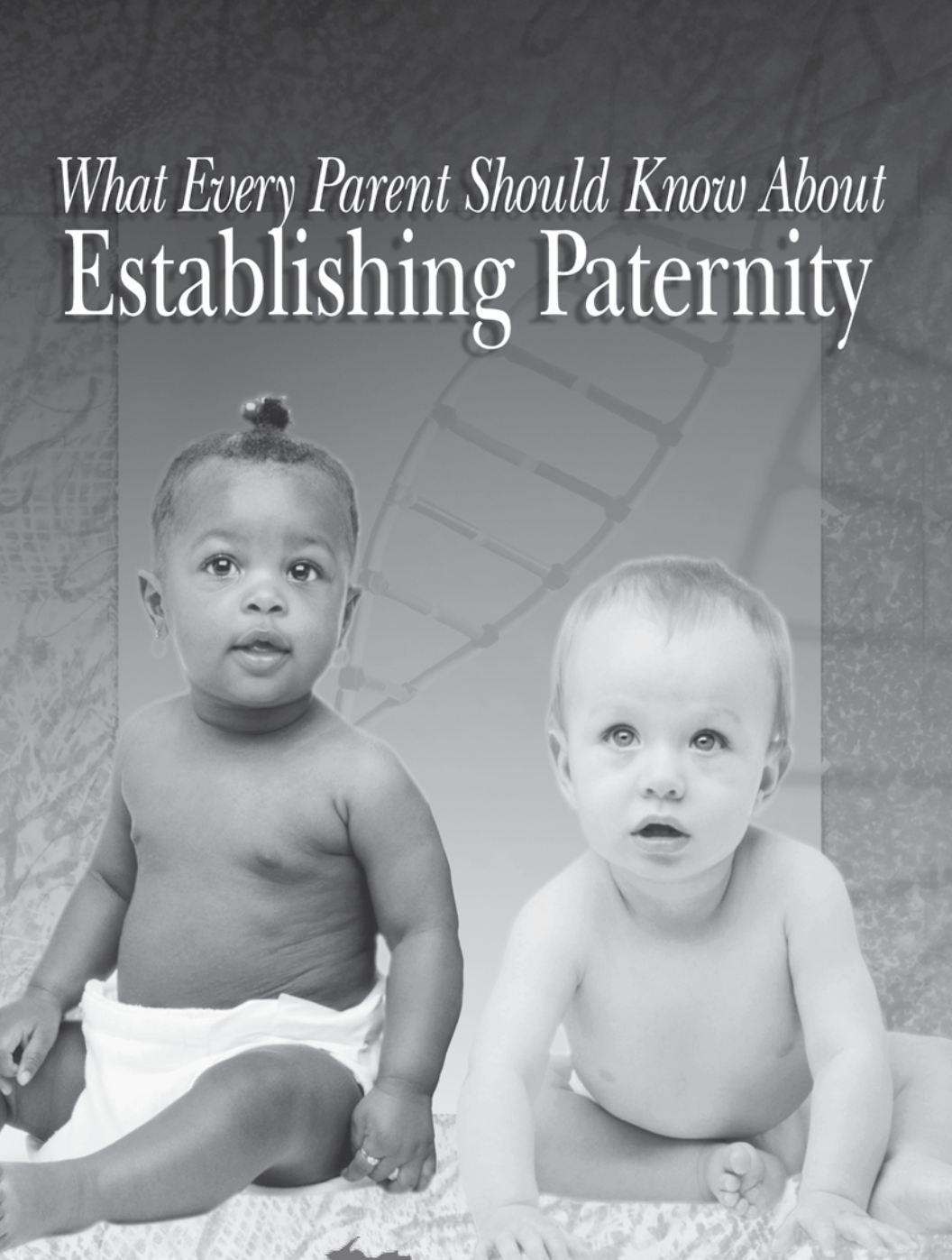
What Every Parent Should Know About
Establishing Paternity



MDHHS

Michigan Department of Health & Human Services

Si Ud. no entiende esto, llame a su oficina local del Michigan Department of Health and Human Services.

From One Parent to Another

Raising a child today is not an easy task, even under the best of circumstances. I am here to tell you it is even more difficult if you are an unwed mother. But it can be manageable if the father of your child legally establishes paternity and provides you with the financial and emotional support needed for raising your child.

