

MADERA COUNTY SUPERIOR COURT STATE OF CALIFORNIA

DEFAULT JUDGMENT FOR PETITION TO DETERMINE PARENTAL RELATIONSHIP OR PETITION FOR CUSTODY AND SUPPORT-PACKET

The attached forms can be used if the other parent DID NOT file a Response and you DO NOT have an agreement. Make sure you have already filed [Form FL-115 Proof of Service of Summons](#) (or file it now).

This situation is called a “true default” because more than 30 days have passed since the petitioner (parent that started the case) served the petition and summons, and the Respondent (the other parent) did NOT file a response and there is no written agreement. Please note if the other parent is currently in the military, special rules may apply under the [Servicemembers Civil Relief Act](#).

This packet includes the following forms: [FL-165 Request to Enter Default](#), [FL-230 Declaration for Default or Uncontested Judgment](#), [FL-235 Advisement and Waiver of Rights Re: Determination of Parental Relationship](#), [FL-250 Judgment \(Uniform Parentage-Custody and Support\)](#), [FL-190 Notice of Entry of Judgment](#). If you are asking for custody orders, you may have to fill out additional forms that may apply to your case. Included in this packet is form [FL-341 Child Custody and Visitation \(Parenting Time\) Order Attachment](#). If you are unsure if you need additional forms you can ask the court's [family law facilitator/self-help center](#) (located on the 1st Floor or call 559.416.5520).

1. Fill out your forms

Fill out all the forms listed above. If you need any additional forms, you can go to www.courts.ca.gov or ask the court's [family law facilitator/self-help center](#). Your Judgment must match your original petition you previously filed. You will also need to have 3 envelopes – 1 addressed to you and the other 2 addressed to the other party. 1 postage stamp must be affixed to each envelope. Do not put a return address because the court clerk will mail these.

2. Have your forms reviewed

Ask the court's [family law facilitator/self-help center](#) to review your paperwork. Please take them a copy of your original petition previously filed for them to also review. You can also hire your own lawyer to review your papers or to get legal advice.

3. File your forms with the court clerk

We are pleased to offer eFiling, a way to electronically file your court documents! You can eFile documents 24 hours a day, 7 days a week through an approved Electronic Filing Service Provider (EFSP). A list of approved EFSPs can be found on the court's website. Here is the link: https://www.madera.courts.ca.gov/system/files/general/list-approved-efsp-alpha-final_0.pdf

Or you can take your completed documents to the Civil Division (located on the 4th Floor). The clerk will process your paperwork and give it to a judge to review. If all of your documents are completed correctly, the judge will sign the Judgment without either named parent having to appear in court. If there is a problem with the documents, a court appearance may be necessary. Or you may just need to fix a mistake.

4. You receive your final judgment

A court clerk will mail [FL-190 Notice of Entry of Judgment](#) to each spouse or domestic partner, with the date that the judgment was signed. They will call the petitioner to pick up the copies of

the actual Judgment FL-180. Keep a copy of these forms in a safe place. You may need them in the future.

- Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF [ATTORNEY FOR] PETITIONER)

a. ☐ No mailing is required because service was by publication or posting and the address of the respondent remains unknown.

b. ☐ A copy of this *Request to Enter Default*, including any attachments and an envelope with sufficient postage, was provided to the court clerk, with the envelope addressed as follows (*address of the respondent's attorney or, if none, the respondent's last known address*):

Date:

(TYPE OR PRINT 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

PETITIONER: RESPONDENT:	CASE NUMBER:
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5. Memorandum of costs

- a. ☐ Costs and disbursements are waived.
- b. Costs and disbursements are listed as follows:
- | | | |
|--|-----------|--|
| (1) ☐ Clerk's fees | \$ | |
| (2) ☐ Process server's fees | \$ | |
| (3) ☐ Other (<i>specify</i>): | \$ | |
| | \$ | |
| | \$ | |
| | \$ | |
| TOTAL | \$ | |
- 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: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF DECLARANT)

6. Declaration of nonmilitary status (*required for a judgment*).

The respondent is not in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that the respondent is not in the U.S. military service because (*check all that apply*):

- a. ☐ the search results that I received from scra.dmdc.osd.mil/ say the respondent is not in the U.S. military service.
- b. ☐ I am in regular communication with the respondent and know that they are not in the U.S. military service.
- c. ☐ I recently contacted the respondent, and they told me that they are not in the U.S. military service.
- d. ☐ I know that the respondent was discharged from U.S. military service on or about (*date*): _____
- e. ☐ the respondent is not eligible to serve in the U.S. military because they are incarcerated (in jail or prison).
- f. ☐ other (*specify*): _____

Note

- U.S. military status can be checked online at scra.dmdc.osd.mil/.
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see selfhelp.courts.ca.gov/military-defaults.

