

# LA FAMILY LAW

HELP CENTER ®

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## INFORMATION & DOCUMENTS NEEDED TO ESTABLISH PARENTAGE

Note: This guide is supposed to give you enough information so that you can represent yourself. It is **NOT** designed to give you legal advice and **DOES NOT** take the place of speaking with a lawyer.

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## ACQUIRE THE PACKET OF FORMS

1. Pick up the packet of forms needed at the Clerk's Office of the Los Angeles Superior Court.
  1. The Clerk's Office is located in Room 426.
  2. The court is located at 111 N. Hill St., Los Angeles, CA 90012.

OR

2. Print the packet of forms needed on the Internet.
  - Go to <https://www.courts.ca.gov/forms.htm>
  - You can fill out these forms online and then print them, or you can print out the forms and fill them out by hand.
    - If you fill out the forms online, you must fill and print out all the forms at one time because you cannot save these forms on your computer.
    - If you fill the forms out by hand, you must use black ink. You must fill out the forms neatly so that they can be easily read.

## FILL OUT THE FORMS

**WARNING:** Before completing the forms, you are encouraged to read the attached copy of Family Code Section 3044, "Presumption Against Person Perpetrating Domestic Violence." It says that a person who was found by a court to have committed domestic violence within the last five years may not get custody unless a court finds it is in the child's best interest.

\*If you think this could apply to your case, you may want to consult with an attorney. **WARNING: THERE IS A RESTRAINING ORDER ON THE BACK (PAGE TWO) OF THE SUMMONS WHICH APPLIES TO BOTH PARTIES. THE RESTRAINING ORDER IS EFFECTIVE AGAINST YOU UPON FILING THE PETITION. IT IS EFFECTIVE AGAINST THE RESPONDENT ONCE THE RESPONDENT HAS BEEN PERSONALLY SERVED WITH THE SERVICE DOCUMENTS OR UPON IDS/HER SIGNING OF A WAIVER AND ACKNOWLEDGEMENT OF SERVICE.**

THE RESTRAINING ORDER IS EFFECTIVE UNTIL THE JUDGMENT IS ENTERED, THE PETITION IS DISMISSED, OR THE COURT MAKES AN ORDER MODIFYING THE RESTRAINING ORDER.

### A) Understanding the Forms

Who are the Parties: \*The Petitioner and Respondent remain the same throughout the entire case.

- Petitioner: The person who began the case by filing the first court documents.
- Respondent: The person who responded to the first court documents.

### B) Required Forms

YOU MUST FILL OUT THE FOLLOWING FORMS IN ORDER TO BE ABLE TO ESTABLISH A PARENTAL RELATIONSHIP.

1. UCF 001: Notice of Other Cases Involving Minor Children
  - If you have any other cases that involve the same minor children, this form must be filled out. If you do not, you do not need to fill out this form and can throw it out.

- Some examples of cases would be custody/visitation orders, domestic violence restraining orders, dependency court cases or guardianship cases.

2. FL-200: Petition to Establish a Parental Relationship
3. FL-210: Summons
4. FAM020: Family Law Case Cover Sheet
5. FL-105: Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
6. FL105(A): Continuation of Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (if there are more than two children of the relationship)
7. FL-115: Proof of Service and Summons

YOU ALSO NEED TO INCLUDE THE FOLLOWING BLANK FORMS IN THE PACKET YOU SERVE ON THE OTHER PARTY.

8. FL-220: Response to Petition to Establish Parental Relationship
9. FL-105: Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
10. FL105(A): Continuation of Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (if there are more than two children of the relationship)
11. FL-335: Proof of Service by Mail
12. Notice of Case Assignment (provided by the court clerk once you file your documents)

\*THE FORMS MUST BE IN THIS ORDER WHEN FILED.

## COPIES

A) Make two (2) copies of all completed documents and arrange them in the order listed. You should have a total of 3 copies: the original and 2 copies (a copy for yourself and one for the other party).

## FILING AND COURT COSTS

A) Take the original and copies of the completed forms to the Clerk in the Clerk's office of the Los Angeles Superior Court.

