



## Starting a Uniform Parentage Act Case

### **The Purpose of a Parentage Case**

A Uniform Parentage Act case (parentage case) is used to officially establish a parent-child relationship (Parentage).. 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.

### **Timeline**

A parentage case may be started whenever it is needed, but where it can be filed at the chosen time will depend upon whether residency has been established. The child must live in California for at least six months and in Sacramento County currently before the case can be filed here..

### **Fees**

There is a fee for filing a Petition to Establish a Parental Relationship. Fee information can be found on the court's website at [www.saccourt.ca.gov](http://www.saccourt.ca.gov). If you are unable to pay the filing fee, you may request that your fees be waived by filing a Request to Waive Court Fees. Forms and instructions for completing the Request to Waive Court Fees are also available on the Court's website.

### **Forms**

- Summons, form FL-210
- Petition to Establish Parental Relationship, form FL-200
- Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act, form FL-105
- Family Law Case Participant Enrollment Form, local form FL/E-LP-665 (Sacramento form)
- Proof of Service of Summons, form FL-115

#### **IF you are requesting a Fee Waiver:**

- Request to Waive Court Fees, FW-001
- Order on Court Fee Waiver (Superior Court), FW-003

All forms can be downloaded from the California Court's website, <https://courts.ca.gov/rules-forms/court-forms> and local forms from the Sacramento Court website <https://www.saccourt.ca.gov/>. You will find the name of these and other forms at the bottom center of the document and the form number in the upper right hand



corner of the document. Read each form carefully and answer each question to the best of your ability. When you have completed each form, you will sign under penalty of perjury that the information you provided is correct.

## **Complete the Forms**

### **Summons, FL-210**

Carefully review the Summons and the information needed to complete this form. Complete the Summons in its entirety, making sure not to omit or skip information. Be sure to review the details on the second page, which includes important "Standard Family Law Restraining Orders" that will apply to you as soon as it is filed. Be sure to read and understand these orders so you can follow them.

### **Petition to Establish Parental Relationship, FL-200**

Carefully review the Petition and the information needed to start your case. The Petition is the form that tells the Court what orders you are requesting. Do not skip information or sections of the Petition. Include the complete name (first, middle, and last), birthdate, age, and gender for the child(ren) of your relationship with the other party in this case. Be sure that the spelling of the child(ren)'s names are identical to the names on the birth certificates.

### **UCCJEA Declaration, form FL-105**

The information on this form is used to determine that California is the child(ren)'s home state for the purposes of determining child custody. Be careful to include full names and addresses on the form, and provide information going back a full FIVE (5) years or to the date of birth if your child is under five years old.

### **Family Law Case Participant Enrollment Form, local form FL/E-LP-665**

In Sacramento County, family law documents prepared by the Court are published to a secure web site where only parties to the case who have created an online account can view and download them. The Family Law Case Participant Enrollment Form is used to register an email address that will be used to access the online account.

Within twenty-four hours of filing your forms, you should receive an email advising you that an account has been created for you to access any documents posted in your new case. Follow the link in the email to confirm your account and create your unique password. This account will be used for the life of your case. If your email address changes, you will be required to file a new Family Law Case Participant Enrollment Form in order to continue to have access to documents posted by the Court.

### **Proof of Service of Summons, form FL-115**

This form will be completed and signed by your 3<sup>rd</sup> Party SERVER to indicate they have personally served a copy of Summons, Petition, and UCCJEA to the Respondent.

### **Fee Waiver, forms FW-001 and FW-003**

You will be charged a "first appearance fee" when you file your Summons and Petition. If you would like to ask the Court to waive your filing fees, you must complete and



submit a Request for Fee Waiver (FW-001) as well as an Order on Court Fee Waiver (FW-003).

**Copies**

Make copies of your documents as indicated below. Send an Original and Copies to the Court. The Court will keep the original and return the copies to you. Make the appropriate number of copies as follows:

<b><u>Form Name</u></b>	<b><u>No. of Copies</u></b>
Summons (FL-210)	2
Petition to Establish Parental Relationship (FL-200)	2
UCCJEA Declaration (FL-105)	2
Public Case Access Form (FL/E-LP-665) <b>(with copy of photo ID)</b>	1
Request to Waive Court Fees (FW-001)	1
Order on Court Fee Waiver (FW-003)	1

**Note:** Wait to copy your Proof of Service of Summons until AFTER your forms have been served (see below) and your server has completed the form.