We used to assure concerned friends and family that our situation was different from other unwed parents because we were in a loving relationship. Paul was even going to be with me in the delivery room for the birth of our baby! Yet six weeks after our daughter was born, our relationship broke down. Paul simply wasn't ready for the emotional and physical demands of caring for a newborn, much less marriage.

Like many unwed mothers, I believed I would be able to afford and raise our child alone. But it didn't take long to realize I couldn't manage financially. Our daughter was ill during her first months and medical bills rolled in. Her day care costs nearly equaled my monthly rent!

But what finally prompted me to seek services through the Michigan Department of Health and Human Services, Office of Child Support, was seeing a copy of our daughter's birth certificate. I assumed it would name Paul as the father since he had been with me in the delivery room. I was shocked to see, on the "name of the father" line, a row full of XXX's! That's when I realized our daughter deserved much more in life. She was entitled to her father's name on her birth certificate as well as his financial and emotional support.

Soon after, I signed up for child support services. Within 10 months, paternity was legally established and a child support order was issued. I am now receiving child support payments on a monthly basis. The legal and financial matters are resolved and Paul has since decided he wants a relationship with his daughter. Today our daughter is benefiting from the financial and emotional support she receives from both of us.

From one parent to another, we urge you to think of your child's needs first. Please consider the importance of having your child's paternity established and the benefits of child support services. Every child deserves a father. Every child deserves to be well cared for. And, every child deserves the love of both parents.

From A Parent Who's Been There

What is paternity?

Paternity means fatherhood. Establishing paternity provides your child with a legal father.

Why is establishing paternity important?

Every child has the right to a parent-child relationship with both parents. Children, mothers and fathers deserve the opportunity to develop, enjoy and grow in a relationship.

- IDENTITY: It is important to know who we are. Your child has the right to the sense of belonging that comes from knowing both parents. When you establish paternity the father's name can be included on the child's birth certificate.
- MONEY: Federal and state laws require both parents to support their children. This is true even with an unplanned pregnancy. Children supported by one parent often do not have enough money for their needs.
- BENEFITS: Your child has the right to other benefits from both parents. These may include Social Security, insurance benefits (including medical), inheritance rights, veterans' benefits and other types of benefits.
- MEDICAL: Your child may need a complete medical history from the families of both parents. This could provide important information about inherited health problems.

Both parents have the right to know and the responsibility to support their son or daughter emotionally and financially.

How is legal paternity established?

If the mother is married when she became pregnant, or when the child is born, her husband is considered by law to be the father unless a court has determined that the husband is not the father.

If the mother is **not** married when she became pregnant, or when the child is born, paternity can be established voluntarily or a judge can declare a man to be the legal father of the child.

How can unwed parents voluntarily acknowledge paternity?

Both parents must sign an Affidavit of Parentage form. The signatures must be witnessed and notarized. The completed affidavit is then filed with the Central Paternity Registry, Division for Vital Records and Health Statistics, Michigan Department of Health and Human Services. Some agencies will forward the completed affidavit to MDHHS. Otherwise, it is the responsibility of the parent(s) to file the affidavit with the Michigan Department of Health and Human Services.

The parents need to provide a picture identification and Social Security number, if possible, or other identification. Signatures on the affidavit must be witnessed by a notary.

What else do we need to know about voluntarily acknowledging paternity?

You are accepting the rights and responsibilities that come with raising a child when you voluntarily acknowledge paternity. Those rights and responsibilities include:

- The mother has initial custody of the child unless otherwise determined by the court or agreed by the parties in writing.
- Either parent may assert a claim in court for parenting time or custody.
- Both parents have a right to notice and a hearing regarding the adoption of the child.
- Both parents have the responsibility to support the child and comply with an order for child support.
- The parents are giving up their right to:
  - blood or genetic testing to determine if the man is the biological father of the child;
  - a court-appointed attorney to represent either party in a court action to determine if the man is the biological father of the child; and
  - a trial to determine if the man is the biological father of the child.

The father can sign a paternity affidavit even if he is married to someone else.

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
Division for Vital Records and Health Statistics

_____
State File Number

AFFIDAVIT OF PARENTAGE

(PLEASE PRINT OR TYPE)

We affirm under penalty of perjury that we are the natural parents of:

_____ | _____ | _____
(First) (Middle) (Last)

who was born in _____ on _____
(Hospital Name, City, County, State) (Date of Birth)

and that we sign this affidavit to establish the paternity for this child. We hereby consent that the name of the natural father may be included on the certificate of birth for the child.