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)

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

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PETITIONER: RESPONDENT:	CASE NUMBER:
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ADVISEMENT AND WAIVER OF RIGHTS RE: DETERMINATION 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 GENETIC TESTING.** I understand that, where the law permits, I have the right to have the court order genetic testing. 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:

(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:
 - ☐ the primary language of the party 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 understood the *Judgment (Uniform Parentage—Custody and Support)* (form FL-250) and this *Advisement and Waiver of Rights* before signing them, as stated in Item 9 above.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF INTERPRETER)

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- Judicial Council of California, courts.ca.gov
Rev. July 1, 2026, Mandatory Form
Fam. Code, §§ 7600 et seq.



PETITIONER:	CASE NUMBER:
RESPONDENT:	

6. PARENTAL RELATIONSHIPa. Name or names (*specify*):☐ is the parent (or are the parents) of:Child's nameDate of birth
☐ a child (or children) not yet born
 Number of unborn children, if known:

Expected date of delivery:

Expected place of birth:

b. Name or names (*specify, if applicable*):
☐ is not the parent (or are not the parents) of the child or children: ☐ listed in item 6a. ☐ not yet born.
7. ☐ CHILD CUSTODY ORDERS

Child custody and visitation are as specified in one or more of the attached forms:

- a. ☐ *Child Custody and Visitation (Parenting Time) Order Attachment* (form FL-341)
- b. ☐ *Stipulation and Order for Custody and/or Visitation (Parenting Time)* (form FL-355)
- c. ☐ Other (*specify*):

8. ☐ CHILD SUPPORT ORDERSa. ☐ Child support is as stated in one or more of the attached forms:

- (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. All parties must complete and file with the court *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 Regarding Child Support* (form FL-192) is attached.

9. ☐ THE COURT FURTHER ORDERSa. ☐ The names of the children are changed to (*specify*):b. ☐ The birth certificates must be amended to conform to this court order by

- (1) ☐ adding the following parent's name:
- (2) ☐ changing the names of the children, as specified in item 9a.
- (3) ☐ other (*specify*):

c. ☐ Attorney's fees and costs are as stated in the attached *Attorney's Fees and Costs Order Attachment* (form FL-346).d. ☐ Reasonable expenses of pregnancy and birth are as stated in the attachment.e. ☐ Other (*specify*):f. ☐ Continued on Attachment 9f.

Each attachment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions. Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date:



JUDICIAL OFFICER

10. Number of pages attached: _____

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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CHILD CUSTODY AND VISITATION (PARENTING TIME) ORDER ATTACHMENT

- TO ☐ **Findings and Order After Hearing** (form FL-340) ☐ **Judgment** (form FL-180) ☐ **Judgment** (form FL-250)
☐ **Stipulation and Order for Custody and/or Visitation (Parenting Time)** (form FL-355)
☐ **Other** (specify):

- Jurisdiction.** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (Fam. Code, §§ 3400–3465).
- Notice and opportunity to be heard.** The responding party was given notice and an opportunity to be heard, as provided by the laws of the State of California.
- Country of habitual residence.** The country of habitual residence of the child or children in this case is
☐ the United States ☐ Other (specify):
- Penalties for violating this order.** If you violate this order, you may be subject to civil or criminal penalties, or both.
- ☐ **Child abduction prevention.** There is a risk that one of the parties will take the children out of California without the other party's permission. (*Child Abduction Prevention Order Attachment* (form [FL-341\(B\)](#)) is attached and must be obeyed.)
- ☐ The court refers the parties to child custody mediation or child custody recommending counseling as follows:

- ☐ **Child custody.** Custody of the minor children of the parties is awarded as follows:

a. <u>Child's Name</u>	<u>Birth Date</u>	Legal custody to: (person who decides about the child's health, education, and welfare)	Physical custody to: (person the child regularly lives with)
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- ☐ Joint legal custody of the child or children will be exercised as specified in the following order:
☐ [Attachment 7b](#) (form [MC-025](#) may be used for this purpose)
☐ *Joint Legal Custody Attachment* (form FL-341(E))
- ☐ **Child custody and visitation (parenting time) involving allegations of a history of abuse or substance abuse**
 - Allegations have been raised in form FL-311, other documents filed in the court, or in a court hearing that
 - ☐ Petitioner ☐ Respondent ☐ Other parent/party is (or are) alleged to have a history of abuse against any of the following persons: a child, the other parent, their current spouse, or the person they live with or are dating or engaged to.
 - ☐ Petitioner ☐ Respondent ☐ Other parent/party is (or are) alleged to have the habitual or continual illegal use of controlled substances, or the habitual or continual abuse of alcohol, or the habitual or continual abuse of prescribed controlled substances.
 - ☐ The court does NOT grant sole or joint custody of the minor children to:
☐ Petitioner ☐ Respondent ☐ Other parent/party
 - ☐
 - Even though there are allegations of a history of abuse or substance abuse, the court GRANTS sole or joint custody of the minor child as set out in item 7.
 - As required by Family Code section 3011(a)(5)(A), the court's reasons for making the orders:
 - ☐ Are in writing and filed separately (form [FL-351](#) may be used for this purpose).
 - ☐ Were recorded as follows: ☐ In a minute order ☐ By a court reporter
☐ Other (specify):
 - The court finds that the order is in the best interests of the child, protects the safety of the parties and the child, and is specific as to time, day, place, and manner of transfer (exchange) of the child as Family Code sections 3011(a)(5)(A) and 6323(c) require.

