

# HOW TO BEGIN YOUR ACTION TO ESTABLISH PARENTAGE

If you and the other parent were never married you will need to open a case in order to request and obtain orders for custody, visitation or child support. If there is an open child support case with the Department of Child Support Services you may be able to bring your request for custody in that case. If there is no case with the Department of Child Support Services then you need to file a Petition to Establish a Parental Relationship. This will only open the case. You may need to file a Request for Order to get custody or support orders if the other party files a Response to this Petition. **You MUST file the judgment forms in the Paternity (Judgment) Packet to finalize your case.**

1. **COMPLETE THE FORMS** (Type or print in ink)

- Summons
- Petition with Declaration under the UCCJEA attached

2. **MAKE COPIES**

You will need to make two copies of each form, front and back.

3. **FILE THE PAPERS**

Take the originals and copies to the Clerk's Office, in Ventura, Room 208. You will have to pay a filing fee. The Fee Schedule may be obtained from the Clerk. If you cannot afford the fee, you may be able to have that fee "waived". You will need to complete the FEE WAIVER PACKET. The clerk will keep the originals and return both copies to you, stamped to show that they have been "filed". One copy is for you and one copy is to be "served" on the other party.

4. **"SERVE" THE PAPERS**

"Service" means that someone other than you, over the age of 18, must personally deliver a copy of the filed papers to the other party. The other party also gets a package of blank forms so that they can file their Response. Those blank forms are in this packet after the Petition. If you wish you can arrange for the Sheriff to serve the other party. If the other party is out of state or if you don't know their whereabouts, you may want to speak to the Family Law Facilitator about other ways to serve the papers.

5. **FILE THE PROOF OF SERVICE**

The person who "serves" the papers must complete and sign the "Proof of Service". That paper must then be filed with the court.

**YOU MUST FINALIZE YOUR CASE WITH THE JUDGMENT FORMS IN THE PATERNITY (JUDGMENT) PACKET.**



|   |                  |                    |
|---|------------------|--------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)   | Telephone Number | FOR COURT USE ONLY |
| E-MAIL ADDRESS<br>ATTORNEY FOR (Name):  |                  |                    |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA<br><br><input type="checkbox"/> 800 SOUTH VICTORIA AVE. VENTURA, CA 93009 |                  |                    |
| PETITIONER:<br><br>RESPONDENT:  |                  |                    |
| <b>CONSENT FOR COURT ASSIGNMENT<br/>(FAMILY LAW)</b>  |                  | CASE NUMBER:       |

The undersigned hereby consents that the cause titled and numbered above may be tried by \_\_\_\_\_, Court Commissioner of the Ventura County Superior Court, as temporary judge, in accordance with Article 6, Section 21 of the Constitution of the State of California.

It is understood by the undersigned that by order of the Presiding Judge of the Ventura County Superior Court, Commissioner \_\_\_\_\_ has been appointed to act as temporary judge to try the above referenced case, hear and decide all motions and make any orders including sentencing connected with this case. It is understood that Commissioner \_\_\_\_\_, has been appointed to try the case referred to, and has taken the necessary oath of office to try the case as temporary judge.

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

Signature of litigant or attorney

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



**SUMMONS**

**CITACIÓN (Paternidad—Custodia y Manutención)**

(Parentage—Custody and Support)

NOTICE TO RESPONDENT (Name):

AVISO AL DEMANDADO (Nombre):

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**You have been sued. Read the information below and on the next page.  
Lo han demandado. Lea la información a continuación y en la página siguiente.**

Petitioner's name:

El nombre del demandante:

CASE NUMBER: (Número de caso)

