

## SUPERIOR COURT OF SAN LUIS OBISPO COUNTY

### FINDINGS AND ORDER AFTER HEARING

Included are the most common forms

- [FL-340](#) Findings and Order After Hearing

**If the other party was present at the hearing, you will also need:**

- Cover letter regarding Findings and Order After Hearing (more details below)

**If there are child custody/visitation orders you may also need:**

- [FL-341](#) Child Custody and Visitation Order Attachment  
 [FL-341\(A\)](#) Supervised Visitation Order Attachment  
 [FL-341\(C\)](#) Children's Holiday Schedule Order Attachment  
 [FL-341\(D\)](#) Additional Provisions – Physical Custody Order Attachment  
 [FL-341\(E\)](#) Joint Legal Custody Order Attachment  
 [MC-025](#) Attachment to Judicial Council Form

**If there are child support orders, you will also need:**

- [FL-342](#) Child Support Information and Order Attachment  
 [FL-192](#) Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures)  
 [FL-191](#) Child Support Case Registry Form  
 [FL-195](#) Order/Notice to Withhold Income for Child Support \*

**If there are spousal or family support orders, you will also need:**

- [FL-343](#) Spousal, Partner, or Family Support Order Attachment  
 [FL-195](#) Order/Notice to Withhold Income for Child Support (if both child and spousal support was ordered)\* *or*  
 [FL-435](#) Earnings Assignment Order for Spousal or Partner Support (if only spousal support was ordered)\*

**If there are property orders, you will also need:**

- [FL-344](#) Property Order Attachment to Findings and Order After Hearing

**If there are attorney's fees and costs orders, you will also need:**

- [FL-346](#) Attorney's Fees and Costs Order Attachment

**If there are termination of status orders (bifurcation), you will also need:**

- [FL-347](#) Bifurcation of Status of Marriage or Domestic Partnership  
 [FL-348](#) Pension Benefits – Attachment to Judgment

**If there are other orders, you will also need:**

- [MC-025](#) Attachment to Judicial Council Form

**Proof of Service either by Mail or in Person**

- [FL-330](#) Proof of Personal Service  
 [FL-335](#) Proof of Service by Mail (use only if the other party filed an FL-320)

### **WHAT IS A FINDINGS AND ORDER AFTER HEARING?**

A Findings and Order After Hearing is a written court order signed by the judge that reflects the orders the judge made on the day of the Request for Order hearing. On the day of the Request for Order hearing the judge will usually order one of the parties or their attorney to prepare the Findings and Order After Hearing. Once the proposed Findings and Order After Hearing is prepared then it is submitted to the court for the judge's signature.

### **WHERE TO GET FORMS:**

- Internet:** For free, click on the hyperlinks in these instructions or go to [www.courts.ca.gov](http://www.courts.ca.gov) and hover over "Forms & Rules" and then click on "Find Your Court Forms" and type in the form number or name.
- Court Clerk's Office:** For \$5, you may purchase a packet of blank forms.

### **COSTS INVOLVED:**

There is no fee to file a Findings and Order After Hearing.

## STEPS TO PREPARE A FINDINGS AND ORDER AFTER HEARING:

1	Access Case Summary	On the day of your Request for Order hearing, the judge will generally grant or deny your request. You or the other party will then need to prepare the written order for the judge to sign. This order is called a Findings and Order After Hearing (FOAH). To prepare the FOAH, wait 10 days after your hearing, then <a href="#">request a copy</a> of the case summary from the Clerk's Office. The case summary is the court clerk's notes of what was ordered on the day of your hearing.
2	Review Case Summary	Review your case summary to ensure that it reflects exactly what the judge ordered. If you need clarification or something is missing, then you may need to buy a <a href="#">transcript</a> . The cost of the transcript is not waived. If the case summary does not reflect what the judge ordered, you may contact the Self-Help Center/Family Law Facilitator's office for more instructions.
3	Prepare the Findings and Order After Hearing	The FOAH that you prepare should include all the orders the judge made on the day of your hearing. The case summary may serve as a guide to completing the FOAH. If your FOAH contains orders that the judge did not make or are not listed on your case summary, then the judge may not sign your FOAH until it is corrected. If child or spousal support was ordered you may contact the Self-Help Center/Family Law Facilitator's office for more instructions on how prepare FL-195 or FL-435 in order to garnish wages to enforce the support order.*
4	Give Forms to Other Party and complete Proof of Service	<p>Someone who is 18 years or older must give to the other party a copy of the FOAH. If the other party is represented by an attorney, then all forms must be given to the attorney.</p> <p>In addition, if the other party attended the Request for Order hearing, you also need to give the other party a cover letter requesting their signature at the bottom of the FOAH to approve that it accurately reflects the orders the judge made.</p> <p>The person who gives the other party the FOAH (and cover letter if appropriate) must complete, date, and sign the FL-330 Proof of Personal Service. Delivering the forms by mail to the other party may only be done in certain cases, usually when the other party filed an FL-320 Responsive Declaration. In those cases, an FL-335 Proof of Service by Mail may be used.</p>
5	File Forms	<p>If the other party did <b>not</b> attend the Request for Order hearing, you may immediately file the completed original Proof of Service and FOAH.</p> <p>If the other party <b>did</b> attend the hearing, you will need to wait 10 days from the date that the cover letter and FOAH was mailed to the other party. After the 10 days have passed, you may file the completed original Proof of Service and the FOAH that was returned to you signed by the other party. If the other party did not return to you a signed copy, then you may file the unsigned FOAH with the completed original Proof of Service.</p> <p>The following options exist to file your forms:  <input type="checkbox"/> <a href="#">eFile</a> <input type="checkbox"/> <a href="#">Drop box</a> <input type="checkbox"/> <a href="#">Mail</a> <input type="checkbox"/> <a href="#">In Person</a> Monday through Friday, 8:30 a.m. to 12:00 p.m.</p> <p>If you eFile, the Court will email you a copy of the filed forms.</p> <p>If you use the drop box, mail or in person option, you must file the originals with 2 copies and a self-addressed stamped envelope. If you prefer that the Court email you a copy of the filed forms, then you must file only the original forms along with a completed <a href="#">Electronic Consent Form</a> so the Court may email you a filed copy of your forms.</p>
6	Receive Filed Forms	You should receive a filed copy of the FOAH within 8 weeks from the date you submitted your forms, unless the other party filed an objection. If your forms were prepared incorrectly, the court clerk's office will return all your forms along with a note stating what corrections are needed.
7	Give Filed Forms to Other Party and file Proof of Service	Someone who is 18 years or older must give to the other party a copy of the FOAH that is signed by the judge. The person who gives the copy must complete, date and sign the FL-330 or FL-335 Proof of Service form. Once the Proof of Service is complete, you may file the original with the court.

Date: \_\_\_\_\_

Name of Other Party/Attorney:  
Address of Other Party/Attorney:

Re: Case No.  
Hearing Date(s):

Dear Mr./Ms. \_\_\_\_\_ :

Enclosed is a copy of the proposed Findings and Order After Hearing, with appropriate attachments and other forms. Please review the proposed order to determine if it accurately reflects the orders made by the court. If you approve of the proposed order as to form and content, please sign the FL-340 Findings and Order After Hearing and mail it back to me in the self-addressed envelope that I have provided so that I may file it with the court.

If you object to the proposed order, you must state your objections and prepare an alternate proposed order.

If your response is not received within 10 calendar days, I intend to file the Findings and Order After Hearing with the court without your signature, in accordance with California Rules of Court 5.125(c)(2).

Thank you for your time.

Sincerely,

Your Name:  
Your Address: