

## LOCAL RULES – SUPERIOR COURT of CALIFORNIA, COUNTY of ORANGE

### **Rule 720. Filing and Establishment of Parent-Child Relationship Pursuant to a Gestational Surrogacy or Traditional Surrogacy (Fam. Code, §§7620 and 7960, *et seq.*; California Rules of Court, rule 5.78)**

A. ~~Filing Petition~~—A party seeking to establish a parent-child relationship based on ~~pursuant to a gestational~~traditional surrogacy or ~~traditional~~gestational surrogacy must file the Petition and Supporting Papers to Determine Parental Relationship (“Petition”) in the Lamoreaux Justice Center. This rule describes the petition and supporting papers required for each form of surrogacy.

B. Petition and Supporting Papers in a ~~G~~gestational ~~S~~urrogacy. The petition (SUR-100) or joint petition (SUR-100(J)) must be filed with the following documents:

1. Petitioner’s~~(s)~~ Documents:

- a. Gestational Surrogacy Cover Sheet (Local Form L-2324) – completed and signed;
- b. Confidential - Party Identification and Notice of Related Case(s) (Local Form L-1120);
- c. Summons – Gestational Carrier Agreement (SUR-110), if applicable;
- d. Request to Enter Default (SUR-165), if applicable;
- e. Declaration for Default or Uncontested Judgment (SUR-230), if applicable;
- f. Judgment (FL-250);
- g. Notice of Entry of Judgment (FL-190);
- h. Notice of Lodgment either on pleading or Notice of Lodging (SUR-113) with the following:
  - i. Original Gestational Carrier Agreement, executed and notarized, and
  - ii. Declarations of the separate, independent attorneys, including as exhibit(s) a criminal background check for Petitioner(s).
- i. Declaration(s) of fertility doctor; ~~and~~
- j. Declaration of Petitioner(s).

2. Respondent’s~~(s)~~ Documents:

- a. Response to Petition to Determine Parental Relationship (SUR-120);
- b. Declaration for Default or Uncontested Judgment (SUR-230), if applicable; ~~and~~
- c. Declaration of Respondent(s).

A.C. Petition and Supporting Papers in a Ttraditional ~~S~~urrogacy. The petition (FL-200) must be filed with the following documents.

1. Petitioner’s~~(s)~~ Documents:

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~~a.~~ Gestational Surrogacy Cover Sheet ([Local Form L-2324](#)) – completed and signed;

~~b.a.~~

~~c.~~ Confidential - Party Identification and Notice of Related Case(s) (~~OCSC~~ Local Form L-1120);

~~d.b.~~

~~e.c.~~ Confidential Cover Sheet - Parentage Action Involving Assisted Reproduction (FL-211);

~~f.d.~~ Summons (FL-210);

~~g.e.~~ Stipulation for Entry of Judgment Re: Determination of Parental Relationship (FL-240);

~~h.f.~~ Appearance, Stipulations, and Waivers (FL-130);

~~i.g.~~ Declaration for Default or Uncontested Judgment (FL-230);

~~j.h.~~ Advisement and Waiver of Rights Re: Determination of Parental Relationship (FL-235)

~~k.i.~~ Judgment (FL-250);

~~l.j.~~ Notice of Entry of Judgment (FL-190);

~~m.k.~~ Lodge original ~~Traditional~~ ~~Gestational~~ ~~Surrogacy~~ ~~Carriers~~ Agreement, executed and notarized (Notice of Lodgment);

~~n.l.~~ Declaration(s) of ~~fertility~~ ~~IVF~~ doctor;

~~o.m.~~ Declaration of Petitioner(s); and

~~n.~~ Declaration of attorney for Petitioner(s) including as an exhibit a criminal background check for Petitioner(s).

### 2. Respondent's(s) Documents:

a. Appearance, Stipulations, and Waivers (FL-130);

b. Declaration for Default or Uncontested Judgment (FL-230);

c. Advisement and Waiver of Rights Re: Determination of Parental Relationship (FL-235);

d. Stipulation For Entry of Judgment Re: Determination of Parental Relationship (FL-240);

e. Declaration of Respondent(s); ~~and~~

f. Declaration of Attorney for Respondent(s).

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