



<b>Cover Sheet:</b>	<b>Notice of Unavailability</b>
<b>Effective Date:</b>	July 20, 2021
<b>Last Revision Date:</b>	March 5, 2024
<b>Purpose:</b>	This form can be used to put the other party to a case on notice when one party will be unavailable for scheduled hearings. This form cannot be used to cancel or continue matters that have already been scheduled, nor does this form prevent the Court from scheduling a hearing or hearing an already scheduled matter.
<b>Assistance:</b>	Parties who are acting as their own attorneys may receive help from the Self Help Center to complete these forms. You may contact the Self Help Center through the Court's website, by creating an e-Correspondence account, or visit the Self Help Center in person, Monday through Thursday.
<b>Required Forms:</b>	There is no Judicial Council form for this process, but the following pleading can be used: <ul style="list-style-type: none"><li>• Notice of Unavailability (pleading)</li></ul> This Judicial Council form is also required: <ul style="list-style-type: none"><li>• Proof of Service by Mail, FL-335</li></ul>
<b>Filing Fee:</b>	None
<b>Copies:</b>	Make as many copies of the completed forms as there are parties in the case. The Court will file and keep the original and will endorse and return any copies to you.
<b>Before You File:</b>	Have the Notice served on all other parties to the case.
<b>Filing:</b>	All forms must be typewritten or printed in blue or black ink. (See California Rules of Court, Rules 2.100-2.119)  Mail or place completed forms in the court drop-box located at the Family Court at 3341 Power Inn Road, Sacramento, CA 95826. Drop box hours are 8:00 am to 5:00 pm Monday through Friday, excluding Court holidays.  Forms may also be filed in person between the hours of 8:30 am and 4:00 pm. You must make an appointment online or obtain a ticket from Reception to file in person.

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IN PRO PER

**THE SUPERIOR COURT OF CALIFORNIA  
IN AND FOR THE COUNTY OF SACRAMENTO**

In Re Marriage/Matter of:  
\_\_\_\_\_  
Petitioner,  
v.  
\_\_\_\_\_  
Respondent.  
\_\_\_\_\_

) Case No.  
)  
)  PETITIONER'S  
)  RESPONDENT'S  
) **NOTICE OF UNAVAILABILITY**

- I, \_\_\_\_\_, do hereby declare:
1. I am a party to the above case.
  2. I will be unavailable from \_\_\_\_\_ to \_\_\_\_\_.
  3. The reason for my unavailability is \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. During period of time described in #2 above, I will be unavailable for all purposes including, but not limited to, receiving notice of any kind, appearing in court, and responding to ex parte applications or attending depositions.

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5. I am filing this Notice of Unavailability with as much advance notice as possible.

6. I have served a copy of this Notice of Unavailability to all parties and attorneys involved in the above case.

7. I am informed, and by service of this Notice of Unavailability, have made the other parties aware of the case of Abandonato v. Coldren (1995) 41 Cal.App.4<sup>th</sup> 264, regarding the availability of sanctions to pro per litigants for purposefully scheduling a conflicting proceeding without good cause.

Dated: \_\_\_\_\_

\_\_\_\_\_

Petitioner       Respondent

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):    TELEPHONE NO.: _____ FAX NO. ( <i>Optional</i> ): _____ E-MAIL ADDRESS ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>FOR COURT USE ONLY</b>          CASE NUMBER: _____  <i>(If applicable, provide):</i> HEARING DATE: _____ HEARING TIME: _____ DEPT.: _____
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	
<b>PROOF OF SERVICE BY MAIL</b>	

**NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).**

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
  
3. I served a copy of the following documents (*specify*):

by enclosing them in an envelope AND

- a.  **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
- b.  **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. The envelope was addressed and mailed as follows:

- a. Name of person served:
- b. Address:
  
- c. Date mailed:
- d. Place of mailing (*city and state*):

5.  I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. (*Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order* (form FL-334) may be used for this purpose.)

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF PERSON COMPLETING THIS FORM)