

The First Battle: Why Temporary Custody Orders Can Define Your Entire Case

When you are on the brink of filing for a custody case, your most immediate and terrifying question is, "What happens to my kids *right now*?" A custody case can take a year or more to finalize, and you cannot live in legal limbo that whole time. This is where "temporary orders" come in. The very first battle in your case will almost certainly be a "Request for Order" (RFO) to establish a temporary child custody schedule. The outcome of this first hearing is critical. When you search for a [child custody lawyer in Orange County](#), you need someone who can act fast and win this first, essential step. This is a foundational service at firms like JOS FAMILY LAW.

Temporary orders are a set of "ground rules" that a judge at the Lamoreaux Justice Center issues to provide stability while the case is pending. These orders are not "permanent," but they are *extremely* influential.

The single most important concept in this first hearing is the "status quo." This is the legal term for the routine your children have been living for the past few weeks or months. Judges *hate* to disrupt a child's routine. Their primary goal is stability. If you and the other parent have been living separately for two months, and the kids have been with their mother every weekday, *that* is the new status quo. A judge will be very reluctant to change it.

This is why "moving out of the house" before you have a court order is often a catastrophic mistake. You may have just set a "status quo" where you are the "weekend parent," and a judge will be reluctant to "fix" it.

To get temporary orders, your attorney will file a "Request for Order" (RFO). This is a set of legal documents that includes a "Declaration"—a sworn statement where you tell your story and present your evidence (like text messages or calendars). The other parent will file a response. A judge will read both sets of papers and make a decision. This is why your attorney's writing skills are so important. They must be able to paint a clear, factual picture of your involvement as a parent.

Winning this first hearing is a massive strategic advantage. The "temporary" order you get often becomes the blueprint for the "final" order. Once a schedule is in place and the children adapt to it, judges become even *more* reluctant to change it, as that would be *another* disruption. This first battle can often set the tone for your entire case, and the "temporary" order has a way of becoming permanent.

This is not something to "wait and see" about. It is the first and most urgent part of your case. You need an attorney who can mobilize immediately, help you gather the right evidence, write a compelling declaration, and secure a favorable custody plan from day one.

The beginning of your case often determines the end. To ensure you start your case from a position of strength, contact the experienced legal team at JOS FAMILY LAW.