



HOW TO PREPARE A FINDINGS AND ORDER AFTER HEARING

If you have been ordered to prepare a Judgment, do not use these instructions. Generally, a Judgment must be prepared whenever the Judge makes a finding of paternity or enters orders affecting your marital status. If you are uncertain whether you need a Judgment or a Findings and Order After Hearing, consult the clerk from the Department where your hearing took place or go to the Family Law Facilitator's Office. If you have difficulty reading your Minute Order, the courtroom clerk at your hearing or the staff of the Family Law Facilitator's Office may be able to help you read it.

You have been to Court and the Judge has ordered you to prepare the Findings and Order after Hearing. You have been given a yellow sheet of paper called a "Minute Order." The Minute Order is a record of the orders made by the Judge at your hearing. Although the orders are effective immediately, you must have a formal Findings and Order after Hearing prepared and signed by the Judge in order to enforce your orders.

Getting Started

You will need some or all of the following forms, which can be downloaded at www.saccourt.ca.gov or www.courtinfo.ca.gov/forms.

- Findings and Order After Hearing, form FL-340
 - Child Custody and Visitation Order Attachment, form FL-341 *
 - Supervised Visitation Order, form FL-341A *
 - Child Abduction Prevention Order Attachment, form FL-341B *
 - Children's Holiday Schedule Attachment, FL-341C *
 - Additional Provisions-Physical Custody Attachment, FL-341D *
 - Joint Legal Custody Attachment, FL-341E *
 - Child Support Information and Order Attachment, form FL-342 *
 - Non-Guideline Child Support Findings Attachment, form FL-342A *
 - Spousal or Family Support Order Attachment, form FL-343 *
 - Property Order Attachment to Findings and Order After Hearing, form FL-344 *
 - ***Additional Page, Other Orders***, form MC-020 *
 - Notice of Rights and Responsibilities and Information Sheet on Changing a Child Support Order, form FL-192 *
 - Attachment, form MC-025 *
- *If necessary.***



You will only need those forms relating to the orders made by the Judge at your hearing. If you are uncertain whether you need a particular form, read the instructions for that form. Attach only those forms relating to orders from your Minute Order. All forms will be covered in these instructions, so skip the ones that do not apply.

Findings and Order after Hearing, form FL-340

The Findings and Order after Hearing, form FL-340 is needed for all court orders and will serve as the cover page for your Order. Type or print this and all other forms. You must print clearly and legibly.

In the top left box (Caption Box) print your full name (first name, middle initial, last name), your mailing address and telephone number.

In the second box down, the Court's name and address may already appear. If not, print the following information:

County of Sacramento
3341 Power Inn Road, Room 100
Sacramento, California 95826
Family Relations Courthouse

In the third box down: print the full names of the parties next to the words "Petitioner" and "Respondent" as printed on the Minute Order.

In the second box down and to the right: print your case number as it appears on the Minute Order.

Item 1. At the top of the Minute Order locate the following: date and time of the hearing, the department number and judge who presided at the hearing. Print that information in the blank spaces where indicated at item 1 of the form. If any of the typed information on the Minute Order is crossed out, use the hand-written information instead.

Immediately below the form's box for "Temporary Judge," print the date the order to show cause or notice of motion or request for order was filed and provide the name of the party who requested the hearing in the space provided. This information can be found on the Minute Order below the parties' names. Find the line that reads "This matter came on for hearing at the request of:" An "X" will appear in the box next to the party who requested the hearing. To the right of this line will appear the date the Order to Show Cause (OSC) or Motion or request for Order was filed.

At Item 1a to item 1c, you will see boxes to check that will indicate who was present at the hearing. Check the box or boxes that indicates who was present, including the other



party's attorney, if they have one. The names of the parties will appear on the Minute Order just below the information about your hearing. It is the practice in Sacramento County for the Judge to underline the names of all persons who were present at the hearing. If a party or attorney's name is not underlined, that means they did not attend the hearing and names not underlined should not be marked as present on the order.

Items 2-7. Mark the boxes "as attached" if the Minute Order contains orders for that category. If there are no orders for a particular category, mark the box "not applicable." One box must be checked for each item. For example, if the Judge made only custody and child support orders, mark the box next to the words "as attached" for items 2 and 3 and the mark "not applicable" for items 4 through 7.

Item 6. If attorney fees were ordered, check the box next to number 8 and complete all information requested.

Do not write beyond item 9.

Child Custody and Visitation Order Attachment, form FL-341

Use this attachment whenever the Judge has made orders regarding child custody or visitation, this includes referrals to mediation for purposes of child custody or visitation. Review the minute order (the long yellow sheet you received in Court) carefully.