We wish the child's name to be recorded as:

_____ | _____ | _____
(First) (Middle) (Last)

In signing this form, we understand that:

(a) This is a legal document.
(b) Completion of the affidavit is voluntary.
(c) The mother has initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or agreed upon by the parties in writing and acknowledged by the court. This grant of initial custody to the mother shall not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.
(d) Either parent may assert a claim in court for parenting time or custody.
(e) Both parents have a right to notice and a hearing regarding the adoption of the child.
(f) Both parents have the responsibility to support the child and to comply with a court or administrative order for the child's support.
(g) By signing this affidavit, we waive the following:
  (i.) The right to blood or genetic tests to determine if the man is the biological father of the child.
  (ii.) Any right to a court appointed attorney, including the Prosecuting Attorney, to represent either party in a court action to determine if the man is the biological father of the child.
  (iii.) The right to a trial to determine if the man is the biological father of the child.
(h) In order to revoke the Affidavit of Parentage, an individual must file a claim as provided under the Revocation of Paternity Act (Michigan Compiled Law [MCL] 722.1437).

Further, the mother states that she was not married when this child was born or conceived; or that this child, though born or conceived during a marriage, is not an issue of that marriage as determined by a court of law.

REFERENCE ONLY

FATHER

Name _____
(Father's Name – Printed)

_____
Current Address Number and Street Name

_____
City State ZIP Code

Date of Birth _____

State or Country of Birth _____

Social Security Number _____

To the best of my knowledge, the above information is true

_____
(Signature of Father)

Subscribed and sworn to before me this ____ day of _____, 20 ____.

Notary Public in and for _____ County, Michigan.

Acting in the County of _____.

Notary Public's Signature _____

Notary Public's Name – Printed or Typed _____

My commission expires _____

MOTHER

Name _____
(Mother's Name – Printed)

_____
Current Address Number and Street Name

_____
City State ZIP Code

Date of Birth _____

State or Country of Birth _____

Social Security Number _____

To the best of my knowledge, the above information is true

_____
(Signature of Mother)

Subscribed and sworn to before me this ____ day of _____, 20 ____.

Notary Public in and for _____ County, Michigan.

Acting in the County of _____.

Notary Public's Signature _____

Notary Public's Name – Printed or Typed _____

My commission expires _____

DCH-0682 (Rev 10/2013) By authority of Act 305 of 1996 as amended.

AFFIDAVIT OF PARENTAGE
Instructions

This form can be used to establish the parentage of a child and may be used to have information on the father of a child added to the certificate of birth for the child. This affidavit may be completed at the time of the child's birth or at any other time after the birth.

It is intended for use by couples who were not married at the time the child was conceived nor at the time of birth. In instances where the mother was married to someone other than the father when the child was conceived or delivered, a court ruling of her husband's nonpaternity is necessary in order to first establish that the child is not the husband's child.

Completion of this affidavit is voluntary. It indicates the parents wish to acknowledge parentage of a child. The form may be used by parents who were not married when the child was born or when the child was conceived to legally establish their parentage of a child.

Proper completion of the form is very important. Forms that are not properly completed will not be accepted for filing. The form must be legible, must be typed or printed in ink, must be signed by both parents, and must be properly notarized. At a minimum, the following items must be provided: the full names of the child, the mother and the father, the date and place of the child's birth, the address of each parent, and the birth places of each parent.

There is no fee for filing the affidavit with the Central Paternity Registry. Once filed, copies of the affidavit can be obtained by either parent, by the child, or a guardian or legal representative of a parent or the child. Certified copies of the affidavit are available from the central registry for $34.00 (additional copies are $16.00 each) and can be requested at the time of filing.

Adding a Father to the Birth Certificate --

Establishing Paternity at the Hospital – If this affidavit is completed at the time of birth and provided to hospital staff before the birth certificate is prepared and filed, the birth certificate will be completed to include the father with no need for a separate application or fee. When completed at the time of birth and used as the basis for recording the father on the original certificate of birth, hospital staff must forward the original affidavit, along with the original birth certificate, to the local registrar. The local registrar will forward the affidavit to the Central Paternity Registry for final filing.

