

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
- Terms: Start date End language Kids' names Payor Payee Amount
- Mandatory child support add-ons included. FC 4062.
- Attach Dissomaster or other court accepted support calculation. CRC 5.260
- If guideline child support is rebutted, attach FL-342(A) Non-Guideline Child Support Findings Attachment and include declaration providing 4057(b) rebuttal factors. FC 4057(b), CRC 5.260.
- If Dept. of Child Support Services is a party to this case or if child support rights have been assigned (child receiving cash aid), DCSS must sign the judgment.
DCSS prefers the following signature block:
“The Department of Child Support Services has reviewed this Judgment and has no objection to the support-related provisions contained herein.
Signed by: _____, Attorney for DCSS. Dated: _____”
- If DCSS is a party to another case and child support orders were made in that case, do not include child support in this case, but reference the other case number. DCSS does not need to sign off.
- 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.

FL-180 continued

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 of record, with postage for mailing of FL-190 to each party or their attorney of record. Use Court's address for return address. CRC 5.415(c), FC 2338.5.
- Provide one large self-addressed envelope with enough postage for return mailing of all other file-endorsed copies. May be combined with FL-190 envelope if addressed to party/attorney of record. Must be a separate envelope if addressed to someone other than party/attorney of record (e.g. paralegal, legal document assistant, etc.).

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:

CLERK'S NOTES TO SUBMITTING PARTY OR JUDICIAL OFFICER:

JUDICIAL OFFICER'S NOTES TO CLERK OR SUBMITTING PARTY: