

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

Instructions for YOU to Process the Findings and Order After Hearing (FL-340)

1. First you need to **understand what the court rules say** about this procedure. Look at the Santa Barbara County Superior Court Local Rules, **Rule 1414 “Preparation of Orders After Hearing.”** These are available for viewing online at <https://www.santabarbara.courts.ca.gov/forms-filing/local-rules> .
2. **Complete the “Findings and Order After Hearing” (FL-340)** form as a cover sheet and then attach the appropriate related forms. For example:
 - a. Custody and visitation orders: Use the **Child Custody and Visitation (Parenting Time) Order Attachment (FL-341)** and other attachments as suggested on the **FL-341**.
 - b. Child support orders: Use the **Child Support Information and Order Attachment (FL-342)** and other attachments as suggested on the **FL-341**.
 - c. Spousal support orders: Use the **Spousal, Domestic Partner, or Family Support Order Attachment (FL-343)** and other attachments as suggested on the **FL-343**.
 - d. Property orders: Use the **Property Order Attachment to the Findings and Order After Hearing (FL-344)**
3. **If BOTH parties attended the hearing when the orders were made, then:**
 - a. **Within 10 calendar days** of the hearing, **if ordered to prepare the order**, you must **serve the proposed order** to the other party for consideration and approval.
 - b. **Ask the other party to review the document.** The other party has **20 calendar days from the court hearing to review it.** The other party must either:
 - i. **Approve it by signing the attached “Review and Approval by Other Party” form.** He or she needs to **return the signed copy back to you.**
 - OR**
 - ii. **Other party must state any objections** and prepare an **alternate proposed order.** See Local Rule 1414 for specific information. Try to reach a compromise on the drafting of the order. If you and the other side cannot agree, you will need to file a Request for Order (FL-300) asking the court to clarify its order.
 - c. **If the other party RETURNS THE DOCUMENT SIGNED back to you, file the original, signed document with two copies.** The clerk will give the documents to the judicial officer, and a stamped copy will be returned to you by mail. **Supply a self-addressed stamped envelope for you. The 2 copies of the order will be mailed to you once the order has been signed by the judicial officer. Mail one copy to the other party.**
 - d. **If the other party DOES NOT return the signed copy back to you or state objections within 20 days, then within 25 calendar days of the court hearing, you must **submit the proposed order (original and 2 copies) to the court without approval** with correspondence, stating:
 - i. The date the proposed order was served on the other party;
 - ii. The other party’s reasons for not signing, if known;
 - iii. The date and results of any attempts to meet and confer, if relevant; and
 - iv. A request that the court sign the proposed order.
 - v. **Supply a self-addressed stamped envelope for you. The 2 copies of the order will be****

mailed to you once the order has been signed by the judicial officer. Mail one copy to the other party.

- e. **IF THE PARTY DOES NOT PREPARE THE ORDER AS ORDERED BY THE COURT, THEN AFTER 10 CALENDAR DAYS FROM THE COURT HEARING, YOU CAN PREPARE THE ORDER.** Serve the other side (who had been ordered to prepare the proposed order) your proposed order.
- i. The other side has 5 calendar days from the date of service of the proposed order to either:
1. **Approve it by signing the special attachment “**. He or she needs to **return the signed copy back to you.**
- OR**
2. **Other party must state any objections** and prepare an **alternate proposed order**. See Local Rule 1414 for specific information. Try to reach a compromise on the drafting of the order. If you and the other side cannot agree, you will need to file a Request for Order (FL-300) asking the court to clarify its order.
- ii. **If the other party RETURNS THE DOCUMENT SIGNED back to you,** file the original, signed document with **two copies**. The clerk will give the documents to the judicial officer, and a stamped copy will be returned to you by mail. **Supply a self-addressed stamped envelope for you. The 2 copies of the order will be mailed to you once the order has been signed by the judicial officer. Mail one copy to the other party.**
- iii. **If the other party DOES NOT return the signed copy back to you** or state objections **within 5 days, then within 5 more calendar days, you must submit the proposed order (original and 2 copies) to the court without approval** with correspondence, stating:
1. The date the proposed order was due;
 2. The date the proposed order was served to the other party (who was supposed to have prepared it)
 3. The other party’s reasons for not signing, if known;
 4. The date and results of any attempts to meet and confer, if relevant; and
 5. A request that the court sign the proposed order.
 6. **Supply a self-addressed stamped envelope for you. The 2 copies of the order will be mailed to you once the order has been signed by the judicial officer. Mail one copy to the other party.**
4. **If ONLY YOU ATTENDED the hearing or if the matter was uncontested (you and the other side did not disagree), then:**
- a. **Within 10 calendar days submit the proposed order directly to the court without the other party's approval.**
- i. A copy **must also be served** to the other party or attorney. Have someone else over the age of 18 serve by mail a copy of your proposed Findings and Order After Hearing (FL-340) with attachments on the other party.
 - ii. **Have the server complete a Proof of Service by Mail form (FL-335).**
 - iii. **File the original document with two copies.** The clerk will give the documents to the judicial officer, and stamped copies will be returned to you by mail. **Supply a self-addressed stamped envelope for you. The 2 copies of the order will be mailed to you once the order has been signed by the judicial officer. Mail one copy to the other party.**