|   |   |
|---|---|
| <p>You have <b>30 calendar days</b> after this <i>Summons</i> and <i>Petition</i> are served on you to file a <i>Response</i> (form FL-220 or FL-270) at the court and have a copy served on the petitioner. A letter, phone call, or court appearance will not protect you.</p>  | <p>Tiene <b>30 días de calendario</b> después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-220 o FL-270) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica o una audiencia de la corte no basta para protegerlo.</p>   |
| <p>If you do not file your <i>Response</i> on time, the court may make orders affecting your right to custody of your children. You may also be ordered to pay child support and attorney fees and costs.</p>   | <p>Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten la custodia de sus hijos. La corte también le puede ordenar que pague manutención de los hijos, y honorarios y costos legales.</p>  |
| <p>For legal advice, contact a lawyer immediately. Get help finding a lawyer at the California Courts Online Self-Help Center (<a href="http://www.courts.ca.gov/selfhelp">www.courts.ca.gov/selfhelp</a>), at the California Legal Services website (<a href="http://www.lawhelpca.org">www.lawhelpca.org</a>), or by contacting your local bar association.</p> | <p>Para asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar un abogado en el Centro de Ayuda de las Cortes de California (<a href="http://www.sucorte.ca.gov">www.sucorte.ca.gov</a>), en el sitio web de los Servicios Legales de California (<a href="http://www.lawhelpca.org">www.lawhelpca.org</a>), o poniéndose en contacto con el colegio de abogados de su condado.</p> |
| <p><b>NOTICE: The restraining order on page 2 remains in effect against each parent until the petition is dismissed, a judgment is entered, or the court makes further orders. This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.</b></p>   | <p><b>AVISO: La orden de protección que aparecen en la pagina 2 continuará en vigencia en cuanto a cada parte hasta que se emita un fallo final, se despidia la petición o la corte dé otras órdenes. Cualquier agencia del orden público que haya recibido o visto una copia de estas orden puede hacerla acatar en cualquier lugar de California.</b></p>   |
| <p><b>FEE WAIVER:</b> If you cannot pay the filing fee, ask the clerk for a fee waiver form. The court may order you to pay back all or part of the fees and costs that the court waived for you or the other party.</p>  | <p><b>EXENCIÓN DE CUOTAS:</b> Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas. La corte puede ordenar que usted pague, ya sea en parte o por completo, las cuotas y costos de la corte previamente exentos a petición de usted o de la otra parte.</p>   |

[SEAL]

1. The name and address of the court are: *(El nombre y dirección de la corte son:)*
  
2. The name, address, and telephone number of petitioner's attorney, or petitioner without an attorney, are: *(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son:)*

Date (Fecha): \_\_\_\_\_ Clerk, by (Secretario, por) \_\_\_\_\_, Deputy (Asistente)

**STANDARD RESTRAINING ORDER**  
 (Parentage—Custody and Support)

**ORDEN DE RESTRICCIÓN ESTÁNDAR**  
 (Paternidad—Custodia y Manutención)

**Starting immediately, you and every other party are restrained from removing from the state, or applying for a passport for, the minor child or children for whom this action seeks to establish a parent-child relationship or a custody order without the prior written consent of every other party or an order of the court.**

This restraining order takes effect against the petitioner when he or she files the petition and against the respondent when he or she is personally served with the *Summons* and *Petition* OR when he or she waives and accepts service.

This restraining order remains in effect until the judgment is entered, the petition is dismissed, or the court makes other orders.

This order is enforceable anywhere in California by any law enforcement officer who has received or seen a copy of it.

***En forma inmediata, usted y cada otra parte tienen prohibido llevarse del estado a los hijos menores para quienes esta acción judicial procura establecer una relación entre hijos y padres o una orden de custodia, ni pueden solicitar un pasaporte para los mismos, sin el consentimiento previo por escrito de cada otra parte o sin una orden de la corte.***

*Esta orden de restricción entrará en vigencia para el demandante una vez presentada la petición, y para el demandado una vez que éste reciba la notificación personal de la Citación y Petición, o una vez que renuncie su derecho a recibir dicha notificación y se dé por notificado.*

*Esta orden de restricción continuará en vigencia hasta que se emita un fallo final, se despida la petición o la corte dé otras órdenes.*

*Cualquier agencia del orden público que haya recibido o visto una copia de esta orden puede hacerla acatar en cualquier lugar de California.*

**NOTICE—ACCESS TO AFFORDABLE HEALTH INSURANCE** Do you or someone in your household need affordable health insurance? If so, you should apply for Covered California. Covered California can help reduce the cost you pay toward high-quality, affordable health care. For more information, visit [www.coveredca.com](http://www.coveredca.com). Or call Covered California at 1-800-300-1506.

**AVISO—ACCESO A SEGURA DE SALUD MÁS ECONOMICO** Necesita seguro de salud a un costo asequible, ya sea para usted o alguien en su hogar? Si es así, puede presentar una solicitud con Covered California. Covered California lo puede ayudar a reducir al costo que paga por seguro de salud asequible y de alta calidad. Para obtener más información, visite [www.coveredca.com](http://www.coveredca.com). O llame a Covered California al 1-800-300-0213.

