



Superior Court of the State of California County of Kings

**Parental Relationship
Packet Purchase Price: \$ 20.00**

THERE WILL BE ABSOLUTELY NO REFUNDS OR EXCHANGES ON THE PURCHASE OF SUPERIOR COURT FORMS OR PACKETS



What does "establishing parentage" mean?

Saying who the legal parents of a child are if the parents were not married when the child was born. Usually a child's parentage must be established before you can get child support or custody and visitation orders (even if both parents are listed on the birth certificate). You can ask the judge for child support or custody and visitation as part of a case that establishes the parentage of a child.



Prior to completing your forms, please read the following information:

- If you want to handle your own case to establish parentage, you will need to fill out, file and serve several court forms. You may also need to have a trial before a judicial officer.
- This packet only gives general instructions. There may be additional forms and/or attachments you may need in your particular case. Forms are available at the Clerk's Office on specific request, for a fee of \$.50 per page or may be retrieved at <http://www.courts.ca.gov> at no cost.
- Establishing parentage is complicated. You may want to talk to a **lawyer, the family law facilitator or self-help center**. They can help you with the forms, legal questions, and procedures.



In which county do I file my paperwork?

The action should be filed in the county where the child lives.

If you want specific legal advice about how to fill out your court forms, talk to a lawyer. What you write on your court papers can be very important and can affect the outcome of the case. It is very important to be accurate and complete, and a lawyer can help you figure out how to fill out the forms so that they accurately reflect your position. This is especially important if you think you and the Respondent are likely to have disagreements about the issues that the court forms ask you about.

There is a filing fee of **\$ 435.00***.

** You may apply for this fee to be waived, if you are eligible.
Ask the clerk for a Fee Waiver packet.*

Alert

- Filing the Summons and Petition with the court will give the court jurisdiction to make orders in your case but it is only the beginning.
- Once an action is filed with the court the Respondent must be personally served with specific paperwork by someone other than you over the age of 18.
- If the Respondent fails to file the necessary responding paperwork within thirty (30) days of service you, as the Petitioner, may request to enter default on the Respondent. Once the default is entered you can complete the proceeding without the participation of the Respondent.



Can I go to court for custody, visitation, support and/or property control issues, before my case is final?

- Yes, if you do not want to wait until your judgment is final to establish such orders, you may want to consider completing a [Request for Order](#) and file it with your Summons and Petition. You may purchase this packet separately from the clerk. The **Request for Order** forms can be served on the the Respondent at the same time. Please be aware there is a separate filing fee for an **Request for Order** of \$60.00.
- The **Request for Order** can order temporary orders regarding child custody, visitation, support, and property issues. A hearing date will be set (approximately 30-45 days out). Formal orders will be made at the hearing.



Online assistance:

www.courts.ca.gov
State of California
Self-help website

www.leginfo.ca.gov
Official California Legislative Information website

Step 1. Complete the Following Forms

Form name and number:	Last revised on:
1. <input type="checkbox"/> Petition to Establish Parental Relationship (FL 200)	01-01-03
2. <input type="checkbox"/> Summons (FL 210)	01-01-15
<i>The following form is completed and used to calculate support and ask for cost reimbursements:</i>	
3. <input type="checkbox"/> Income and Expense Declaration (FL 150)	01-01-07
<i>The following form is completed if you have children (under the age of 18) with the Respondent:</i>	
4. <input type="checkbox"/> Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (FL 105)	01-01-09
The 2 nd copy of this form is served to the Respondent.	
a. <input type="checkbox"/> Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (FL 105(A))	01-01-09
<ul style="list-style-type: none"> • This form is only used when you have more than two children with the Respondent. • The 2nd copy of this form is served to the Respondent. 	

Step 2. Have your forms reviewed.

You may seek the assistance of the court's family law facilitator or self-help center to review your paperwork. They can make sure you filled it out properly before you move ahead with your case.

You can also hire your own lawyer to review your papers or to get legal advice.

Step 3. Copy your forms for filing with the court.

Make at least 2 copies of all your forms

One copy will be for you; another copy will be for the Respondent. The original is for the court.

If a form has writing on both sides:

- ✓ use two separate pages to copy the 2-sided form **or**
- ✓ copy the 2-sided form (as presented in the packet provided by the court)
- ✓ all 2-sided copies must be "tumbled" or they will be rejected.