If any of the boxes on the yellow minute order were next to the words, "Custody," "Parenting Time" or "Family Court Services" were checked, you will need to complete form FL-341. Review the bottom of the page for any "Other" orders the Judge may have made in regards to custody and visitation. . If the Judge made any "Other" orders, you must also include them on this form.

In the boxes at the top of the page, print the names of the parties and the case number. This is known as the "caption."

Directly below the words, "CHILD CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT," check the box for "Findings and Order After Hearing"

Read items 1 and 2.

Check the box at item 3 that indicates the country where the child(ren) habitually reside.

Read item 4.

Check box 5 if the Court made custody orders. List the children's names and dates of birth. List only those children included in the Court's orders. Under "Legal Custody" and "Physical Custody" print the name of the person awarded each type of custody. If the



Judge awarded joint custody, print the names of both parties. If custody was awarded in accordance with a mediation report, print "Per attached Mediation Report."

Check item 6 if the Court made a child abduction order; you will need to complete and attach form FL-341(B).

Item 7 Visitation: If the Court made orders regarding visitation or mediation, check the box next to the number 7.

7a. Check this box if the Court made an order for "reasonable visitation."

7b. Check this box if you have a custody/visitation agreement and/or recommendation from Family Court Services or a private mediator and it was adopted as an order by the Court. Print the number of pages contained in the agreement, partial agreement, and/or recommendation portion of the report only. You will need to attach copies of the agreement, partial agreement, and/or recommendation portion of the report to the form.

7c. Check this box if the Court has referred the parties to mediation. Print the address and telephone number of the mediator in the space provided. If the referral is to Family Court Services, the address is 3341 Power Inn Road, Room 104 and the telephone number is (916) 875-3400.

7d. Check this box if the Court ordered "no visitation."

7e. Check this box if the Court ordered a specific visitation schedule. Check the box that identifies the parent that has been granted visitation rights. If you do not have sufficient space to list all of the Court's visitation orders, check the boxes for "Other" at item 7e (4) on page 2 and write "See Attachment 7e (4)" in the space provided. You may print or type the text of the orders on a separate page, title the page "Attachment 7e (4)" and attach the page to this form.

Now that you have completed item 7, go back and print the names of the parties and the case number in the boxes at the top of page 2.

Item 8, Criminal Protective orders: Fill in the blanks if any Court has ordered a Criminal Protective order. Fill in the case number and the location of the Court that made the order.

Item 9, Supervised Visitation: Check this box if the Court ordered "supervised visitation." Check the box that corresponds with which parent has been granted supervised visitation. Next, you must complete and attach form FL-341A.

Item 10, Transportation for Visitation: Check this box if the Court made orders regarding transportation of the child(ren).

Read the legal requirements indicated at item 10a.



Check boxes 10b and 10c and also check the box that identifies the party or person responsible for transporting the child(ren) to and from the visits. If you check the box for "other" at either or both items 10a or 10b, print the other person's name in the space provided.

Check boxes 10d and 10e if the judge made specific orders regarding the exchange point at the beginning and/or end of the visitation. Provide the address or addresses in the space provided.

Check box 10f if the judge made this order.

Check box 10g if the Judge issued other orders related to transportation. Write the specific additional orders in the space provided.

Check box 11 if there is an order restraining a parent from removing the child(ren) from the County or State without written consent or Court order. Check the appropriate box to show whether this order pertains to the Petitioner, Respondent or another person. If you check the box for "other," print the person's name in the space provided. Finally, check boxes 11a to 11c to indicate when this order applies.

In the boxes at the top of the page 3, print the names of the parties and the case number.

Items 12-14. Complete these items if the Court made orders for one of these categories by checking the appropriate box(s) and either list the order made in the space provided or provide order made on the form that is specified at the item number..

Item 15. Check this box if the Judge has made any other orders about custody or visitation and print the terms of the orders in the space provided.

Supervised Visitation Order Attachment, form FL-341 (A)

In the bar at the top of the page, complete the caption.

Item 1. Check the box for which party is to be supervised and why they are being supervised. Check the reasons indicated by the Court on the Minute Order. If none of the boxes apply, check the box for "other" and print the reason as stated on the Minute Order.

Item 2. Check the same box(es) as you did in item 1 for which party will be supervised.

Item 3. Print the name, birthdate, age and sex of each child that this order covers.

Item 4. Check the box for the type of supervision ordered.

4a. Check this box if the order is for supervision during the visit.



4b. Check this box if the Court ordered drop off and pick up of the child(ren) be supervised.

4c. Check this box if the Court ordered the visitation be done in the form of observation and counseling for the parent and child(ren). This can only be done by a professional.

Item 5. Check the box to indicate who will be the Supervised Visitation Provider.

5a. Check this box if the Court ordered the visitation supervised by a professional.

5b. Check this box if the Court ordered the supervision be done by anyone else.

Item 6. Print the name, address and telephone number of the supervisor and/or check the box for "any other mutually agreed upon third party as arranged."

Item 7. Print the visitation schedule or print the following: "See Child Custody and Visitation Order Attachment."

Item 8. If the supervision will be provided by a professional, print how much each parent has been ordered to pay in percentages. For example, if the Respondent is ordered to pay all of the cost of visitation, then the order would be "Petitioner: 0%, Respondent: 100%."

Item 9. Complete this item if the Judge has ordered either of the parties to contact a professional provider for supervision.

Item 10. Print any other orders directly related to supervised visitation that were not already covered on this form.

Completing the Child Abduction Prevention Orders Attachment, form FL-341(B)

Use this form if the Court has made orders to prevent any of the children involved in your case from being taken without permission by a parent.

In the bar at the top of the page, complete the caption.

Directly below the words, "CHILD ABDUCTION AND PREVENTION ORDERS ATTACHMENT" check the box for, "Child Custody and Visitation Order Attachment".

Read *Items 1-10* carefully and check all boxes that contain orders made by the Judge on your minute order. Complete all required information for each box checked.

Item 11. Check this box if the Judge authorized any law enforcement officer to enforce this order. Print the address of the Child Abduction Unit of the District Attorney' Office in the space provided. The address for Sacramento County is:



Sacramento County District Attorney's Office
Child Abduction Unit
906 G Street, Suite 620
Sacramento CA 95814

Item 12. Check this box if the Judge made any other orders about child abduction and print the terms of the orders in the space provided. If there is not enough space, print the orders on a separate piece of paper, labeled "Attachment 12" and attach it to this form.

Completing the Children's Holiday Schedule Attachment, form FL-341(C)

In the bar at the top of the page, complete the caption.

Directly below the words "CHILDREN'S HOLIDAY SCHEDULE ATTACHMENT" check the box, "to Findings and Orders after Hearing or Judgment".

If the Judge has made orders about arrangements for any of the holidays listed in the first column to the left of the page, complete the table.

In the box toward the bottom of the page, if the Judge ordered that any other three-day weekends will be spent with the parent who would normally have the child that weekend, check the box starting with the words, "Three-day weekends....".

If the Judge made any other orders about the children's holiday arrangements, check the box marked "Other" and print the terms of the orders in the space provided. If there is not enough space, print the orders on a separate piece of paper, labeled, "Other Orders Attachment" and attach the page to this form.

Vacations If the Judge made orders about the children's vacations, review the yellow minute order and check the appropriate boxes. Complete all required information for each box checked.

Additional Provisions-Physical Custody Attachment, form FL-341(D)

In the bar at the top of the page, complete the caption.

Directly below the words "ADDITIONAL PROVISIONS-PHYSICAL CUSTODY ATTACHMENT," check the box next to the words "Findings and Order after Hearing or Judgment."

Read items 1-15 carefully and check all boxes that contain orders made by the Judge on your minute order. Complete all required information for each box checked.

Item 16. If the Judge made other orders for physical custody that were not already covered on this form check this box and print the orders in the space provided.



Joint Legal Custody Attachment, form FL-341 (E)

In the bar at the top of the page, complete the caption.

Directly below the words "JOINT LEGAL CUSTODY ATTACHMENT," check the box next to the words "Findings and Order after Hearing or Judgment."

Read items 2-7 carefully and check all boxes that contain orders made by the Judge on your minute order. Complete all required information for each box checked.

Item 8. If the Judge made other orders for legal custody that are not already covered on this form check this box and print the orders in the space provided.

Child Support Information and Order Attachment, form FL-342

Use this form if the Judge made a child support order, even if it is "reserved." You will also need to prepare a Notice of Entry of Judgment, form FL-190.

In the boxes at the top of the page, complete the caption.

Directly below the words "Child Support Information and Order Attachment" check the box for "Findings and Order After Hearing."

Check box 1, if there is a computer printout of the calculation for child support attached to the Minute Order, and skip items 2 through 5. This computer-generated printout would have been provided by the Judge.