|   |                           |
|---|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i><br><br>TELEPHONE NO. <i>(Optional):</i> _____ FAX NO. <i>(Optional):</i> _____<br>E-MAIL ADDRESS <i>(Optional):</i> _____<br>ATTORNEY FOR <i>(Name):</i> _____   | <b>FOR COURT USE ONLY</b> |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b><br>STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME:   |                           |
| PETITIONER:<br><br>RESPONDENT:  |                           |
| <p style="text-align: center;"><b>PETITION TO ESTABLISH PARENTAL RELATIONSHIP</b></p> <input type="checkbox"/> <b>Child Support</b> <input type="checkbox"/> <b>Child Custody</b><br><input type="checkbox"/> <b>Visitation</b> <input type="checkbox"/> <b>Other <i>(specify):</i></b> | CASE NUMBER:              |

1. Petitioner is
  - a.  the mother.
  - b.  the father.
  - c.  the child or the child's personal representative *(specify court and date of appointment):*
  - d.  other *(specify):*
  
2. The children are
 

|                        |                      |            |            |
|------------------------|----------------------|------------|------------|
| a. <u>Child's name</u> | <u>Date of birth</u> | <u>Age</u> | <u>Sex</u> |
|------------------------|----------------------|------------|------------|

  
 b.  a child who is not yet born.
  
3. The court has jurisdiction over the respondent because the respondent
  - a.  resides in this state.
  - b.  had sexual intercourse in this state, which resulted in conception of the children listed in item 2.
  - c.  other *(specify):*
  
4. The action is brought in this county because *(you must check one or more to file in this county):*
  - a.  the child resides or is found in the county.
  - b.  a parent is deceased and proceedings for administration of the estate have been or could be started in this county.
  
5. Petitioner claims *(check all that apply):*
  - a.  respondent is the child's mother.
  - b.  respondent is the child's father.
  - c.  parentage has been established by Voluntary Declaration of Paternity *(attach copy)*.
  - d.  respondent who is child's parent has failed to support the child.
  - e.  *(name):* \_\_\_\_\_ has furnished or is furnishing the following reasonable expenses of pregnancy and birth for which the respondent as parent of the child is obligated:  

|               |                   |                       |
|---------------|-------------------|-----------------------|
| <u>Amount</u> | <u>Payable to</u> | <u>For (specify):</u> |
|---------------|-------------------|-----------------------|
  - f.  public assistance is being provided to the child.
  - g.  other *(specify):*
  
6. A completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) is attached.

|                                |              |
|--------------------------------|--------------|
| PETITIONER:<br><br>RESPONDENT: | CASE NUMBER: |
|--------------------------------|--------------|

Petitioner requests the court to make the determinations indicated below.

**7. PARENT-CHILD RELATIONSHIP**

- a.  Respondent    b.  Petitioner  
 c.  Other (*specify*):

is the parent of the children listed in item 2.

**8. CHILD CUSTODY AND VISITATION**

- |                                    | Petitioner               | Respondent               | Joint                    | Other                    |
|------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

c. Visitation of children:

(1)  None

(2)  Reasonable visitation.

(3)  Petitioner     Respondent    should have the right to visit the children as follows:

(4)  Visitation with the following restrictions (*specify*):

d. Facts in support of the requested custody and visitation orders are (*specify*):

Contained in the attached declaration.

e.  I request mediation to work out a parenting plan.

**9. REASONABLE EXPENSES OF PREGNANCY AND BIRTH:**

|   | Petitioner               | Respondent               | Joint                    |
|---|--------------------------|--------------------------|--------------------------|
| Reasonable expenses of pregnancy and birth be paid by as follows: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**10. FEES AND COSTS OF LITIGATION**

|   | Petitioner               | Respondent               | Joint                    |
|---|--------------------------|--------------------------|--------------------------|
| a. Attorney fees to be paid by  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Expert fees, guardian ad litem fees, and other costs of the action or pretrial proceedings to be paid by | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**11. NAME CHANGE**

Children's names be changed, according to Family Code section 7638, as follows (*specify*):

**12. CHILD SUPPORT**

The court may make orders for support of the children and issue an earnings assignment without further notice to either party.

13. I have read the restraining order on the back of the *Summons* (FL-210) and I understand it applies to me when this Petition is filed.

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

Date:

|                               |   |                                    |
|-------------------------------|---|------------------------------------|
| _____<br>(TYPE OR PRINT NAME) | ▶ | _____<br>(SIGNATURE OF PETITIONER) |
|-------------------------------|---|------------------------------------|

A blank *Response to Petition to Establish Parental Relationship* (form FL-220) must be served on the Respondent with this Petition.

