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2 FAMILY LAW MEDIATOR
3 SUPERIOR COURT OF CALIFORNIA
4 COUNTY OF DEL NORTE
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6 CRESCENT CITY, CALIFORNIA 95531
7 (707) 464-8115

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF DEL NORTE**

10 ,
11 **Petitioner,**
12 **And**
13 ,
14 **Respondent.**

NO: CVPT 08-1035

**STIPULATION AND ORDER RE
CHILD CUSTODY AND VISITATION
FOLLOWING MEDIATION**

15 The parties signing this stipulation agree that:

- 16 1. This Court has jurisdiction over the minor children because California is the children's home state.
- 17 2. The habitual residence of the children is the United States of America.
- 18 3. The parties acknowledge they were advised that any violation of this order may result in civil or criminal penalties,
19 or both.
- 20 4. The parties stipulate that the attached document consisting of five pages is their custody and visitation agreement
21 and request that it be made an order of the court.

22 Each party declares under penalty of perjury under the laws of the State of California that the foregoing is true and
23 correct.

24 Date: _____

25 , FATHER

26 Date: _____

27 , MOTHER
28

1 **CHILD CUSTODY AND VISITATION ATTACHMENT**

2 This is a temporary agreement in effect January 15th, 2010. This agreement will remain in effect
3 until the parties reach a new agreement, or until further order of the court. The parents will
4 return to Mediation no later than September 2010 to discuss further modifications to custody and
5 visitation. Parties request to vacate their hearing on January 15th, 2010 at 1:30 and request a
6 review date for mediation on September 17th, 2010.

7
8 **CUSTODY**

9 Mother shall have sole physical and legal custody of.
10

11 **PARENTING TIME WHILE FATHER IS INCARCERATED**

12 Father will be incarcerated for up to 8 months beginning in Jan 2010. While Father is
13 incarcerated, Father will communicate to the children via letters to his parent's home. Father will
14 not have the children visit at the jail or attempt to communicate to them via telephone. While
15 incarcerated, Father will sign up for any treatment programs provided at the jail, including
16 parenting classes and substance abuse prevention classes.

17
18 Mother agrees Father will visit with the children on Sunday January 17th, 2010 from 1 to 5 PM
19 before he reports to jail.
20

21 **PARENTING TIME WHEN FATHER IS NO LONGER INCARCERATED**

22 Once released from jail, Father shall have supervised visitation of. Father will no longer visit with
23 the children at the DNCCC. Father will visit with at his parent's home supervised by at least one
24 of his parents,. Father's visitation will begin at 2 hours per week while he is initiating his
25 treatment programs described below. Once Father has successfully completed three months of his
26 programs, the parties will meet in mediation to discuss increasing Father's visitation. Father may
27 visit with the children while his parents supervise him within the community (not just at his
28 parents' home) if prearranged with Mother.

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TREATMENT PROGRAMS

When Father is released from jail, he will come to the mediation office within 3 working days to let us know his contact information and to set up an appointment. Father will sign up for MEND within 30 days of release from jail (see below). Father will sign up for AOD within 30 days of release from jail (see below).

Father agrees to enroll and successfully complete the MEND program for domestic batterers. Father will provide a report to Mediation and/or the court documenting his completion of the program. Father agrees to provide Mediation with documentation of his progress 3 months into the MEND program.

Father will complete a minimum one year outpatient alcohol treatment program with a report to the court indicating the successful completion of the program. Father agrees to provide Mediation with documentation of his progress 3 months into the Alcohol outpatient program.

ADDITIONAL AGREEMENTS

Neither parent shall make negative statements about the other parent in the presence or hearing of the children or question the children about the other parent. The parents shall communicate directly with each other in matters concerning the children and shall not use the children as messenger between them. The children shall not be exposed to court papers or disputes between the parents, and each parent shall make every possible effort to ensure that other people comply with this order.

Each parent shall always keep the other informed of his/her address and telephone numbers and shall notify the other parent within 24 hours of any changes.

1 Both parties agree not to remove the children from Del Norte County for the purpose of
2 establishing residency without filing a notarized agreement between them or securing further court
3 orders allowing the move. Neither parent will seek such an order without first returning to
4 mediation.

5
6 Should problems arise with the present agreement that they cannot resolve themselves, the parents
7 agree to seek the assistance of a Child Custody Mediator.

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9 Father may obtain emergency health care for the children without the consent of the other parent.
10 Each parent will notify the other parent as soon as reasonably possible of any illness requiring
11 medical attention or any emergency involving the children.

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Petitioner:
Respondent:

Case Number:
CVPT 08-1035

FINDINGS AND ORDER

THE COURT FINDS:

1. This court has jurisdiction over the minor children because California is the children's home state,
2. The habitual residence of the children is the United States of America.
3. Both parties have been advised that any violation of this order may result in civil or criminal penalties, or both.

THE COURT ORDERS:

The agreement of the parties regarding custody and visitation as set forth in the attached document(s) consisting of five pages is adopted as the order of the court and fully incorporated by reference herein.

DATE: _____

JUDICIAL OFFICER