## **ESTABLISHING PARENTAGE**

To ask for custody or child support, you must first legally establish who the parents of a child are. This is called establishing parentage. *Being on the birth certificate may not be enough.* 

- → If parentage has NOT been established, either parent can open a parentage case to ask the court to establish legal parentage.
- →Use this info sheet to learn how. You can ask for child custody or child support at the same time as you open a case.
- $\rightarrow$ To learn how to respond, see page 2.

**Establishing parentage is serious!** Once a court says who the child's parents are, it may be impossible to change that, even with DNA tests. Learn more from <u>Cal. Courts Self-Help Guide</u>.

→ <u>If parentage has already been established</u>, this information sheet is not the right one for you.

These cases can be complicated. Get help from the <u>Self-Help Center</u> or talk to a lawyer.

#### 1. FILL OUT COURT FORMS & MAKE COPIES

- □ <u>FL-200</u>: Petition to Establish Parental Relationship (+ 1 copy)
- □ <u>FL-210</u>: *Summons* (+ 1 copy)
- □ <u>FL-105/GC-120</u>: UCCJEA (information about children) (+ 1 copy)
- $\Box$  For a court date for custody, child support, or mediation: use <u>FL-300</u> too.
- □ If need to ask court to waive the court fees: Use <u>FW-001</u> and <u>FW-003</u>

# Fill out the forms online!!

Use a computer program to help you with all the forms. And e-file your forms after if you want. ➡<u>Take me to Online</u> <u>Program</u>

#### 2. TURN IN THE FORMS AT THE COURTHOUSE

- □ Turn in forms and copies between 8:30 a.m. and 3:00 p.m.:
  - Ukiah, 100 N. State Street, Room 107
  - Fort Bragg, 700 S. Franklin Street, clerk's window in the lobby
- □ Clerk will stamp papers, return to you with a *Notice of Case Management Conference*.
  - One set of copies is for you. The other is for the other parent.
- □ **If you used FL-300**, the clerk will give you a court date for you and the other side.

#### 3. LET THE OTHER SIDE KNOW, LEGALLY

#### This is called *service*, and you can't do it yourself.

a. Have someone over 18—not you—give the other parent, in person:

- Stamped copy of FL-210, FL-200, & FL-105 and copy of Notice of Case Management Conference (and FL-300, if you used it). If you got a court date using FL-300, the deadline for service is <u>16 court days</u> before the court date.
- □ Blank forms for the other side to use if they want to answer:
  - <u>FL-220</u>: Response to Petition to Establish Parental Relationship
  - □ <u>FL-105</u>: UCCJEA (information about children)

And, if you used FL-300: 

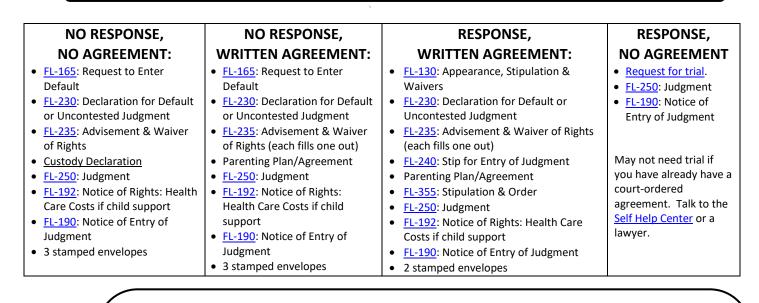
Example 20: 
Exam

b. Have the person who delivered the papers (your server) fill out and sign:

FL-115: Proof of Service of Summons with all the correct boxes checked.

c. Turn in the FL-115: *Proof of Service* at the courthouse.

#### 4. WAIT 30 DAYS TO SEE IF RESPONDENT RESPONDS. THEN, FINISH ONE OF 4 WAYS:



#### IF A COURT DATE WAS SET USING FL-300: GO TO COURT ON THE HEARING DATE

If it's a custody case, the judge will send you and the other person to mediation on the court date. The mediator will meet with both of you to work out a parenting plan.

#### If you can agree to a parenting plan in mediation:

- the mediator will write up the agreement and you will both sign it.
- the judge will then sign the agreement and it will become a court order.

If you cannot agree to a parenting plan in mediation:

- If you do not work out a plan, your conversation with the mediator remains confidential and you will go back in front of the judge on a different day.
- The judge will make the decision in your case.

### How to Respond (To Participate in the Case)

#### 1. Fill out these forms & make copies:

□ <u>FL-220</u>: Response to Petition to Establish Parental Relationship (+ 1 copy).

□ <u>FL-105</u>: UCCJEA (information about children) (+ 1 copy)

 $\Box$  <u>FL-320</u>: *Responsive Declaration to Request for Order* (only if other person filed an FL-300) (+ 1 copy).  $\Box$  If low income, ask the court to waive the court fees: <u>FW-001</u> and <u>FW-003</u>

- 2. Turn in the forms & copies at the courthouse. The clerk will stamp forms & return them to you.
- **3.** Have someone deliver papers to the parent who started the case in the legal way. Have someone 18 or older—not you—give or mail to other parent copies of: FL-220, FL-105 (& FL-320, if used)
  - Have that person fill out either <u>FL-335</u>: *Proof of Service by Mail* or <u>FL-330</u>: *Proof of Personal Service*. If the other parent filed FL-300, the <u>deadline</u> for service of the response is <u>9 court or</u> business days before the hearing date, plus 5 more calendar days if service is by mail.
  - Turn the Proof of Service in at the courthouse.