

What You Need to Know About Family Court?

Family Law Court is the part of California's court system that governs divorce, legal separation, domestic violence restraining orders, child custody and visitation, establishing paternity, and child and spousal support, among other issues.

Since counties throughout California may have slightly different laws with respect to divorce and custody issues, consult the government listings in your local phone book to learn what is required in your area.

Regardless of where you live though, you have several options on how you choose to proceed with divorce and child custody/visitation issues. You can file for divorce yourself; hire an attorney to represent you in court; or go to mediation with your spouse. California law requires you to include a parenting plan when you file for divorce.

Remember, the choices you make now will impact the emotional and financial well-being of you and your children for years to come.



GETTING A DIVORCE:

What to Expect from the Family Court System

Most health insurance policies cover the service of MFTs so long as the services are "medically necessary." This typically includes coverage for face-to-face sessions for a diagnosable mental health problem. Such coverage may be limited. Please contact your health insurance company for detailed information about the coverage available to you and your family.



California Association of
Marriage and Family Therapists

7901 Raytheon Road, San Diego, CA 92111-1606
Phone: (858) 292-2638 Fax: (858) 292-2666
www.camft.org



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ENDING A MARRIAGE—HOW IT WORKS

If you decide to move forward with divorce, you will first file a Summons and Petition for Dissolution of Marriage. The respondent has 30 days to file a response.

UNDERSTANDING THE OPTIONS

□ Represent Yourself (Pro Per)

Many Californians choose this option because it is economical and viable if the issues to be resolved are limited. When you act “Pro Per,” you act as your own attorney.

Services that can help you include:

- **Office of the Family Law Facilitator.** The facilitator can help you prepare your own forms and answer questions about child support, spousal support, and health insurance. Family court workshops are also often available to give you the training you need to comply with the law. It is important to know, however, that the facilitator cannot go with you to court and is not responsible for the outcome of your case in court.
- **An assigned mediation court counselor.** Before any hearing or trial involving child custody or visitation issues, both parents must meet with a counselor arranged through a Conciliation Court to help resolve these issues.

□ Hire an Attorney

You and your spouse can also choose to retain your own

attorneys to represent your unique interests before a judge. The judge decides how finances will be divided up, whom the children will live with, and what visitation rights the other parent will have.

Your attorney will help you by filling out and filing necessary forms; monitoring and moving the process along; obtaining information and documents if your spouse is reluctant to provide them; and negotiate on your behalf in court.

Hiring an attorney to handle your divorce can bring peace of mind in high conflict situations, but can also be very expensive. Some people hire “consulting attorneys” to assist on a limited basis and provide specified services.

□ Go to Mediation

Mediation is a process where trained facilitators help you and your spouse to negotiate financial, custody, visitation, and other divorce issues in a non-adversarial setting so that you and your spouse arrive at your own mutually agreed upon solutions. A judge does not decide the case.

Some mediators use a team of experts—perhaps including a financial planner, a therapist or parenting coordinator and two attorneys—in a “collaborative” versus “adversarial” approach to working out differences. This ensures that both people’s physical, emotional, spiritual, financial and legal needs are met.

Typically, mediation costs more than a Pro Per divorce and less than hiring an attorney. Many feel that mediation delivers a better result and higher compliance to agreements that are reached.

OFFERING EXTRA SUPPORT About Marriage and Family Therapists

Marriage and Family Therapists (MFTs) are relationship experts. They work with individuals, couples, families, children, adolescents, and the elderly, providing support and perspective as patients struggle with life’s challenges.

Licensed by the State of California, MFTs are psychotherapists who are uniquely trained and credentialed to assess, diagnose, and treat a wide range of issues so individuals achieve more adequate, satisfying and productive relationships and social adjustment.

The California Association of Marriage and Family Therapists (CAMFT) is an independent statewide non-profit organization made up of over 28,000 practicing Marriage and Family Therapists. CAMFT is dedicated to advancing marriage and family therapy as a healing art, science, and mental health profession. In fact, CAMFT sponsors TherapistFinder.com so Californians can gain access to qualified local experts who can help.



Seeking a Marriage and Family Therapist or other mental health professional to assist with life’s difficulties is a sign of courage and a step in the right direction. Always ask about a therapist’s special areas of expertise (e.g. grief counseling, children’s issues, relationship counseling) before you engage them to ensure it’s the right fit for you.

TherapistFinder is a California-wide interactive, online directory that is user-friendly and searchable by name, location, and area of expertise. It’s your introduction to one or more qualified psychotherapists who hold a California license.

