

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 [COUNTY]**

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. Father/Mother shall have SOLE LEGAL CUSTODY of the minor children: CHILD'S  
21 NAME, born CHILD'S DOB; and CHILD'S NAME, born CHILD'S DOB.

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

24 2. Father/Mother shall have SOLE PHYSICAL CUSTODY of the children. Father/Mother's  
25 home shall be considered the child's primary residence for school enrollment purposes.

26 3. VISITATION SCHEDULE

27 A. MOTHER'S PARENTING TIME:

- 1           1)   EXAMPLE: MOTHER shall have the children on alternating weekends from  
2                   Friday at 6 PM until Sunday at 6 PM, commencing November 20, 2020.
- 3       B.   FATHER’S PARENTING TIME:
- 4           1)   FATHER shall have the minor children at all other times.
- 5       C.   During any parenting period, the parent will be expected to spend as much time as  
6           possible with the children.
- 7       D.   BOTH PARENTS shall have as much additional parenting time with the children as can  
8           be agreed upon by the parents.
- 9       E.   No interference with the schedule of the other parent without that parent's consent.  
10           Neither parent will schedule activities for the children during the other parent's  
11           scheduled parenting time without the other parent's prior agreement.
- 12       F.   Canceled parenting time. If the non-custodial parent fails to arrive at the appointed time  
13           and fails to notify the custodial parent that he or she will be late, then the custodial  
14           parent need wait for only 30 minutes before considering the visitation canceled.
- 15       G.   In the event that the non-custodial parent is unable to exercise visitation on a given  
16           occasion, he or she must notify the custodial parent at the earliest possible opportunity.
- 17       H.   The custodial parent must give the non-custodial parent, as much notice as is possible,  
18           if the children are ill and unable to participate in scheduled time with the other parent.  
19           A doctor's excuse is required.
- 20   4.   HOLIDAYS/SPECIAL DAYS
- 21       A.   Holidays/Special Days/School Breaks shall be arranged by mutual agreement of the  
22           parents.
- 23       B.   Special day contacts shall take precedence over regular periods and holiday visitation  
24           for either parent.
- 25       C.   Holiday/Special Day contacts shall take precedence over regular and school break  
26           contacts and shall not interfere with school attendance.
- 27   5.   VACATION/TRAVEL
- A.   A parents' vacation may not interfere with the other parent's Holidays/Special Days or  
          School Break schedules unless agreed upon between the parents in writing.

- 1 B. Every year, each parent may take vacation with the children for up to 7 days, for no  
2 more than 7 consecutive days at once. The parent must notify the other parent verbally  
3 and in writing of their vacation plans a minimum of 30 days in advance and provide the  
4 other parent with a basic itinerary that includes dates of leaving and returning,  
5 destinations, flight information, and telephone numbers for emergency purposes.
- 6 C. Should the parents' vacation/travel dates conflict, FATHER shall have preference for  
7 his dates in the ODD-NUMBERED (2021, 2023) years and MOTHER shall have  
8 preference for her dates in the EVEN-NUMBERED years (2020, 2022).
- 9 D. When either parent plans to travel outside of the State of California for overnight or  
10 longer during their parenting time, a contact phone number and destination shall be  
11 provided to the other parent.
- 12 E. Any vacation outside the United States requires prior written notice to and consent of  
13 the other parent or a court order.

14 6. TRANSPORTATION/EXCHANGES

- 15 A. Only a licensed and insured driver will drive the children. The vehicle must have legal  
16 child restraint devices.
- 17 B. If the parents cannot choose a mutually agreeable exchange location, FATHER and  
18 MOTHER, or their agreed adult designee, shall pick up and drop off the children at the  
19 curbside of the other parent's home by the receiving parent when the exchanges do not  
20 take place at the minor children's school.
- 21 C. The parents shall not use the exchange times to discuss conflicts pertaining to the  
22 children, their own adult disputes or their court case.

23 7. TELEPHONE/AUDIO-VIDEO COMMUNICATION GUIDELINES

- 24 A. The children may have telephone/audio-video access to the parents at reasonable times  
25 and for a reasonable duration.
- 26 B. Each parent may have telephone/audio-video access to the children at reasonable times  
27 and for a reasonable duration.
- 28 C. Neither parent nor any other third party may listen to or monitor the calls.

29 8. ADDITIONAL PROVISIONS

- 1           A.    Childcare
- 2                 1)   The children must not be left alone without age appropriate supervision.
- 3                 2)   The parents must let each other know the name, address and phone number of
- 4                         the children's regular childcare providers.
- 5           B.    Children's clothing and belongings
- 6                 1)   Each parent will maintain clothing for the children so that the children do not
- 7                         have to make the exchanges with additional clothing.
- 8   9.    RESTRAINTS ON CONDUCT
- 9           A.    No Use of Children as Messenger.  The parents will communicate directly with each
- 10                         other on matters concerning the children and may not use the children as messengers
- 11                         between them.
- 12           B.    No Negative Comments.  Neither parent will make, nor allow others to make, negative
- 13                         comments about the other parent or the other parent's past or present relationships,
- 14                         family, or friends within hearing distance of the children.
- 15           C.    No Parental Alienation.  Each parent is enjoined and restrained from saying anything or
- 16                         doing anything, which might tend to alienate the affection of the minor child for the
- 17                         other parent or allowing any third person to do so.
- 18           D.    Detriment to the Children.  Both parents are enjoined and restrained from doing
- 19                         anything, and permitting any third person from doing so, that would be detrimental to
- 20                         the health, safety, morals, or welfare of the children.
- 21           E.    No Exposure to Secondhand Smoke.  The children will not be exposed to secondhand
- 22                         smoke, including but not limited to cigarettes, marijuana, hookah, or vaping.  The
- 23                         children will not be exposed to any form of secondhand smoke while in the home or car
- 24                         of either parent.
- 25           F.    No Corporal Punishment.  Each parent is enjoined and restrained from inflicting
- 26                         corporal (physical) punishment of any kind on the children or permitting any third
- 27                         person to do so.
- G.    Discussing the Case.  Neither parent shall discuss the business of this case with the
- children, nor permit any third person to do so, except in the presence of a therapist.

- 1 10. The terms and conditions of this order may be added to or changed as the needs of the children  
2 and parents change. Such changes will be in writing, dated and signed by both parents; each  
3 parent will retain a copy. Unless the changes are filed in court, the changes may not be  
4 enforceable. If the parents want a change to be a court order, it must be filed with the court  
5 in the form of a court document.
- 6 11. Family Code, Section 3048(A) Findings:
- 7 A. This court is the court of proper jurisdiction to make child custody orders under the  
8 UCCJEA;
- 9 B. The responding parent was given notice and an opportunity to be heard; a clear  
10 description of the legal and physical custody rights of each party is contained in this  
11 order;
- 12 C. The country of habitual residence of the children is the United States of America.
- 13 12. The parties herein agree that a Court Commissioner or Temporary Judge may sign this  
14 Stipulation and Order.
- 15 13. The parties herein agree that a signature appearing via electronic transmission may have the  
16 same full force and effect as an original signature.

17 **APPROVED AS TO FORM AND CONTENT:**

18 **DATE:** \_\_\_\_\_  
19 \_\_\_\_\_  
20 Mother/Father

21 **DATE:** \_\_\_\_\_  
22 \_\_\_\_\_  
23 Mother/Father

24 **IT IS SO ORDERED:**

25 **DATE:** \_\_\_\_\_  
26 \_\_\_\_\_  
27 **JUDGE OF THE SUPERIOR COURT**