

# RESPONSE TO (PATERNITY) PETITION TO ESTABLISH PARENTAL RELATIONSHIP

## HELPFUL WEBSITES

[www.courts.ca.gov](http://www.courts.ca.gov) - State Court - forms, etc.  
[www.kern.courts.ca.gov](http://www.kern.courts.ca.gov) - Kern Court Website  
[www.kclawlib.org](http://www.kclawlib.org) – Kern County Law Library  
[www.findlaw.com](http://www.findlaw.com) – Case Law  
[www.leginfo.ca.gov](http://www.leginfo.ca.gov) - Legislation/Codes  
[www.accesslaw.com](http://www.accesslaw.com) – Forms, Cases, Codes

## GETTING STARTED

If you have been served with a Petition to Establish Parental Relationship, FL-200 packet, you have thirty (30) days from the date you were served to file a Response to Petition to Establish Parental Relationship. The Response form, FL-220 and attachment packet is your chance to tell the Court what you want.

***WARNING! If a person is established as a legal parent of a child, that person MUST support the child financially! If a legal parent does not financially support a child, he/she may be subject to civil and/or criminal penalties.***

**#1 COMPLETE THE FOLLOWING FORMS:** You can get these forms from the Family Law Clerk, Family Law Facilitator, or online at [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms); [www.kern.courts.ca.gov/I-CAN!](http://www.kern.courts.ca.gov/I-CAN!)

1. Mandatory Response to Petition to Establish Parental Relationship (Uniform Parentage) (FL-220)
2. **mandatory** Declaration Under Uniform Child Jurisdiction and Enforcement Act (UCCJEA) (FL-105); if there are more than 2 children use attachment FL-105(A), if need more space to write address use Attachment 3c
3. **mandatory** Proof of Service by Mail (FL-335);
4. **Optional Custody/Visitation Attachments**  
Child Custody and Visitation Attachment (FL-311)  
Request for Child Abduction Prevention Order (FL-312)  
Children’s Holiday Schedule Attachment (FL-341(C))  
Additional Provisions – Physical Custody Attachment (FL-341(D))  
Joint Legal Custody Attachment (FL-341(E))

5. **Optional Support Forms (mandatory if Petitioner is requesting for child support):** Income and Expense Declaration (FL-150) or Financial Statement Simplified) (FL-155);

**#2 FILING FEE or FEE WAIVER:** There is a FEE for filing the papers. If you cannot afford the filing fee, Fee Waiver forms are available. See current fee schedule for list of fees.

**#3 MAKE COPIES:** Make sufficient number of copies, original + 2 or 3 or more for all parties and attorneys involved as follows:

1. Response to Petition to Establish Parental Relationship (Uniform Parentage) (FL-220) & any attachments used.
2. Declaration Under Uniform Child Jurisdiction and Enforcement Act (UCCJEA) (FL-105).
3. Proof of Service by Mail (FL-335).

**#4 SERVE RESPONDENT:** Have a 3<sup>rd</sup> person (SERVER), 18 years or older and not a party or witness to the case serve the documents to the Respondent by mail. Server completes the Proof of Service (FL-335).

**#5 FILE with the Family Law Clerk ASAP.** Take the original Response with attached Original Proof of Service and one additional copy to the Family Law Division for filing after service is done on Petitioner with a fee or Fee Waiver.

**#6 WHAT NEXT?**

1. You or the Petitioner may now request to set a hearing and go to Trial by filing an At-Issue Memorandum (separate handout/local form).
2. The Clerk of the Court will send out *Notice of Mandatory Settlement & Trial Setting*
3. Prepare – Mandatory Settlement Conference Statement & go to Mandatory Settlement Conference Hearing (separate handout/local form)
4. Prepare – Trial Brief (separate handout)
5. Go to Trial
6. The Petitioner is to Prepare Judgment, Notice of Entry of Judgment, Envelopes, and Postage Stamps.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>YOUR NAME</b> <b>YOUR ADDRESS</b> <b>CITY, STATE, and ZIP CODE</b> TELEPHONE NO.: <b>PHONE NUMBER</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>IN PRO PER</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN</b> STREET ADDRESS: <b>(SEE ATTACHED LIST OF</b> MAILING ADDRESS: <b>KERN COURT'S ADDRESSES)</b> CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: <b>PETITIONER'S NAME</b>  RESPONDENT: <b>RESPONDENT'S NAME</b>	
<b>RESPONSE TO PETITION TO ESTABLISH PARENTAL RELATIONSHIP (Uniform Parentage)</b>	CASE NUMBER: <b>CASE NUMBER</b>