How do I assemble and hole punch my forms?

- ✓ Each *form*, to be filed, that has multiple pages and/or attachments must be *stapled*.
- ✓ Each original form must be two-hole punched at the top.

Step 4. File your forms with the court clerk.

Turn in your forms (the originals AND copies) to the court clerk. If there are no obvious errors, the clerk will file your forms. The originals will be kept by the court and the copies will be returned to you.

You will have to pay a filing fee. If you cannot afford the fee, you can ask the clerk for a [fee waiver](#).

Where can I file my paperwork?

AVENAL	501 E. Kings Street, Avenal, CA 93204	(559) 386-5225
CORCORAN	1000 Chittenden Avenue, Corcoran, CA 93212	(559) 992-5193
HANFORD	1426 South Drive, Hanford, CA 93230	(559) 582-1010
Hours of Operation:		
Except for Holidays		
Business Days:		Business Hours:
Monday – Thursday		8:00 a.m. to 4:00 p.m
Friday		8:00 a.m. to 11:30 a.m.

Step 5 Serve your first set of court forms.

The law says the Respondent must be told that you have started the legal process. To do this, you must “serve” the Respondent with copies of all your court papers. The judge CANNOT make any orders or judgments in your divorce or legal separation case until the Respondent has been properly “served.”

Who can serve your documents?

To “serve” your papers, you will have to find someone 18 or older (NOT you) to deliver a copy of your papers to the Respondent. The “server” (the person delivering your papers to the Respondent) can be a:

- Friend
- Relative
- County Sheriff
- Process Server

If you hire a process server or use the sheriff, try to give him or her a photo of the Respondent and a list of times and places when it will be easy to find that person. Look for a process server close to where the Respondent lives or works. Fees are often based on how far the server has to travel. So this will save you money. If you are going to have the sheriff’s office serve your papers for you and qualify for a waiver of court fees, ask the court clerk for a certified copy of your order regarding waiver of costs to provide to the sheriff, so the sheriff will serve your documents at no cost to you.

Service is very important, so you must do it correctly.

What needs to be served?

Your “server” will need to serve the Respondent with a copy of ALL the papers you filed with the court (except for any fee waiver papers you may have filed — these are confidential). Including a blank copy of the following forms:

Form name and number:	Last revised on:
1. <input type="checkbox"/> Response to Petition to Establish Parental Relationship (FL 220)	01-01-06
2. <input type="checkbox"/> Income and Expense Declaration (FL 150)	01-01-07
3. <input type="checkbox"/> Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (FL 105)	01-01-09
a. <input type="checkbox"/> Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (FL 105(A))	01-01-09

- This form is only served when you have **more than two** children with the Respondent.

How the papers must be served?

The papers can be served in 1 of 2 ways:

Personal service

This means that your “server” hand-delivers a copy of all the papers (and the blank forms) to the Respondent. In most cases, you will have to do personal service for your initial Parentage papers.

OR

Service by mail with a [Notice and Acknowledgment of Receipt \(Family Law\) \(Form FL-117\)](#)

If you and the Respondent are cooperating on your case, and the Respondent agrees to accept service by mail, this can be an easy and less expensive way to serve the papers.

To serve by Notice and Acknowledgment of Receipt:

The server mails copies of each of the forms you filed with the court, the blank forms listed above, and 2 copies of the [Notice and Acknowledgment of Receipt \(Family Law\) \(Form FL-117\)](#) and a pre-addressed stamped envelope for the Respondent to return a signed Notice and Acknowledgment of Receipt to the server.

The Respondent signs 1 copy of the Notice and Acknowledgment of Receipt, telling the court that he or she received the papers in the mail, and returns it to the server.

The server then fills out a [Proof of Service of Summons \(Form FL-115\)](#) detailing to whom the papers were mailed, to what address, when, how (by first-class mail), and where they were mailed from. The server has to attach the Notice and Acknowledgment of Receipt returned by the Respondent to the Proof of Service of Summons. The server signs the Proof of Service of Summons and returns it to you to file with the court.

Service by Notice and Acknowledgment of Receipt is complete on the date the Acknowledgment of Receipt portion of the form is signed by the Respondent.

The [Notice and Acknowledgment of Receipt \(Family Law\) \(Form FL-117\)](#) shows the court that the Respondent received your forms. If the Respondent does not sign, date, and return this form, you will have to have him or her served again by personal service.

