

1 NAME  
ADDRESS  
2 TELEPHONE NUMBER  
EMAIL  
3

4 **Notice:** Please contact an attorney to advise you of your rights upon an assessment of the facts in  
your case before using this template stipulation. It is strongly advised that you contact a [family](#)  
5 [law attorney](#) or a [child custody attorney](#) to consider all of your options.

6 Attorneys for Petitioner

7  
8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

9 **COUNTY OF RIVERSIDE**

10 [Name of Mother or Father],

CASE NO.

11 Petitioner,

**STIPULATION FOR ORDER  
AND ORDER THEREON RE: CHILD  
CUSTODY AND VISITATION**

12 v.

13 [Name of Mother or Father],

14 Respondent.

15  
16  
17 **THE PARTIES OF THE ABOVE-ENTITLED MATTER ENTER INTO THE  
18 FOLLOWING STIPULATION AND ORDER RE CHILD CUSTODY AND VISITATION:**

19 **I. CHILD CUSTODY AND VISITATION**

20 1. The parents shall share JOINT LEGAL CUSTODY of the minor children: CHILD'S NAME,  
21 born CHILD'S DOB; and CHILD'S NAME, born CHILD'S DOB.

22 A. The parents shall share in the responsibility to make decisions regarding the health,  
23 education, and welfare of the children.

24 B. Each parent shall notify the other of the name and address of each health practitioner  
25 who examines or treats the children, such notification to be made within 3 days of the  
26 commencement of the first such treatment or examination.

27 C. Each parent is authorized to take any and all actions necessary to protect the health and

1 welfare of the children, including but not limited to consent to emergency surgical  
2 procedures or treatment. The parent authorizing such emergency treatment must notify  
3 the other parent as soon as possible of the emergency situation and of all procedures or  
4 treatment administered to the children.

5 D. Each parent will have access to the children's school, medical, and dental records and  
6 the right to consult with those professionals providing services to the children.

7 E. Each parent shall be designated as a person the children's school is to contact in the  
8 event of an emergency.

9 F. Notification of parent's current address. Each parent shall keep the other advised at all  
10 times of his/her current residence address, telephone numbers (home and work), the  
11 children's school, and the location of any place where the children will be spending any  
12 extended period of time four days or longer. Neither parent may use such information  
13 for the purpose of harassing, annoying or disturbing the peace of the other or invading  
14 the other's privacy. If a parent has an address with the State of California's Safe at Home  
15 confidential address program, no residence or work address is needed.

16 G. Notification of proposed move of children when that move will impact the ability of the  
17 children to visit regularly with the non-custodial parent. The parent intending to move  
18 the children must notify the other parent 45 days prior to any planned change in  
19 residence of the children. The notification must state, to the extent known, the planned  
20 address of the children, including the county and state of the new residence. The  
21 notification must be sent by certified mail. return receipt requested.

22 H. In exercising joint legal custody, the parties will share in the responsibility and discuss  
23 in good faith matters concerning the health education, and welfare of the children. The  
24 parties must discuss and consent in making decisions on the following matters:

- 25 1) Enrollment in or leaving a particular private or public school or daycare center;
- 26 2) Beginning or ending psychiatric, psychological, or other mental health  
27 counseling or therapy;
- 28 3) Participation in extracurricular activities;
- 29 4) Selection of a doctor, dentist, or other health professional (except in emergency

- 1 situations).
- 2 I. If a party does not discuss and obtain the consent of the other party to the decisions
- 3 indicated in item H above,
- 4 1) He or she may be subject to civil or criminal penalties.
- 5 2) The court may change the legal and physical custody of the minor children.
- 6 J. In all other matters in exercising joint legal custody, the parents may act alone as long
- 7 as the action does not conflict with any orders concerning the physical custody of the
- 8 children.
- 9 2. The parties shall have JOINT PHYSICAL CUSTODY of the children. Both parents shall
- 10 share the physical care, custody, and control of the children reasonably between them in such
- 11 a manner as to ensure that the children maintain frequent and continuing contact with both
- 12 parents.
- 13 3. REGULAR TIME SHARE PERIODS
- 14 A. MOTHER'S PARENTING TIME:
- 15 1) EXAMPLE: MOTHER shall have the children on alternating weeks beginning
- 16 on Thursday pick-up at school (or 3 PM on non-school days) until Saturday at
- 17 8 PM, commencing September 3, 2020; and
- 18 2) EXAMPLE: MOTHER shall have the children on alternating weeks beginning
- 19 on Thursday pick-up at school (or 3 PM on non-school days) until Sunday at 8
- 20 PM, commencing September 10, 2020.
- 21 B. FATHER'S PARENTING TIME:
- 22 1) FATHER shall have the minor children at all other times.
- 23 C. During any parenting period, the parent will be expected to spend as much time as
- 24 possible with the children.
- 25 D. BOTH PARENTS shall have as much additional parenting time with the children as can
- 26 be agreed upon by the parents.
- 27 E. No interference with the schedule of the other parent without that parent's consent.
- Neither parent will schedule activities for the children during the other parent's scheduled parenting time without the other parent's prior agreement.

- 1 F. Canceled parenting time. If the non-custodial parent fails to arrive at the appointed time  
2 and fails to notify the custodial parent that he or she will be late, then the custodial  
3 parent need wait for only 30 minutes before considering the visitation canceled.
- 4 G. In the event that a non-custodial parent is unable to exercise visitation on a given  
5 occasion, he or she must notify the custodial parent at the earliest possible opportunity.
- 6 H. The custodial parent must give the non-custodial parent, as much notice as is possible,  
7 if the children are ill and unable to participate in scheduled time with the other parent.  
8 A doctor's excuse is required.

