

PETITION FOR CUSTODY OF MINOR CHILDREN



In California, a petition for custody of minor children is a legal document that is filed with the court by a parent or legal guardian who is seeking custody of a child or children. The petition is typically filed in the family law court in the county where the child or children reside.

This petition is distinctly different than pursuing a dissolution of a domestic partnership or a marriage. It is designed only to deal with custody and support of minor children and no other issues, including property, division, personal protective orders, or spousal support.

This custody petition is a remedy to allow parties to seek custody orders if there's no desire to pursue other remedies in the family law court. However, assuming there is a marriage or domestic partnership associated with the parents

of the children, either parent could initiate a separate action in the family law courts for a divorce or termination of domestic partnership if they so desired, and this custody petition would most likely be joined as part of the other family law case.

The purpose of the custody petition is to request that the court grant legal and physical custody of the child or children to the petitioner. Legal custody refers to the right to make important decisions regarding the child's upbringing, such as education and healthcare. Physical custody refers to where the child primarily resides.

The petition must include information about the petitioner, the child or children, the child's current living situation, and the reasons why the petitioner is seeking custody. The court will review

the petition and may hold a hearing to determine the best interests of the child or children involved. This particular position also allows you to seek support for the children, attorney fees, and the costs of litigation.

It is important to note that filing a petition for custody can be a complex and emotionally challenging process. It is recommended that individuals seeking custody of minor children consult with an experienced family law attorney to ensure that their rights and interests are fully protected.

Since March 20, 2020, the courts have maintained remote hearings in most family law jurisdictions and will continue to do so until further notice.



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