Check box 2 if the Judge included income information for one or both parents on the Minute Order. In some cases, only the net income is written. In the space provided at *2a*, include only the amounts printed on the minute order. Complete *item 2b* if the judge based the child support amount on an income amount that one of the parents is allegedly capable (not actual) of earning.

Check box 3 and complete item 3(a) by writing in the number of minor children included in this order.

Check box 3(b) if the Judge included timeshare information on the Minute Order. You will find this information in the child support area listed as "TS___ %." (TS = Time Share). Usually, only the parent with the smaller timeshare is noted. In that case, you can determine the percentage difference for the other parent by subtracting the stated percentage from 100. For example, if the mother has custody of the children and the Judge printed "20%" for the timeshare, mother's timeshare will be "80%" (100% - 20% = 80%).



Check box 4 if the Court granted a hardship for other minor children or extraordinary medical expenses or catastrophic losses. Check the appropriate boxes and print the amount where indicated.

Check box 5 if a low income adjustment was requested by either parent. If the request was denied, check *box 5(b)* and state the reason for the denial. If the request was granted, check *box 5(a)* and print the amount of the adjustment.

Check box 6 to indicate that child support has been ordered.

At *item 6(a)* check the box to indicate who will be paying support and print the date support payments are to begin. Print the name and date of birth of each child who is included in the child support order. Then, print the amount of child support and the parent who will receive the child support. Specify when payment will be made by checking the box indicating whether it will be the 1st, the 1st and the 15th or some other calendar day. If no calendar day and time is included on the minute order, leave the boxes blank.

In the boxes at the top of the page 2, complete the caption.

Check boxes 6(b) and 6(b)(1) if orders were made regarding child-care costs related to employment or job training and complete items 6b(1)(a) to 6b(1)(d). For example, if the parents were ordered to each pay $\frac{1}{2}$ of the child-care costs, check the boxes for both "petitioner" and "respondent" and print 50% in the space provided for each. Otherwise, check the box at 6b(1)(d) and print the amount ordered by the Judge.

Check box 6(c) and (6)(c)(2) if the Court ordered one or both parents to pay uninsured healthcare costs for the child(ren) and complete items 6b(2)(a) to 6b(2)(d).

Check box 6(d) and 6d(1) if orders were made for payment of additional education or other special needs expenses for the children.. Complete the requested information.

Check box 6(d) and 6d(2) if orders were made regarding payment of travel expenses for visitation. Complete the requested information.

Check box 6(e) if the child support ordered is more or less than the State guidelines require. You will also need to complete form FL-342(A).

Add all of the dollar amounts ordered in items 6(a) to 6(d) and write in the total amount in the box next the words "Total child support per month." Do not include percentages.

Item 7. Check the appropriate box at *item 7(a)* to indicate which parent was ordered to maintain health insurance for the children. Check boxes 7(b) and 7(c) only if similar language is included on your minute order.

Read Item 8 and item 9.



Check box 10 if either parent has been ordered to look for a job and check the appropriate box(es) to indicate which parent(s). Print any conditions in the space provided.

Item 11. Print any additional child support orders not included above. For example, if the Court made an order regarding repayment of child support arrears, include it here.

Read items 12 and 13. Attach the Notice of Rights and Responsibilities (FL-192) and complete and attach the Child Support Case Registry form (FL-191).

Non-Guideline Child Support Findings Attachment, form FL-342 (A)

In the bar at the top of the page, complete the caption.

Directly below the words "NON-GUIDELINE CHILD SUPPORT FINDINGS ATTACHMENT," check the box for Attachment to "Child Support Information and Order Attachment."

Item 1. This is used when both parties have agreed to, and the Court has approved, an amount of support that is more or less than the guideline (the amount calculated by law). Check the box for "over" or "under" and print the guideline child support amount.

Item 2. Check this box if the Court gave reasons for ordering an amount different than the guideline.

2a. Print what the guideline amount would be and whether it would be payable to mother or father.

2b. Check the box if the Court is ordering more or less than guideline and how much was ordered.

2c. Check the box that corresponds to when the order ends. If no date is specified, check the box next to the words, "until further order."

2d(1). Check this box only if the Court ordered sale of the home deferred and the amount of child support paid is related to the rental value of the home.

2d(2). Check this box if the parent paying support has extraordinarily high income and the amount determined under the guideline would exceed the needs of the child(ren).

2d(3). Check the boxes that apply, but only if the Judge noted on your Minute Order that the other party is not contributing to the needs of the children at a level equal to the party's parenting time.

2d(4)(i-iv). Check these boxes if the Judge made any of these findings and print any other findings the Court made relating to non-guideline support next to the word "other."



