

How to Request Judgment of Paternity

WHEN TO USE THIS PACKET

These forms can be used to request the court to enter a judgment establishing paternity, to include custody, visitation, child support, and a name change (and amending the birth certificate) of the minor child between unmarried parents.

You must have had the other parent served with a Summons, Petition, and a UCCJEA. Once service was completed, a Proof of Service must have been filed with the court. The other party may or may not have filed a Response in your case.

If the respondent has not filed a Response, then you must have filed a Request to Enter Default (separate packet). You may proceed using this packet, even if the parties have agreed and prepared a written agreement.

If the respondent filed a Response, in order to use this packet the parties must agree in writing to enter a judgment of paternity. This may be done by filing a document called “Stipulation For Entry of Judgment” (FL-240) **instead of** a Default. If this is the case, fees (or a Fee Waiver) will be due from the Respondent). A written agreement must be attached to the judgment.

If you are uncertain whether to use this packet, you should seek assistance from the Self-Help Center.

Instructions

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR NAME: SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS MAILING ADDRESS CITY AND ZIP CODE BRANCH NAME PETITIONER RESPONDENT DECLARATION FOR DEFAULT OR UNCONTESTED JUDGMENT	FL-230 FOR COURT USE ONLY CASE NUMBER
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1. I declare that if I appeared in court and were sworn, I would testify to the truth of the facts in this declaration.
2. I request that proof be taken by this declaration and that I will not appear before the court unless I am ordered by the court to appear.
3. All the information *Petition or Complaint to Establish Parental Relationship* *Response or Answer*
 Petition to Establish Custody and Support *Response* is true and correct.
4. Respondent and/or Petitioner is/are the parent(s) of the minor child(ren).
5. A Voluntary Declaration of Paternity form has not been signed regarding this child (attach a copy if available).
6. DEFAULT OR UNCONTESTED (Check a or b):
 a. Result of the respondent was entered or is being requested, and I am not seeking any relief not requested in the
OR
 b. The parties have stipulated that the matter may proceed as an uncontested matter without notice, and the stipulation is attached.
7. CHILD SUPPORT should be ordered as set forth in the proposed Judgment (form FL-250).
 a. Petitioner Respondent is presently receiving public assistance (TANF); thus all support should be made payable to the local child support agency at (specify address):

NOTE: If a support order is requested, submit a completed Income and Expense Declaration (form FL-150), or Financial Statement (Simplified) (form FL-155), unless a current form is on file. Include your best estimate of the other party's gross monthly income.
8. ATTORNEY FEES should be ordered as set forth in the proposed Judgment (form FL-250).
9. CHILD CUSTODY should be ordered as set forth in the proposed Judgment (form FL-250).
10. CHILD VISITATION should be ordered as set forth in the proposed Judgment (form FL-250).
11. REASONABLE EXPENSES OF PREGNANCY AND BIRTH should be ordered as set forth in the proposed Judgment (form FL-250).
12. NAMES OF THE CHILDREN should be changed as set forth in the proposed Judgment (form FL-250).
13. This declaration may be reviewed by a commissioner sitting as a temporary judge who may determine whether to grant this request or require my appearance.
14. I have read and understand the *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235), which is signed and attached to this declaration.
15. Other (specify): _____

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

(TYPE OR PRINT NAME) _____ (SIGNATURE OF DECLARANT) _____

DECLARATION FOR DEFAULT OR UNCONTESTED JUDGMENT
 (Uniform Parentage, Custody and Support)

Form Adopted for Mandatory Use
 Judicial Council of California
 FL-230 (Rev. January 1, 2003)

Page 1 of 1
 Family Code, §§ 7600, 2120,
 2100 et seq.
 www.courtinfo.ca.gov
 American LegalNet, Inc.
 www.USCourtForms.com

How to fill out

DECLARATION FOR DEFAULT OR UNCONTESTED JUDGMENT (FL-230)

DIRECTIONS

- ▶ Find the number on the sample form.
Example: 1
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in blue or black ink.

1. Write your name.
Write you address.
2. If not filled in for you, write "Fresno" after COUNTY OF. The address is: 1130 "O" Street, Fresno CA 93724. The Branch Name is: B.F. Sisk Courthouse. Central Division.
3. Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
4. Write in your case number.
5. For line #3, mark the box that represents the type of action you filed. Example: petition to establish parental relationship. For line #4, mark both boxes indicating that the "Petitioner" and "Respondent" are the parents.
6. For line #5, mark the box that represents whether a Voluntary Declaration of Paternity has or has not been signed.
7. If the respondent has failed to file a response, then mark box #6 (a). If the parties have entered into a written agreement that will be attached to the judgment, mark box #6 (b).
8. Mark Item #7. If either parent is receiving public assistance, mark the appropriate box. If the Department of Child Support Services is involved in the child support of the child(ren) in this case, then write "SDU, P.O. Box 989067 West Sacramento, CA 95798" in the space provided at 7(a).
9. Mark boxes #9 and #10.
10. If when you filed your petition you requested a name change, mark the box and insert what the child's name is going to be. If you did not request a name change at the beginning of the case, you may not now request it, unless you file an amended petition.
11. Mark box #15 and write, "See attachment 15."
12. Write the date, print your name, and sign your name.

How to fill out

ADVISEMENT AND WAIVER OF RIGHTS

(FL-235)

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* ❶
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in blue or black ink

FL-235

PETITIONER: RESPONDENT:	1	CASE NUMBER:	2
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ADVISEMENT AND WAIVER OF RIGHTS RE: ESTABLISHMENT OF PARENTAL RELATIONSHIP

- RIGHT TO BE REPRESENTED BY A LAWYER.** I understand that I have the right to be represented by a lawyer of my own choice at my own expense. If I cannot afford a lawyer, I can contact the Lawyer Referral Association of the local bar association or the Family Law Facilitator for assistance.
- RIGHT TO A TRIAL.** I understand that I have a right to have a judge determine whether I am the parent of the children named in this action.
- RIGHT TO CONFRONT AND CROSS-EXAMINE WITNESSES.** I understand that in a trial I have the right to confront and cross-examine the witnesses against me and to present evidence and witnesses in my own defense.
- RIGHT TO HAVE PARENTAGE TESTS.** I understand that, where the law permits, I have the right to have the court order parentage tests. The court will decide who pays for the tests. The court could order that I pay none, some, or all of the costs of the tests.
- OBLIGATIONS.** I understand that if I admit that I am the parent of the children in this action that those children will be my children for legal purposes.
- WAIVER.** I understand that I am admitting that I am the parent of the children named in the stipulation and am giving up the rights stated above (except the right to an attorney if I have an attorney).
- CHILD SUPPORT.** I understand that I will have the duty to contribute to the support of the children named in this action and that this duty of support will continue for each child until the obligation is terminated by law.
- CRIMINAL NON-SUPPORT.** I understand that if I willfully fail to support the children, criminal proceedings may be initiated against me.
- UNDERSTANDING.**
 - I have read and understand the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights*.
 - I understand the translation.

IF I AM REPRESENTED BY AN ATTORNEY, I ACKNOWLEDGE THAT MY ATTORNEY HAS READ AND EXPLAINED TO ME THE CONTENTS OF THE STIPULATION, RECITALS, AND WAIVERS, AND I ACKNOWLEDGE THAT I UNDERSTAND THEM.

Date:

4

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

INTERPRETER'S DECLARATION

- The Petitioner Respondent is unable to read or understand the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights* because:
 - his/her primary language is (specify) 5
 - other (specify):
- I certify under penalty of perjury under the laws of the State of California that I have, to the best of my ability, read or translated for the Petitioner Respondent the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights*. Petitioner Respondent said he or she understood the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights* before signing them.

Date:

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(TYPE OR PRINT NAME)

(SIGNATURE OF INTERPRETER)

Page 1 of 1

Form Approved for Optional Use
Judicial Council of California
FL-235 (Rev. January 1, 2010)

ADVISEMENT AND WAIVER OF RIGHTS RE:
ESTABLISHMENT OF PARENTAL RELATIONSHIP
(Uniform Parentage)

Family Code, § 7600 et seq.
www.courtinfo.ca.gov

American LegalNet, Inc.
www.USCourts.com

- ❶ Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
- ❷ Write the case number.
- ❸ After reading the statements, mark box 9 (a) acknowledging that you understand or mark box 9 (b) if someone translated for you.
- ❹ Write the date, print your name, and sign your name.
- ❺ If a translator read the statements above to you, that translator must complete this section. This is **not** for you to complete, only the translator (if there is one).
- ❻ The translator must date, print his/her name, and sign (if there is one).

Note: If the parties have a written agreement, each party must complete and attach one of these forms.

SAMPLE ATTACHMENT 15 TO THE DECLARATION FOR DEFAULT SAMPLE

The parties in this case were not married and have the following child(ren) as a result of the relationship.

1) Issues related to Child Custody & Visitation

We have 2 minor child(ren) from this relationship and their names and dates of birth are:

- 1. **OLDEST CHILD'S NAME** _____, Date of birth: **11-14-2000**
- 2. **SECOND OLDEST CHILD'S NAME** _____, Date of birth: **9-15-2002**
- 3. _____, Date of birth: _____
- 4. _____, Date of birth: _____

- The current custody/visitation order, filed on _____, shall remain in full force and effect and is attached to the judgment.
- The child(ren) currently live with the mother father. The child(ren) visit do not visit with the other parent. The current visitation pattern is as follows: **The father is visiting on the 1st, 3rd and when applicable the fifth weekend beginning Friday at 6pm to Sunday at 6pm.**

- I am proposing that the court make the following orders for **custody**:
 - Legal custody to: Mother Father ▪ Physical Custody to: Mother Father
 - Mother Father to be the primary custodial parent.
- I am proposing that the court make the following orders for **visitation**:
 - Mother Father to have visitation as follows: **The father may visit on the 1st, 3rd and when applicable the 5th weekend beginning Friday at 6pm to Sunday at 6pm.**

2) Issues related to Child Support, Child Care, and Health Insurance:

- The current child support order, filed on _____, shall remain in full force and effect and is attached to the judgment.
- I request the issue of child support to be reserved as to: Mother Father.
- Petitioner Respondent is incarcerated and is expected to be released on or about _____.
- The children reside with the mother **80** % of the time and with the father **20** % of the time.
- The child(ren) are are not receiving public assistance. I am the other parent is receiving TANF for the child(ren) in this case.

CASE NAME: _____ Case Number: _____

- 1
- 2 • I am presently working not working. My gross monthly income is \$1,387. My tax filing
- 3 status is Single, and I claim one exemption(s).
- 4 I have _____ other minor child(ren) of mine from a different relationship living with me.
- 5 • The other parent is presently working not working. His/her monthly income is estimated (or the
- 6 other party has the ability to earn at least) \$1,387.00 and his/her tax filing status is Single, and
- 7 he/she claims one exemption(s).
- 8 The other parent has 0 other minor children of his/hers from a different relationship living with
- 9 him/her.

3) *Other*

10 Other information the court should know prior to entering a judgment: _____

11 _____

12

13 Dated: _____

Signed: _____

FL-250

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <div style="text-align: center; font-size: 24px; font-weight: bold;">1</div> TELEPHONE NO. _____ FAX NO. _____ ATTORNEY FOR (Name): _____ SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS _____ MAILING ADDRESS _____ CITY AND ZIP CODE _____ BRANCH NAME _____ PETITIONER _____ RESPONDENT _____ <div style="text-align: center; font-weight: bold;">2</div>	FOR COURT USE ONLY CASE NUMBER: <div style="text-align: center; font-size: 24px; font-weight: bold;">4</div>
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JUDGMENT

- 1 This judgment contains personal conduct restraining orders modifies existing restraining orders. The restraining orders are contained in item(s): _____ of the attachment. They expire on (date): _____ A CLETS form must be attached.
- 2 a. This matter proceeded as follows: Default or motion By declaration Contested
 b. Date: _____ Dept.: _____ Room: _____
 c. Judicial officer (name): _____ Temporary judge
 d. Petitioner present Attorney present (name): _____
 e. Respondent present Attorney present (name): _____
 f. **Petitioner** (1) The petitioner appeared without counsel and was advised of relevant rights.
 (2) The petitioner signed *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235).

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 (3) The petitioner is married to the Respondent, and no other action is pending.
 (4) The petitioner signed a Voluntary Declaration of Paternity.
 (5) There is a prior judgment of parentage in a family support, juvenile, or adoption court case.
 g. **Respondent** (1) The respondent appeared without counsel and was advised of relevant rights.

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 (2) The respondent signed *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235).
 (3) The respondent is married to the Petitioner, and no other action is pending.
 (4) The respondent signed a Voluntary Declaration of Paternity.
 (5) There is a prior judgment of parentage in a family support, juvenile or adoption court case.
 h. Other parties or attorneys present (specify): _____
3. **THE COURT FINDS**
 Name: _____ Mother Father
 Name: _____ Mother Father
 are the parents following children:
 Child's name _____ Date of birth _____

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10
4. **THE COURT ORDERS**
 a. Child custody and visitation are as specified in one or more of the attached forms:
 (1) *Child Custody and Visitation Order Attachment* (form FL-341)
 (2) *Stipulation for Order for Child Custody and/or Visitation of Children* (form FL-355)
 (3) Other (specify): _____

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JUDGMENT
(Uniform Parentage—Custody and Support)

Form Adopted for Mandatory Use
 Judicial Council of California
 FL-250 (Rev. January 1, 2004)

Page 1 of 2
 Family Code, §§ 21120, 29900,
 7500 et seq.
 www.courtinfo.ca.gov
 American LegalNet, Inc.
 www.USCourtForms.com

How to fill out

**JUDGMENT
(FL-250)**

Page 1

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* 1
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in blue or black ink.

- 1 Write your name.
Write your address.
- 2 If not filled in for you, write "Fresno" after COUNTY OF. The address is: 1130 "O" Street, Fresno CA 93724. The Branch Name is: B.F. Sisk Courthouse. Central Division.
- 3 Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
- 4 Write in your case number.
- 5 **If** there are restraining orders, mark box #1 and the second box. Complete the information requested and attach a copy of the order.
- 6 On line 2, mark the box "By declaration."
- 7 For line 2 (f) (1-5), mark all the boxes that apply regarding the petitioner.
- 8 For line 2 (g) (1-5), mark all the boxes that apply regarding the respondent.
- 9 Write the name of **each** of the parents and mark the appropriate boxes.
- 10 Write the name(s) of the child(ren) and write the date(s) of birth, starting with the eldest child.
- 11 Mark box 4 (a) and box (3). After the order "(specify)," write "**See Attachment 5h.**"

How to fill out
JUDGMENT
(FL-250)

Page 2

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* 11
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in blue or black ink.