**NOTICE: If you have a child from this relationship, the court is required to order child support based upon the income of both parents. Support normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based upon information supplied by the other parent. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.**



|   |                           |
|---|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i><br><br><hr/><br>TELEPHONE NO.: _____ FAX NO. <i>(Optional)</i> : _____<br>E-MAIL ADDRESS <i>(Optional)</i> : _____<br>ATTORNEY FOR <i>(Name)</i> : _____ | <b>FOR COURT USE ONLY</b> |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  |                           |
| STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME:   |                           |
| PETITIONER: _____ <i>(This section applies only to family law cases.)</i><br>RESPONDENT: _____<br>OTHER PARTY: _____  |                           |
| GUARDIANSHIP OF <i>(Name):</i> _____ <i>(This section applies only to guardianship cases.)</i>  |                           |
| <b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>  |                           |

1. I am a party to this proceeding to determine custody of a child.
2.  My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are *(specify number)*: \_\_\_\_\_ minor children who are subject to this proceeding, as follows:  
***(Insert the information requested below. The residence information must be given for the last FIVE years.)***

|   |  |   |               |              |
|---|--|---|---------------|--------------|
| a. Child's name   |  | Place of birth  | Date of birth | Sex          |
| Period of residence<br>to present   | Address<br><input type="checkbox"/> Confidential | Person child lived with <i>(name and complete current address)</i><br><input type="checkbox"/> Confidential |               | Relationship |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |              |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |              |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |              |
| b. Child's name   |  | Place of birth  | Date of birth | Sex          |
| <input type="checkbox"/> Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i> |  |   |               |              |
| Period of residence<br>to present   | Address<br><input type="checkbox"/> Confidential | Person child lived with <i>(name and complete current address)</i><br><input type="checkbox"/> Confidential |               | Relationship |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |              |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |              |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |              |

- c.  Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d.  Additional children are listed on form FL-105(A)/GC-120(A). *(Provide all requested information for additional children.)*

|                       |                       |
|-----------------------|-----------------------|
| SHORT TITLE:<br>_____ | CASE NUMBER:<br>_____ |
|-----------------------|-----------------------|

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?  
 Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

| Proceeding                               | Case number | Court<br><i>(name, state, location)</i> | Court order<br>or judgment<br><i>(date)</i> | Name of each child | Your<br>connection to<br>the case | Case status |
|--|-------------|---|---|--------------------|-----------------------------------|-------------|
| a. <input type="checkbox"/> Family       |             |   |   |                    |                                   |             |
| b. <input type="checkbox"/> Guardianship |             |   |   |                    |                                   |             |
| c. <input type="checkbox"/> Other        |             |   |   |                    |                                   |             |

| Proceeding   | Case Number | Court <i>(name, state, location)</i> |
|--|-------------|--------------------------------------|
| d. <input type="checkbox"/> Juvenile Delinquency/<br>Juvenile Dependency |             |                                      |
| e. <input type="checkbox"/> Adoption                                     |             |                                      |

5.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

| Court  | County | State | Case number <i>(if known)</i> | Orders expire <i>(date)</i> |
|--|--------|-------|-------------------------------|-----------------------------|
| a. <input type="checkbox"/> Criminal                                     |        |       |                               |                             |
| b. <input type="checkbox"/> Family                                       |        |       |                               |                             |
| c. <input type="checkbox"/> Juvenile Delinquency/<br>Juvenile Dependency |        |       |                               |                             |
| d. <input type="checkbox"/> Other  |        |       |                               |                             |

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No (If yes, provide the following information):

|   |   |   |
|---|---|---|
| a. Name and address of person<br><br><input type="checkbox"/> Has physical custody<br><input type="checkbox"/> Claims custody rights<br><input type="checkbox"/> Claims visitation rights<br><br>Name of each child | b. Name and address of person<br><br><input type="checkbox"/> Has physical custody<br><input type="checkbox"/> Claims custody rights<br><input type="checkbox"/> Claims visitation rights<br><br>Name of each child | c. Name and address of person<br><br><input type="checkbox"/> Has physical custody<br><input type="checkbox"/> Claims custody rights<br><input type="checkbox"/> Claims visitation rights<br><br>Name of each child |
|---|---|---|

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 DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**

|   |                           |
|---|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):<br><br><br>TELEPHONE NO.: _____ FAX NO.: _____<br>E-MAIL ADDRESS: _____<br>ATTORNEY FOR ( <i>Name</i> ): _____ | <b>FOR COURT USE ONLY</b> |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b><br>STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME:   |                           |
| PETITIONER:<br><br>RESPONDENT:  |                           |
| <b>PROOF OF SERVICE OF SUMMONS</b>  | CASE NUMBER:              |