Spousal, Partner Or Family Support Order Attachment, form FL-343

In the boxes at the top of the page, fill in Parties names and the case number; this information is known as the case caption.

Below the form's title at the top of the page, check the box for "Findings and Order After Hearing."

Item 1. Print any income information for the parties printed on the Minute Order in the space provided. Check the appropriate box if either party is receiving TANF or CalWorks benefits as indicated on the Minute Order.

Item 2. Check the box at item 2 if the judge ordered temporary support and a printout of the parties' finances was attached to the minute order. The printout will need to be attached to the form.

Item 3. Complete items 3a-e that are consistent with the Minute Order.

Item 4. If the minute order shows that the judge reserved the right to make a spousal or partner support order at a later date, check this box.

Item 5. If the minute order shows that the judge terminated or ended spousal or partner support at the hearing, check this box.

Item 6(a). Check the box for the party who is ordered to pay. After the words "must pay to," check the box for the party who is to receive support. On the next line, check the box for the type of support the judge ordered. In the space provided, print the monthly amount of support, its beginning date and the day of the month the payments are due.

Read items 6(b) to 6(c).

Read Item 6d. If it applies, check the box and print the number of days shown on the Minute Order.

In the boxes at the top of page 2, complete the case caption.

Read items, 7, 8, 9 and 10. If the judge made any of these orders, check the appropriate boxes.

Check box 11 if the judge made any other spousal or family support orders not covered elsewhere on this form and print the orders in the space provided.

Property Order Attachment to Findings and Order After Hearing, form FL-344

In the bar at the top of the page, complete the caption.



Item 1. If the Court made any orders restricting the transfer, sale, or concealment of property or restricting a party's or parties' ability to incur debt, check the box or boxes that describe the orders.

Check box 2 if the Court gave one of you possession of certain property. List the property and to whom it was confirmed or awarded. If you require more space to list these orders, check the box for "See Attachment 2" and print the orders on a separate sheet of paper. Label the page "Attachment 2" and attach it to this form.

Item 3. If one party was ordered to pay specific debts, check the box and list the debts in the appropriate spaces. If you require more space to list these orders, check the box for "See Attachment 3 and print the orders on a separate page labeled "Attachment 3." Attach the page to this form.

Check box 4 if the Court made its orders temporary.

Check box 5 if the Court made any other property orders. Print the orders in the space provided.

Item 6. Check the appropriate box to indicate whether you have included any identifying information about your property and debts on this form, such as account numbers.

Other Orders, using additional pages--form MC-020

If the court made other orders that do not fit on any of the forms described above, attach an additional white, letter-sized (8.5" x 11") page and label it "Other Orders" or use blank MC-020 forms to list the other orders.

If you checked item 7 on form FL-340 (Findings and Order After Hearing) and the box for "As attached," you will need to attach either a letter sized page or the MC-020 and title the attachment as "Other Orders." After Hearing, item 7." On the attachment page, print the additional findings and orders that the judge made. Each other order should be both paragraphed and numbered separately.

Only include those things that the Judge listed on the Minute Order.

Filing and Service

Assemble the forms (except the Wage Assignment and Notice of Entry of Judgment) into a single packet in the order listed on page 1 of these instructions. Make one copy and keep it with your copies of other important court documents from this case. Mail or hand-deliver the original order to the other party or their attorney. If you send it in the mail, enclose a letter asking them to review and sign the order, then return it to you for filing. They have 20 days to sign the front page where it says, "Approved as conforming to court order." This gives the other party a chance to look at what you are submitting to be sure



that what is on the proposed order is actually what the Judge ordered. Once they return the signed original to you, make a copy for each party. The Court will keep the original. Take or mail the original and copies to the Family Law filing clerk with a self-addressed envelope with enough postage to get all of the copies back to you.

If the other party does not return the order to you within 20 days, submit your copy of the order to the court. Attach a letter to the Court stating that you complied with the local rules and the other party did not sign the order. Include in the letter any reason the other party has given you for refusing to sign the Order. Make a copy for each party and submit the original and all copies with a self-addressed 9" X 12" envelope and sufficient postage for the documents to be returned to you to the Family Law filing clerk.

Once you get the signed and filed order back from the court, have another adult mail a copy to the other party or their attorney. Have the server fill out a Proof of Service by Mail form and give it back to you. Make a copy of the Proof of Service form and file the original and copy with the Court. The filing clerk will return the filed copy for your records.

If the Findings and Order After Hearing contains a child support order, you must complete and submit to the Court a Child Support Case Registry form and a Notice of Entry of Judgment with the original order.