

**When the Department of Child Support Services opens a case to establish a support order, a Summons & Complaint with a Proposed Judgment may be issued. If both parents participate in the process, a fair order can be obtained.**

### What is a Summons & Complaint?

A Summons & Complaint is a legal document used to establish paternity, child and/or medical support.

### What is a Proposed Judgment?

A Proposed Judgment states the proposed outcome of the court order that the Department of Child Support Services is requesting in the Summons and Complaint.

### How will I be notified if a Summons & Complaint is filed against me?

You could be mailed a courtesy letter informing you of the complaint. The letter tells you that you can pick up the complaint at the child support office rather than being served at your home or workplace.

Otherwise, you may be served (given) the Summons & Complaint personally.

### What should I do after I am served?

You have **thirty (30) days** to respond from the date you were served. You may:

#### SIGN A STIPULATION

You can contact the child support office named in the Summons & Complaint to sign an agreement (stipulation) to establish paternity, child support, medical support and/or childcare.

The act of contacting or meeting with child support representatives does not itself meet the thirty (30) day deadline. A signed stipulation to all terms must be reached to be in compliance with this timeframe.

A stipulation can be signed for genetic testing if you believe that you are not the father of the child named in the complaint. A genetic testing stipulation alone, however, does not satisfy the thirty (30) day response requirement.

#### FILE AN ANSWER

If you do not reach agreement via a signed stipulation on all terms of the Proposed Judgment, you must formally file an answer with the court within **thirty (30) days of the date you were initially served.**

The forms for filing the answer are included in the complaint.

### What happens if I do not respond?

#### **Do not ignore the Summons and Complaint!**

If you do not sign a stipulation or file an answer within **thirty (30) days**, the Proposed Judgment will become a **Final Judgment.**

If you ignore these papers you will be considered the legal parent and child support may be ordered.

It is in your best interest to take care of this legal matter before it becomes a final judgment. The information you provide will help ensure the order is fair.

If you are unsure you are the father of the child, and you do not request genetic testing, you may become the legal parent of the child, even if you are not the biological parent.

The Department of Child Support Services does not represent either party. Our focus is the children.



*Children who receive support from both parents do better socially and scholastically.*

## Points to Remember

- *Do not ignore the Summons & Complaint. It does not go away and can impact the rest of your life.*
- *You have 30 days from the date you were served to respond to the Summons & Complaint*
- *If you have any questions about the Summons and Complaint please contact the child support office listed in the paperwork. A case manager will assist you.*

### FAMILY LAW FACILITATOR

A Summons and Complaint is a legal document and a lawsuit. If you need assistance in completing and filing forms, you may visit the Family Law Facilitator on the fourth floor of the downtown courthouse located at 220 W. Broadway.

If you feel it is necessary, you may wish to hire a private attorney to represent you.



**We are here to help!**



*You are the difference in  
your child's future.*

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Department of Child Support Services**  
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# Summons & Complaint and Proposed Judgement



**County of San Diego  
Department Of Child Support Services**