PETITIONER: 11	CASE NUMBER: 12
RESPONDENT:	

5. THE COURT FURTHER ORDERS

a. Child support is as stated in one or more of the attached:

- (1) 13 Support information and Order Attachment (form FL-342)
- (2) Application to Establish or Modify Child Support and Order (form FL-350)
- (3) Other (specify):

b. Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. Thereafter, the parents must notify the court of any change in the information submitted, within 10 days of the change.

c. The form *Notice of Rights and Responsibilities—Health Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

d. The last names of the children are changed to (specify):

e. 14 Birth certificates must be amended to conform to this court order by

- (1) adding the father's name.
- (2) changing the last name of the children.

f. Attorney fees and costs are as stated in the attachment.

g. Reasonable expenses of pregnancy and birth are as stated in the attachment.

h. Other (specify): 15

Continued on Attachment 3h.

6. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT

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NOTICE: Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

FL-250 (Rev. January 1, 2004) **JUDGMENT** Page 2 of 2
(Uniform Parentage—Custody and Support)

- 11 Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
- 12 Write in your case number.
- 13 Mark Box 5 (a) and box (3). After the word “(specify),” write “**See Attachment 5h.**”
- 14 If when you filed your petition you requested a name change, mark the box and insert what the child’s name is going to be. If you did not request a name change at the beginning of the case, you may not now request it, unless you file an amended petition. If you wish to have the child’s birth certificate changed, complete section (e).
- 15 Mark box 5 (h). After the word “(specify),” write “**See Attachment 5h.**”
- 16 Mark the box under the “Judicial Officer’s” signature line.

NOTICE OF RIGHTS AND RESPONSIBILITIES
Health-Care Costs and Reimbursement Procedures

IF YOU HAVE A CHILD SUPPORT ORDER THAT INCLUDES A PROVISION FOR THE REIMBURSEMENT OF A PORTION OF THE CHILD'S OR CHILDREN'S HEALTH-CARE COSTS AND THOSE COSTS ARE NOT PAID BY INSURANCE, THE LAW SAYS:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Disputed charges. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion.

If you claim that the other party has failed to reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees and costs against a party who has been unreasonable.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

a. Burden to prove. The party claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.

b. Cost of additional coverage. If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any party uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the party incurring those costs.

How to fill out

NOTICE OF RIGHTS AND RESPONSIBILITIES (FL-192)

DIRECTIONS

- **There is nothing for you to complete on this form. Please read it.**

INFORMATION SHEET ON CHANGING A CHILD SUPPORT ORDER

General Information

The court has just made a child support order in your case. This order will remain the same unless a party to the action requests that the support be changed (modified). An order for child support can be modified only by filing a motion to change child support and serving each party involved in your case. If both parents and the local child support agency (if it is involved) agree on a new child support amount, you can complete, have all parties sign, and file with the court a Stipulation to Establish or Modify Child Support and Order (form FL-350) or Stipulation and Order (Governmental) (form FL-625).

When a Child Support Order May Be Modified

The court takes several things into account when ordering the payment of child support. First, the number of children is considered. Next, the net incomes of both parents are determined, along with the percentage of time each parent has physical custody of the children. The court considers both parties' tax filing status and may consider hardships, such as a child of another relationship. An existing order for child support may be modified when the net income of one of the parents changes significantly, the parenting schedule changes significantly, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. Remember: You must follow the order you have now.

What forms do I need?

- If you are asking to change a child support order open with the local child support agency, you must fill out one of these forms:
 - FL-680, Notice of Motion (Governmental) or FL-683, Order to Show Cause (Governmental) and
 - FL-684, Request for Order and Supporting Declaration (Governmental)

If you are asking to change a child support order that is not open with the local child support agency, you must fill out one of these forms:

- FL-301, Notice of Motion or FL-300, Order to Show Cause and
- FL-310, Application for Order and Supporting Declaration or
- FL-390, Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support

You must also fill out one of these forms:

- FL-150, Income and Expense Declaration or FL-155, Financial Statement (Simplified)

What if I am not sure which forms to fill out?

Talk to the family law facilitator at your court.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk will ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form 982(a)(17), Application for Waiver of Court Fees and Costs
- Form 982(a)(16), Order on Application for Waiver of Court Fees and Costs

You must serve the other parent. If the local child support agency is involved, serve it too.

This means someone 18 or over—not you—must serve the other parent copies of your filed court forms at least 16 court days before the hearing. Add 5 calendar days if you serve by mail within California (see Code of Civil Procedure section 1005 for other situations). Court days are weekdays when the court is open for business (Monday through Friday except court holidays). Calendar days include all days of the month, including weekends and holidays. To determine court and calendar days, go to www.courtinfo.ca.gov/serve/procourt/calendars/.

The server must also serve blank copies of these forms:

- FL-200, Responsive Declaration to Order to Show Cause or Notice of Motion and FL-150, Income and Expense Declaration, or
- FL-155, Financial Statement (Simplified)

Then the server fills out and signs a Proof of Service (form FL-330 or FL-335). Take this form to the clerk and file it.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- FL-340, Findings and Order After Hearing and
- FL-342, Child Support Information and Order Attachment

Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

**Do not write anything on this TWO PAGE document.
This is an informational document that must be attached to the judgment.
Read it.**

It is ordered as follows:

There is attached hereto, and labeled Exhibit _____, an original Agreement signed by both parties, consisting of _____ pages. The Agreement is incorporated and merged into this judgment as though fully set forth herein. The parties are ordered to comply with each and every executory provision in the Agreement. The court reserves jurisdiction to: enforce and administer the executory provisions of the Agreement; to award attorney’s fees and costs to the prevailing party in any action to enforce the provisions thereof; to join any person that may be joined according to law.

1) **Child Custody**

There is attached hereto and made part hereof, labeled as Exhibit____, a **certified copy** of Family Court Services or other court order, signed and filed by the court on _____. This attachment consisting of _____ pages is incorporated and merged into and made part of this judgment as though fully set forth herein.

The parties have 2 minor child(ren).

The custody of the minor children shall be awarded as follows:

Child’s Name	Date of Birth	Legal Custody	Physical Custody
OLDEST BABY DOE	11-14-00	JOINT	JOINT
SECOND ELDEST BABETTE DOE	9-15-02	JOINT	JOINT

Primary physical custody of the minor child shall be with the **JANE JONES**.

2) **Child Visitation**

The parties have no minor children, and no visitation orders shall be made.

The non-custodial parent shall have the following visitation rights:

Reasonable right of visitation as agreed between the parties.

Every weekend from _____ at _____ a.m./p.m. until _____ at _____ a.m./p.m.

Every 2nd and 4th weekend from _____ at _____ a.m./p.m. until _____ at _____ a.m./p.m.

Every 1st, 3rd, and when applicable, 5th weekend beginning **FRIDAY** at **6:00** p.m. and ending **SUNDAY** at **6:00** p.m.

Other (describe): _____

3) **Family Code Section 3048**

This Court has jurisdiction to make orders regarding child custody under the Uniform Child Custody Jurisdiction and Enforcement Act;

Notice and opportunity to be heard were given to the responding party/parties as provided by the laws of the State of California;

The custody and visitation rights of each party are set forth herein;
A violation of this order may subject the party in violation to civil or criminal penalties, or both;

The country of habitual residence of the child is the United States of America;

The parties have considered the factors set forth in the Family Code Section 3048(b)(1) and find that there is is not a risk of abduction of the child(ren) by either parent

Restrictions:

Visitation / Exchange of the children shall be supervised by the following Agency: _____ address: _____
Phone: _____. Costs of Supervised Visitation or Supervised Exchange shall be paid as follows: _____% by Father and _____% by Mother.