- The Clerk will keep the originals and stamp the two copies with a case number.
- The Clerk will then file the forms, date them, and return them to you.

\*The stamped and dated forms are called "conformed."

B) Pay the Filing Fee.

- You will need to pay a filing fee (which is currently \$435.00).
- If you are unable to pay the filing fee, you can apply for a "Fee Waiver." You can get a "Fee Waiver" application at 1) the Resource Center for Self-Represented Litigants, 2) the Filing Clerk's Office, or 3) on the Internet.

\*You must file the completed "Fee Waiver" forms at the same time you file your forms.

## SERVICE PACKAGE

Once you have filed the original forms, the next step is to give the Respondent the "service package."

THE SERVICE PACKAGE MUST CONTAIN THE FOLLOWING FORMS:

One Copy of:

1. UCF 001: Notice of Other Cases Involving Minor Children
2. FL-200: Petition to Establish Parental Relationship (include any of the attachments used)
3. FL-200: Summons
4. FAM 020: Family Law Case Cover Sheet
5. FL-105: Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
  - Include Form FL-105(A) if there are more than two children of the relationship

Blank Forms:

6. FL-205: Response to Petition to Establish Parental Relationship
7. FL-105: Declaration Under Uniform Child Custody Jurisdiction and Enforcement and Act
  - Include Form FL-105(A) if there are more than two children of the relationship.
8. FL-335: Proof of Service by Mail

## HOW TO SERVE THE "SERVICE PACKAGE"

### 1) PERSONAL SERVICE

- a. Have an adult over the age of 18 personally hand/serve the "service package" to the Respondent.

**\*YOU CANNOT SERVE THE RESPONDENT YOURSELF. YOU MUST HAVE SOMEONE ELSE (OVER 18) HAND THE "SERVICE PACKAGE" TO THE RESPONDENT.**

### b. Sheriff's Department

- The Sheriff's Department will hand/serve the "service package" to the Respondent for you for a \$30.00 fee.
  - The Sheriff's Department is located in room 525 of the 5th floor of the Los Angeles Superior Court.

\*If you have a fee waiver, you can take an original copy to the Sheriff's Department to have the fee waived.

## 2) NOTICE OF ACKNOWLEDGEMENT OF RECEIPT

\*USE THIS METHOD ONLY IF THE OTHER PARENT WILL SIGN IT.

Have an adult over the age of 18 (NOT YOU) mail the "service package" to the Respondent. The adult must sign and complete the FL-115 "Proof of Service of Summons" form.

- The original of this form will be filed along with the original "Notice and Acknowledgement Receipt" signed and dated by the other parent.

\*The Notice must include a self-addressed, stamped envelope for the return of the "Notice and Acknowledgement of Receipt" to you.

## 3) CERTIFIED MAIL TO OUT OF STATE ADDRESS

Have an adult over the age of 18 (NOT YOU) mail the "service package" to the Respondent. Registered or certified mail with a return receipt requested.

- The person that mails the "service package" for you must complete and sign the FL-115 "Proof of Service of Summons" form.
- The return receipt, signed by the other party, must be attached to the original "Proof of Service of Summons" and filed with the court.

## 4) SERVICE BY PUBLICATION WITHIN THE STATE

\*YOU CAN ONLY DO THIS OPTION WHEN YOU HAVE NO IDEA WHERE THE OTHER PARENT LIVES OR WORKS.

This option requires an application, Declaration of Diligent Search and Court Order.

## AFTER SERVING RESPONDENT

After serving the other party, the person who served the party must fill out the FL-115 "Proof of Service of Summons" form.

To completely fill out this form, the person who served the party must:

1. Check off/List all the forms in the service package
2. Fill out the date, time and location of service
3. The person who served the party must include their address, print their name and sign at the bottom.

Make two (2) copies of the completed "Proof of Summons." Take the original and two (2) copies to file with the filing clerk in Room 426 of the Los Angeles Superior Court.

## LIST OF MANDATORY FORMS FOR THE PATERNITY ACTION

Listed below are the mandatory forms you will need in order to file a Petition to Establish a Parental Relationship. In addition, you may need to use forms that are specific to your case. Check the Optional Forms List to see what other forms are available and may be helpful to your case.

