# SUMMONS AND NOTICE OF HEARING IN A PATERNITY CASE

STATE OF INDIANA

IN THE [Title of Court]

COUNTY OF ELKHART

IN THE MATTER OF THE Case No. PATERNITY OF CHILD Female/Male [Name],

Mother/Father/Putative Father,

SS:

and

[Name]

Putative Father/Father/Mother [Child by Next Friend]

#### SUMMONS AND NOTICE OF HEARING

THE STATE OF INDIANA TO:

[name] [address] [city, state zip]

A paternity action has been filed in the Court stated above. The following documents are attached or otherwise served with this Summons:

 Petition for Establishment of Paternity

 Petition for Custody

 Petition for Child Support

 Petition for Parenting Time

 Chronological Case Summary

 Subpoena

 Other

Local Rules in Elkhart County require that both parties to this case complete certain specific tasks. You should immediately and carefully review those requirements at the website established by the Court: <u>http://www.elkhartfamilylaw.gov/</u>

**THIS IS YOUR OFFICIAL NOTICE** that a Hearing on the issues raised by the designated petitions is scheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.m. at [Address of Court]. If you wish to hire an attorney to represent you in this matter, it is advisable to do so before that date. If you do not appear for the hearing, a final order could be entered by default determining paternity, custody,

**parenting time, medical expenses and child support.** If child support is requested, you are required to bring evidence of your weekly gross income (your pay before any deductions) and documents to verify year-to-date income (pay stub or employer statement) and your last income tax return, including all W-2s, 1099s and all accompanying schedules.

If you do not file a written appearance with the Clerk and serve a copy on the other party or the attorney whose name and address is set forth at the bottom of this page, you may not receive notice of any further proceedings in this action. You are not required to file a written response to the petition(s); however, certain grounds for dismissal must be asserted in a timely fashion or are waived. If you have a claim for relief against the person who filed the petition(s), you may be required to assert such a claim in a written pleading which must be filed with the Clerk and served upon the other party or the attorney whose name and address is set forth at the bottom of this page.

The following manner of service of this SUMMONS is hereby designated:

Date:

(Name of attorney for Filing Party) Indiana Attorney No: (insert) (firm name) Attorney for (select: Mother, Father) (address) WENDY HUDSON CLERK, ELKHART CIRCUIT/SUPERIOR

By:

Deputy Clerk

(phone number)

# **CLERK'S CERTIFICATE OF MAILING**

I hereby certify that on the \_\_\_\_day of \_\_\_\_\_, 20\_\_\_, I mailed a copy of this Summons and designated documents to the party being served, \_\_\_\_\_\_, by \_\_\_\_\_\_ mail, requesting a return receipt, at the address furnished by the filing party.

WENDY HUDSON CLERK, ELKHART CIRCUIT/SUPERIOR COURTS

Dated:\_\_\_\_\_, 20\_\_\_.

BY:

Deputy Clerk

# **RETURN ON SERVICE OF SUMMONS BY MAIL**

I hereby certify that the attached return receipt was received by me showing that the Summons and designated documents mailed to the party being served, \_\_\_\_\_, was accepted by the party being served on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I hereby certify that the attached return receipt was received by me showing that the Summons and designated documents was returned not accepted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

WENDY HUDSON CLERK, ELKHART CIRCUIT/SUPERIOR COURTS

Dated:\_\_\_\_\_, 20\_\_\_.

BY:

Deputy Clerk

# **RETURN OF SERVICE OF SUMMONS BY SHERIFF**

I hereby certify that I have served the within Summons and designated documents:

By delivering on \_\_\_\_\_, 20\_\_\_, a copy of this Summons and the 1) designated documents to each of the within named person(s). By leaving on\_\_\_\_\_, 20\_\_\_\_, for each of the within named person(s) 2) \_\_\_\_\_a copy of the Summons and a copy of the designated documents at the respective dwelling house or usual place of abode,\_\_\_\_\_\_ in \_\_\_\_\_, Indiana, with a person of suitable age and discretion residing within, whose usual duties or activities include prompt communication of such information to the person served, or by otherwise leaving such process thereat, and by mailing a copy of the Summons without the designated documents to the said named person(s) at the address listed herein. This Summons came to hand this date,\_\_\_\_\_, 20\_\_\_\_. The 3) within named\_\_\_\_\_ was not found in my bailiwick this date,\_\_\_\_\_, 20\_\_\_\_.

ALL DONE IN ELKHART COUNTY, INDIANA. SHERIFF OF ELKHART COUNTY, INDIANA

By:\_\_\_\_\_

# SERVICE ACKNOWLEDGED

I hereby acknowledge that I received a copy of this Summons and copies of the designated documents at \_\_\_\_\_\_, Indiana, on this date, \_\_\_\_\_\_, 20\_\_\_\_.

(Select: Mother/Father)