

SUPERIOR COURT OF CALIFORNIA
COUNTY OF IMPERIAL

Grandparent Visitation

A grandparent may request visitation with a grandchild by filing a petition for visitation. If the parents of the grandchild are married, the grandparent may file a petition for visitation ONLY IF:

- The parents are now living separately and apart on a permanent or indefinite basis;
- One parent has been absent for more than one month without the other parent knowing the whereabouts of the absent parent;
- One of the parents joins in the petition with the grandparent;
- The child is not residing with either parent; or,
- The child has been adopted by a stepparent.

The court may grant reasonable visitation rights with a grandchild ONLY IF both:

- The court finds that there is a prior relationship between the grandparent and the grandchild that created a bond such that visitation is in the best interest of the child, and
- In deciding the matter, the court balanced the interest of the child(ren) in having visitation with the grandparents against the right of the parent to exercise their parental authority.

The court's decision may depend upon whether the child's parent(s) object(s) to visitation by the grandparent, and upon whether the visitation would conflict with a right of custody or visitation of a parent who is not a party to the proceeding.

Starting a case:

- Petition for Grandparent Visitation – Local Form (FL-15)
- Summons – Judicial Council Form (FL-110)
- Proof of Personal Service – Judicial Council Form (FL-330)
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act Judicial council Form (FL-105)

The petitioner shall give notice of the petition by personal service under Code of Civil Procedure Section 415.10 to each of the parents of the child, any stepparent, and any person who has physical custody of the child.

Grandparents and Other Close Relatives Where One or More Parents is Deceased-California Family Code Section 3102

If either parent of a minor child is deceased, the children, siblings, parents and grandparents of the deceased parent may be granted reasonable visitation with the child upon a finding that the visitation would be in the best interest of the child. See California Family Code Section 3102 for more details.

For help, contact or visit the Superior Court Access Center
939 W. Main Street, El Centro, CA.
accesscenter@imperial.courts.ca.gov