1. At the time of service I was at least 18 years of age and not a party to this action. **I served the respondent with copies of:**
- a.  Family Law—Marriage/Domestic Partnership: *Petition—Marriage/Domestic Partnership* (form [FL-100](#)), *Summons* (form [FL-110](#)), and blank *Response—Marriage/Domestic Partnership* (form [FL-120](#))
  - or–
  - b.  Uniform Parentage: *Petition to Establish Parental Relationship* (form [FL-200](#)), *Summons* (form [FL-210](#)), and blank *Response to Petition to Establish Parental Relationship* (form [FL-220](#))
  - or–
  - c.  Custody and Support: *Petition for Custody and Support of Minor Children* (form [FL-260](#)), *Summons* (form [FL-210](#)), and blank *Response to Petition for Custody and Support of Minor Children* (form [FL-270](#))
  - and
  - d.  (1)  Completed and blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (form [FL-105](#))
  - (2)  Completed and blank *Declaration of Disclosure* (form [FL-140](#))
  - (3)  Completed and blank *Schedule of Assets and Debts* (form [FL-142](#))
  - (4)  Completed and blank *Income and Expense Declaration* (form [FL-150](#))
  - (5)  Completed and blank *Financial Statement (Simplified)* (form [FL-155](#))
  - (6)  Completed and blank *Property Declaration* (form [FL-160](#))
  - (7)  *Request for Order* (form [FL-300](#)), and blank *Responsive Declaration to Request for Order* (form [FL-320](#))
  - (8)  Other (*specify*):

2. Address where respondent was served:

3. I served the respondent by the following means (*check proper boxes*):

a.  **Personal service.** I personally delivered the copies to the respondent (Code Civ. Proc., § 415.10) on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_

b.  **Substituted service.** I left the copies with or in the presence of (*name*): \_\_\_\_\_ who is (*specify title or relationship to respondent*): \_\_\_\_\_

(1)  **(Business)** a person at least 18 years of age who was apparently in charge at the office or usual place of business of the respondent. I informed him or her of the general nature of the papers.

(2)  **(Home)** a competent member of the household (at least 18 years of age) at the home of the respondent. I informed him or her of the general nature of the papers.

on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_

I thereafter mailed additional copies (by first class, postage prepaid) to the respondent at the place where the copies were left (Code Civ. Proc., § 415.20b) on (*date*): \_\_\_\_\_

A **declaration of diligence** is attached, stating the actions taken to first attempt personal service.

|                            |              |
|----------------------------|--------------|
| PETITIONER:<br>RESPONDENT: | CASE NUMBER: |
|----------------------------|--------------|

3. c.  **Mail and acknowledgment service.** I mailed the copies to the respondent, addressed as shown in item 2, by first-class mail, postage prepaid, on *(date)*: from *(city)*:
- (1)  with two copies of the *Notice and Acknowledgment of Receipt* (form [FL-117](#)) and a postage-paid return envelope addressed to me. **(Attach completed *Notice and Acknowledgment of Receipt* (form [FL-117](#)).** (Code Civ. Proc., § 415.30.)
- (2)  to an address outside California (by registered or certified mail with return receipt requested). **(Attach signed return receipt or other evidence of actual delivery to the respondent.)** (Code Civ. Proc., §§ 415.40, 417.20.)
- d.  **Other** (*specify code section*):
- Continued on Attachment 3d.

4. **Person who served papers**

Name:  
Address:

Telephone number:

This person is

- a.  exempt from registration under Business and Professions Code section 22350(b).
- b.  not a registered California process server.
- c.  a registered California process server:  an employee or  an independent contractor
- (1) Registration no.:
- (2) County:
- d. **The fee** for service was (*specify*): \$
5.  **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or-
6.  **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(NAME OF PERSON WHO SERVED PAPERS)



\_\_\_\_\_  
(SIGNATURE OF PERSON WHO SERVED PAPERS)

# **NOTICE**

**ALL OF THE FOLLOWING FORMS ARE LEFT  
BLANK AND MUST BE SERVED  
ON THE RESPONDENT  
ALONG WITH A COPY OF THE DOCUMENTS  
YOU HAVE FILED**



## HOW TO RESPOND TO AN ACTION TO ESTABLISH PARENTAGE

1. **COMPLETE THE FORMS** (*Type or print in black ink*)
  - Response to Petition to Establish a Parental Relationship
  - Declaration under the UCCJEA
  - Proof of Service
2. **MAKE A COPY OF ALL FORMS AND HAVE THEM SERVED**