Visitation shall be supervised by

An adult designated by the custodial parent.

The following designated person (s): _____.

No visitation pending further Court order or mediation with Family Court Services.

Mother Father shall not relocate the child(ren)'s residence from:

California

Counties: **FRESNO**

United States without prior written consent of the parties or further order of this Court.

Each parent shall promptly notify the other of any change of address or telephone number of the minor children, except where a restraining order is issued.

Neither parent shall make disparaging remarks about the other parent in the presence of the minor children.

3) Child Support

There is Attached hereto and made a part hereof, labeled as Exhibit _____, a **certified copy** of the order from the Department of Child Support Division, signed and filed on _____. This attachment consisting of _____ pages is incorporated and merged into and made a part of this Judgment as though fully set forth herein.

1. Father / Mother shall pay child support for the following minor child(ren) in the following amounts:

Name of Child	Date of Birth	Amount of Monthly Support
OLDEST BABY DOE	11-14-00	
2ND ELDEST BABETTE DOE	9-15-02	

for a total of \$_____ per month commencing on _____ and continuing on the 1st day of each and every month thereafter, until the child marries, dies, becomes self-supporting, becomes an active member of the armed services, reaches the age of 19, or reaches the age of 18 and is no longer a full-time high school student, or until further order of the court, whichever occurs first.

2. Interest shall accrue on the entire principal balance owing and not on each installment as it becomes due. This is not an installment judgment.

3. No provision of this judgment shall operate to limit any right to collect the principal (total amount of unpaid support) or to charge and collect interest and penalties as allowed by law. All payments ordered are subject to modification.

5. Support shall be paid to the Department of Child Support Services SDU, P.O. Box 989067, West Sacramento, CA 95798.

6. The Fresno County Department of Child Support Services shall enforce all payments.

7. A Wage and Earnings Assignment Order shall issue for ongoing support and arrearages.

8. Both Parents shall:

- a. Provide and maintain health insurance coverage for the child(ren) if it is available through employment, a group plan, or otherwise available at no or reasonable cost, and shall keep the Department of Child Support Services informed of the availability of the coverage;
- b. If health insurance is not available, provide coverage when it becomes available;
- c. Within 20 days of the Department of Child Support Services' request, complete and return a health insurance form;
- d. Provide to the Department of Child Support Services all information and forms necessary to obtain health care services for the child(ren);
- e. Present any claim to secure payment or reimbursement to the other parent or caretaker who incurs costs for health care services for the child(ren).

9. Unreimbursed medical, drug, dental, orthodontic, and vision expenses shall be shared equally (one half each) by the Petitioner and Respondent, and the parties shall comply with the provisions of Family Code Section 4063 regarding payment and reimbursement of the unreimbursed costs.

10. A Health Insurance Coverage Assignment shall issue.

11. Both Parents shall provide written notification to the Clerk of any change in residence and to the office of the Department of Child Support Services of any change in residence, income, or employment within 10 days.

12. Each party shall be responsible for 50% of child care costs related to employment or to reasonably necessary education or training for employment skills.

13. The Mother Father shall claim the child(ren) for tax purposes.

7) **Other Orders:** _____

IT IS SO ORDERED.

Dated: _____

Judge of the Superior Court

FL-190

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <div style="text-align: center; font-weight: bold; font-size: 24px; border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; margin: 0 auto;">1</div> TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA - COUNTY OF FRESNO 1100 Van Ness Avenue Fresno, California 93724-0002 <div style="text-align: center; font-weight: bold; font-size: 24px; border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; margin: 0 auto;">2</div>	
PETITIONER: _____ RESPONDENT: _____ <div style="text-align: center; font-weight: bold; font-size: 24px; border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; margin: 0 auto;">3</div>	
NOTICE OF ENTRY OF JUDGMENT	CASE NUMBER: _____ <div style="text-align: center; font-weight: bold; font-size: 24px; border: 1px solid black; border-radius: 50%; width: 20px; height: 20px; margin: 0 auto;">4</div>

You are notified that the following judgment was entered on (date): _____

5

1. Dissolution
2. Dissolution—status only
3. Dissolution—reserving jurisdiction over termination of marital status or domestic partnership
4. Legal separation
5. Nullity
6. Parent-child relationship
7. Judgment on reserved issues
8. Other (specify): _____

6

Date: _____ Clerk, by _____, Deputy

—NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY—

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION

Effective date of termination of marital or domestic partnership status (specify): _____

WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the Notice of Entry of Judgment was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed at (place): _____, California, on (date): _____

7

Date: _____ Clerk, by _____, Deputy

Name and address of petitioner or petitioner's attorney	Name and address of respondent or respondent's attorney
8	9

NOTICE OF ENTRY OF JUDGMENT
(Family Law—Uniform Parentage—Custody and Support)

Form Adopted for Mandatory Use
Judicial Council of California
FL-190 (Rev. January 1, 2009)

Page 1 of 1
Family Code §§ 2138, 7616, 7637
www.courtinfo.ca.gov

How to fill out

NOTICE OF ENTRY OF JUDGMENT (FL-190)

DIRECTIONS FOR STATUS ONLY DEFAULT

- ▶ Find the number on the sample form. *Example:* **1**
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink

- 1** Write your name, address and phone number.
- 2** If not filled in for you, write “Fresno” after COUNTY OF. The address is: 1130 'O' Street, Fresno CA 93724. The Branch Name is: B.F. Sisk Courthouse. Central Division.
- 3** Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
- 4** Write in your case number.
- 5** Leave this space Blank – **Do Not Write in Any Dates on this document.**
- 6** Check Box 6.
- 7** Write the word “**Fresno**” after the word “(place).”
- 8** Write the petitioner’s name and address.
- 9** Write the respondent’s name and address.

You **MUST** attach two **stamped** envelopes to the Notice of Entry of Judgment (one addressed to each party).

FL-191

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)</p> <p style="text-align: center;">1</p> <p>TELEPHONE NO.: _____ FAX NO. (Optional): _____</p> <p>E-MAIL ADDRESS (Optional): _____</p> <p>ATTORNEY F OR (Name): _____</p>	<p>COURT PERSONNEL: STAMP DATE RECEIVED HERE</p> <p style="text-align: center; font-weight: bold;">DO NOT FILE</p>
<p>SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO</p> <p>1100 Van Ness Avenue Fresno, California 93724-0002</p>	
<p>PETITIONER/PLAINTIFF: _____</p> <p>RESPONDENT/DEFENDANT: _____</p>	
<p>OTHER PARENT:</p> <p>5 CHILD SUPPORT CASE REGISTRY FORM</p> <p><input type="checkbox"/> Mother <input type="checkbox"/> First form completed</p> <p><input type="checkbox"/> Father <input type="checkbox"/> Change to previous information</p>	
<p>CASE NUMBER: 4</p>	

THIS FORM WILL NOT BE PLACED IN THE COURT FILE. IT WILL BE MAINTAINED IN A CONFIDENTIAL FILE WITH THE STATE OF CALIFORNIA.

6 Notice: Pages 1 and 2 of this form must be completed and delivered to the court along with the court order for support. Pages 3 and 4 are instructional only and do not need to be delivered to the court. If you did not file the court order, you must complete this form and deliver it to the court within 10 days of the date on which you received a copy of the support order. Any later change to the information on this form must be delivered to the court on another form within 10 days of the change. It is important that you keep the court informed in writing of any changes of your address and telephone number.

1. Support order information (this information is on the court order you are filing or have received).

a. Date order filed: _____

b. Initial child support or family support order Modification

c. Total monthly base current child or family support amount ordered for children listed below, plus any monthly amount ordered payable on past-due support:

Child Support:	Family Support:	Spousal Support:
(1) <input type="checkbox"/> Current base child support: \$ _____	<input type="checkbox"/> Current base family support: \$ _____	<input type="checkbox"/> Current spousal support: \$ _____
<input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order	<input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order	<input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order
(2) <input type="checkbox"/> Additional monthly support: \$ _____	<input type="checkbox"/> Additional monthly support: \$ _____	
(3) <input type="checkbox"/> Total past-due support: \$ _____	<input type="checkbox"/> Total past-due support: \$ _____	<input type="checkbox"/> Total past-due support: \$ _____
(4) <input type="checkbox"/> Payment on past-due support: \$ _____	<input type="checkbox"/> Payment on past-due support: \$ _____	<input type="checkbox"/> Payment on past-due support: \$ _____
(5) Wage withholding was <input type="checkbox"/> ordered <input type="checkbox"/> ordered but stayed until (date): _____		

2. Person required to pay child or family support (name): **7**

Relationship to child (specify): _____

3. Person or agency to receive child or family support payments (name): **8**

Relationship to child (if applicable): _____

TYPE OR PRINT IN INK

CHILD SUPPORT CASE REGISTRY FORM

Form Adopted for Mandatory Use Judicial Council of California FL-191 (Rev. July 1, 2005) Page 1 of 4 Family Code, § 4014 www.courtinfo.ca.gov

How to fill out

CHILD SUPPORT CASE REGISTRY FORM (FL-191)

Page 1

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* **1**
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.
- ▶ **If you do not complete this document correctly and submit it with your judgment, your documents and child support payments may be delayed.**

- 1** Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
- 2** If not filled in for you, write "Fresno" after COUNTY OF. The address is: 1130 'O' Street, Fresno CA 93724. The Branch Name is: B.F. Sisk Courthouse.
- 3** Write the name of the Petitioner and Respondent. The Petitioner is the party that started the case against another person, the Respondent.
- 4** Write in your case number.
- 5** Mark the box that represents whether you are the mother or the father of the children in this case, and whether this is the first time you have completed this form, or if it is a modification of a prior form you filed.
- 6** Mark box 1(c)(1).
- 7** Write the name of the parent that is to pay child support and the relationship to the child(ren).
- 8** Write the name of the parent that is to receive child support, if the Fresno County Department of Child support is not involved in your child support. If they are involved in your case, then write "Department of Child Support Services SDU." They are the "Claimant."

How to fill out

CHILD SUPPORT CASE REGISTRY FORM (FL-191)

Page 2

DIRECTIONS

- ▶ Find the number on the sample form. *Example:* 9
- ▶ Go to the same number below to find out how to fill out the form.
- ▶ Type or print in black ink.
- ▶ **If you do not complete this document correctly and submit it with your judgment, your documents and child support payments may be delayed.**

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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4. The child support order is for the following children:

11 a. <u>Child's name</u>	b. <u>Date of birth</u>	c. <u>Social security number</u>
----------------------------------	-------------------------	----------------------------------

Additional children are listed on a page attached to this document.

You are required to complete the following information about yourself. You are not required to provide information about the other person, but you are encouraged to provide as much as you can. This form is confidential and will not be filed in the court file. It will be maintained in a confidential file with the State of California.

<p>5. Father's name:</p> <p>a. Date of birth: 12</p> <p>b. Social security number:</p> <p>c. Street address:</p> <p>City, state, zip code:</p> <p>d. Mailing address:</p> <p>City, state, zip code:</p> <p>e. Driver's license number:</p> <p>State:</p> <p>f. Telephone number:</p> <p>g. <input type="checkbox"/> Employed <input type="checkbox"/> Not employed <input type="checkbox"/> Self-employed</p> <p>Employer's name:</p> <p>Street address:</p> <p>City, state, zip code:</p> <p>Telephone number:</p>	<p>6. Mother's name:</p> <p>a. Date of birth: 13</p> <p>b. Social security number:</p> <p>c. Street address:</p> <p>City, state, zip code:</p> <p>d. Mailing address:</p> <p>City, state, zip code:</p> <p>e. Driver's license number:</p> <p>State:</p> <p>f. Telephone number:</p> <p>g. <input type="checkbox"/> Employed <input type="checkbox"/> Not employed <input type="checkbox"/> Self-employed</p> <p>Employer's name:</p> <p>Street address:</p> <p>City, state, zip code:</p> <p>Telephone number:</p>
--	--

14 7. A restraining order, protective order, or nondisclosure order due to domestic violence is in effect.

15 a. The order protects: Father Mother Children

16 b. From: Father Mother

17 c. The restraining order expires on (date):

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

Date: **18**

(TYPE OR PRINT NAME)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

FL-191 (Rev. July 1, 2008) CHILD SUPPORT CASE REGISTRY FORM Page 2 of 4

- 9** Write the name of the Petitioner and Respondent. The Petitioner is the party that starts the case against another person, the Respondent.
- 10** Write in your case number.
- 11** Write the name, date of birth, **and** social security number of each child for whom support was ordered.
- 12** At item 5 fill in all the information requested for the father.
- 13** At item 6 write in all the information requested for the mother.
- 14** Check the box at item 7 if there is a domestic violence order in effect.
- 15** At item 7(a) check the box (es) to show whom the order protects.
- 16** At item 7(b) check the box to show whom the order is against.
- 17** At item 7(c) write in the date that the order expires.
- 18** Date this document, type or print your full name to the left; sign your full name to the right.

BLANK FORMS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Fresno STREET ADDRESS: Family Law Division MAILING ADDRESS: 1130 'O' Street CITY AND ZIP CODE: Fresno, California 93724 BRANCH NAME: B.F. Sisk Courthouse	
PETITIONER: RESPONDENT:	
DECLARATION FOR DEFAULT OR UNCONTESTED JUDGMENT	

1. I declare that if I appeared in court and were sworn, I would testify to the truth of the facts in this declaration.
2. I request that proof will be by this declaration and that I will not appear before the court unless I am ordered by the court to appear.
3. All the information in the *Petition or Complaint to Establish Parental Relationship* *Response or Answer* *Petition to Establish Custody and Support* *Response* is true and correct.
4. Respondent and/or Petitioner is/are the parent(s) of the minor child(ren).
5. A Voluntary Declaration of Paternity form has has not been signed regarding this child (*attach a copy if available*).
6. **DEFAULT OR UNCONTESTED** (*Check a or b*)
 - a. The default of the respondent was entered or is being requested, and I am not seeking any relief not requested in the petition. **OR**
 - b. The parties have stipulated that the matter may proceed as an uncontested matter without notice, and the stipulation is attached.
7. **CHILD SUPPORT** should be ordered as set forth in the proposed *Judgment* (form FL-250).
 - a. Petitioner Respondent is presently receiving public assistance (TANF); thus all support should be made payable to the local child support agency at (*specify address*):
 - b. **NOTE: If a support order is requested, submit a completed *Income and Expense Declaration* (form FL-150), or *Financial Statement (Simplified)* (form FL-155), unless a current form is on file. Include your best estimate of the other party's gross monthly income.**
8. **ATTORNEY FEES** should be ordered as set forth in the proposed *Judgment* (form FL-250).
9. **CHILD CUSTODY** should be ordered as set forth in the proposed *Judgment* (form FL-250).
10. **CHILD VISITATION** should be ordered as set forth in the proposed *Judgment* (form FL-250).
11. **REASONABLE EXPENSES OF PREGNANCY AND BIRTH** should be ordered as set forth in the proposed *Judgment* (form FL-250).
12. **NAMES OF THE CHILDREN** should be changed as set forth in the proposed *Judgment* (form FL-250).
13. This declaration may be reviewed by a commissioner sitting as a temporary judge who may determine whether to grant this request or require my appearance.
14. I have read and understand the *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235), which is signed and attached to this declaration.
15. Other (*specify*):

