

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITIONER: RESPONDENT: OTHER PARTY:		
<b>NOTICE OF MOTION TO CANCEL (SET ASIDE) JUDGMENT OF PARENTAGE</b>		CASE NUMBER:

**INSTRUCTIONS**

- Use this form if you want to cancel (set aside) a judgment of parentage. A judgment of parentage (also known as paternity) is the final decision of a court naming the legal parents of a child.
- Complete items 5–12. You must also complete a *Declaration in Support of Motion to Cancel (Set Aside) Judgment of Parentage* ( ) for each child in this request. For more information about completing these forms, see *Information Sheet for Completing Notice of Motion to Cancel (Set Aside) Judgment of Parentage* ( ).
- After you complete the forms, take the originals plus three copies to the court clerk to file.
- After you file, copies of the form must be "served" on the other parties in the case and you must file the proof of service with the court. See *Information Sheet for Service of Process* ( ) for information about completing a proof of service.
- Make sure you go to the court hearing listed in item 1.

**NOTICE OF HEARING**

(FOR COURT USE ONLY)

**1. TO ALL PARTIES. A COURT HEARING WILL BE HELD AS FOLLOWS:**

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Room:
b. Address of court	<input type="checkbox"/> same as noted above	<input type="checkbox"/> other (specify):	

2. **WARNING to the person served with this request:** The court may make the requested orders without you if you do not file a *Response to Notice of Motion to Cancel (Set Aside) Judgment of Parentage* ( ) and appear at the hearing. (See page 2 of form FL-276 for more information and instructions for "serving" your response.)

***It is ordered that:***

3.  Time  for service  until the hearing is shortened. Service must be on or before (date):
4.  Any responsive declaration must be served on or before (date):

Date: \_\_\_\_\_ JUDICIAL OFFICER

**REQUEST TO CANCEL (SET ASIDE) JUDGMENT OF PARENTAGE**

5. Person making this request

- a. My name is:
- b. I am the:
  - (1)  Petitioner
  - (2)  Respondent
  - (3)  Other (specify):

PETITIONER:	CASE NUMBER:
RESPONDENT:	
OTHER PARTY:	

6. Information about the judgment of parentage (*attach a copy if you have one*):

- Date entered:
- County (*specify*):
- Information about all of the children listed in the judgment:

<u>Name of child</u>	<u>Date of birth</u>	<u>Voluntary declaration of parentage or paternity signed</u>
(1)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
(2)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
(3)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
(4)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
(5) <input type="checkbox"/> Additional children are listed on an attached page.		

7.  Other cases involving the children (*check all that apply*):

- Divorce, legal separation, or nullity (*case number, if known*):
- Parentage, custody, or child support (*case number, if known*):
- Other (*case number, if known*):
- The local child support agency is providing services for the children in (*specify county*):

## 8. I request the court cancel (set aside) the judgment of parentage, any voluntary declaration of parentage or paternity, and any child support owed, order genetic testing, and enter a judgment of nonparentage for:

- all of the children listed in item 6c.
- the following children only (*specify*):

9. A *Declaration in Support of Motion to Cancel (Set Aside) Judgment of Parentage* ( ) is attached for each child in item 8.10. The marital presumption in Family Code section 7540 does not apply. (*The marital presumption means a child is legally considered to be a child of the marriage if the parents were married and living together as spouses at the time of conception and birth.*)11.  I request that the court appoint a guardian ad litem for each child listed in item 6. (*A guardian ad litem is an adult appointed by the court who advocates or speaks on behalf of a child.*)12.  Other requests (*specify*):

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

Date:



(SIGNATURE OF PARTY MAKING REQUEST)

(TYPE OR PRINT NAME)

**Requests for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* ( ). (Civ. Code, § 54.8.)