The copy is to be “served” on the other party, the Petitioner. Service means the *copy* must be mailed to the Petitioner by someone over the age of 18 other than you. You cannot “serve” it yourself.
3. **HAVE THE PROOF OF SERVICE SIGNED**

The person who mailed the copy to Petitioner must sign the Proof of Service. Once the Proof of Service has been signed, make one additional copy of all the forms.
4. **FILE THE PAPERS**

Take the original and one copy to the Clerk’s Office, in Ventura, Room 208. You will have to pay a filing fee. The Fee Schedule may be obtained from the Clerk. If you cannot afford the fee, you may be able to have that fee “waived”. You will need to complete the FEE WAIVER PACKET. The clerk will keep the original and return the copy to you, stamped to show that it has been “filed”. That copy is for your records.

**THESE PAPERS ONLY BEGIN THE ACTION. THE RESPONSE SHOWS THE COURT THAT YOU ARE A PARTICIPANT IN THE ACTION. ADDITIONAL FORMS ARE NEEDED TO GET CUSTODY OR SUPPORT ORDERS AND TO GET A FINAL JUDGMENT**





|  |                           |
|--|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i><br><br><hr/><br>TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____<br>E-MAIL ADDRESS <i>(Optional):</i> _____<br>ATTORNEY FOR <i>(Name):</i> _____ | <b>FOR COURT USE ONLY</b> |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b><br>STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME:  |                           |
| PETITIONER:<br><br>RESPONDENT:   |                           |
| <b>RESPONSE TO PETITION TO ESTABLISH PARENTAL RELATIONSHIP<br/>(Uniform Parentage)</b>   | CASE NUMBER:              |

1. The children are *(name each)*:
 

|                        |                      |            |            |
|------------------------|----------------------|------------|------------|
| <u>a. Child's name</u> | <u>Date of birth</u> | <u>Age</u> | <u>Sex</u> |
|------------------------|----------------------|------------|------------|

  
 b.  A child who is not yet born
  
2. The petitioner is
  - a.  the mother of the children listed above.
  - b.  the father of the children listed above.
  - c.  not certain whether he or she is the biological parent of the children listed above.
  - d.  the child or child's representative *(specify court and date of appointment):*
  - e.  other *(specify):*
  
3. The respondent
  - a.  lives in the State of California.
  - b.  was in California when the listed children were conceived.
  - c.  neither a nor b
  - d.  other *(specify):*
  
4. The children
  - a.  live or are in this county.
  - b.  are children of a parent who is deceased, and proceedings for administration of the estate have been or could be started in this county.
  
5. The respondent is
  - a.  the father of the children listed in item 1 above.
  - b.  the mother of the children listed in item 1 above.
  - c.  not certain if he or she is the parent of the children listed in item 1 above.
  - d.  not the parent of the children listed in item 1 above.
  - e.  other *(specify):*
  
6. Additional statements
  - a.  Parentage has been established by a Voluntary Declaration of Paternity *(attach copy)*.
  - b.  Parentage has been established in another case  governmental child support  other *(specify):*
  - c.  Public assistance is being provided to the children.

|             |              |
|-------------|--------------|
| PETITIONER: | CASE NUMBER: |
| RESPONDENT: |              |

The respondent requests that the court make the orders listed below.

7. **Parent-child relationship** (check all that apply):

- a.  Respondent  Petitioner  Other (specify): \_\_\_\_\_ is the parent of the children listed in item 1.
- b.  Respondent  Petitioner  Other (specify): \_\_\_\_\_ is not the parent of the children listed in item 1.
- c.  Respondent requests genetic (blood) tests to determine whether the  petitioner  respondent is the parent of the children listed.

8. **Child custody and visitation**

- a. If  Petitioner  Respondent  Other is found to be the parent of the children in listed in item 1:
- |  |                          |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
|  | Petitioner               | Respondent               | Joint                    | Other                    |
| b. Legal custody of the children should go to    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Physical custody of the children should go to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- d. Visitation of the children should be as follows:
    - (1)  None
    - (2)  Reasonable visitation
    - (3)  Petitioner  Respondent should have the right to visit the children as follows (specify): \_\_\_\_\_
    - (4)  Visitation should occur with the following restrictions (specify): \_\_\_\_\_
    - (5)  I request mediation to work out a parenting plan.

