

# **PATERNITY REQUEST TO ENTER DEFAULT**



## **How To Guide**

### **Self-Help Legal Access Centers**

#### **Santa Monica**

1725 Main St.,  
Room 210  
Santa Monica, CA  
90401

#### **Inglewood**

1 E. Regent St.,  
Room 107  
Inglewood, CA  
90301

#### **Torrance**

825 Maple Ave.,  
Room 160  
Torrance, CA  
90503

#### **Long Beach**

275 Magnolia Ave.,  
Room 3101  
Long Beach, CA  
90802

November 2017

This guide is designed to help you fill out the forms yourself. It is not intended to provide legal advice nor strategy as to how to complete the case. The information provided in this packet only presents options and examples. This is not a substitute for professional legal advice from an attorney.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>PRINT YOUR NAME</b> <b>PRINT YOUR ADDRESS</b>  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>PRINT "SELF-REPRESENTED"</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: <b>PRINT THE ADDRESS OF THE COURT</b> CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: <b>PRINT YOUR NAME</b>  RESPONDENT: <b>PRINT THE OTHER PARTY'S NAME</b>	
<b>REQUEST TO ENTER DEFAULT</b>	<b>PRINT THE CASE NUMBER</b>

1. **To the clerk:** Please enter the default of the respondent who has failed to respond to the petition.
2. A completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)*  is attached  is not attached.  
 A completed *Property Declaration* (form FL-160)  is attached  is not attached because (check at least one of the following):
  - (a)  there have been no changes since the previous filing.
  - (b)  the issues subject to disposition by the court in this proceeding are the subject of a writ.
  - (c)  there are no issues of child, spousal, or partner support or attorney fees and costs subject to the court's jurisdiction.
  - (d)  the petition does not request money, property, costs, or attorney fees. (Fam. Code, § 2052.)
  - (e)  there are no issues of division of community property.
  - (f)  this is an action to establish parental relationship.

If you will be requesting child support in your case, make sure you have filed an updated Income and Expense Declaration (FL-150) with the court. If you have not, or the form is not from within the last 3 months, attach one to this form and check the box "is attached."

Date: **PRINT THE DATE**

\_\_\_\_\_  
 PRINT YOUR NAME  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
 SIGN YOUR NAME  
(SIGNATURE OF [ATTORNEY FOR] PETITIONER)

3. **Declaration**
  - a.  No mailing is required because service was made by another method.
  - b.  A copy of this *Request to Enter Default*, including the respondent's last known address, is provided to the court clerk, with the envelope addressed to the respondent's last known address.

Print the other party's last known address here.  
**NOTE:** the form must be submitted with 2 envelopes with postage included (one addressed to you and one addressed to the other party) in order for the court to make you aware if the request to enter default has been granted.

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

Date: **PRINT THE DATE**

\_\_\_\_\_  
 PRINT YOUR NAME  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
 SIGN YOUR NAME  
(SIGNATURE OF DECLARANT)

**FOR COURT USE ONLY**

*Request to Enter Default* mailed to the respondent or the respondent's attorney on (date): \_\_\_\_\_

Default entered as requested on (date): \_\_\_\_\_

Default **not** entered. Reason: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

CASE NAME <i>(Last name, first name of each party):</i> PRINT YOUR LAST NAME, FIRST NAME V. THE OTHER PARTY'S LAST NAME, FIRST NAME	CASE NUMBER: PRINT THE CASE NUMBER
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**4. Memorandum of costs**

a.  Costs and disbursements are waived.

Check if the court waived your filing fee.

b. Costs and disbursements are listed as follows:

- (1)  Clerk's fees ..... \$ .....
- (2)  Process server's fees ..... \$ .....
- (3)  Other *(specify):* ..... \$ .....
- ..... \$ .....
- ..... \$ .....
- ..... \$ .....
- TOTAL ..... \$ .....

If you had to pay to file your divorce, Check (1) and any other fees you had to pay to proceed in this case, and then put the amounts in the column to the right.

c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

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

Date: PRINT THE DATE

PRINT YOUR NAME <small>(TYPE OR PRINT NAME)</small>	▶	SIGN YOUR NAME <small>(SIGNATURE OF DECLARANT)</small>
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**5. Declaration of nonmilitary status.** The respondent is not in the military service of the United States as defined in section 511 et seq. of the Servicemembers Civil Relief Act (50 U.S.C. Appen. § 501 et seq.), and is not entitled to the benefits of such act.

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

Date: PRINT THE DATE

PRINT YOUR NAME <small>(TYPE OR PRINT NAME)</small>		SIGN YOUR NAME <small>(SIGNATURE OF DECLARANT)</small>
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Military personnel are exempt from the process of default. This last signature indicates that you are swearing under penalty of perjury that the other party is not in the military.