1. The children are (name each):
 

<u>Child's name</u>	<u>Date of birth</u>	<u>Age</u>	<u>Sex</u>
<b>CHILD'S NAME</b>	<b>DATE OF BIRTH</b>	<b>AGE</b>	<b>MorF</b>

b.  A child who is not yet born
  
2. The petitioner is
 

**(CHECK THE BOXES THAT PERTAINS TO YOUR CASE/RESPONSE)**

a.  the mother of the children listed above.

b.  the father of the children listed above.

c.  not certain whether he or she is the biological parent of the children listed above.

d.  the child or child's representative (specify court and date of appointment):

e.  other (specify):
  
3. The respondent
 

a.  lives in the State of California.

b.  was in California when the listed children were conceived.

c.  neither a nor b

d.  other (specify):
  
4. The children
 

a.  live or are in this county.

b.  are children of a parent who is deceased, and proceedings for administration of the estate have been or could be started in this county.
  
5. The respondent is
 

a.  the father of the children listed in item 1 above.

b.  the mother of the children listed in item 1 above.

c.  not certain if he or she is the parent of the children listed in item 1 above.

d.  not the parent of the children listed in item 1 above.

e.  other (specify):
  
6. Additional statements
 

a.  Parentage has been established by a Voluntary Declaration of Paternity (attach copy).

b.  Parentage has been established in another case  governmental child support  other (specify):

c.  Public assistance is being provided to the children.

PETITIONER: <b>PETITIONER'S NAME</b>	CASE NUMBER: <b>CASE NUMBER</b>
RESPONDENT: <b>RESPONDENT'S NAME</b>	

The respondent requests that the court make the orders listed below.

7. **Parent-child relationship** (check all that apply):

- a.  Respondent  Petitioner  Other (specify): \_\_\_\_\_ is the parent of the children listed in item 1.
- b.  Respondent  Petitioner  Other (specify): \_\_\_\_\_ is not the parent of the children listed in item 1.
- c.  Respondent requests genetic (blood) tests to determine whether the  petitioner  respondent is the parent of the children listed.

8. **Child custody and visitation**

- a. If  Petitioner  Respondent  Other is found to be the parent of the children listed in item 1:  

	Petitioner	Respondent	Joint	Other
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- b. Legal custody of the children should go to  Petitioner  Respondent  Joint  Other
- c. Physical custody of the children should go to  Petitioner  Respondent  Joint  Other
- d. Visitation of the children should be as follows:
  - (1)  None
  - (2)  Reasonable visitation
  - (3)  Petitioner  Respondent should have the right to visit the children as follows (specify):  
**(SPECIFY THE VISITATION SCHEDULE YOU WANT such as: "1ST, 3RD, AND 5TH WEEKEND OF THE MONTH BEGINNING ON FRIDAYS AT 6PM TO SUNDAY AT 6PM")**
  - (4)  Visitation should occur with the following restrictions (specify):  
**(SPECIFY ANY VISITATION RESTRICTIONS HERE, IF ANY)**
  - (5)  I request mediation to work out a parenting plan.

9. **Reasonable expenses of pregnancy and birth**

Reasonable expenses of pregnancy and birth should be paid by

Petitioner	Respondent	Both
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. **Fees and costs of litigation**

a. Attorney fees should be paid by

Petitioner	Respondent	Both
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Expert fees, guardian ad litem fees, and other costs of the action or pretrial proceedings should be paid by

Petitioner	Respondent	Both
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. **Name change.**  The children's names should be changed, according to Family Code section 7638, as follows (specify old and new names): **(CHECK & COMPLETE #11 IF YOU WANT TO REQUEST FOR THE CHILD'S NAME CHANGE, e.g. "Little Boy Baby should now be know as Little Boy Daddy's Last Name")**

12. **Other orders requested** (specify):  
**(List additional request here, e.g.: "FATHER'S NAME BE ADDED TO CHILD'S BIRTH CERTIFICATE")**

13. **Child support.** The court may make orders for support of the children and issue an earnings assignment without further notice to either party.

