

INFORMATION ABOUT RESPONDING TO A PETITION TO ESTABLISH PATERNITY, LEGAL DECISION MAKING AND PARENTING TIME

IMPORTANT INFORMATION ABOUT WHEN YOU MUST FILE YOUR RESPONSE:

- **Include weekends and holidays in your count** until you reach the number of days in the Time Table below. If you file a written Response with the court on time, the Petitioner **CANNOT PROCEED BY DEFAULT.**
- **Look at the timetable below.** If the last day to respond falls on a Saturday, Sunday, or legal holiday, you DO NOT count that day.

DEFAULT TIME TABLE

SERVICE BY	COUNT	EVENT
Acceptance	20 Days	after Respondent signed the Acceptance
Acceptance out-of-state	30 Days	after Respondent signed the Acceptance
Signature Confirmation	20 Days	after Respondent signed Confirmation
Signature Confirmation out-of-state	30 Days	after Respondent signed Confirmation
Process Server	20 Days	after Respondent received papers from Server
Sheriff in Arizona	20 Days	after Respondent received papers from Sheriff
Sheriff out-of-state	30 Days	after Respondent received papers from Sheriff
Publication	64 Days	after the 1 st date of publication

INFORMATION ABOUT PAPERS YOU SHOULD HAVE RECEIVED FROM THE OTHER PARTY WITH THE PATERNITY PETITION:

1. **SUMMONS:** You have been summoned to appear in Court. The Summons tells you how many calendar days you have to file a **Response** (also known as an “**Answer**”), depending on how you were served with the court papers.
 - **IF YOU WANT THE COURT TO KNOW THAT YOU DISAGREE WITH ANYTHING THAT IS STATED OR REQUESTED IN THE PETITION, BE SURE TO FILE A WRITTEN RESPONSE – ON TIME!**
 - If the time for you to file a WRITTEN RESPONSE has passed, the other party must complete an **Application and Affidavit for Entry of Default** and send you a copy.
 - **You then have ten (10) more days from the date the Application for Default was filed** with the Clerk **to file your written response (not 10 days from the date you receive the Application).**
 - **If you do not file a WRITTEN RESPONSE ON TIME, the Court may assume you are in complete agreement with everything stated and requested in the Petition, and a *default Judgment* can be entered without the Judge hearing your side of the story.**
2. **PETITION TO ESTABLISH PATERNITY, CHILD LEGAL DECISION MAKING, PARENTING TIME, AND CHILD SUPPORT:** This is the form the other party completed to tell the Court his or her side of the story about the minor children, pregnancy, child support, child parenting time, and legal decision making.

Read each and every word very carefully, and decide what you want to do. Here are your choices:

- a. **Do nothing.** This means the other party can get a court order and tell the Judge his or her side of the story, without you telling your side at all. **This is called a default.** Even in these cases, the judge will try to decide what is best, but is never a good idea to ignore the court proceeding and have a court order that you had no input on. You should talk to a lawyer before you decide to “do nothing.”
- b. **Agree. Decide with the other party** how you want to handle everything about the minor children, pregnancy, child support, child parenting time, and child legal decision making. Then you and the other party file papers in the court stating your agreement on everything. This is called a **Consent or Stipulation.** This is often the best way to proceed, if you and the other party can talk about the critical issues to decide how you both want to handle everything.
OR
- c. **File a Response to tell the Court you disagree with any part of what the other party said or requested in the Petition, to state your side of the story, and to inform the Court how you want to handle everything.**

Once you file a Response to tell the Court you disagree with any part of the Petition, the case becomes known as “a contested matter.” However if you and the other party can reach agreement on some or all matters, you may file a **Stipulation** (agreement) for a **Consent** decree.

Court appointed or private mediators can often assist parties in reaching full or partial agreement. If you file a Response and are unable to reach full agreement on all issues, be sure to file any court papers needed to schedule the remaining issues for trial, AND/OR seek legal advice.