CONFIDENTIAL

SUR-230

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL 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:	
DECLARATION FOR DEFAULT OR UNCONTESTED JUDGMENT	CASE NUMBER:

I declare that if I were to appear in court and were sworn, I would testify to the truth of the facts in this declaration. Further, 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.

1. **Declaration about appearance by each respondent**
   - a. ☐ Respondent did not appear in the case. The default of each respondent was entered or is being requested.
   - b. ☐ Respondent *(specify name):* declares (*you must choose one):*
     - (1) ☐ By filing this form, I make a general appearance.
     - (2) ☐ I have previously made a general appearance.
     - (3) ☐ I am a member of the military services of the United States of America. I have completed and attached to this form *Declaration and Conditional Waiver of Rights Under the Servicemembers Civil Relief Act* (form SUR-230(A)).
   - c. ☐ Respondent *(specify name):* declares (*you must choose one):*
     - (1) ☐ By filing this form, I make a general appearance.
     - (2) ☐ I have previously made a general appearance.
     - (3) ☐ I am a member of the military services of the United States of America. I have completed and attached to this form *Declaration and Conditional Waiver of Rights Under the Servicemembers Civil Relief Act* (form SUR-230(A)).
2. **Declarations about the petition, response, and lodging of gestational carrier agreement**
   - a. ☐ Each petitioner declares that all the information in *Petition to Determine Parental Relationship* (form SUR-100) is true and correct.
   - b. ☐ Each respondent declares that all the information in *Response to Petition to Determine Parental Relationship* (form SUR-120) is true and correct.
   - c. ☐ A copy of the fully executed gestational carrier agreement (also called an "assisted reproduction agreement for gestational carriers" in Family Code section 7962) was lodged with the clerk of the court. In addition, the declarations required by Family Code section 7962 were filed with the clerk of the court.
3. **Declarations about the parental relationship**
   - a. Name or names *(specify):*

     ☐ is the parent (or are the parents) of:

     Child's name — Date of birth

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3. a. ☐ 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):*

   ☐ is not the parent (or are not the parents) of the child or children ☐ listed in item 3a. ☐ not yet born.

4. **Declarations and agreements about determination of parental relationship**

   Each party:

   a. Declares that the parties have an agreement about the legal parental relationship of the child or children (conceived under the terms of a gestational carrier agreement) that is set forth in the proposed *Judgment* (form FL-250).

   b. Agrees that the legal parental relationship of the child or children should be ordered as set forth in the proposed *Judgment* (form FL-250).

   c. Asks the court to approve the proposed *Judgment* (form FL-250) that is attached to this *Declaration for Default or Uncontested Judgment.*

   d. Declares that the original and copies of the proposed *Judgment* (form FL-250) and *Notice of Entry of Judgment* (form FL-190) are also being submitted for the court to sign, along with the postage prepaid (stamped) envelopes. One stamped envelope is provided for each party in this case.

   e. Agrees to keep the court and each other informed of any change of mailing address or phone number occurring before the court enters a judgment in the case using the *Notice of Change of Address or Other Contact Information* (form MC-040).

5. **Advisement and waiver of rights as to determination of parental relationship**

   a. I understand all of the following rights:

      (1) *Legal representation.* I have the right to be represented by an attorney of my own choice at my own expense. If I cannot afford an attorney, I can contact an attorney referral service of the local bar association or the family law facilitator for assistance.

      (2) *Trial and appeal*. I have a right to have a judge decide if I am the parent of the children named in this action. I also understand that I have the right to a notice of trial, a statement of decision, a motion for a new trial, and the right to appeal.

      (3) *Confront and cross-examine witnesses.* 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.

      (4) *Genetic testing.* Under Family Code section 7551(b)(1)(B), genetic testing may be ordered if there is a dispute about whether the gestational carrier surrogate is a genetic parent.

   b. Each intended parent further understands all of the following obligations:

      (1) *Obligations.* If I admit that I am the parent of the children in this action then those children will be my children for legal purposes. I will also have the duty to contribute to the support of the children named in this action; this duty of support will continue for each child until the obligation is terminated by law.

      (2) *Criminal nonsupport*. If I willfully fail to support the child or children, criminal proceedings may be initiated against me.

   c. Understanding

      (1) I have read and understand the contents of this *Declaration for Default or Uncontested Judgment*, including the advisement and waiver of rights as to a determination of parental relationship.

      (2) If I am represented by an attorney, my attorney has read and explained to me the contents of this *Declaration for Default or Uncontested Judgment* and the proposed *Judgment* (form FL-250) and I acknowledge that I understand them.

      (3) I give up the rights that apply to me (except the right to an attorney, if I have an attorney) and freely agree that the court may enter the proposed *Judgment* (form FL-250).

      (4) I understand that none of the waivers or recitals in this *Declaration for Default or Uncontested Judgment* and *Judgment* (form FL-250) will apply unless the court approves the judgment.

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6. **Agreements about the proceeding and requests** *(choose all that apply):*
   a. ☐ In this *Declaration for Default or Uncontested Judgment*, I am not seeking any relief not requested in the petition.
   b. ☐ This cause may be decided as an uncontested matter without notice.
   c. ☐ I waive the right to notice of trial, a statement of decision, and a motion for new trial.
   d. ☐ I agree that this matter may be decided by a commissioner sitting as a temporary judge who may determine whether to grant this request or require my appearance.
   e. ☐ None of these agreements or waivers will apply unless the court approves *Judgment* (form FL-250).
   f. ☐ I request that the court issue a judgment forthwith and without further evidence under Family Code section 7962(f)(2).
7. ☐ Other *(specify):* ☐ Attachment 7.
8. Number of pages attached: _____
9. I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

Date:

_____ ▶ _____
(TYPE OR PRINT NAME OF EACH PETITIONER) (SIGNATURE OF EACH PETITIONER)

Date:

_____ ▶ _____
(TYPE OR PRINT NAME OF ATTORNEY FOR EACH PETITIONER) (SIGNATURE OF ATTORNEY FOR EACH PETITIONER)

STOP SIGNING HERE if a *Response* (form SUR-120) was *not* filed AND *no* person is using this form to make a general appearance in the case.

Date:

_____ ▶ _____
(TYPE OR PRINT NAME OF EACH RESPONDENT) (SIGNATURE OF EACH RESPONDENT)

Date:

_____ ▶ _____
(TYPE OR PRINT NAME OF ATTORNEY FOR EACH RESPONDENT) (SIGNATURE OF ATTORNEY FOR EACH RESPONDENT)

INTERPRETER'S DECLARATION

I certify under penalty of perjury under the laws of the State of California that:

1. I have, to the best of my ability, interpreted or translated this *Declaration for Default or Uncontested Judgment* and *Judgment* (form FL-250) for *(specify name or names below):*

   in the primary language of each party *(specify):*
2. Each person listed above stated to me that they understood the contents of this *Declaration for Default or Uncontested Judgment* and *Judgment* (form FL-250) before signing them.

Date:

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

Note: If more than one interpreter was needed in this case, complete and attach a separate "Interpreter's Declaration" to this petition that includes the same content as the above "Interpreter's Declaration." (*Declaration* (form MC-031) may be used for this purpose.)

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