

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

INSTRUCTIONS

1 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.

2 Complete items 5–12. You must also complete a *Declaration in Support of Motion to Cancel (Set Aside) Judgment of Parentage (form FL-273)* 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 (form FL-274)*.

3 After you complete the forms, take the originals plus three copies to the court clerk to file.

4 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 (form FL-611)* for information about completing a proof of service.

5 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 checked="" type="checkbox"/> Dept.:	<input checked="" type="checkbox"/> Room:
b. Address of court <input checked="" type="checkbox"/> same as noted above <input checked="" 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 (form FL-276)* 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: RESPONDENT: OTHER PARTY:	CASE NUMBER:
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6. Information about the judgment of parentage (*attach a copy if you have one*):
- a. Date entered:
 - b. County (*specify*):
 - c. Information about all of the children listed in the judgment:

	<u>Name of child</u>	<u>Date of birth</u>	Voluntary declaration of parentage or paternity signed		
(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 checked="" type="checkbox"/> Additional children are listed on an attached page.				

7. Other cases involving the children (*check all that apply*):
- a. Divorce, legal separation, or nullity (*case number, if known*):
 - b. Parentage, custody, or child support (*case number, if known*):
 - c. Other (*case number, if known*):
 - d. 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:
- a. all of the children listed in item 6c.
 - b. the following children only (*specify*):
9. A Declaration in Support of Motion to Cancel (Set Aside) Judgment of Parentage (form FL-273) 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:

_____ ▶ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF PARTY MAKING REQUEST)



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 for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)