9 4. HOLIDAYS/SPECIAL DAYS

- 10 A. Holidays/Special Days/School Breaks shall be arranged by mutual agreement of the  
11 parents.
- 12 B. Special day contacts shall take precedence over regular periods and holiday visitation  
13 for either parent.
- 14 C. Holiday/Special Day contacts shall take precedence over regular and school break  
15 contacts and shall not interfere with school attendance.

16 5. VACATION/TRAVEL

- 17 A. A parents' vacation may not interfere with the other parent's Holidays/Special Days or  
18 School Break schedules unless agreed upon between the parents in writing.
- 19 B. Every year, each parent may take vacation with the children for up to 7 days, for no  
20 more than 7 consecutive days at once. The parent must notify the other parent verbally  
21 and in writing of their vacation plans a minimum of 30 days in advance and provide the  
22 other parent with a basic itinerary that includes dates of leaving and returning,  
23 destinations, flight information, and telephone numbers for emergency purposes.
- 24 C. Should the parents' vacation/travel dates conflict, FATHER shall have preference for  
25 his dates in the ODD-NUMBERED (2021, 2023) years and MOTHER shall have  
26 preference for her dates in the EVEN-NUMBERED years (2020, 2022).
- 27 D. When either parent plans to travel outside of the State of California for overnight or  
longer during their parenting time, a contact phone number and destination shall be  
provided to the other parent.

1 E. Any vacation outside the United States requires prior written notice to and consent of  
2 the other parent or a court order.

3 6. TRANSPORTATION/EXCHANGES

4 A. Only a licensed and insured driver will drive the children. The vehicle must have legal  
5 child restraint devices.

6 B. If the parents cannot choose a mutually agreeable exchange location, FATHER and  
7 MOTHER, or their agreed adult designee, shall pick up and drop off the children at the  
8 curbside of the other parent's home by the receiving parent when the exchanges do not  
9 take place at the minor children's school.

10 C. The parents shall not use the exchange times to discuss conflicts pertaining to the  
11 children, their own adult disputes or their court case.

12 7. TELEPHONE/AUDIO-VIDEO COMMUNICATION GUIDELINES

13 A. The children may have telephone/audio-video access to the parents at reasonable times  
14 and for a reasonable duration.

15 B. Each parent may have telephone/audio-video access to the children at reasonable times  
16 and for a reasonable duration.

17 C. Neither parent nor any other third party may listen to or monitor the calls.

18 8. ADDITIONAL PROVISIONS

19 A. Childcare

20 1) The children must not be left alone without age appropriate supervision.

21 2) The parents must let each other know the name, address and phone number of  
22 the children's regular childcare providers.

23 B. Children's clothing and belongings

24 1) Each parent will maintain clothing for the children so that the children do not  
25 have to make the exchanges with additional clothing.

26 9. RESTRAINTS ON CONDUCT

27 A. No Use of Children as Messenger. The parents will communicate directly with each  
other on matters concerning the children and may not use the children as messengers  
between them.

- 1 B. No Negative Comments. Neither parent will make, nor allow others to make, negative  
2 comments about the other parent or the other parent's past or present relationships,  
3 family, or friends within hearing distance of the children.
- 4 C. No Parental Alienation. Each parent is enjoined and restrained from saying anything or  
5 doing anything, which might tend to alienate the affection of the minor child for the  
6 other parent or allowing any third person to do so.
- 7 D. Detriment to the Children. Both parents are enjoined and restrained from doing  
8 anything, and permitting any third person from doing so, that would be detrimental to  
9 the health, safety, morals, or welfare of the children.
- 10 E. No Exposure to Secondhand Smoke. The children will not be exposed to secondhand  
11 smoke, including but not limited to cigarettes, marijuana, hookah, or vaping. The  
12 children will not be exposed to any form of secondhand smoke while in the home or car  
13 of either parent.
- 14 F. No Corporal Punishment. Each parent is enjoined and restrained from inflicting  
15 corporal (physical) punishment of any kind on the children or permitting any third  
16 person to do so.
- 17 G. Discussing the Case. Neither parent shall discuss the business of this case with the  
18 children, nor permit any third person to do so, except in the presence of a therapist.
- 19 10. The terms and conditions of this order may be added to or changed as the needs of the children  
20 and parents change. Such changes will be in writing, dated and signed by both parents; each  
21 parent will retain a copy. Unless the changes are filed in court, the changes may not be  
22 enforceable. If the parents want a change to be a court order, it must be filed with the court  
23 in the form of a court document.
- 24 11. Family Code, Section 3048(A) Findings:
  - 25 A. This court is the court of proper jurisdiction to make child custody orders under the  
26 UCCJEA;
  - 27 B. The responding parent was given notice and an opportunity to be heard; a clear  
description of the legal and physical custody rights of each party is contained in this  
order;

- 1 C. The country of habitual residence of the children is the United States of America.
- 2 12. The parties herein agree that a Court Commissioner or Temporary Judge may sign this
- 3 Stipulation and Order.
- 4 13. The parties herein agree that a signature appearing via electronic transmission may have the
- 5 same full force and effect as an original signature.

**APPROVED AS TO FORM AND CONTENT:**

8 **DATE:** \_\_\_\_\_  
9 \_\_\_\_\_  
10 Mother/Father

11 **DATE:** \_\_\_\_\_  
12 \_\_\_\_\_  
13 Mother/Father

**IT IS SO ORDERED:**

15 **DATE:** \_\_\_\_\_  
16 \_\_\_\_\_  
17 **JUDGE OF THE SUPERIOR COURT**