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

Date:

_____ ▶ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT:	CASE NUMBER:
--------------------------------	--------------

ADVISEMENT AND WAIVER OF RIGHTS RE: ESTABLISHMENT OF PARENTAL RELATIONSHIP

- RIGHT TO BE REPRESENTED BY A LAWYER.** I understand that I have the right to be represented by a lawyer of my own choice at my own expense. If I cannot afford a lawyer, I can contact the Lawyer Referral Association of the local bar association or the Family Law Facilitator for assistance.
- RIGHT TO A TRIAL.** I understand that I have a right to have a judge determine whether I am the parent of the children named in this action.
- RIGHT TO CONFRONT AND CROSS-EXAMINE WITNESSES.** I understand that in a trial I have the right to confront and cross-examine the witnesses against me and to present evidence and witnesses in my own defense.
- RIGHT TO HAVE PARENTAGE TESTS.** I understand that, where the law permits, I have the right to have the court order parentage tests. The court will decide who pays for the tests. The court could order that I pay none, some, or all of the costs of the tests.
- OBLIGATIONS.** I understand that if I admit that I am the parent of the children in this action that those children will be my children for legal purposes.
- WAIVER.** I understand that I am admitting that I am the parent of the children named in the stipulation and am giving up the rights stated above (except the right to an attorney if I have an attorney).
- CHILD SUPPORT.** I understand that I will have the duty to contribute to the support of the children named in this action and that this duty of support will continue for each child until the obligation is terminated by law.
- CRIMINAL NON-SUPPORT.** I understand that if I willfully fail to support the children, criminal proceedings may be initiated against me.

9. UNDERSTANDING.

- I have read and understand the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights*.
- I understand the translation.

IF I AM REPRESENTED BY AN ATTORNEY, I ACKNOWLEDGE THAT MY ATTORNEY HAS READ AND EXPLAINED TO ME THE CONTENTS OF THE STIPULATION, RECITALS, AND WAIVERS, AND I ACKNOWLEDGE THAT I UNDERSTAND THEM.

Date: _____

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF DECLARANT)

INTERPRETER'S DECLARATION

- The Petitioner Respondent is unable to read or understand the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights* because:
 - his/her primary language is (*specify*):
 - other (*specify*):
- I certify under penalty of perjury under the laws of the State of California that I have, to the best of my ability, read or translated for the Petitioner Respondent the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights*. Petitioner Respondent said he or she understood the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights* before signing them.

Date: _____

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF INTERPRETER)

ATTACHMENT 15 TO THE DECLARATION FOR DEFAULT

The parties in this case were not married and have the following child(ren) as a result of the relationship.

1) Issues related to Child Custody & Visitation

We have ____ minor child(ren) from this relationship and their names and dates of birth are:

- 1. _____, Date of birth: _____
- 2. _____, Date of birth: _____
- 3. _____, Date of birth: _____
- 4. _____, Date of birth: _____

The current custody/visitation order, filed on _____, shall remain in full force and effect and is attached to the judgment.

• The child(ren) currently live with the mother father. The child(ren) visit do not visit with the other parent. The current visitation pattern is as follows: _____

• I am proposing that the court make the following orders for **custody**:
▪ Legal custody to: Mother Father ▪ Physical Custody to: Mother Father
▪ Mother Father to be the primary custodial parent.

• I am proposing that the court make the following orders for **visitation**:

• Mother Father to have visitation as follows: _____

2) Issues related to Child Support, Child Care, and Health Insurance:

The current child support order, filed on _____, shall remain in full force and effect and is attached to the judgment.

I request the issue of child support to be reserved as to: Mother Father.

Petitioner Respondent is incarcerated and is expected to be released on or about _____.

• The children reside with the mother ____% of the time and with the father ____% of the time.

• The child(ren) are are not receiving public assistance. I am the other parent is receiving TANF for the child(ren) in this case.

CASE NAME: _____ Case Number: _____

• I am presently working not working. My gross monthly income is \$_____. My tax filing status is _____, and I claim _____ exemption(s).

I have _____ other minor child(ren) of mine from a different relationship living with me.

• The other parent is presently working not working. His/her monthly income is estimated (or the other party has the ability to earn at least) \$_____ and his/her tax filing status is _____, and he/she claims _____ exemption(s).

The other parent has _____ other minor children of his/hers from a different relationship living with him/her.

3) Other

Other information the court should know prior to entering a judgment: _____

Dated: _____

Signed: _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO STREET ADDRESS: 1130 'O' STREET MAILING ADDRESS: FRESNO, CALIFORNIA 93724 CITY AND ZIP CODE: BRANCH NAME: B.F. SISK COURTHOUSE	
PETITIONER: RESPONDENT:	
JUDGMENT	CASE NUMBER:

1. This judgment contains personal conduct restraining orders modifies existing restraining orders.
 The restraining orders are contained in item(s) _____ of the attachment.
 They expire on (date): _____ A CLETS form must be attached.
2. a. This matter proceeded as follows: Default or uncontested By declaration Contested
- b. Date: _____ Dept.: _____ Room: _____
- c. Judicial officer (name): _____ Temporary judge
- d. Petitioner present Attorney present (name): _____
- e. Respondent present Attorney present (name): _____
- f. **Petitioner**
 - (1) The petitioner appeared without counsel and was advised of relevant rights.
 - (2) The petitioner signed *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235).
 - (3) The petitioner is married to the Respondent, and no other action is pending.
 - (4) The petitioner signed a Voluntary Declaration of Paternity.
 - (5) There is a prior judgment of parentage in a family support, juvenile, or adoption court case.
- g. **Respondent**
 - (1) The respondent appeared without counsel and was advised of relevant rights.
 - (2) The respondent signed *Advisement and Waiver of Rights Re: Establishment of Parental Relationship* (form FL-235).
 - (3) The respondent is married to the Petitioner, and no other action is pending.
 - (4) The respondent signed a Voluntary Declaration of Paternity.
 - (5) There is a prior judgment of parentage in a family support, juvenile or adoption court case.
- h. Other parties or attorneys present (specify): _____

3. THE COURT FINDS

Name:

Mother Father

Name:

Mother Father

are the parents of the following children:

Child's name

Date of birth

4. THE COURT ORDERS

- a. Child custody and visitation are as specified in one or more of the attached forms:
 - (1) *Child Custody and Visitation Order Attachment* (form FL-341)
 - (2) *Stipulation for Order for Child Custody and/or Visitation of Children* (form FL-355)
 - (3) Other (specify): _____



PETITIONER:	CASE NUMBER:
RESPONDENT:	

5. THE COURT FURTHER ORDERS

- a. Child support is as stated in one or more of the attached:
 - (1) *Child Support Information and Order Attachment* (form FL-342)
 - (2) *Stipulation to Establish or Modify Child Support and Order* (form FL-350)
 - (3) Other (specify):
- b. Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. Thereafter, the parents must notify the court of any change in the information submitted, within 10 days of the change.
- c. The form *Notice of Rights and Responsibilities-Health Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.
- d. The last names of the children are changed to (specify):
- e. The birth certificates must be amended to conform to this court order by
 - (1) adding the father's name.
 - (2) changing the last name of the children.
- f. Attorney fees and costs are as stated in the attachment.
- g. Reasonable expenses of pregnancy and birth are as stated in the attachment.
- h. Other (specify):

Continued on Attachment 3h.

6. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

NOTICE: Any party required to pay child support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

NOTICE OF RIGHTS AND RESPONSIBILITIES
Health-Care Costs and Reimbursement Procedures

IF YOU HAVE A CHILD SUPPORT ORDER THAT INCLUDES A PROVISION FOR THE REIMBURSEMENT OF A PORTION OF THE CHILD'S OR CHILDREN'S HEALTH-CARE COSTS AND THOSE COSTS ARE NOT PAID BY INSURANCE, THE LAW SAYS:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Disputed charges. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion.

If you claim that the other party has failed to reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees and costs against a party who has been unreasonable.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

- a. **Burden to prove.** The party claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.
- b. **Cost of additional coverage.** If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any party uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the party incurring those costs.

INFORMATION SHEET ON CHANGING A CHILD SUPPORT ORDER

General Information

The court has just made a child support order in your case. This order will remain the same unless a party to the action requests that the support be changed (modified). An order for child support can be modified only by filing a motion to change child support and serving each party involved in your case. If both parents and the local child support agency (if it is involved) agree on a new child support amount, you can complete, have all parties sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350) or *Stipulation and Order (Governmental)* (form FL-625).

When a Child Support Order May Be Modified

The court takes several things into account when ordering the payment of child support. First, the number of children is considered. Next, the net incomes of both parents are determined, along with the percentage of time each parent has physical custody of the children. The court considers both parties' tax filing status and may consider hardships, such as a child of another relationship. An existing order for child support may be modified when the net income of one of the parents changes significantly, the parenting schedule changes significantly, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order open with the local child support agency, you must fill out one of these forms:

- FL-680, *Notice of Motion (Governmental)* **or** FL-683 *Order to Show Cause (Governmental)* **and**
- FL-684, *Request for Order and Supporting Declaration (Governmental)*

If you are asking to change a child support order that is **not** open with the local child support agency, you must fill out one of these forms:

- FL-301, *Notice of Motion* **or** FL-300, *Order to Show Cause* **and**
- FL-310, *Application for Order and Supporting Declaration* **or**
- FL-390, *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms:

- FL-150, *Income and Expense Declaration* **or** FL-155, *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Talk to the family law facilitator at your court.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk will ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form FW-001, *Application for Waiver of Court Fees and Costs*
- Form FW-003, *Order on Application for Waiver of Court Fees and Costs*

You must serve the other parent. If the local child support agency is involved, serve it too.

This means someone 18 or over—**not you**—must serve the other parent copies of your filed court forms at least **16 court days** before the hearing. Add **5 calendar days** if you serve by mail within California (see Code of Civil Procedure section 1005 for other situations).

Court days are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To determine court and calendar days, go to

www.courtinfo.ca.gov/selfhelp/courtcalendars/.

The server must also serve blank copies of these forms:

- FL-320, *Responsive Declaration to Order to Show Cause or Notice of Motion* **and** FL-150, *Income and Expense Declaration*, **or**
- FL-155, *Financial Statement (Simplified)*

Then the server fills out and signs a *Proof of Service* (form FL-330 or FL-335). Take this form to the clerk and file it.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- FL-340, *Findings and Order After Hearing* **and**
- FL-342, *Child Support Information and Order Attachment*

Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

Attachment 5h to Judgment

It is ordered as follows:

There is attached hereto, and labeled Exhibit _____, an original Agreement signed by both parties, consisting of _____ pages. The Agreement is incorporated and merged into this judgment as though fully set forth herein. The parties are ordered to comply with each and every executory provision in the Agreement. The court reserves jurisdiction to: enforce and administer the executory provisions of the Agreement; to award attorney’s fees and costs to the prevailing party in any action to enforce the provisions thereof; to join any person that may be joined according to law.

1) Child Custody

There is attached hereto and made part hereof, labeled as Exhibit ____, a **certified copy** of Family Court Services or other court order, signed and filed by the court on _____. This attachment consisting of _____ pages is incorporated and merged into and made part of this judgment as though fully set forth herein.

The parties have _____ minor child(ren).

The custody of the minor children shall be awarded as follows:

Child’s Name	Date of Birth	Legal Custody	Physical Custody

Primary physical custody of the minor child shall be with the _____.

2) Child Visitation

The parties have no minor children, and no visitation orders shall be made.

The non-custodial parent shall have the following visitation rights:

Reasonable right of visitation as agreed between the parties.

Every weekend from _____ at _____ a.m./p.m. until _____ at _____ a.m./p.m.

Every 2nd and 4th weekend from _____ at _____ a.m./p.m. until _____ at _____ a.m./p.m.

Every 1st, 3rd, and when applicable, 5th weekend beginning _____ at _____ a.m./p.m. and ending _____ at _____ a.m./p.m.

Other (describe): _____

3) Family Code Section 3048

This Court has jurisdiction to make orders regarding child custody under the Uniform Child Custody Jurisdiction and Enforcement Act;

Notice and opportunity to be heard were given to the responding party/parties as provided by the laws of the State of California;

The custody and visitation rights of each party are set forth herein;
A violation of this order may subject the party in violation to civil or criminal penalties, or both;

The country of habitual residence of the child is the United States of America;

The parties have considered the factors set forth in the Family Code Section 3048(b)(1) and find that there is is not a risk of abduction of the child(ren) by either parent

Restrictions:

Visitation / Exchange of the children shall be supervised by the following Agency: _____ address: _____
Phone: _____. Costs of Supervised Visitation or Supervised Exchange shall be paid as follows: _____% by Father and _____% by Mother.

Visitation shall be supervised by

An adult designated by the custodial parent.

The following designated person (s): _____

No visitation pending further Court order or mediation with Family Court Services.

Mother Father shall not relocate the child(ren)'s residence from:

California

Counties: _____

United States without prior written consent of the parties or further order of this Court.

Each parent shall promptly notify the other of any change of address or telephone number of the minor children, except where a restraining order is issued.

Neither parent shall make disparaging remarks about the other parent in the presence of the minor children.

3) Child Support

There is Attached hereto and made a part hereof, labeled as Exhibit _____, a certified copy of the order from the Department of Child Support Division, signed and filed on _____. This attachment consisting of _____ pages is incorporated and merged into and made a part of this Judgment as though fully set forth herein.

1. Father Mother shall pay child support for the following minor child(ren) in the following amounts:

Name of Child	Date of Birth	Amount of Monthly Support

for a total of \$_____ per month commencing on _____ and continuing on the 1st day of each and every month thereafter, until the child marries, dies, becomes self-supporting, becomes an active member of the armed services, reaches the age of 19, or reaches the age of 18 and is no longer a full-time high school student, or until further order of the court, whichever occurs first.

