

IMPORTANT—PLEASE READ:

If you and the other parent of your child(ren) have signed a Voluntary Declaration of Paternity, you will need a copy of it before you complete these forms. If you do not have a copy of your Voluntary Declaration of Paternity, call 1-916-445-2684 to request a duplicate copy.

THE PURPOSE OF A PARENTAGE CASE

The Uniform Parentage Act case, which we will call the parentage case, is used to officially establish a parent-child relationship (Parentage) between a child (or children) and his or her father. Once parentage is established, the court may make orders for child support, health insurance, child custody, visitation, name change, reimbursement of pregnancy and birth expenses and restraining orders. Establishing paternity is also important in order to secure for the child(ren) certain benefits, such as social security, veteran's benefits, and inheritance rights. The parent with whom the child(ren) is living does not automatically have custody rights by merely starting a case. Preparing and filing the forms is only the beginning of the process to obtain court orders. Paternity must be confirmed by one or both parents or be determined by testing. Only then can custody, visitation and support issues be addressed.

BEFORE YOU START

1. Starting Your Case in the Proper Place

You need to be sure that you start your case in the correct county. To start a parentage action in Amador County, your child must have been a resident of California for the past six months and must currently reside in Amador County. If you are not sure whether the child's residence is here, you can start the case here -- but the judge may decide later that another county or state should handle the case. Speak to a private attorney or visit the Family Law Facilitator's Office if you are not sure where to file.

2. Avoiding Multiple Case Filings

If anyone has started another case regarding the paternity of your child(ren), including a child support case started by the County, you may not need to open a new case. Consult with an attorney or the Self Help Center before proceeding.

3. Minor Parents

If you are under the age of 18 and you would like an adult appointed to sign court documents for you, you will have to make a formal request to the Court. This person is called a Guardian Ad Litem. A Guardian Ad Litem can be appointed by the court to assist a minor to start a case as well as to respond to one. Speak to a private attorney or visit the Self Help Center if you would like to ask the court to appoint a Guardian Ad Litem for you..

How to Start a Parentage Case

Step 1	Complete the following forms in blue or black ink: <input checked="" type="checkbox"/> FL-210 Summons (Uniform Parentage-Petition for Custody and Support) <input checked="" type="checkbox"/> FL-200 Petition to Establish Parental Relationship (Uniform Parentage) <input checked="" type="checkbox"/> FL-311 Child Custody and Visitation Application Attachment <input checked="" type="checkbox"/> FL-105 Declaration Under Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA)
Step 2	Copies: Make 2 copies, in addition to the original.
Step 3 There is a filing fee unless the fee is waived.	File: <input type="checkbox"/> If you <u>are not</u> asking for a fee waiver, turn your forms into the Clerk's Office . You will pay the filing fee and get copies back with a file-stamp. <input type="checkbox"/> If you <u>are</u> asking for a fee waiver, turn your forms into the Clerks Office . Your file-stamped copies may be returned immediately, OR you may be asked to return in up to 24 hours, OR your file stamped forms may be mailed to you. Please check with the clerk who takes your forms.
Step 4	Service: After the filed copies are returned to you: <ul style="list-style-type: none">• Keep for your records—1 filed copy• Serve 1 filed copy and a blank FL-220 <i>Response to Petition to Establish Parental Relationship</i>, a blank FL-105 <i>UCCJEA</i>, local forms FM-1021 <i>ADR Options</i> and FM-1049 <i>Family Law Notice</i> on the other party. "Service" means: someone, NOT YOU, who is at least 18 years old must hand deliver the filed copies to the other party. Whoever does the service must complete the attached <i>Proof of Service of Summons</i> form (FL-115) and give it back to you. You must file the original and a copy of this form at the Clerk's Office, the clerk will file stamp the copy and give it back to you. Keep this copy for your records. Wait 30 days for the other party to have a chance to respond.
Step 5	Wait: The other party has 30 days to respond after the forms are delivered to them in person by your server. One of the following will happen: A) To see if the other party has filed a <i>Response</i> with the court, go the Clerk's Office (see step 3) to check the status or come into the Self-Help Center with a copy of everything you have filed in your case. If the other parent has filed a <i>Response</i> with the court, discuss the next steps in your case with a private attorney or the Self-Help Center staff. OR B) If the other party does not file a <i>Response</i> with the court, on the 31 st day from the date the forms were served to them, you can get help from a private attorney or go to the Self Help Center to get help with the next step which is called "entering their default". You must bring with you a filed copy of everything you have filed in your case.

Please turn over for important information➔

WHY IS ESTABLISHING PARENTAGE IMPORTANT FOR MY CHILD?

A parentage action establishes the parentage of your child, rights to child support and legal claims to inheritance or Social Security benefits. However, you must be sure you get your actual parentage *Judgment*, not just orders for custody and support. Opening a case also establishes which county's court will make decisions about your child.

WHAT ARE THE IMPORTANT DEADLINES?

The court has important things you should do to keep your case on track. The first is that you should **serve your filed Petition and Summons on the other parent within 60 days of filing.**

There are additional deadlines you can read about in the court's Local Rules and the California Rules of Court. You can find both Rules on our website (www.amadorcourt.org) or at the Amador County Library. If you do not follow the Rules and deadlines your case may be dismissed.

WHAT IF THE FATHER SIGNED A VOLUNTARY DECLARATION OF PATERNITY AT THE HOSPITAL?

The *Voluntary Declaration of Paternity* becomes a parentage judgment 60 days after it is signed and cannot be cancelled after the child turns two years old. If you want custody, visitation or child support orders, you still need to file a parentage action and attach a copy of the *Voluntary Declaration of Paternity*, if you have it.

WHAT IF THE OTHER PARENT AND I AGREE ABOUT PARENTAGE, CUSTODY, VISITATION AND/OR CHILD SUPPORT ISSUES?

If a case has been opened by you or the other parent and neither of you are being represented by private attorneys in this case, the attorney at the Self-Help Center/Family Law Facilitator's Office can help you prepare a *Judgment* by agreement. You may also hire a private attorney-mediator to help you.

HOW CAN I GET THE FORMS?

There are a few ways that you can get the forms:

- hire an attorney (**Please note: the self help center cannot help people who have attorneys.**);
- go online to the state's website, (<http://courts.ca.gov/selfhelp>);
- use legal self-help websites and books
- visit the Self-Help Center/Family Law Facilitator's Office in person. Please call 257-2627 for an appointment

Superior Court, County of Amador
Self-Help Center/Family Law Facilitator's Office
500 Argonaut Lane, Room C, Jackson, CA 95642

VISIT US ONLINE:
www.amadorcourt.org
www.courts.ca.gov/selfhelp

CALL US
for an appointment
209-257-2627 (Self-Help)