kind of parenting structure is age appropriate?
- What does the child need?
- What can each parent offer and when?

Growing Up

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#2: LEGAL CUSTODY:

Decisions, decisions, decisions regarding child's health and welfare:

- Which childcare provider or which school?
- Which doctor or dentist?
- Get vaccinations?
- Go into therapy? With whom?
- Become baptized or have a bar mitzvah?

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"Best interests of the child"

GOAL: *Want stability and continuity for the child*

- Look at who can provide for the basics: Food, clothing, shelter, safety and love
- Look at the child's basic needs, age, health, personality, experiences and abilities
- Look at the emotional ties between each parent and child

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"Best interests" continued...

Look at degree of cooperation between parents: Which parent will allow frequent and continuing contact by the kids with the other parent?
Look at any history of domestic abuse



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River of Life



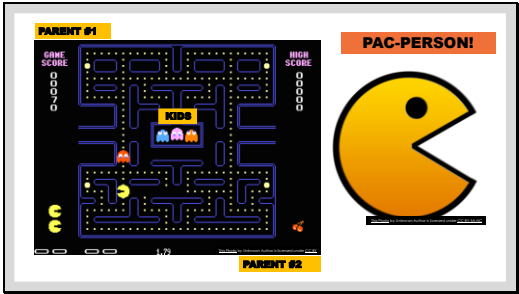
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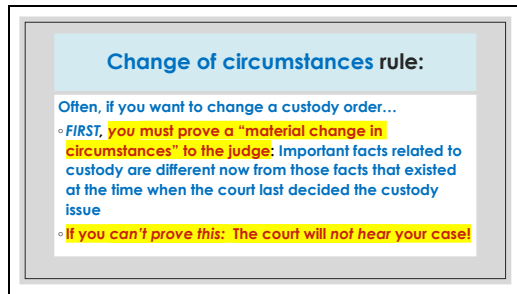
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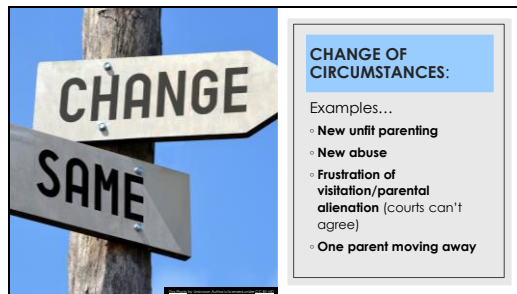
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Changing a visitation order is much easier!

- The court will decide what is in the child's best interests
- No need to prove a change of circumstances

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Summary: To get FIRST custody order or change custody or visitation, you need:


- 1. To have or start a court case in Santa Barbara County
- 2. To attend the required PEACE parenting class
- 3. To attend Family Court Services mediation
 - Sign an agreement, or,
 - if no agreement...then do legal papers
- 4. To go to court

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Summary: To CHANGE a custody order:

Prove a "change of circumstances":
Something really important relating to the children is now different from what was happening at the time the original order was made

Remember!!!
Remember, if you cannot show a change of circumstances, then the court might not hear the rest of what you have to say!



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Thank you.

For further assistance,
please:
call **805.882.4660**
or email us at
SBFLF@sbcourts.org.

Check us out at
<https://www.santobarbara.courts.ca.gov>