FORM NUMBER	COURT FORMS
1. UCF 001	Notice of Other Cases Involving Minor Children
2. FL-200	Petition to Establish a Parental Relationship
3. FL-210	Summons
4. FAM020	Family Law Case Cover Sheet
5. FL-105	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
6. FL105(A)	Continuation of Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (if more than two children of the relationship)
7. FL-115	Proof of Service of Summons

You will serve a copy of all forms filed on the other party. You also need to include the following blank forms in the packet you serve on the other party:

8. FL-220	Response Petition to Establish a Parental Relationship
9. FL-105	Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act
10. FL105(A)	Continuation of Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (if more than two children of the relationship)
11. FL-335	Proof of Service by Mail
12.	Notice of Case Assignment

Leave the forms in the same order as listed above.



## HOW TO REQUEST JUDGMENT OF PATERNITY

These forms can be used to request the court to enter a judgment establishing paternity, to include custody, visitation, child support, and a name change (and amending the birth certificate) of the minor child between unmarried parents.

You must have had the other parent served with a Summons, Petition, and a UCCJEA. Once service was completed, a Proof of Service must have been filed with the court. The other party may or may not have filed a Response in your case.

If the respondent has not filed a Response, then you must have filed a Request to Enter Default (separate packet). You may proceed using this packet, even if the parties have agreed and prepared a written agreement.

If the respondent filed a Response, in order to use this packet, the parties must agree in writing to enter a judgment of paternity. This may be done by filing a document called "Stipulation for Entry of Judgment" (FL-240) instead of a Default. If this is the case, fees (or a Fee Waiver) will be due from the Respondent). A written agreement must be attached to the judgment.

If you are uncertain whether to use this packet, you should seek assistance from the Self-Help Center.

## HOW TO FILL OUT FORMS

### DECLARATION FOR DEFAULT OR UNCONTESTED JUDGMENT (FL-230)

#### DIRECTIONS

- Find the number on the sample form and go to the same number below to find out how to fill out the form.
  - Type or print in black ink
1. Fill out the first box with your contact information (name, address, and phone number).
  2. Make sure to fill out this box with the court's information, if not already filled out.
  3. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
  4. Write your case number
  5. For line #3, mark the box that represents the type of action you filed. Example: petition to establish parental relationship.
  6. For line #4, mark both boxes indicating that the "Petitioner" and "Respondent" are the parents.
  7. For line #5, mark the box that represents whether a Voluntary Declaration of Paternity has or has not been signed.
  8. If the Respondent has failed to file a response, then mark box #6 (a). If the parties have entered a written agreement, that will be attached to the judgment, mark box #6 (b).
  9. Mark item #7. If either parent is receiving public assistance, mark the appropriate box, Petitioner or Respondent, in #7(a). If the Department of Child Support Services (DCSS) is involved in the child support of the child(ren) in this case, then write "California State Disbursement Unit P.O. Box 989067 West Sacramento, CA 95798" in the space provided at #7(a).
  10. Mark boxes #9 and #10.
  11. Mark box #12, if when you filed your petition you requested a name change. and insert what the child's name is going to be. If you did not request a name change at the beginning of the case, you may not now request it, unless you file an amended petition.
  12. Mark box #15 and write "See attachment 15."

13. Date this document, type or print your full name, and sign.

## HOW TO FILL OUT: ADVISEMENT AND WAIVER RIGHTS (FL-235)

### DIRECTIONS

- Find the number on the sample form and go to the same number below to find out how to fill out the form.
  - Type or print in black ink
1. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
  2. Write the case number.
  3. After reading the statements, mark box #9(a) acknowledging that you understand or mark box #9(b) if someone translated for you.
  4. Date this document, type or print your full name, and sign.
  5. If a translator read the statements above to you, that translator must complete this section. This is not for you to complete, only the translator (if there is one).

Note: If the parties have a written agreement, each party must complete and attach one of these forms.

