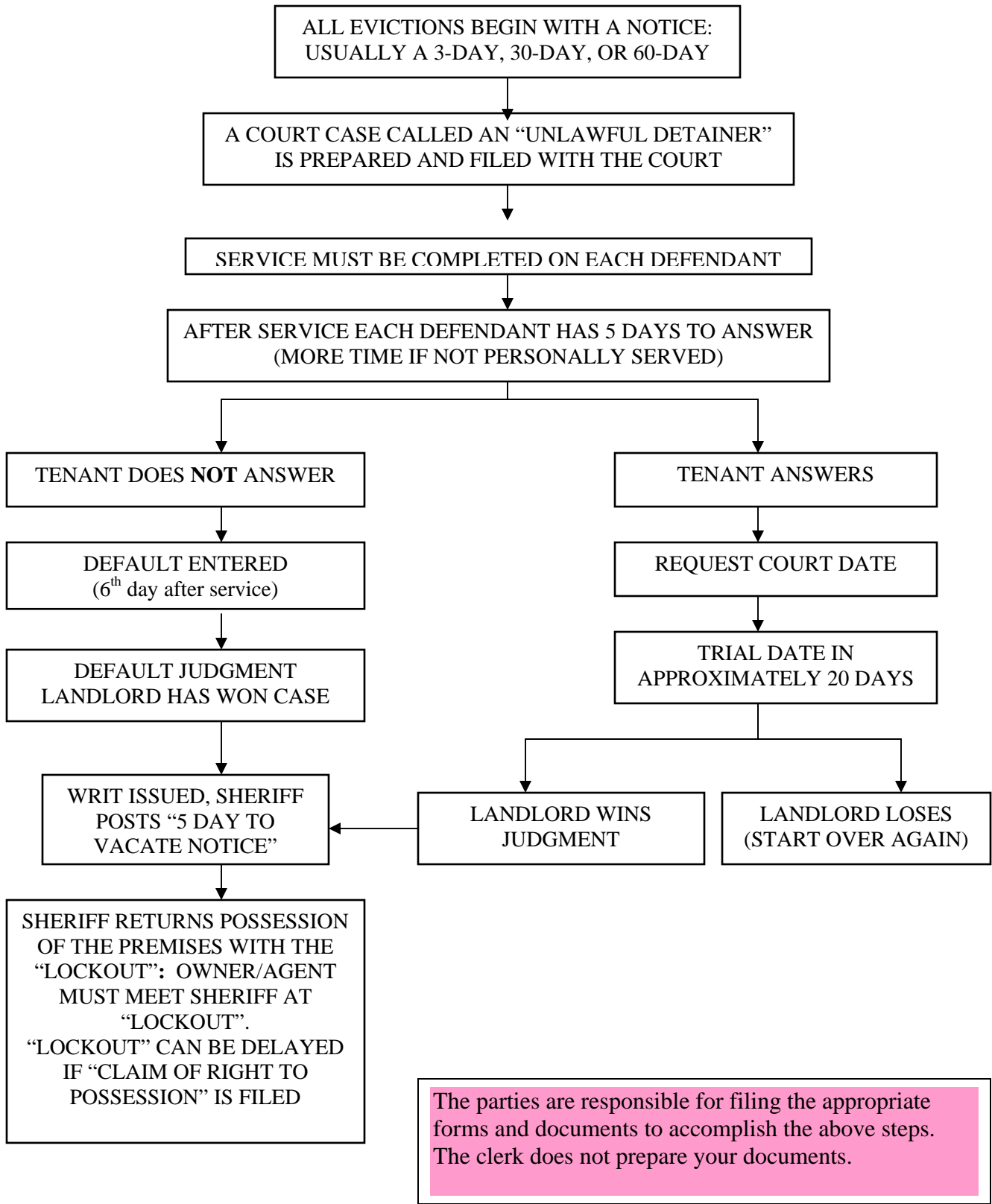


# THE EVICTION PROCESS

## (UNLAWFUL DETAINER)



## GENERAL INFORMATION

Self-help information and forms may be available at the following websites:

[www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp), [www.icandocs.org/ca](http://www.icandocs.org/ca).

*California Tenants – a Guide to Residential Tenants’ and Landlords’ Rights and Responsibilities*, an informational booklet, can be viewed/downloaded at:

[www.dca.ca.gov/publications/landlordbook/index.shtml](http://www.dca.ca.gov/publications/landlordbook/index.shtml)

If you need legal advice, please seek the assistance of an attorney.

### ***CIVIL CASE COVER SHEET***

Submit an Original for the Court and a copy for your records

### ***COMPLAINT – UNLAWFUL DETAINER***

Submit an Original PLUS 2 copies. If you require more copies, make these from the conformed copies returned to you. Attached to the ORIGINAL COMPLAINT should be the ORIGINAL RENTAL AGREEMENT (if there is one), and the original (or copy of) 3/30/60 day notice with the ORIGINAL PROOF OF SERVICE. A copy of the Rental Agreement, and a copy of the 3/30/60 Day Notice with a copy of the Proof of Service should be attached to each copy of the complaint.

### ***SUMMONS – UNLAWFUL DETAINER***

Submit an Original PLUS 2 copies. If you require more copies, make these from the copies returned to you.

### ***PREJUDGMENT CLAIM OF RIGHT TO POSSESSION***

This can ONLY be served by a MARSHAL, SHERIFF, OR REGISTERED PROCESS SERVER (see CCP §415.46(b))

### ***REQUEST FOR ENTRY OF DEFAULT***

Proof of Service of the Summons must be filed before you can obtain a default. Mail a copy of the request for default to each defendant for whom you are requesting default. Submit the Original for the Court and, if you wish, a copy for your records.

### ***DECLARATION FOR DEFAULT JUDGMENT BY COURT***

Submit an Original for the Court, and a copy for your records. This is to be submitted ONLY if a MONEY JUDGMENT is requested.

### ***REQUEST TO SET CASE FOR TRIAL***

Prior to submitting to the Court, you are required to serve a copy to each Defendant answering the Complaint. Submit an Original for the Court with proof of service, and a copy for your records. At this point all parties not answering must have either been defaulted, or dismissed (including doe defendants).

### ***JUDGMENT – UNLAWFUL DETAINER (and ATTACHMENT TO JUDGMENT)***

Submit an Original for the Court and a copy for your records; mail a copy to each Defendant.

### ***STIPULATION FOR ENTRY OF JUDGMENT – UNLAWFUL DETAINER***

Submit an Original for the Court and a copy for your records, along with any yet unpaid first paper fee for each defendant who signed the stipulation.

### ***WRIT OF EXECUTION/POSSESSION***

Submit an Original PLUS 2 copies for each defendant, a copy for the Court and a copy for your records.

### ***MEMORANDUM OF COSTS AFTER JUDGMENT, CREDITS, ACCRUED INTEREST***

Prior to submitting to the Court, you are required to serve a copy to each defendant. Submit an Original for the Court with proof of service and a copy for your records.

THE CALIFORNIA RULES OF COURT REQUIRE THAT ALL ORIGINAL DOCUMENTS BE TWO-HOLE PUNCHED ON TOP OF DOCUMENTS, AND TWO-SIDED FORMS BE PRINTED ‘TUMBLED’ (printed head to foot).