9. **Reasonable expenses of pregnancy and birth**

Reasonable expenses of pregnancy and birth should be paid by

|                          |                          |                          |
|--------------------------|--------------------------|--------------------------|
| Petitioner               | Respondent               | Both                     |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

10. **Fees and costs of litigation**

|   |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
|   | Petitioner               | Respondent               | Both                     |
| a. Attorney fees should be paid by  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Expert fees, guardian ad litem fees, and other costs of the action or pretrial proceedings should be paid by | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

11. **Name change.**  The children's names should be changed, according to Family Code section 7638, as follows (specify old and new names): \_\_\_\_\_

12. **Other orders requested** (specify): \_\_\_\_\_

13. **Child support.** The court may make orders for support of the children and issue an earnings assignment without further notice to either party.

I have read the restraining order on the back of the *Summons* (form FL-210) and I understand it applies to me.

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 RESPONDENT) |
|----------------------|---------------------------|

**NOTICE: If you have a child from this relationship, the court is required to order child support based upon the income of both parents. Support normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based upon information supplied by the other parent. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.**

|  |                           |
|--|---------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i><br><br>_____<br><br>TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____<br>E-MAIL ADDRESS <i>(Optional):</i> _____<br>ATTORNEY FOR <i>(Name):</i> _____ | <b>FOR COURT USE ONLY</b> |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>   |                           |
| STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME:  |                           |
| PETITIONER: <i>(This section applies only to family law cases.)</i><br>RESPONDENT:<br>OTHER PARTY:   |                           |
| GUARDIANSHIP OF <i>(Name):</i> _____ <i>(This section applies only to guardianship cases.)</i> <span style="float: right;">Minor</span>  |                           |
| <b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>   |                           |
| CASE NUMBER: _____   |                           |

1. I am a party to this proceeding to determine custody of a child.
2.  My present address and the present address of each child residing with me is confidential under Family Code section 3429 as I have indicated in item 3.
3. There are *(specify number):* \_\_\_\_\_ minor children who are subject to this proceeding, as follows:  
***(Insert the information requested below. The residence information must be given for the last FIVE years.)***

|   |  |   |               |     |
|---|--|---|---------------|-----|
| a. Child's name   |  | Place of birth  | Date of birth | Sex |
| Period of residence<br>to present   | Address<br><input type="checkbox"/> Confidential | Person child lived with <i>(name and complete current address)</i><br><input type="checkbox"/> Confidential | Relationship  |     |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |     |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |     |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |     |
| b. Child's name   |  | Place of birth  | Date of birth | Sex |
| <input type="checkbox"/> Residence information is the same as given above for child a. <i>(If NOT the same, provide the information below.)</i> |  |   |               |     |
| Period of residence<br>to present   | Address<br><input type="checkbox"/> Confidential | Person child lived with <i>(name and complete current address)</i><br><input type="checkbox"/> Confidential | Relationship  |     |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |     |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |     |
| to  | Child's residence <i>(City, State)</i>           | Person child lived with <i>(name and complete current address)</i>  |               |     |

- c.  Additional residence information for a child listed in item a or b is continued on attachment 3c.
- d.  Additional children are listed on form FL-105(A)/GC-120(A). *(Provide all requested information for additional children.)*

|                       |                       |
|-----------------------|-----------------------|
| SHORT TITLE:<br>_____ | CASE NUMBER:<br>_____ |
|-----------------------|-----------------------|

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?  
 Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

| Proceeding                               | Case number | Court<br><i>(name, state, location)</i> | Court order<br>or judgment<br><i>(date)</i> | Name of each child | Your<br>connection to<br>the case | Case status |
|--|-------------|---|---|--------------------|-----------------------------------|-------------|
| a. <input type="checkbox"/> Family       |             |   |   |                    |                                   |             |
| b. <input type="checkbox"/> Guardianship |             |   |   |                    |                                   |             |
| c. <input type="checkbox"/> Other        |             |   |   |                    |                                   |             |

| Proceeding   | Case Number | Court <i>(name, state, location)</i> |
|--|-------------|--------------------------------------|
| d. <input type="checkbox"/> Juvenile Delinquency/<br>Juvenile Dependency |             |                                      |
| e. <input type="checkbox"/> Adoption                                     |             |                                      |

5.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

| Court  | County | State | Case number <i>(if known)</i> | Orders expire <i>(date)</i> |
|--|--------|-------|-------------------------------|-----------------------------|
| a. <input type="checkbox"/> Criminal                                     |        |       |                               |                             |
| b. <input type="checkbox"/> Family                                       |        |       |                               |                             |
| c. <input type="checkbox"/> Juvenile Delinquency/<br>Juvenile Dependency |        |       |                               |                             |
| d. <input type="checkbox"/> Other  |        |       |                               |                             |

