Grandparent Visitation Handout– Filing Information

Important Information
Self-Help Services can review your completed forms before you file them with the Court. **To request review of your completed forms, you may visit the Self-Help Center:** 400 Govermment Center Drive, San Andreas, CA 95249.

Only visitation may be obtained by filing a Petition for Grandparent Visitation. If grandparents are seeking custody of a grandchild, a guardianship case may be more appropriate. **Grandparents are strongly encouraged to consult with an attorney for legal advice and guidance.**

Where Can a Petition for Grandparent Visitation Be Filed?
A Petition for Grandparent Visitation may be filed in Calaveras County only if:

• The child currently lives in Calaveras County, **and**
• The child has lived in Calaveras County continuously for at least six (6) months.

If the child does not live in Calaveras County or has not lived there for the full six (6) months, Calaveras County does not have jurisdiction. **The petition must be filed in the county where the child resides.**

Who May File for Grandparent Visitation Rights?

- Natural or adoptive grandparents or great-grandparents of the child(ren) may file a petition.
- Grandparents may request visitation only when one or both parents are not allowing visitation.
- The grandparent(s) will be the Petitioner(s), and the parent(s) will be the Respondent(s).

Required Forms: (packets may be purchased in person)

- Summons (FL-110)
- Petition for Grandparent Visitation (Local Form, Calaveras)
- Information Sheet for Request for Order (Family Law)
- Request for Order (FL-300)
- Declaration Under UCCJEA (FL-105)

Optional Forms:
• Request to Waive Court Fees (FW-001)
• Order on Court Fee Waiver (FL-003)

Filing and Fees

- Filing the Summons and Petition opens a new court case.
- To obtain a hearing date, a Request for Order must also be filed.
- The Declaration Under UCCJEA must be filed with the Request for Order.

Filing Fee: $435

If you cannot afford the filing fee, you may qualify for a fee waiver.

Filing Instructions

• Complete all paperwork and sign in blue ink.
• Make three (3) copies of all documents.
• File documents at the clerk's filing window.
• The court keeps the originals and returns endorsed-filed copies.

The following resources may help you better understand grandparent visitation rights and the filing process in California. Please note that procedures may vary by county.

Helpful Online Resources

• California Courts – Self-Help: Grandparent Visitation
Visit: www.courts.ca.gov/selfhelp-custody under 'Visitation Rights of Grandparents'. This site provides general legal information and self-help guidance.

• **Sacramento County Law Library – Grandparent Visitation Guide**
Visit: www.saclaw.lib.ca.us/pages/grandparent-visitation
This guide offers a general overview of the process. Procedures may differ from Calaveras County.

• **Leading Paper Samples**
Some required documents are unique to your case and must be prepared using pleading (leading) paper.
Sample pleading paper is available at: www.saclaw.lib.ca.us/pages/forms-page.aspx

• **Judicial Council Forms**
Official Judicial Council forms may be found at: www.courts.ca.gov/forms.htm
Important: Court staff and the Self-Help Center can provide legal information, but they cannot give legal advice. You may wish to consult an attorney for assistance.