Withdrawing Funds from a Blocked Account

A blocked account is a bank or other account created by court order, requiring a court order to deposit or withdraw funds. Blocked accounts are frequently created to protect judgments awarded to minors, or to protect the money of adults who cannot manage their own finances and have therefore had conservators appointed to manage their assets (“conserved adults”). A court must approve and order any withdrawal of funds from a blocked account.

Templates and Forms

- Petition for Withdrawal of Funds from Blocked Account (MC-357) (https://courts.ca.gov/documents/mc357.pdf)
- Order for Withdrawal of Funds from Blocked Account (MC-358) (https://courts.ca.gov/documents/mc358.pdf)
- Additional Page (MC-020) (https://courts.ca.gov/documents/mc020.pdf)
- Attachment to Judicial Council Form (MC-025) (https://courts.ca.gov/documents/mc025.pdf)

The most common reason to petition a court to withdraw funds from a blocked account is that the account was created for a minor who has subsequently turned 18. Occasionally, a court also grants permission to the parent, guardian, or custodian of a minor or conserved adult with a blocked account if the parent, guardian, or custodian can demonstrate that the withdrawal of funds is both necessary for and in the best interests of the minor or conserved adult.

Step-by-Step Instructions

1 Gather Required Information

You will need several pieces of information:

- The name and case number of the case that created the blocked account, as well as the county in which the case was filed;
- Information about the blocked account, including:
  - The name and title in which the account is held
  - The name of the bank or other institution holding the account
  - The name and address of the bank branch holding the account
  - The account number
  - The current balance of the account;
- If there have been previous orders allowing funds to be withdrawn, you will want to know when the previous order(s) was made, and what was ordered;
- If you are asking to withdraw the funds for any reason other than because you were a minor who has subsequently turned 18 and are now entitled to the funds, you must explain why release of the funds is both necessary for and in the best interests of the minor or conserved adult.

2 Complete the Necessary Forms

Instructions for completing the necessary forms are included at the end of this packet. You will need at least two forms to request a withdrawal from a blocked account:

- Petition for Withdrawal of Funds from Blocked Account (MC-357)
- Order for Withdrawal of Funds from Blocked Account (MC-358)

These two forms are generally sufficient if the account was created for a minor who is now 18 years old. In other situations, you will need to provide the court with substantial evidence about the necessity of the withdrawal, and how the best interests of the child or conserved adult will be served by the withdrawal. This explanation will likely be very lengthy, and will not fit in the small space on this form. You may attach additional page(s) to your petition, using either:

- Additional Page (MC-020)
- Attachment to Judicial Council Form (MC-025)

3 Copying and Assembling the Court Papers

Make three copies each of the Petition with attachments and the Order.

Staple each **copy** of the *Petition for Withdrawal of Funds from Blocked Account* (MC-357), including attachments. Leave the original Petition and Order unstapled so they can be scanned by the court.

4 File Your Documents

In Sacramento County, Petitions for the Withdrawal of Funds from Blocked Accounts are filed in and processed by the Probate Department, located on the second floor of the William R. Ridgeway Family Relations Courthouse at 3341 Power Inn Road, Room 214, Sacramento, CA 95826.

Be sure to file your documents with the Probate Clerk on the second floor of the Courthouse, as the Family Law Clerks on the first floor may not recognize your form.

As of the date of this Guide there is a $60 filing fee, unless your fees were waived. Current fees are available on the Sacramento County Superior Court' (https://www.saccourt.ca.gov/home/showpublisheddocument/219/639084032985130000) s website.

You may file a fee waiver request with the court if your income is below certain amounts or if you receive certain government benefits. For more information, see our Step-by-Step guide on Fee Waivers (https://www.saclaw.org/resource_library/fee-waiver/) .

5 Attend the Hearing

The Court will schedule a court date for your hearing when you file your papers. At that hearing, the Court will either grant or deny your request to withdraw funds, or may issue other orders, depending on the exact circumstances of your case. If you are filing in a county other than Sacramento, please be sure to check with your particular court and its local rules to see if there are any additional procedural steps that should be completed prior to your hearing.

For Help

SH@LL (Self-Help at the Law Library) (https://saclaw.org/services/civil-self-help/)
609 9th Street, Sacramento CA 95814
(916) 476-2731 (Appointment Request Line)

Services Provided: SH@LL provides general information and basic assistance to self-represented litigants on a variety of legal issues. All assistance is provided by telephone. Visit "What we can help with (https://saclaw.org/services/civil-self-help/#canhelp)" for a list of qualifying cases.

Eligibility: Must be a Sacramento County resident or have a qualifying case (https://saclaw.org/services/civil-self-help/#who) in the Sacramento County Superior Court.

Samples

Petition to Withdraw Funds from Blocked Account

MC-357

A

ATTORNEY OR PARTY WITHOUT ATTORNEY — STATE BAR NUMBER: — FOR COURT USE ONLY
NAME: Sean Sample
FIRM NAME: Sean Sample
STREET ADDRESS: 1234 Oak St.
CITY: Sacramento STATE: CA ZIP CODE: 95814
TELEPHONE NO.: 916-555-1212 FAX NO.:
EMAIL ADDRESS:
ATTORNEY FOR (Name):

B

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
STREET ADDRESS: 3341 Power Inn Road
MAILING ADDRESS: 3341 Power Inn Road
CITY AND ZIP CODE: Sacramento, CA 95826
BRANCH NAME: Civil

C

CASE NAME:
Sean Sample v. Duncan Driver

D

PETITION TO WITHDRAW FUNDS FROM BLOCKED ACCOUNT
☐ EX PARTE

E

CASE NUMBER:
34-2017-00987654

F

1. Petitioner *(name)*: Sean Sample
requests an order authorizing the withdrawal of funds belonging to the person iden
2. The person whose funds are to be withdrawn *(name)*: Sean Sample
   a. ☐ a minor.
   b. ☐ a conservatee.
   c. ☐ a beneficiary.
   d. ☐ other *(specify)*: A former minor.

G

3. Additional information about the person named in item 2:
   a. Date of birth: 9/3/2007
   b. Address: 1234 Oak St., Sacramento CA 95814
   c. Telephone number: 916-555-1212 d. Email address
   e. Current school *(name and address)*: Sacramento City Colleg
   3835 Freeport Blvd
   Sacramento CA 95814
   f. Current employer *(name and address)*: None

H

4. If the person identified in item 2 is a minor, the minor's parents are:
   a. ☐ *(Name, address, phone number, and email)*:
   b. ☐ *(Name, address, phone number, and email)*:

I

5. Petitioner brings this petition as the ☐ parent ☐ guardian ☐ co
☐ Other *(specify relationship)*: self; former minor

J

6. Account status:
   a. Name and title on account: Mary Sample, in Trust for Se
   b. Depository *(name)*: Goliath Bank
   (1) Branch *(name)*: Downtown Sacramento
   (2) Address: 961 Elm St., Sacramento CA 95814
   c. Account number: 17-01234567
   d. Current balance: $ 24,528

Form Adopted for Mandatory Use
Judicial Council of California
MC-357 [Rev. January 1, 2021]
PETITION TO WITHDRAW FUNDS FROM BLOC
CEB ceb.com Essential Forms

A Petitioner's name, address, and phone number. "In Pro Per" means you are representing yourself

B In Sacramento, all requests to withdraw from a blocked account are heard in the probate department.

C Case name is usually the last names of the parties in the original case that created the blocked account, or "In Re: [name of ward/conservatee]" if it is part of a guardianship or conservatorship.

D **Do not** mark "Ex Parte." Ex Parte petitions are only granted in very special situations, so checking this box will only delay your case.

E Case number of the original case.

F Petitioner's name and role in case. if petition is because a minor turned 18, write "former minor"

G Information about the owner of the blocked account.

H Complete Item 4 only if the person in item 2 is under the age of 18.

I Check the box that best describes the petitioner named in question 1. If the person petitioning is the former minor, check "other" and fill in "self, former minor" as in the example.

J Fill in the name, location, account number, and balance of the account.

MC-357

CASE NAME: Sample v. Driver

CASE NUMBER: 34-2017-00987654

A 6. e. Previous withdrawals from this account *(select one)*:
(1) ☐ None.
(2) ☒ As follows:
(a) Amount: $ 4,200
(b) Date: August 1, 2025
(c) Purpose of withdrawal: Tuition and expenses for first semester at Sacramento City College
☐ Additional previous withdrawals from this account are detailed in Att
withdrawal, give the information required by item 6e(2)).

B f. ☐ Additional accounts from which petitioner seeks to withdraw funds are des
account, give all the information required by item 6a–6e).

C 7. Amount to be disbursed under this petition:
a. ☒ Balance of account or accounts described in item 6.
b. ☐ Other *(specify total amount to be disbursed)*: $

D 8. Reasons for disbursement of funds:
a. ☒ Minor has reached 18 years of age, and this is a final distribution.
b. ☐ Other *(describe)*:

9. Person(s) to whom funds will be paid:
a. Payee *(name)*: Sean Sample
E (1) Address: 1234 Oak St., Sacramento CA 95814
(2) Amount: $ 24,528
(3) Purpose of payment: Minor has reached 18 years old, an
b. Payee *(name)*:
(1) Address:
(2) Amount: $
(3) Purpose of payment:
c. Payee *(name)*:
(1) Address:
(2) Amount: $
(3) Purpose of payment:
d. Payee *(name)*:
(1) Address:
(2) Amount: $
(3) Purpose of payment:

☐ Additional payees and amounts to be distributed are listed on Attachment 9.

F 10. Number of pages attached: 0

I declare under penalty of perjury under the laws of the State of California that the forego

Date:

G Sean Sample ▶
(TYPE OR PRINT NAME)

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

MC-357 [Rev. January 1, 2021] **PETITION TO WITHDRAW FUNDS FROM BLOCKED ACCOUNT** Page 2 of 2

CEB ceb.com | Essential Forms

2

A If there were any prior withdrawals, describe them here. Check the box and attach additional pages labeled Attachment 6 if needed to describe two or more withdrawals.

B If there are other accounts from which funds are to be withdrawn, check this box and describe them on an additional page labeled Attachment 6.

C Indicate how much you are seeking to withdraw. If you are asking for the entire amount of the account, just check "a."

D Explain why the withdrawal is being made. If you use "other," you will likely need to attach an additional page labelled Attachment 8 with your explanation.

E Identify all of the payees to whom money is to be distributed, amount, and why. Typically, this will be you and the purpose will be similar to the example: "Minor has reached 18 years of age, and this is a final distribution." But it can be a third party such as a school, a hospital, etc.

F If you have attached any pages, put the number of pages here.

G Don't forget to date, print and sign. You are declaring the information on this form is true under penalty of perjury.

Order to Withdraw Funds from Blocked Account

MC-358

ATTORNEY OR PARTY WITHOUT ATTORNEY	STATE BAR NUMBER:	FOR COURT USE ONLY
NAME: Sean Sample FIRM NAME: Sean Sample STREET ADDRESS: 1234 Oak St. CITY: Sacramento STATE: CA ZIP CODE: 95814 TELEPHONE NO.: 916-555-1212 FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento STREET ADDRESS: 3341 Power Inn Road, Room 214 MAILING ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: Civil		
CASE NAME: Sean Sample v Duncan Driver		
ORDER AUTHORIZING WITHDRAWAL OF FUNDS FROM BLOCKED ACCOUNT		CASE NUMBER: 34-2017-00987654

A

B

1. The petition of *(name)*: Sean Sample to withdraw funds
   a. ☐ was heard ex parte.
   b. ☒ came on regularly for hearing in this court on *(date)*:

THE COURT ORDERS

C

2. Petitioner is authorized to withdraw, and the depository is ordered, on presentation of a file-stamped copy of this order, to permit the petitioner to withdraw, funds in the total amount of: $ 24,528

D

3. The funds are held in the following account:
   a. Name and title on account: Mary Sample in Trust for Sed
   b. Depository *(name)*: Goliath Bank
      (1) Branch *(name)*: Downtown Sacramento
      (2) *Address*: 961 Elm St., Sacramento CA 95814
   c. Account number: 17-01234567

E

4. The funds are to be distributed by the depository, remittance payable as follows:
   a. Payee *(name)*: Sean Sample
      (1) Address: 1234 Oak St.
      (2) Amount: $ 24,528
   b. Payee *(name)*:
      (1) Address:
      (2) Amount: $
   c. Payee *(name)*:
      (1) Address:
      (2) Amount: $

☐ Additional payees and amounts to be distributed are listed on Attachment 4.

5. ☐ The court further orders:

F

6. Number of pages attached: 0

Date:

G

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

A Fill the caption (top portion) out just like the first page of the petition.

B Enter the name of the petitioner (you) and the date of the hearing, if you know it.

C The same amount as requested in paragraph 7 of the Petition.

D Fill in the name, location, and account number.

E Use the same information as in paragraph 9 of the Petition, however the purpose is omitted.

F Typically no pages are attached unless there are more than 4 payees.

G Leave the date and signature blank. The judge will sign if the petition is granted.

Page 1 of 1

Form Adopted for Mandatory Use
Judicial Council of California
MC-358 [Rev. January 1, 2021]

ORDER AUTHORIZING WITHDRAWAL OF FUNDS FROM BLOCKED ACCOUNT

Cal. Rules of Court, rules 3.1384, 7.954
www.courts.ca.gov

CEB ceb.com | Essential Forms

3

~~~~ ~~~~
~~~~