

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF NEVADA**

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INSTRUCTIONS Findings and Orders After Hearing

Even if the Judge made decisions in Court (which are binding when the Judge states them), you may need a formal order for enforcement purposes. The formal order needs to be in writing and signed by the Judge. If the Judge does not order one party to prepare the formal order on form FL-340, the party who filed the Request for Order should do it.

- Exceptions:**
- ♦ If the other party was not in court, you do not need to use the review procedure. You still need to prepare the FL 340 order.
 - ♦ If the other party was in court, but waived (gave up) their right to review the proposed order, you do not need to use this procedure. Sometimes this is called a “5.125 waiver”, or is as simple as the judge asking the other party if they are okay with you sending the order to the court directly without them looking it over. If you are not sure whether this happened, you can check the minutes from the hearing date.

Write down these three deadlines. *(If a deadline is on a weekend or court holiday, write down the next day the Court is open.)*

1. Hearing date + 10 days: 2. Hearing date + 20 days: 3. Hearing date + 25 days:

Date 1 WITHIN 10 DAYS OF THE COURT HEARING		
1	Prepare the Orders within 10 days of the court hearing	If you did not take notes or are not sure that you remember all the orders the judge made in court, get a copy of the Court’s minute order of the hearing. You can purchase a copy of these from the clerks’ office for \$0.50 per page. Minutes or court reporter transcript may take days or weeks to prepare. Do not expect them to be ready as you leave the courtroom. Let the other side know when you have an estimate of when they will be ready. Fill out the FL-340 Findings and Order After Hearing according to the minute order. You can get blank forms in the clerk’s office or download them from the link above. Depending on the issues, there may be other attachment forms. Start with FL-340, and enter the date and courtroom where the case was heard, the name of the judge, the people who attended, and what issues the court decided. Do not sign this page. Add additional pages as needed to accurately reflect the orders. If the forms listed as attachments on the FL-340 do not apply to your situation you can use form MC-025 and write out the orders instead.
2	Send a copy to the other side for review.	Within 10 days of the hearing, you must send the proposed FOAH and attachments to the other party for approval. Keep a copy for yourself. Send it with the “Letter re: Order After Hearing” attached to this packet that explains time limits and options, as required by California Rule of Court 5.125.

(Continued on reverse)

Date 2 WITHIN 20 DAYS OF THE COURT HEARING		
3	Wait	<p>The other party has 20 days from the hearing date to review the proposed orders. (If you needed to wait for minutes or transcript, make sure the other side has at least 10 review days).</p> <ul style="list-style-type: none"> ○ If they agree the proposed orders correctly reflect the judge’s order, the other party should sign the first page to approve the order within 20 days from the hearing date and return it to you. You will submit that to the clerk for review and signature by the Court. ○ If the other party believes there are mistakes, they must notify you within 20 days of the hearing date. The parties must try to resolve the disputed language within 10 days. This “meet and confer” can be in person, by phone or in writing. If the dispute is solved, prepare a new FL340 + attachments, have it signed by the other side and submit it. ○ If the other party does not respond during the 20-day period, you may submit the proposed orders for review and signature by the Court.
Date 3 WITHIN 25 DAYS OF THE COURT HEARING		
4	File	<p>Submit the signed FL-340 to the court clerk as soon as you can. The judge will review it.</p> <p>If it has been more than 25 days since the hearing, (plus any extension needed to get the minutes and / or transcript) and you do not have an agreed FL-340, submit the following to the clerk: unsigned proposed order(s), the “Letter re: Order After Hearing,” and any correspondence about corrections to the Family Law Department. Be sure to submit your original with at least two copies. Include a self-addressed and stamped envelope for the clerk to mail back your filed copies signed by the judge.</p>
5	Serve a Copy	<p>After the judge signs the orders, the clerk will use your stamped envelope to mail your copies back to you. Keep one copy. Have the second copy served on the other party by mail by somebody over age 18 who is not a party to the case. This person will sign the proof of service form FL-335. To complete the formal enforcement trail, the Proof of Service form will need to be filed with the clerk.</p>