Note: If the Respondent lives outside of California, you may be able to serve him or her with papers you filed with the court by certified mail, with return receipt requested. Ask a lawyer or your family law facilitator to make sure you can use this type of service.

Step 4. After service is performed, file the proof of service with the court.

Once you serve the Respondent with copies of your papers, you must show the court that you completed this step. To do this, your “server” has to fill out a proof of service form telling the judge when and how he or she served the papers on the Respondent.

Form name and number:	Last revised on:
1. <input type="checkbox"/> Proof of Service of Summons (Form FL-115)	01-01-15

It is very important your server fills out the Proof of Service correctly. If possible, have the family law facilitator or self-help center review it to make sure it was filled out properly.

If the Respondent was served by mail and Notice and Acknowledgment of Receipt, make sure your server also gives you the [Notice and Acknowledgment of Receipt — Family Law \(Form FL-117\)](#) that was signed by the Respondent and returned to the server.

You must then file your Proof of Service (and Notice and Acknowledgment of Receipt, if there is one) with the court clerk. Make a copy of these forms so that, after the clerk files and keeps the original, you will have a copy for yourself.

<input type="checkbox"/> Notice and Acknowledgment of Receipt (Family Law) (FL 117)	01-01-15
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Important! Contact the self-help center or a lawyer if:

- You do not know where the Respondent is;
- The Respondent is in the military, in jail, or does not live in California; or
- You are having a difficult time serving the forms.

Step 5. Waiting period, unless you have a written agreement with the Respondent.

The Respondent has 30 days from the date he or she was served with the summons and petition to file a response with the court. Depending on whether the respondent responds within those 30 days or not, your next steps will vary.

Step 6. Finish your case and obtain a final judgment:

Your case is not complete until there is a signed "Judgment" from the court.

The final step of your parental relationship case is to complete and file the last set of forms. The forms you fill out vary, depending on your individual situation.

You may need to talk to a lawyer or the family law facilitator or the Self-Help Center for assistance.

The forms you use to finish your case depend on:

- (1) Whether or not the Respondent has filed a *Response* to your Petition,
- (2) Whether you and the Respondent have an agreement about:
 - who the legal parents of the child are,
 - child custody and visitation, and
 - child support issues.

In order to determine which forms are required to finish your case, you must first determine which type of case you have. There are three scenarios listed in this packet to assist you with how to proceed with your case:

	No response has been filed.
	A Response has been filed <u>and</u> both parties have a written agreement on all issues.
	A Response has been filed and <u>NO agreement</u> has been made.

Where can I obtain further assistance?

1. Research on the web site at <http://www.courts.ca.gov>
2. Seek the advice of the family law facilitator.
3. Seek legal advice.

SCENARIO #1

No response has been filed.

If the Respondent fails to file a Response within thirty (30) days of being personally served, you can complete the proceeding without the participation of the Respondent. **If the Respondent is currently in the military, special rules apply.** Talk to a lawyer.

When may I file my default paperwork?

1. If the Respondent was personally served: You may request an entry of default on the 31st day after the Respondent was served.
2. Verify that you have filed the following forms, as proof the Respondent has been served, either:
 - a. a completed [Proof of Service of Summons \(FL 115\)](#)
 - b. a completed [Notice of Acknowledgment of Receipt \(FL 117\)](#) (if applicable)

To finish your case, the following forms must be completed:

Form name and number:	Last revised on:
1. <input type="checkbox"/> Request to Enter Default (FL 165) <ul style="list-style-type: none">• Deliver to the court clerk the original and <u>2 copies</u> of this form.• Provide one envelope addressed to the Respondent with first-class postage.	01-01-05

Also complete the following forms:

2. **Applicable Judgment forms [See last page of this coversheet]**

SCENARIO #2

**A Response has been filed
and both parties have a written agreement on all issues.**

If the Respondent files and serves you with a response, and you and the Respondent are able to make an agreement.

Is there a filing fee for the Respondent upon filing the Response or an Appearance Stipulation & Waiver?

Yes, there is a filing fee. A first appearance fee in the amount of \$435.00. If the Respondent can not afford the filing fee, he or she can request a waiver of the filing fee. Ask the clerk for a [fee waiver packet](#).