I have read the restraining order on the back of the *Summons* (form FL-210) and I understand it applies to me.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **DATE YOU SIGN**

**PRINT RESPONDENT'S NAME** \_\_\_\_\_  
(TYPE OR PRINT NAME)

**RESPONDENT'S SIGNATURE** \_\_\_\_\_  
(SIGNATURE OF RESPONDENT)

**NOTICE: If you have a child from this relationship, the court is required to order child support based upon the income of both parents. Support normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based upon information supplied by the other parent. Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.**



PETITIONER: <b>PETITIONER'S NAME</b> RESPONDENT: <b>RESPONDENT'S NAME</b>	CASE NUMBER: <b>CASE NUMBER</b>
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3.  **Supervised visitation.**  
 I request that (*name*): \_\_\_\_\_ have supervised visitation with the minor children according to the schedule set out on page 1 and that the visits be supervised by (*name*): \_\_\_\_\_ who is a  professional  nonprofessional supervisor. The supervisor's phone number is (*specify*): \_\_\_\_\_

I request that the costs of supervision be paid as follows: petitioner: \_\_\_\_\_ percent; respondent: \_\_\_\_\_ percent.

**If item 3 is checked, you must attach a declaration that shows why unsupervised visitation would be bad for your children. The judge is required to consider supervised visitation if one parent is alleging domestic violence and is protected by a restraining order.**

**(COMPLETE ONLY THE SECTION YOU ARE REQUESTING AN ORDER FOR)**

4.  **Transportation for visitation and place of exchange.**

- a.  Transportation **to** the visits will be provided by (*name*): \_\_\_\_\_
- b.  Transportation **from** the visits will be provided by (*name*): \_\_\_\_\_
- c.  Drop-off of the children will be at (*address*): \_\_\_\_\_
- d.  Pick-up of the children will be at (*address*): \_\_\_\_\_
- e.  The children will be driven only by a licensed and insured driver. The car or truck must have legal child restraint devices.
- f.  During the exchanges, the parent driving the children will wait in the car and the other parent will wait in his or her home while the children go between the car and the home.
- g.  Other (*specify*): \_\_\_\_\_

5.  **Travel with children.** The  petitioner  respondent  other (*name*): \_\_\_\_\_ **must** have written permission from the other parent or a court order to take the children out of

- a.  the state of California.
- b.  the following counties (*specify*): \_\_\_\_\_
- c.  other places (*specify*): \_\_\_\_\_

**(COMPLETE ONLY THE SECTION YOU ARE REQUESTING AN ORDER FOR)**

6.  **Child abduction prevention.** There is a risk that one of the parents will take the children out of California without the other parent's permission. I request the orders set out on attached form FL-312.

7.  **Children's holiday schedule.** I request the holiday and visitation schedule set out on the attached  form FL-341(C)  other (*specify*): \_\_\_\_\_

8.  **Additional custody provisions.** I request the additional orders regarding custody set out on the attached  form FL-341(D)  other (*specify*): \_\_\_\_\_

9.  **Joint legal custody provisions.** I request joint legal custody and want the additional orders set out on the attached  form FL-341(E)  other (*specify*): \_\_\_\_\_

10.  **Other.** I request the following additional orders (*specify*): \_\_\_\_\_



SHORT TITLE: <b>PETITIONER'S NAME VS. RESPONDENT'S NAME</b>	CASE NUMBER:
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4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

Yes  No (If yes, attach a copy of the orders (if you have one) and provide the following information):

(IF YES IS CHECKED, COMPLETE BELOW) Proceeding	Case number	Court (name, state, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state, location)
d. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency		
e. <input type="checkbox"/> Adoption		

5.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State	Case number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile Delinquency/ Juvenile Dependency				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?  Yes  No (If yes, provide the following information):

**(IF YES IS CHECKED, COMPLETE BELOW)**

a. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	b. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child	c. Name and address of person  <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights Name of each child
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **DATE YOU SIGN**

**PRINT YOUR NAME** \_\_\_\_\_

(TYPE OR PRINT NAME)

**SIGN YOUR NAME** \_\_\_\_\_

(SIGNATURE OF DECLARANT)

