

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</b> STREET ADDRESS: 1100 I STREET MAILING ADDRESS: P.O. BOX 1098 CITY AND ZIP CODE: MODESTO, CA 95353 BRANCH NAME:	
PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER PARENT/PARTY:	
<b>REQUEST TO RESCHEDULE HEARING INVOLVING TEMPORARY EMERGENCY (EX PARTE) ORDERS</b>	CASE NUMBER:

Notice: Read *How to Reschedule a Hearing in Family Court (form FL-304-INFO)* before you complete this form.

Notice: Do not use this form to ask to change the date of a domestic violence restraining order hearing. For more information, read *DV-115-INFO, How to Ask for a New Hearing Date*.

**CASE INFORMATION**

1. Name of person asking to reschedule the hearing (*specify*):
  - a.  I am the party who filed the *Request for Order* (form FL-300), order to show cause, or other moving paper in item 2.
  - b.  I am the party who is responding to the *Request for Order* (form FL-300), order to show cause, or other moving paper in item 2.
2. I ask that the court reschedule the hearing date for the (*select one*)
  - a.  *Request for Order*.
  - b.  *Order to Show Cause* for  contempt.  seek work.
  - c.  other (*specify*):
3. The item in 2 was filed on (*date*):
4. The hearing is currently set for (*date*):
5. The court issued temporary emergency (ex parte) orders with item 2 relating to (*specify*)
  - a.  child custody or visitation (parenting time).
  - b.  property restraint orders under Family Code section 2045 or 4620.
  - c.  other (*specify*):

**Notice: If the court grants the request to reschedule the hearing, the expiration date of any temporary emergency (ex parte) orders will be extended to the end of the new hearing, unless otherwise ordered by the court.**

**REQUEST**

6. I request that the hearing be rescheduled as follows:
  - a.  After (*specify date*):
  - b.  On a date I am available, which does not include (*specify dates*):
  - c.  Other (*specify*):

PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER PARENT/PARTY:	CASE NUMBER:
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**REASON FOR RESCHEDULING**

7. The hearing needs to be rescheduled because *(select all that apply)*
- a.  the papers were not served before the hearing date.
  - b.  the parties need to attend child custody mediation or child custody recommending counseling before the hearing.
  - c.  as the responding party to a request for temporary emergency (ex parte) orders for property restraint, I am entitled as a matter of course to have the court reschedule the hearing one time for a reasonable period to respond to the request.  
*(This reason is available only if you checked item 5b above.)*
  - d.  other good cause as stated     below:     on Attachment 7d.

**SPECIAL PROCEDURES MAY APPLY**

The procedures in items 8 and 9 apply only if the documents in item 2 were served on the parties.

- 8. Unless the court determines that there are exceptional circumstances, the other parties must first be
  - a. notified that you are going to ask the court to reschedule the hearing; and
  - b. served with copies of the request to reschedule at the first reasonable opportunity.
- 9. You must then submit to the court a proof of the notice and service in 8a and 8b, along with the request to reschedule. You may use *Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders* (form FL-303) to comply with the proof of notice and service.
- 10. You should submit the documents in item 9 to the court no later than five court days before the hearing date set on the *Request for Order* (form FL-300), order to show cause, or other moving paper, unless you have a very good reason to submit them later.

**PROPOSED ORDER REQUIRED**

- 11. I have submitted a proposed *Order on Request to Reschedule Hearing* (form FL-309).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_ ▶ \_\_\_\_\_  
 (TYPE OR PRINT NAME) SIGNATURE

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:  STATE:      ZIP CODE: FAX NO.:	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</b> STREET ADDRESS: 1100 I STREET MAILING ADDRESS: P.O. BOX 1098 CITY AND ZIP CODE: MODESTO, CA 95356 BRANCH NAME:		
PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER PARENT/PARTY:		
<b>REQUEST TO RESCHEDULE HEARING</b>		CASE NUMBER:

Notice: Read *How to Reschedule a Hearing in Family Court (form FL-304-INFO)* before you complete this form.

Notice: Do not use this form to ask to change the date of a domestic violence restraining order hearing. For more information, read DV-115-INFO, *How to Ask for a New Hearing Date*.

**CASE INFORMATION**

1. Name of person asking to reschedule the hearing (*specify*):
  - a.  I am the party who filed the *Request for Order* (form FL-300), order to show cause, or other moving paper in item 2.
  - b.  I am the party who is responding to the *Request for Order* (form FL-300), order to show cause, or other moving paper in item 2.
2. I ask that the court reschedule the hearing date for the (*select one*)
  - a.  *Request for Order*.
  - b.  *Order to Show Cause for*     contempt.     seek work.
  - c.  other (*specify*):
3. The item in 2 was filed on (*date*):
4. The hearing is currently set for (*date*):
5. The court did not issue temporary emergency (ex parte) orders with the item in 2.