Proof of Service of Summons (FL-115)	1
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**File**

When you are ready to file your forms you may file them in-person, by mail or place them in the drop box inside the lobby of the Courthouse. If you file by mail, send your forms, copies and fee to the following address:

Sacramento Superior Court  
Wm. R. Ridgeway Family Relations Courthouse  
3341 Power Inn Road, Rm. 100  
Sacramento, CA 95826

When your forms are filed, the clerk will issue you a case number, stamp this number on your forms and place your original Summons, Petition and Declaration Under Uniform Child Custody Jurisdiction And Enforcement Act inside a new court file. The clerk will file stamp and return the copies to you.

You will receive two sets of copies of the forms you completed. Keep one copy of all the completed forms. The second set of copies will need to be served on the other parent by a third party over the age of 18, along with blank response forms.

**Serve**

After your forms are filed, the next step is to arrange for service on the other parent. Generally, hand-delivery of the forms, which is called "personal service," is required. Instructions on "personal service" and instructions on "service by mail with



acknowledgment” will be described below. Other methods of service are only allowed in limited special situations. If you anticipate problems getting the other parent served by hand-delivery or mail with a signed acknowledgement, you may want to discuss your options for other service methods with a private attorney or contact the Family Law Facilitator.

### **Personal Service**

**You may not serve documents in your own case.** Instead, select an adult friend, relative, Sheriff or professional process server to do the service of your forms on the other parent.

Both the Sheriff and a private process server charge a fee for the service. If your filing fees were waived by the court, the Sheriff may be able to serve your papers at no cost to you.

If the other parent is incarcerated, there should be someone at the facility who will serve him or her for you. You may contact the facility directly and ask to be connected to the person or department that serves legal documents on inmates. Follow carefully the instructions they give on how to obtain their help in serving the other parent.

Give the server a copy of all the completed forms as well as the blank forms. The server must walk up to the other parent and hand the documents to him or her. If the other parent refuses to take the papers and the server is face-to-face with them, the server can say “you are now served with legal papers” and drop the papers at their feet. The other parent does not have to sign anything or agree to the service.

Once hand-delivery is accomplished, the server must complete the original Proof of Service of Summons (FL-115). This includes *when and where* service occurred, *how* service was accomplished, *the name and address* of the person who did the service, *the date* the Proof of Service form was completed and *the signature* of the server. If the Sheriff or a Corrections Officer is the server, they may prepare a different form of Proof of Service than the one the court normally uses.

After the Proof of Service of Summons is completed by the server, make a copy of it. File the original and a copy with the Court. The Court will keep the original for the court file, and return the file-stamped copy to you. Keep this copy with your other court papers, as you will need it later to finish the case.

### **Service by Mail (Notice and Acknowledgment of Receipt – Family Law)**

California Code of Civil Procedure § 415.30 permits service by mail with Notice and Acknowledgment of Receipt. If you would like to pursue this method of service, you must do the following:

**You may not mail the documents in your own case.** Instead, select a friend or relative over the age of 18 to mail them for you. Provide the server a copy of all the completed forms as well as the required blank forms. You will also need a Notice and Acknowledgment of Receipt – Family Law (FL-117), and a Proof of Service Summons



(FL-115). Complete the caption (top part of the form) of the Notice and Acknowledgment of Receipt and Proof of Service of Summons. The server and the other parent will need to complete the rest of these forms.

Your sender must mail the original Notice and Acknowledgment of Receipt – Family Law (FL-117) and copy along with all the forms you are serving. Your server must also include a stamped envelope addressed to the server for return of the signed Notice and Acknowledgement of Receipt. Once your sender receives the completed and signed (by the other parent) Notice and Acknowledgment of Receipt, he or she must complete the Proof of Service of Summons.

**NOTE:** If the other parent does not sign and return the Notice and Acknowledgment of Receipt, you must have him or her served personally, as described above.

After the Proof of Service of Summons is completed by the server, attach the Notice and Acknowledgment of Receipt and make a copy. File the original and one copy with the Court in the same manner as described earlier. The filing clerk will keep the original for the court file, and return the file-stamped copy to you. Keep this copy with your other court papers, as you will need it later to finish the case.

### **What's Next?**

Filing a Summons and Petition to Establish a Parental Relationship is just your first step. The other parent has 30 days from the date of service to respond to your court forms, or longer if you do not return to court promptly to take the next step. For more information about requesting court orders or finishing your case, please contact the Self Help Center through our e-Correspondence system, or consult a private attorney for further assistance.

If you need court ordered support, child custody, visitation or other types of court orders, you may contact the Self Help Center to learn about the options available to you.

### **If Your Address or Contact Information Changes**

The mailing address that you list on your Response will be used by the Court and all other parties to the case to send legal notices and copies of documents filed with the Court. If you would like to change the address where forms and notices are sent, you must file a Notice of Change of Address or Other Contact Information, form MC-040.