7.  Number of pages attached: \_\_\_\_\_

**NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.**

**\*USE THIS FORM AS AN ATTACHMENT IF THERE ARE MORE THAN 2 CHILDREN IN THE CASE\***

**FL-105(A)/GC-120(A)**

CASE NAME: <b>PETITIONER'S NAME VS. RESPONDENT'S NAME</b>	CASE NUMBER: <b>CASE NUMBER</b>
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**ATTACHMENT TO  
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

<b>c.</b> Child's name <b>CHILD'S NAME</b> <input checked="" type="checkbox"/> Residence information is the same as given on form FL-105/GC-120 for child a. (If NOT the same, provide the information below.)		Place of birth <b>CITY &amp; STATE OF BIRTH</b>	Date of birth <b>DATE OF BIRTH</b>	Sex <b>M or F</b>
Period of residence  to present	Present address  <input type="checkbox"/> Confidential	Person child lived with (name and complete current address)  <input type="checkbox"/> Confidential	Relationship	
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
Child's name <input type="checkbox"/> Residence information is the same as given on form FL-105/GC-120 for child a. (If NOT the same, provide the information below.)		Place of birth	Date of birth	Sex
Period of residence  to present	Address  <input type="checkbox"/> Confidential	Person child lived with (name and complete current address)  <input type="checkbox"/> Confidential	Relationship	
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
Child's name <input type="checkbox"/> Residence information is the same as given on form FL-105/GC-120 for child a. (If NOT the same, provide the information below.)		Place of birth	Date of birth	Sex
Period of residence  to present	Address  <input type="checkbox"/> Confidential	Person child lived with (name and complete current address)  <input type="checkbox"/> Confidential	Relationship	
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
to	Child's residence (City, State)	Person child lived with (name and complete current address)		
to	Child's residence (City, State)	Person child lived with (name and complete current address)		

**ATTACHMENT TO  
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION  
AND ENFORCEMENT ACT (UCCJEA)**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>YOUR NAME</b> <b>YOUR ADDRESS</b> <b>CITY, STATE, and ZIP CODE</b> TELEPHONE NO.: <b>PHONE NUMBER</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>IN PRO PER</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN</b> STREET ADDRESS: <b>(SEE ATTACHED LIST OF</b> MAILING ADDRESS: <b>KERN COURT'S ADDRESSES)</b> CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: <b>PETITIONER'S NAME</b>  RESPONDENT/DEFENDANT: <b>RESPONDENT'S NAME</b>  OTHER PARENT/PARTY:	CASE NUMBER: <b>CASE NUMBER</b>  (If applicable, provide):  HEARING DATE: HEARING TIME: DEPT.:
<b>PROOF OF SERVICE BY MAIL</b>	

**NOTICE: To serve temporary restraining orders you must use personal service (see form FL-330).**

1. I am at least 18 years of age, not a party to this action, and I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:  
**SERVER'S STREET ADDRESS**  
**CITY, STATE, and ZIP CODE**
3. I served a copy of the following documents (*specify*):  
**LIST THE NAME OF THE FORMS SERVED SUCH AS:**  
**RESPONSE-PETITION TO ESTABLISH PARENTAL RELATIONSHIP; ATTACHMENTS TO THE RESPONSE; UCCJEA**  
  
 by enclosing them in an envelope AND **MARK EITHER "A" or "B"**
  - a.  **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
  - b.  **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. The envelope was addressed and mailed as follows:
  - a. Name of person served: **LIST THE NAME OF THE PETITIONER**
  - b. Address: **PETITIONER'S MAILING ADDRESS OR ATTORNEY**  
**CITY, STATE, and ZIP CODE**
  - c. Date mailed: **DATE PAPERS ARE MAILED**
  - d. Place of mailing (*city and state*): **FROM WHICH CITY AND STATE**
5.  I served a request to modify a child custody, visitation, or child support judgment or permanent order which included an address verification declaration. (*Declaration Regarding Address Verification—Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order* (form FL-334) may be used for this purpose.)
6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **SERVER DATE SIGNS**

**PRINT SERVER'S NAME** \_\_\_\_\_  
(TYPE OR PRINT NAME)

**SERVER'S SIGNATURE** \_\_\_\_\_  
(SIGNATURE OF PERSON COMPLETING THIS FORM)