## HOW TO FILL OUT: JUDGMENT (FL-250)

### **DIRECTIONS**

- Type or print in black ink
1. Fill out the first box with your contact information (name, address, and phone number).
  2. Make sure to fill out this box with the court's information, if not already filled out.
  3. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
  4. Write your case number.
  5. If there are restraining orders, mark box #1 and the second box. Complete the information requested and attach a copy of the order.
  6. On line 2, mark the box "By declaration."
  7. For line #2(f) (1-5), mark all the boxes that apply regarding the Petitioner.

8. For line #2(g) (1-5), mark all the boxes that apply regarding the Respondent.
9. Write the name of each of the parents and mark the appropriate boxes.
10. Write the name(s) of the child(ren) and write the date(s) of birth, starting with the eldest child.
11. Mark box #4(a) and box (3). After the order “(specify),” write “See attachment sheet.”
12. Write the name of Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
13. Write in your case number.
14. Mark box #5(a) and box (3). After the word “(specify),” write “See attachment \_\_\_\_.”
15. If when you filed your petition you requested a name change, mark the box and insert what the child’s name is going to be. If you did not request a name change at the beginning of the case, you may not now request it, unless you file an amended petition. If you wish to have the child’s birth certificate changed, complete section (e).
16. Mark box #5(h). After the word “(specify),” write “See Attachment Sheet.”
17. Mark the box under the “Judicial Officer’s” signature line.

## HOW TO FILL OUT: NOTICE OF RIGHTS AND RESPONSIBILITIES (FL-192)

### **DIRECTIONS**

There is nothing for you to complete on this form. Please read it.

DO NOT write anything on this two-page document. This is an information document that must be attached to the judgment. Read it.

## HOW TO FILL OUT: NOTICE OF ENTRY OF JUDGMENT (FL-190) (ONLY Default)

### **DIRECTIONS**

- Type or print in black ink

1. Fill out the first box with your contact information (name, address, and phone number).
2. Make sure to fill out this box with the court's information, if not already filled out.
3. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
4. Write your case number.
5. Leave this blank. DO NOT WRITE IN ANY DATES in this section. This is for the court to fill out.
6. Check box #6.
7. Write the name of the city the notice was mailed from after the word "(place)."
8. Write the Petitioner's name and address.
9. Write the Respondent's name and address.

Note: You must attach two stamped envelopes to the Notice of Entry of Judgment (one addressed to each party).

## HOW TO FILL OUT: CHILD SUPPORT CASE REGISTRY FORM (FL-191)

### **DIRECTIONS**

- Type or print in black ink
  - If you do not complete this document correctly and submit it with your judgment, your documents and child support payments may be delayed.
1. Fill out the first box with your contact information (name, address, and phone number).
  2. Make sure to fill out this box with the court's information, if not already filled out.
  3. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
  4. Mark the box that represents whether you are the mother or father of the children in this case, and whether this is the first time you have completed in this form, or of it is a modification of a prior form you filed.
  5. Write your case number.
  6. Mark box 1(c)

7. Write the name of the parent that is to pay child support and the relationship to the child(ren).
8. Write the name of the parent that is to receive child support, if the Los Angeles County Department of Child Support Services is not involved in your child support. If they are involved in your case, then write "Department of Child Support Services SDU." They are the "Claimant."

\*If you do not complete this document correctly and submit it with your judgment, your documents and child support payments may be delayed.\*

9. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
  10. Write your case number.
  11. Write the name, date of birth, and social security of each child for whom the support was ordered.
  12. At item #5 fill in all the information requested for the father.
  13. At item #6 fill in all the information requested for the mother.
  14. Check the box at item #7 if there is a domestic violence order in effect.
  15. At item #7(a) check the box(es) to show whom the order protects.
  16. At item #7(b) check the box to show whom the order is against.
  17. At item #7(c) write in the date that the order expires.
- Date this document, type or print your full name to the left, and sign to the right.

## ADDITIONAL RESOURCES

There are several Self-Help Legal Access Centers and non-profit organizations in Los Angeles county that can also help you. Information about these Centers is also at the Family Law Information Center.

**If you have more questions, contact Los Angeles Family Law Center today.**