If you and the Respondent have made an agreement on all issues, a stipulated agreement must be prepared and attached to your judgment. For help with preparing a stipulated agreement talk to a lawyer, the family law facilitator or the self-help senter. You may also research information at <http://www.courts.ca.gov>

To finish your case, the following forms must be completed:

Form name and number:

1. [Stipulation for Entry of Judgment Re: Establishment of Parental Relationship \(FL 240\)](#)

- Both you and the Respondent must date and sign this form.

a. [Advisement and Waiver of Rights Re: Establishment of Parental Relationship \(FL 235\)](#)

- Each party completes and signs their own form.
- Two forms are provided in this packet.
- This form is attached to [\(FL 240\)](#), Stipulation for Entry of Judgment.

2. [Applicable Judgment forms \[See last page of this coversheet\]](#)

Last revised on:

01-01-15

01-01-03

SCENARIO #3

A Response has been filed and NO agreement has been made.

If the Respondent files and serves you with a response, and you are **not** able to make an agreement.

To obtain a trial date you must complete and have the Respondent (or Respondent's attorney, if the Respondent retained an attorney) served with the following form:

NOTE: The following two forms are local forms and are not included in this packet. You may retrieve them at clerks office (upon specific request).

Form name and number:	Last revised on:
1. <input type="checkbox"/> At-Issue Memorandum Check-list (family law) (local form)	06-23-08

- This form assists you with the forms that must be on file with the court before a Settlement Conference date will be scheduled.

To obtain a Settlement Conference date, the following form must be completed:

2. <input type="checkbox"/> At-Issue Memorandum-Family Law (local form)	06-24-08
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- This form may be filed by either the Petitioner or the Respondent.
- This form is completed, mailed to the Respondent (by someone over the age of 18 not a party to the case). Once service is completed the server must complete the proof of service on page two. The original form is submitted to the court for filing.
- Once submitted, you will receive notification by mail of the hearing date.

Judgment Forms :

Form name and number:	Last revised on:
1. <input type="checkbox"/> Declaration for Default or Uncontested (FL 230)	01-01-03

- This form asks the judge to make orders in the case without a court hearing. This form tells the court what you would say if you went court.
- Check the appropriate boxes on this form. This depends on whether or not the Respondent has responded to the case.

It may take several weeks before you get the judgment in the mail. It will take even longer if the court rejects your request because you did not fill out the forms correctly, or if the court decides you must have a court hearing.

To obtain a Judgment, complete the following Judgment form along with the necessary attachments:

2. <input type="checkbox"/> Judgment (FL 250)	01-01-04
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- Deliver the court the original and three (3) copies of this form, along with any necessary attachments.
- If you and the Respondent have made an agreement on all issues, attach a stipulated agreement to this form. For help with preparing a stipulated agreement talk to a lawyer, the family law facilitator or research this at <http://www.courts.ca.gov>

If applicable, the following forms are also completed and attached to the Judgment (FL 250):

a. <input type="checkbox"/> Child Custody and Visitation Order Attachment (FL 341)	07-01-12
b. <input type="checkbox"/> Child Support Information and Order Attachment (FL 342)	07-01-12
c. <input type="checkbox"/> Notice of Rights and Responsibilities (FL 192)	01-01-15

Also complete this form with your Judgment (FL 250):

3. <input type="checkbox"/> Notice of Entry Judgment (FL 190)	01-01-05
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Deliver to the court the original and two (2) copies of this form along with:

1. one large **stamped** envelope addressed to you. Preferably an 8 ½" x 11" envelope. There must be enough postage on the envelope to mail the judgment to you.
2. one large **stamped** envelope addressed to the Respondent or Respondent's attorney (if applicable). Preferably an 8 ½" x 11" envelope. There must be enough postage on the envelope to mail the judgment.

Complete the following forms if your Judgment includes Child Support:

4. <input type="checkbox"/> Child Support Case Registry Form (FL 191)	07-01-05
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- This form registers the case in a national registry to help with enforcement. You must deliver this form to the court at the same time you file the judgment.

5. <input type="checkbox"/> Order/Notice to Withhold Income for Child Support (FL 195)	01-01-15
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- This form orders the paying parent's employer to withhold child support from that parent's paycheck. After the judicial officer signs this form, you must mail it to the Respondent's employer.
- Deliver to the court the original and two (2) copies of this form.