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No (If yes, provide the following information):

|   |   |   |
|---|---|---|
| a. Name and address of person<br><br><input type="checkbox"/> Has physical custody<br><input type="checkbox"/> Claims custody rights<br><input type="checkbox"/> Claims visitation rights<br><br>Name of each child | b. Name and address of person<br><br><input type="checkbox"/> Has physical custody<br><input type="checkbox"/> Claims custody rights<br><input type="checkbox"/> Claims visitation rights<br><br>Name of each child | c. Name and address of person<br><br><input type="checkbox"/> Has physical custody<br><input type="checkbox"/> Claims custody rights<br><input type="checkbox"/> Claims visitation rights<br><br>Name of each child |
|---|---|---|

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 DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**

|   |                  |                    |
|---|------------------|--------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)   | Telephone Number | FOR COURT USE ONLY |
| ATTORNEY FOR (Name):  |                  |                    |
| <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b><br>STREET ADDRESS:<br>MAILING ADDRESS:<br>CITY AND ZIP CODE:<br>BRANCH NAME: |                  |                    |
| SHORT TITLE OF CASE:  |                  |                    |
| <b>PROOF OF SERVICE</b>   |                  | CASE NUMBER:       |

1. At the time of service, I was at least 18 years of age and not a party to this action.
2. I served the following documents:

- Summons
- Petition
- Response
- Complaint
- Answer
- UCCJEA Declaration
- Notice of Motion
- Request for Order
- Temporary Restraining Order
- Mediation/Orientation Appointment Fact Sheet

- Responsive Declaration to Request for Order
- Income & Expense Declaration
- Order After Hearing
- Blank Response
- Blank Answer
- Blank Responsive Declaration
- Blank Income and Expense Declaration
- OTHER \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

3. Party served:

4. Address:

5. Method of service:

**Personal service:** By personal delivery to the person identified in paragraph 3.  
 Date of Service:  
 Time of Service:

**By Mail:** By mailing copies to the person identified in paragraph 3, with postage fully prepaid, by first class mail as follows:

Date of Mailing:

Place of Deposit:

- With two copies of the Notice and Acknowledgment of Receipt and stamped return envelope addressed to me. (Attach signed Notice & Acknowledgment of Receipt)
- To an address outside of California with return receipt requested (Attach Returned Receipt)

**PROOF OF SERVICE**

6. Person Serving (name, address and telephone number):

7. Person serving, additional information

- Fee for service
- Not a registered California process server.
- Exempt from registration under B & P section 22350(b)
- Registered California process server:
  - Employee or independent contractor
  - Registration Number: \_\_\_\_\_
  - County of Registration: \_\_\_\_\_

**I declare under the penalty of perjury and pursuant to the laws of the State of California that the foregoing is true and correct. Executed on \_\_\_\_\_ at \_\_\_\_\_.**

\_\_\_\_\_  
**Signature of Declarant**

**I am a California sheriff, marshal or constable, and I certify that the foregoing is true and correct. Executed on \_\_\_\_\_ at \_\_\_\_\_.**

\_\_\_\_\_  
**Signature**

|   |                  |                    |
|---|------------------|--------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)   | Telephone Number | FOR COURT USE ONLY |
| E-MAIL ADDRESS<br>ATTORNEY FOR (Name):  |                  |                    |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA<br><br><input type="checkbox"/> 800 SOUTH VICTORIA AVE. VENTURA, CA 93009<br><br><input type="checkbox"/> 3855 – F ALAMO ST. SIMI VALLEY, CA 93063-2110 |                  |                    |
| PETITIONER:<br><br>RESPONDENT:  |                  |                    |
| <b>CONSENT FOR COURT ASSIGNMENT<br/>(FAMILY LAW)</b>  |                  | CASE NUMBER:       |

The undersigned hereby consents that the cause titled and numbered above may be tried by \_\_\_\_\_, Court Commissioner of the Ventura County Superior Court, as temporary judge, in accordance with Article 6, Section 21 of the Constitution of the State of California.

It is understood by the undersigned that by order of the Presiding Judge of the Ventura County Superior Court, Commissioner \_\_\_\_\_ has been appointed to act as temporary judge to try the above referenced case, hear and decide all motions and make any orders including sentencing connected with this case. It is understood that Commissioner JoAnn Johnson, has been appointed to try the case referred to, and has taken the necessary oath of office to try the case as temporary judge.

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

Signature of litigant or attorney

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

