

STATE OF VERMONT

SUPERIOR COURT

FAMILY DIVISION

Unit

Docket No.

Plaintiff Name	v.	Defendant Name
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SUMMONS AND COMPLAINT TO ESTABLISH PARENTAGE

Plaintiff Information:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Mailing Address (if different from Street Address): \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_  
Attorney Name: \_\_\_\_\_ Attorney Phone: \_\_\_\_\_

Defendant Information:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Mailing Address (if different from Street Address): \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_  
Attorney Name: \_\_\_\_\_ Attorney Phone: \_\_\_\_\_

Other possible parent, if any (notice will be sent):

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Mailing Address (if different from Street Address): \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Email Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_  
Attorney Name: \_\_\_\_\_ Attorney Phone: \_\_\_\_\_

Attached is a Supplemental Information Sheet (form 400-00817A) regarding additional Other Possible Parents.

SUMMONS

THIS SUMMONS IS DIRECTED TO: \_\_\_\_\_  
Name of Defendant

1. PLAINTIFF \_\_\_\_\_  
Name of Plaintiff

HAS FILED A COMPLAINT TO ESTABLISH PARENTAGE AND RELATED OBLIGATIONS for certain minor children. The children are named in the Complaint which begins on the next page. Do not throw these papers away. They are official papers that affect your rights.

2. TO PROTECT YOUR RIGHTS, YOU SHOULD REPLY WITHIN 21 DAYS. Your written response is called an Answer. You can get an official court form for an Answer to a Parentage Complaint at any Vermont Family Court or on the Judiciary web site at: <http://www.vermontjudiciary.org>

3. **YOU MUST RESPOND TO EACH CLAIM.** In your Answer, you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything requested in the Complaint, you should say so in your Answer.
4. **IF YOU DO NOT FILE AN ANSWER OR FILE AN APPEARANCE, THE COURT IS NOT REQUIRED TO NOTIFY YOU OF HEARINGS.** If you do not attend the court hearings, the Plaintiff may receive everything requested in the Complaint. You will not get a chance to tell your side of the story.
5. **YOU MUST GIVE OR SEND A COPY OF YOUR ANSWER TO THE PLAINTIFF.** If the Plaintiff has an attorney, you must give or send a copy of your Answer to the Plaintiff's attorney.
6. **YOU MUST GIVE OR SEND YOUR ORIGINAL ANSWER TO THE COURT at this address:**
7. **LEGAL ASSISTANCE:** You may wish to get help from a lawyer. Even if you cannot get legal help, you must still give the Court a written Answer to protect your rights.

Dated

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Signature of Court Clerk

**VERIFIED COMPLAINT FOR ESTABLISHMENT OF PARENTAGE  
AND RELATED OBLIGATIONS**

**FACTUAL INFORMATION**

The Plaintiff states that the following facts are true:

**1. Minor Children:**

The children who are the subject of this parentage action are:

Name of Child: _____	Date of Birth: _____
Name of Child: _____	Date of Birth: _____
Name of Child: _____	Date of Birth: _____
Name of Child: _____	Date of Birth: _____
Name of Child: _____	Date of Birth: _____

**Quick Reference Guide: NOTE if you are unsure if you meet the criteria to be established as a “parent”, please seek legal advice before submitting this complaint with the court.**

**“Presumed parent”** means a person who is married to the person who gave birth to the child(ren) during the marriage or a person who is married to the person who gave birth to the child(ren) and the child(ren) was/were born no later than 300 days after the marriage is terminated.

**“Acknowledged parent”** means a person who has given birth to the child(ren) or who is the alleged genetic parent that has signed a Voluntary Acknowledgement of Parentage Form.

**“Adjudicated parent”** means a person who has been adjudicated by a court of competent jurisdiction to be a parent of a child(ren).

**“De Facto Parent”** is a person who has resided with the child(ren) as a regular member of the household for a significant period of time.

**“Intended parent”** is a person, whether married or unmarried, who intends to be legally bound as a parent of a child(ren) resulting from assisted reproduction or a gestational carrier agreement.

**2. Plaintiff is** (check all that apply):

- the genetic or adoptive mother of the children named above;
- the genetic or adoptive father of the children named above;
- a child named above
- presumed parent
- acknowledged parent
- adjudicated parent
- de facto parent\*
- intended parent
- a personal representative of a child named above
- Other: state the nature of parental relationship to the child(ren) \_\_\_\_\_

\*A party filing as a de facto parent must file an additional affidavit. See information pamphlet for details

**3. Defendant is** (check all that apply):

- the genetic or adoptive mother of the children named above;
- the genetic or adoptive father of the children named above;
- presumed parent
- acknowledged parent
- adjudicated parent
- de facto parent\*
- intended parent
- Other: state the nature of parental relationship to the child(ren) \_\_\_\_\_

**4. Other possible parents** *(check one)*

The child(ren) *do not* have any other parents.

OR

The child(ren) *do* have another parent named above. That parent's name is:

\_\_\_\_\_ and his/her address is: \_\_\_\_\_.

The nature of the relationship is *(please describe)*:

\_\_\_\_\_  
\_\_\_\_\_.