Establishing Paternity After Leaving the Hospital – Birth certificates are not automatically changed when an affidavit is filed except when completed in the hospital at the time of the birth and before the birth has been registered. Changes to registered birth records can be requested based upon a properly completed affidavit and an Application to Add a Father on a Michigan Birth Record (form DCH-0848). If the affidavit is going to be used to add the father's name to a Michigan birth record, the affidavit **should not be mailed to the Central Paternity Registry** but should be mailed along with the corrected application to add the father to the address listed on the application. A birth record can be changed to reflect the father listed on the affidavit if no other man is recorded on the record as the child's father. Should a conflict exist, a court determination of paternity may become necessary.

There is a fee for each birth record change, as is noted in the payment section of the correction application. An application to correct a birth certificate is available from the office of the county clerk, the State Vital Records office recorded message (517) 335-8656, or can be downloaded from the Michigan Department of Community Health website at: www.michigan.gov/documents/add_dad_6589_7.pdf

To file the affidavit and request a copy and/or to change the birth record, mail the completed affidavit, the required fee and, for a birth record change, a completed Application to Add a Father on a Michigan Birth Record (form DCH-0848) to:

Vital Records Changes
P.O. Box 30721
Lansing, MI 48909

To simply file the affidavit to establish paternity and not request a copy or a change to the birth record, mail to:

Central Paternity Registry
Vital Records and Health Statistics Section
Michigan Department of Community Health
P.O. Box 30691
Lansing, MI 48909

(Completion of this form is voluntary.)

ALTERATION OF THIS FORM OR THE MAKING OF FALSE STATEMENTS WITH THE AFFIDAVIT FOR THE PURPOSES OF DECEPTION IS A CRIME. [MCL 333.2894]

DCH-0682 (Rev 10/2013) By authority of Act 305 of 1996 as amended.

REFERENCE ONLY

Where can unwed parents voluntarily acknowledge paternity?

There are several places to voluntarily acknowledge paternity:

1. Both parents can sign an Affidavit of Parentage form in the hospital at birth free of charge. Paternity can be established at a later date for no charge; but a fee is required to change/add the father's name to the birth certificate. Changes are done by the Vital Records Changes Unit, Michigan Department of Health and Human Services.
2. Contact the Michigan Department of Health and Human Services child support specialist by calling (toll free) 1-866-540-0008. You do not have to be on public assistance to seek help.
3. Request assistance from the Local Registrar's Office in the county of child's birth.

The original affidavit is mailed and recorded in the Central Paternity Registry, Division for Vital Records and Health Statistics, Michigan Department of Health and Human Services.

What if the alleged father refuses to acknowledge paternity?

If the alleged father refuses to acknowledge paternity, the mother or the Michigan Department of Health and Human Services (if the child is receiving public assistance) may bring a paternity suit to have the matter resolved. The alleged father is entitled to a hearing in circuit court to prove whether he is the father.

What if I am not sure who the father of my child is?