THIS IS A COURT ORDER.



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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9. ☐ **Visitation (parenting time)**
- a. ☐ Reasonable right of visitation to the party without physical custody (**not appropriate in cases involving domestic violence**)
- b. ☐ See the attached _____-page document
- c. ☐ No visitation (parenting time)
- d. ☐ The visitation (parenting time) will be supervised as specified in the attached *Supervised Visitation (Parenting Time) and Exchanges Order* ([FL-341\(A\)](#)).
- e. ☐ Visitation (parenting time) for the ☐ petitioner ☐ respondent ☐ other (name):
 will be in person, by virtual visitation (not in person), and/or other ways as specified below:

(1) ☐ **In person**, as follows

(a) ☐ **Weekends starting** (date):

(Note: The first weekend of the month is the first weekend with a Saturday.)

Weekend	Day(s)	Times	Start of (or After) School (if applicable)
☐ 1st	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 2nd	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 3rd	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 4th	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
☐ 5th	from _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after
	to _____ at _____	☐ a.m. ☐ p.m.	☐ start of ☐ after

- (i) ☐ The parties will alternate the fifth weekends, with the ☐ petitioner ☐ respondent ☐ other parent/party having the initial fifth weekend, starting (date):

- (ii) ☐ The ☐ petitioner ☐ respondent ☐ other parent/party will have the fifth weekend in ☐ odd ☐ even numbered months.

(b) ☐ **Alternate weekends starting** (date):

from _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

to _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

(c) ☐ **Weekdays starting** (date):

from _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

to _____ at _____ ☐ a.m. ☐ p.m. ☐ start of ☐ after

- (d) ☐ **Other visitation (parenting time) days and restrictions are** ☐ listed in [Attachment 9e\(1\)\(d\)](#)
 (form [MC-025](#) may be used for this purpose) ☐ as follows:

(2) ☐ **Virtual visitation**, as follows:

THIS IS A COURT ORDER.



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9. e. (3) ☐ **Other ways visitation can happen** that are in the best interests of the child are as follows:

10. ☐ **Supervised visitation (parenting time)**

Until ☐ further order of the court ☐ other (*specify*):

☐ petitioner ☐ respondent ☐ other parent/party (*name*):

will have supervised visitation (parenting time) with the minor children according to the attached *Supervised Visitation (Parenting Time) and Exchanges Order* (form [FL-341\(A\)](#)).

11. ☐ **Transportation for visitation (parenting time) and place of exchange**

a. The children must be driven only by a licensed and insured driver. The vehicle must be legally registered with the Department of Motor Vehicles, and must have child restraint devices properly installed, as required by law.

b. ☐ Transportation **to** begin the visits will be provided by the ☐ petitioner ☐ respondent
☐ other (*specify*):

c. ☐ Transportation **from** the visits will be provided by the ☐ petitioner ☐ respondent
☐ other (*specify*):

d. ☐ The exchange point at the beginning of the visit will be at (*address*):

e. ☐ The exchange point at the end of the visit will be at (*address*):

f. ☐ During the exchanges, the party driving the children will wait in the car and the other party will wait in the home (or exchange location) while the children go between the car and the home (or exchange location).

g. ☐ Other (*specify*):

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

a. ☐ The state of California.

b. ☐ The following counties (*specify*):

c. ☐ Other places (*specify*):

THIS IS A COURT ORDER.



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13. ☐ **Holiday schedule.** The children will spend holiday time as listed ☐ below ☐ in the attached schedule.
(Children's Holiday Schedule Attachment (form [FL-341\(C\)](#)) may be used for this purpose.)

14. ☐ **Additional custody provisions.** The parties will follow the additional custody provisions listed ☐ below ☐ in the attached schedule. *(Additional Provisions—Physical Custody Attachment (form [FL-341\(D\)](#)) may be used for this purpose.)*

15. **Access to children's records.** Both the custodial and noncustodial parent have the right to access records and information about their minor children (including medical, dental, and school records) and consult with professionals who are providing services to the children.

16. ☐ **Other (specify):**

THIS IS A COURT ORDER.

1. ☐ Dissolution 4. ☐ Dissolution—status only 7. ☐ Dissolution—reserving jurisdiction over termination
of marital status or domestic partnership

2. ☐ Legal separation 5. ☐ Parent-child relationship

3. ☐ Nullity 6. ☐ Judgment on reserved issues 8. ☐ Other (*specify*):

—NOTICE TO ATTORNEY OR RECORD OR PARTY WITHOUT ATTORNEY—

STATEMENTS IN THIS BOX APPLY ONLY TO JUDGMENT OF DISSOLUTION

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

Date: _____ Clerk, by _____, Deputy

Name and address of petitioner or attorney _____ Name and address of respondent or attorney _____

Name and address of petitioner or attorney _____ Name and address of respondent or attorney _____

Age Group	Percentage
10-14	0%
15-19	10%
20-24	25%
25-29	45%
30-34	65%
35-39	75%
40-44	85%
45-49	90%
50-54	95%
55-59	98%
60-64	100%
65-69	100%