**5. The court has jurisdiction because:**

Defendant resides in Vermont

Defendant does not reside in Vermont *(check all box that applies)*

Defendant is personally served with notice of the proceeding within Vermont

Defendant submits to the Jurisdiction of Vermont by consent in a record by entering a general appearance, or by filing with the tribunal a responsive document having the effect of waiving any contest to personal jurisdiction

Defendant resided with the child(ren) in Vermont from \_\_\_\_\_ to \_\_\_\_\_  
*Date* *Date*

Defendant resided in Vermont and provided prenatal expenses or support for the child(ren)

The child(ren) resides in Vermont as a result of the acts or directives of the Defendant

Defendant engaged in sexual intercourse in Vermont and the child(ren) may have been conceived by that act of intercourse

Defendant asserted parentage of a child(ren) in the putative father registry maintained in Vermont by the Probate Division of Superior Court in the District of Chittenden

Any other basis consistent with the constitution of Vermont and the United States for the exercise of personal jurisdiction

**6. UCCJEA Jurisdiction:**

**A. During the last five years, the children listed above have lived at the following addresses with the following household members:** *(Begin with the child's residence just before this court case and list all addresses for the past five years.)* Information required under 15 V.S.A. § 1071

Address <i>(include street/city/state)</i>	Dates <i>(from when to when)</i>	Names of all Persons <i>(living in the household with the child)</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*Use additional page if you need more space. If children have lived at different addresses from each other please indicate the addresses for each child.*

**B. If the current address of any household member listed in the last column is different from the address listed above, please provide a current address for that person in the box above or on another page.**

**C. Please check the box below if the statement next to it is true. For each box you check, please explain your answer on another page.**

- I have participated as a party, witness, or in some other way in a court case about the custody of this child or these children in Vermont or another state.
- I have information about a case concerning this child or these children that is now pending in a Vermont court or a court in another state.
- I have knowledge about a person who is not a party to this case who has physical custody of this child or these children or who claims to have custody of or visitation rights with this child or these children.

**7. Public Assistance**

- I receive assistance from the Division of Economic Services
- Defendant receives public assistance from the Division of Economic Services
- Other possible parent receives public assistance from the Division of Economic Services

**8. Earlier action for parentage, divorce, annulment or separate support**

- I have not filed for establishment of parentage, divorce, legal separation, annulment or separate support in any court against the  Defendant  Other possible parent AND, as far as I know, the  Defendant  Other possible parent has not brought an action for parentage, divorce, legal separation, civil union, annulment or separate support against me.
- I have filed or the  Defendant  Other possible parent has filed for establishment of parentage, divorce, legal separation, annulment or separate support before the date of the filing of this petition. *(If you check this box, you must complete the information below. Use an additional sheet of paper if necessary.)*

Type of Action	Who Filed	Where Filed (Court, County, State)	Year Filed
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

*Please attach a copy of any Court Order issued in a case listed above.*

**9. Relief from abuse/protective order or other proceedings:**

- I have not filed a complaint for relief from abuse or a request for a protective order against the  Defendant  Other possible parent AND, as far as I know, the  Defendant  Other possible parent has not filed such an action against me.
- I have filed a complaint for relief from abuse or a request for a protective order against the  Defendant  Other possible parent OR  Defendant  Other possible parent has filed a complaint for relief from abuse or a request for a protective order against me. *(If you check this box, you must complete the information below. Use an additional page if necessary.)*

Type of Action	Who Filed	Where Filed (Court, County, State)	Year Filed
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

*Please attach a copy of any Court Order issued in a case listed above.*

**10. Military Service:**

- The Plaintiff  The Defendant  Other possible parent is in the military service.
- The Plaintiff  The Defendant  Other possible parent is not in the military service.

**Verification**

- A copy of a genetic testing report is attached.

**REQUEST FOR RELIEF**

I ask that the Family Court grant the following requests (check each box that applies)

1.  **Parentage Order:** A finding that \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ (if applicable) are the parents of the child(ren) named in the complaint.  
*Name Name Name*

2.  **Parental Right and Responsibilities**

**Legal parental rights and responsibilities:**

- Shared jointly
- Given solely to  Plaintiff  Defendant  Other

**Physical parental rights and responsibilities:**

- Shared jointly
- Given solely to  Plaintiff  Defendant  Other

3.  **Parent Child Contact for**  Plaintiff  Defendant  Other

4. **Name change of child(ren)**

- Not seeking name change
- Order that the names of the child(ren) be changed

Is now \_\_\_\_\_ changed to \_\_\_\_\_  
Is now \_\_\_\_\_ changed to \_\_\_\_\_  
Is now \_\_\_\_\_ changed to \_\_\_\_\_  
Is now \_\_\_\_\_ changed to \_\_\_\_\_  
Is now \_\_\_\_\_ changed to \_\_\_\_\_

5.  **Order Genetic Testing**

6.  **Child support and medical support for the minor child(ren)**

7.  **Court costs**

8.  **Attorney fees**

9.  **I have attached a written agreement signed by Defendant and myself. I ask that the Court issue an order that includes the provision of our written agreement.** (In order to qualify for the reduced filing fee, the attached agreement must cover all the issues that the Plaintiff seeks to have the Court resolve.)

I hereby swear or affirm that the information above is true and correct to the best of my knowledge and belief.

Dated

\_\_\_\_\_

Signature of Plaintiff

Printed Name

**Signed and sworn to or affirmed before me:**

Date	Signature of Notary Public	Expiration Date
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