

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

Civil and Family Law Courthouse
3055 Cleveland Avenue
Santa Rosa, CA 95403

Family Law Clerk 707 521 6630
Family Law Facilitator 707 521 6545
<http://sonoma.courts.ca.gov> <http://www.courts.ca.gov>

CHECKLIST 6 PARENTAGE BY DEFAULT WITHOUT AGREEMENT

Clerks Notes:

Received:

Status End:

Court Dates:

Fees Due Pet:

Fees Due Res:

Case Name:

Case Number:

Document Examiner:

Date:

Returned To:

▪ This checklist is not a complete list of all legal requirements. The clerk or the judicial officer may require additional

information or documentation based on the case, issues, and orders requested.

- ***An Original and two (2) copies of all documents must be submitted. Any items listed in Clerk's notes to submitting party on the last page needs to be completed or corrected before resubmission.***

FL-200 Petition - Attach copy of birth certificate or Voluntary Declaration of Paternity when possible

Item 1, 2

3 a, b or c:

If "c", provide facts establishing court's jurisdiction over Respondent: See FC 5700.201 for non-residents

4, 5, 7, 8 completed

item 11: To issue a new birth certificate, California Department of Public Health Vital Statistics requires place and date of birth of child, full original name on birth certificate, full new name of child to be on new birth certificate.

FL-105 Declaration Under Uniform Child Custody Jurisdiction Act (Required with children. Update if children's residence changed since previous filing). CRC 5.52 FC 3429

FL-210 Summons

FL-115 Proof of Service - Completed properly.

Service Date:

By Publication/Posting

By Substituted Service/Certified Mail

FL-165 Request to Enter Default

2 Completed :

Financial information documents (FL-150/155) must be attached if children are in the case or requesting attorney fees. Regarding child support, data must match the child support calculation attached to the Judgment. FC 2336,

3 Completed (Provide address if 3.b. is checked). FC 2335.5, CRC 5.407, 5.415(c),

All four signature areas (front and back) completed

Provide 1 stamped envelope addressed to Respondent at address in #3b. Use Court address for return address. Include enough postage for mailing.

FL-230 Declaration for Default or Uncontested

- Items 3, 4, 5, 6, 7, 8, 9, 10, 12, completed as applicable
- Attach copy of Voluntary Declaration of Paternity if available.

NOTE: Appearance at Default hearing may be required if proposed orders appear not to be in the child's best interests, child support is set lower than the capacity of the non-custodial parent to pay, or if it appears to be in the best interests of justice. FC 2336

FL-235 Advisement of Rights – Attachment to FL-230

- Petitioner only to sign
- Item 9a or 9b marked; if 9b, interpreter's declaration to be completed and signed.

FL-250 Judgment

- Items 2 (by default), 2f,
- 3 as to both parents

Custody/Visitation:

- Items 4 and (1),(2) or (3) as appropriate
- Terms of custody included. Terms of custody/visitation may not be more restrictive than those sought in the Petition, but may be more liberal. If including existing orders, those orders must be attached to the Judgment and incorporated therein.
- Judgment must contain Family Code 3048 language. If using form FL-341 Custody and Visitation Attachment #3 must be marked.
- Supervised visitation request may require a default hearing if insufficient facts presented.

Child Support –Guideline child support is mandatory unless properly rebutted. Child support cannot be "reserved" or "waived" in default proceeding.

- Item 5a and (1),(2) or (3) as appropriate
- Attach court accepted child support calculation even if result is zero. CRC 5.260
- Terms: Start date End language Kids' names Payor Payee Amount
- If guideline is rebutted, attach FL-342(A) Non-Guideline Child Support Findings Attachment and include declaration re rebuttal factors under FC 4057 (b). CRC 5.260
- If DCSS is intervened in the case:
 - If establishing support or modifying any provision of existing order, DCSS must sign judgment in approval.
 - If no change to existing order, attach copy of current support order or reference it specifically.
- If Judgment refers to another child support agency case but they are not intervened in this case, they do not need to sign off. State the case number.
- Attach Notices: Form FL-192 and FL-020.

Name Change/New Birth Certificate:

- Item 5d completed if last names of children are changed.
- Item 5e, to obtain a new birth certificate if children's name changed or parent added to birth certificate. To issue a new birth certificate, California Department of Public Health Vital Statistics requires place and date of birth of child, full original name on birth certificate, full new name of child to be on new birth certificate, full name of parent to be added to birth certificate.

Attorney Fees/Expenses of Birth

- Items 5f and 5g, with attachments, as applicable

Attachments

- Number of pages attached listed at Item 6.

FL-190 Notice of Entry of Judgment

- 6 Parent-child relationship
- Name and address of both parties listed. Respondent's must match that address listed on FL-165 at item 3(b).
- Provide two envelopes, 1 addressed to each party/attorney(s) of record, with postage affixed for return of FL-190 to each party, or the attorney(s) of record, and with the Court's address noted as the return address. CRC 5.415(c), FC 2338.5

NOTE: ORDER TO PAY PREVIOUSLY WAIVED COURT FEES AND COSTS:

Upon the submission of a Judgment, after considering information in the court file and other evidence, the Court may order a party to pay all or part of the previously waived fees and costs of either party. Gov. Code Section 68637

Case Name and Number:

Document Examiner

CLERKS NOTES TO JUDICIAL OFFICER: