

Legal Steps for a Filing a Parentage Case

STEP 1. File Forms

- The petitioner (the person who files the first parentage forms with the court) fills out and files a *Petition to Establish Parental Relationship* (Form FL-200), a *Summons (Uniform Parentage – Petition for Custody and Support)* (Form FL-210), a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (Form FL-105/GC-120).
- The clerk will stamp and return copies to the petitioner.
- The forms needed to start a parentage action, as well as information about filing fees and fee waivers, are available at: <http://www.courts.ca.gov/11298.htm> and <http://www.courts.ca.gov/selfhelp-feewaiver.htm>

STEP 2. Serve the Forms

- Someone 18 or older-not the petitioner-serves the other parent (called the respondent) with all the forms from Step 1 plus a blank *Response to Petition to Establish Parental Relationship* (Form FL-220) and a blank *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (Form FL-105/GC-120) and completes the *Proof of Service of Summons* (Form FL-115), telling when and how the respondent was served. (To serve means "to give in the proper legal way.") See "Service of Process" at <http://www.courts.ca.gov/selfhelp-serving.htm> for more information.
- The petitioner must wait 30 days after Step 2 is complete before continuing the parentage case.
- The respondent has these 30 days to file and serve a Response.

STEP 3. Finish the Parentage Case in One of Four Ways

Respondent does not file a <i>Response</i> (called "default")		Respondent files a <i>Response</i>	
↓	↓	↓	↓
No Response and NO written agreement: Petitioner waits 30 days after step 2 is complete and prepares a proposed Judgment (Form FL-250), together with all other needed forms.	No Response WITH written agreement: Petitioner attaches the signed and notarized agreement to the proposed Judgment (Form FL-250), together with all other needed forms.	Response AND agreement: Either party files Appearance, Stipulations, and Waivers (Form FL-130) and the proposed Judgment (Form FL-250) with written agreement attached and other needed forms.	Response and NO agreement: The parties must go to Court ("trial") for the Judge to make decisions if they cannot agree.
See "Finish Your Parentage Case" at: http://www.courts.ca.gov/11299.htm for more information about finishing your case.			

IMPORTANT NOTICES

- If you need court orders for child support, custody, parenting time (visitation), restraining orders, or other issues before the divorce is final, you can file a *Request For Order* (Form FL-300) asking for temporary orders. See "Request for Order Information" at <http://courts.ca.gov/1185.htm#acc11690> for more information.
- You must keep the court and the other party informed of your mailing address. File *Notice of Change of Address* (Form MC-040) to tell the court if you have moved.

Legal Steps for a Filing a Parentage Case

Ways to resolve parentage cases out of court

You may prefer to resolve some or all of the issues in your case without having the court decide for you. You and the other parent can put your agreement in writing and file it in your parentage case. But your agreement must follow all legal requirements. There are several ways you can get help.

Court Services (free):

- Family Court Services. Provides mandatory mediation or child custody recommending counseling to parents who are unable to agree on child custody and parenting issues. They cannot help with financial issues.
- Family Law Facilitators and Self-Help Centers. Can provide samples of agreements and other information and, in some cases, help with mediation.
- Settlement Conferences. An informal process in which a judge or an experienced lawyer meets with the parties and their lawyers to discuss the case and their positions and suggests a resolution. The parties can either agree to that suggestion or use it to help in further negotiations.

Private services (which you can hire to help you resolve your case):

- Lawyers. A professional who can help work out agreements between the parties and represent you at court hearings and trials.
- Mediators. Lawyers or counselors who help the parties communicate to explore options and reach a mutually acceptable resolution.
- Collaborative Lawyers. Lawyers who represent each party but do not go to court. They try to reach an agreement. If court is necessary, the parties must hire new lawyers.

For more information about these services, see www.courts.ca.gov/selfhelp-adr.htm

Where can I get help?

This information sheet gives you only basic information on the parentage case and is not legal advice. If you want legal advice, ask a lawyer for help. You may also:

- Contact the family law facilitator or self-help center in your court for information, court forms, and referrals to local legal resources.
- Find a lawyer through your local bar association, the State Bar of California at <http://calbar.ca.gov>, or the State Bar's Lawyer Referral Services at 866-4422529 (toll-free).
- Hire a private mediator. Contact your local bar association, court Alternative Dispute Resolution (ADR) program, or Family Court Services for a referral.
- Find information on the California Courts Online Self-Help Center website: <http://www.courts.ca.gov/selfhelp.htm>
- Find free and low-cost legal help (if you qualify) at www.lawhelpcalifornia.org
- Find information at your local law library or public library.

What if there is domestic violence or a restraining order?

If there is domestic violence or a protective or restraining order, talk to a lawyer, counselor, or mediator before making agreements.

For domestic violence help, call the National Domestic Violence Hotline: 800-799-7233; TOO: 800-787-3224; or 211 (if available in your area).