2. Interest shall accrue on the entire principal balance owing and not on each installment as it becomes due. This is not an installment judgment.

3. No provision of this judgment shall operate to limit any right to collect the principal (total amount of unpaid support) or to charge and collect interest and penalties as allowed by law. All payments ordered are subject to modification.

5. Support shall be paid to the Department of Child Support Services SDU, P.O. Box 989067, West Sacramento, CA 95798.

6. The Fresno County Department of Child Support Services shall enforce all payments.

7. A Wage and Earnings Assignment Order shall issue for ongoing support and arrearages.

8. Both Parents shall:

- a. Provide and maintain health insurance coverage for the child(ren) if it is available through employment, a group plan, or otherwise available at no or reasonable cost, and shall keep the Department of Child Support Services informed of the availability of the coverage;
- b. If health insurance is not available, provide coverage when it becomes available;
- c. Within 20 days of the Department of Child Support Services' request, complete and return a health insurance form;
- d. Provide to the Department of Child Support Services all information and forms necessary to obtain health care services for the child(ren);
- e. Present any claim to secure payment or reimbursement to the other parent or caretaker who incurs costs for health care services for the child(ren).

9. Unreimbursed medical, drug, dental, orthodontic, and vision expenses shall be shared equally (one half each) by the Petitioner and Respondent, and the parties shall comply with the provisions of Family Code Section 4063 regarding payment and reimbursement of the unreimbursed costs.

10. A Health Insurance Coverage Assignment shall issue.

11. Both Parents shall provide written notification to the Clerk of any change in residence and to the office of the Department of Child Support Services of any change in residence, income, or employment within 10 days.

12. Each party shall be responsible for 50% of child care costs related to employment or to reasonably necessary education or training for employment skills.

13. The Mother Father shall claim the child(ren) for tax purposes.

7) **Other Orders:** _____

IT IS SO ORDERED.

Dated: _____

Judge of the Superior Court

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO STREET ADDRESS: 1130 'O' STREET MAILING ADDRESS: FRESNO, CALIFORNIA 93724 CITY AND ZIP CODE: B.F. SISK COURTHOUSE BRANCH NAME: _____	
PETITIONER: RESPONDENT:	
NOTICE OF ENTRY OF JUDGMENT	CASE NUMBER: _____

You are notified that the following judgment was entered on (date) :

- 1. Dissolution
- 2. Dissolution - status only
- 3. Dissolution - reserving jurisdiction over termination of marital status or domestic partnership
- 4. Legal separation
- 5. Nullity
- 6. Parent-child relationship
- 7. Judgment on reserved issues
- 8. Other (specify) :

Date:

Clerk, by _____, Deputy

-NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY-

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION

Effective date of termination of marital or domestic partnership status (specify) :

WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Notice of Entry of Judgment* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at (place) : _____, California, on (date) :

Date: _____ Clerk, by _____, Deputy

<input style="width:90%; height: 20px;" type="text"/> Name and address of petitioner or petitioner's attorney	<input style="width:90%; height: 20px;" type="text"/> Name and address of respondent or respondent's attorney
---	---

<input style="width:95%; height: 20px;" type="text"/>	<input style="width:95%; height: 20px;" type="text"/>	<input style="width:95%; height: 20px;" type="text"/>	<input style="width:95%; height: 20px;" type="text"/>
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ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	COURT PERSONNEL: STAMP DATE RECEIVED HERE DO NOT FILE
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO STREET ADDRESS: 1130 'O' STREET MAILING ADDRESS: FRESNO, CALIFORNIA 93724 CITY AND ZIP CODE: B.F. SISK COURTHOUSE BRANCH NAME: _____	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: _____	
CHILD SUPPORT CASE REGISTRY FORM <input type="checkbox"/> Mother <input type="checkbox"/> First form completed <input type="checkbox"/> Father <input type="checkbox"/> Change to previous information	CASE NUMBER: _____

THIS FORM WILL NOT BE PLACED IN THE COURT FILE. IT WILL BE MAINTAINED IN A CONFIDENTIAL FILE WITH THE STATE OF CALIFORNIA.

Notice: Pages 1 and 2 of this form must be completed and delivered to the court along with the court order for support. Pages 3 and 4 are instructional only and do not need to be delivered to the court. If you did not file the court order, you must complete this form and deliver it to the court within 10 days of the date on which you received a copy of the support order. Any later change to the information on this form must be delivered to the court on another form within 10 days of the change. It is important that you keep the court informed in writing of any changes of your address and telephone number.

1. Support order information *(this information is on the court order you are filing or have received)*.
 - a. Date order filed:
 - b. Initial child support or family support order Modification
 - c. Total monthly base current child or family support amount ordered for children listed below, plus any monthly amount ordered payable on past-due support:

<u>Child Support:</u> (1) <input type="checkbox"/> Current \$ _____ base child support: <input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order (2) <input type="checkbox"/> Additional monthly support: \$ _____ (3) <input type="checkbox"/> Total past-due support: \$ _____ (4) <input type="checkbox"/> Payment on past-due support: \$ _____ (5) <input type="checkbox"/> Wage withholding was <input type="checkbox"/> ordered <input type="checkbox"/> ordered but stayed until <i>(date)</i> :	<u>Family Support:</u> <input type="checkbox"/> Current \$ _____ base family support: <input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order <input type="checkbox"/> Additional monthly support: \$ _____ <input type="checkbox"/> Total past-due support: \$ _____ <input type="checkbox"/> Payment on past-due support: \$ _____	<u>Spousal Support:</u> <input type="checkbox"/> Current \$ _____ spousal support: <input type="checkbox"/> Reserved order <input type="checkbox"/> \$0 (zero) order <input type="checkbox"/> Total past-due support: \$ _____ <input type="checkbox"/> Payment on past-due support: \$ _____
--	--	--
2. Person required to pay child or family support *(name)*:
 Relationship to child *(specify)*:
3. Person or agency to receive child or family support payments *(name)*:
 Relationship to child *(if applicable)*:

TYPE OR PRINT IN INK



PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
---	--------------

4. The child support order is for the following children:

- | | <u>Child's name</u> | <u>Date of birth</u> | <u>Social security number</u> |
|----|---------------------|----------------------|-------------------------------|
| a. | | | |
| b. | | | |
| c. | | | |

Additional children are listed on a page attached to this document.

You are required to complete the following information about yourself. You are not required to provide information about the other person, but you are encouraged to provide as much as you can. This form is confidential and will not be filed in the court file. It will be maintained in a confidential file with the State of California.

5. Father's name:

- a. Date of birth:
 b. Social security number:
 c. Street address:

City, state, zip code:

d. Mailing address:

City, state, zip code:

e. Driver's license number:

State:

f. Telephone number:

g. Employed Not employed Self-employed

Employer's name:

Street address:

City, state, zip code:

Telephone number:

6. Mother's name:

- a. Date of birth:
 b. Social security number:
 c. Street address:

City, state, zip code:

d. Mailing address:

City, state, zip code:

e. Driver's license number:

State:

f. Telephone number:

g. Employed Not employed Self-employed

Employer's name:

Street address:

City, state, zip code:

Telephone number:

7. A restraining order, protective order, or nondisclosure order due to domestic violence is in effect.

- a. The order protects: Father Mother Children
 b. From: Father Mother
 c. The restraining order expires on (date):

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

Date:

 (TYPE OR PRINT NAME) ▶ _____
 (SIGNATURE OF PERSON COMPLETING THIS FORM)