**REQUEST**

6. I request that the hearing be rescheduled as follows:
  - a.  After (*specify date*):
  - b.  On a date I am available, which does not include (*specify dates*):
  - c.  Other (*specify*):

**REASON FOR RESCHEDULING**

7. The hearing needs to be rescheduled because (*select all that apply*)
  - a.  the papers were not served before the hearing date.
  - b.  the parties need to attend child custody mediation or child custody recommending counseling before the hearing.
  - c.  other good cause as stated     below:     on Attachment 7c.

PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  OTHER PARENT/PARTY:	CASE NUMBER:
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**SPECIAL PROCEDURES MAY APPLY**

The procedures in items 8 and 9 apply only if the documents in item 2 were served on the parties.

8. Unless the court determines that there are exceptional circumstances, the other parties must first be
  - a. notified that you are going to ask the court to reschedule the hearing; and
  - b. served with copies of the request to reschedule at the first reasonable opportunity.
9. You must then submit to the court a proof of the notice and service in items 8a and 8b, along with the request to reschedule. You may use *Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders (form FL-303)* to comply with the proof of notice and service.
10. You should submit the documents in item 9 to the court no later than five court days before the hearing date set on the *Request for Order (form FL-300)*, order to show cause, or other moving paper, unless you have a very good reason to submit them later.

**PROPOSED ORDER REQUIRED**

11. I have submitted a proposed *Order on Request to Reschedule Hearing (form FL-309)*.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  \_\_\_\_\_  
 (TYPE OR PRINT NAME) SIGNATURE

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS</b> STREET ADDRESS: 1100 I STREET MAILING ADDRESS: P.O. BOX 1098 CITY AND ZIP CODE: MODESTO, CA 95353 BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	
<b>ORDER ON REQUEST TO RESCHEDULE HEARING</b>	CASE NUMBER:

**Party must complete items 1, 2, 3, and 4.**

1. The hearing is currently scheduled for (date):
2. Name of party who filed the *Request for Order*, order to show cause, or other moving paper is (specify):
3. Name of party asking to reschedule the hearing is (specify):
4. The request  includes  does not include temporary emergency (ex parte) orders previously issued.

**The court will complete the rest of this form.**

5.  **Order denying request to reschedule hearing**

The request to reschedule the hearing is DENIED for the reasons specified  below:  on Attachment 5.

6.  **Order granting request to reschedule hearing and notice of new hearing**

a. The court hearing is rescheduled to the date, time, and location shown below:

New Hearing Date:	Time:	Dept.:	Room:
Address of court: <input type="checkbox"/> Same as noted above <input type="checkbox"/> Other (specify):			
<input type="checkbox"/> The parties must attend an appointment for child custody mediation or recommending counseling as follows (specify date, time, and location):			

b.  By granting the request, any temporary emergency (ex parte) orders previously issued remain in effect until

- (1)  the end of the new hearing in item 6a.
- (2)  (date):

7. **Reason for rescheduling**

a. The hearing needs to be rescheduled because

- (1)  the papers were not served before the current hearing date.
- (2)  the parties were referred to child custody recommending counseling before the hearing.
- (3)  this is the responding party's first request to reschedule in a case involving property restraint emergency orders.
- (4)  other good cause as stated  below:  on Attachment 7a(4).

b.  The court in its discretion finds good cause and reschedules the hearing.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:
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### 8. Temporary emergency (ex parte) orders

- a.  The temporary emergency (ex parte) orders are MODIFIED as of this date. The new orders are stated in the attached
- (1)  *Request for Order* (form FL-300).
  - (2)  *Temporary Emergency (Ex Parte) Orders* (form FL-305)
  - (3)  *Order to Show Cause* for  contempt.  seek work.  other (*specify*):
  - (4)  other (*specify*):
- b.  The temporary emergency (ex parte) orders are TERMINATED for the reasons stated  on Attachment 8b.  
 in this section:

### 9. Service of order

- a.  No further service is required. Both parties were present at the hearing when the court made this order.
- b.  The documents listed in item 10 must be served
- (1)  as required by rule 5.92
  - (2)  by (*date*):
- on (*select all that apply*)
- (1)  petitioner/plaintiff.
  - (2)  respondent/defendant.
  - (3)  other parent/party.
  - (4)  other (*specify*):
- c.  All documents must be served as follows:
- (1)  Personally served
  - (2)  Served by mail
  - (3)  Other (*specify*):
- d.  Other orders regarding service (*specify*):

### 10. Documents for service

A filed copy of this order (form FL-309) must be served along with the following papers:

- a.  A copy of the previously filed *Request for Order* (form FL-300), order to show cause, or other moving paper.
- b.  A copy of the extended or modified *Temporary Emergency (Ex Parte) Orders* (form FL-305).
- c.  Other (*specify*):

11.  A *Responsive Declaration to Request for Order* (form FL-320) may be filed and served
- a.  as required by rule 5.92
  - b.  by (*date*):
12.  Other orders:

Date:



JUDICIAL OFFICER