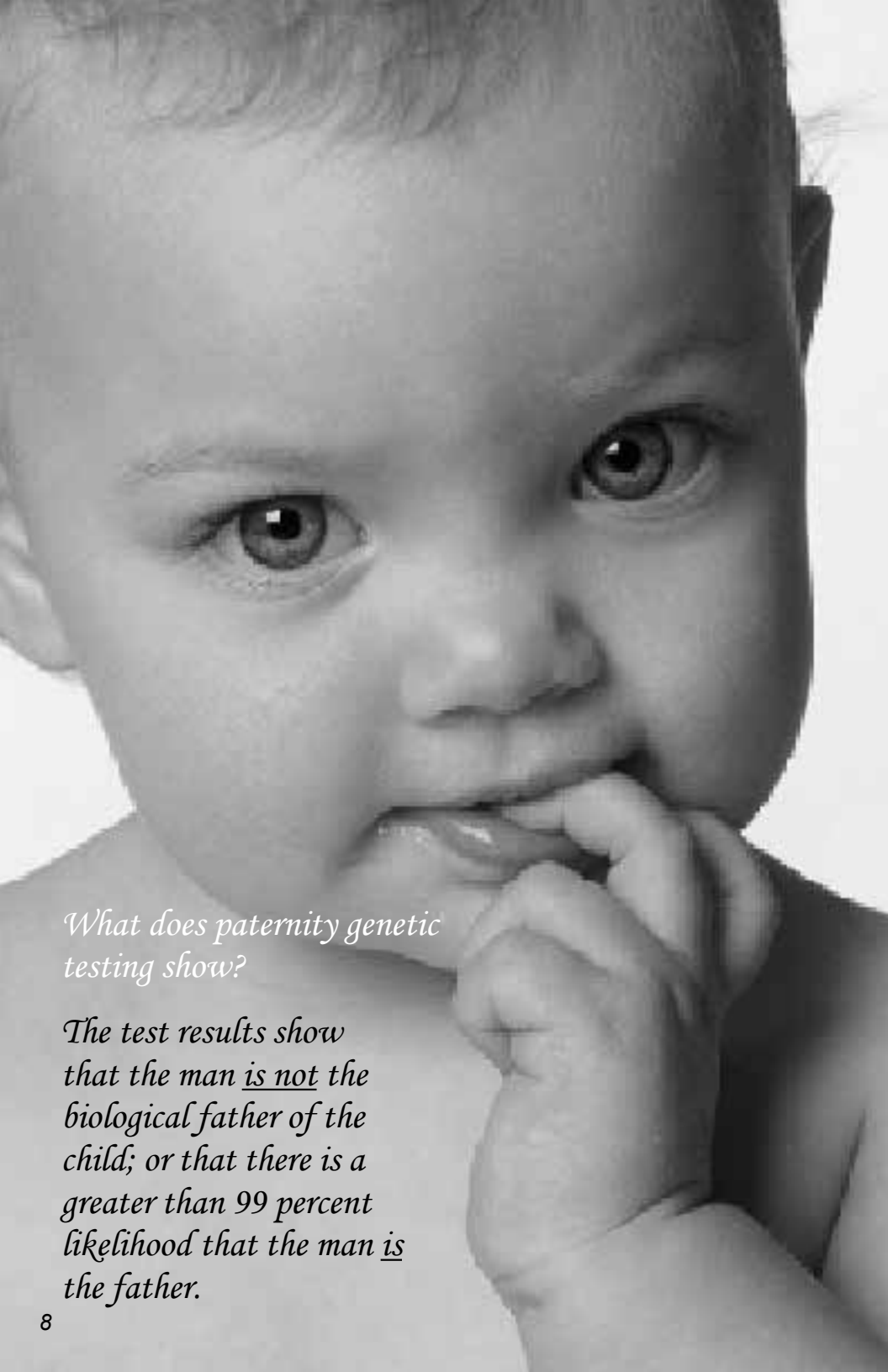
Contact the Michigan Department of Health and Human Services child support specialist by calling (toll free) 1-866-540-0008. (S)he will help you in identifying and locating (if necessary) the alleged father free of charge. You do not have to be on public assistance to seek help from the child support specialist.

When is genetic testing necessary?

When the alleged father questions or denies paternity.

How is genetic testing done?

If genetic testing is necessary in your case, you will be scheduled for tissue sampling in the area where you live. A tissue sample will be taken from the alleged father, the mother and the child. A laboratory provides the testing. The tests compare many different and complex details of the child's tissue sample with similar details in the mother's and alleged father's tissue samples.



What does paternity genetic testing show?

The test results show that the man is not the biological father of the child; or that there is a greater than 99 percent likelihood that the man is the father.

Who pays for the genetic testing?

A court decides who pays for the genetic testing. A court usually orders the alleged father to pay the costs if he is found to be the father.

What if the father or mother is not 18?

The age of the father or mother is not relevant under Michigan paternity establishment laws.

Can the name of the father be put on the child's birth certificate?

That depends on the situation.

- A married woman's husband will be recorded as the father on the child's birth certificate.
- When the mother is not married when she became pregnant or when the child is born, or if the mother has never been married, the name of the father can appear on the child's birth certificate when a paternity affidavit is completed and filed with the Michigan Department of Health and Human Services.

Who has custody of the child?

Upon signing the affidavit, initial custody is granted to the mother, unless otherwise determined by the court or agreed to by the parties in writing.

Does the father have the right to parenting time?

Parenting time can be a mutual arrangement between the parents or established by a circuit court order. The father has the right to seek court-ordered custody and parenting time.

Where do I get help in establishing a child support order?

For free help, contact the Michigan Department of Health and Human Services child support specialist by calling (toll free) 1-866-540-0008. You do not have to be on public assistance to seek help from the child support specialist. Private attorneys also can help establish a child support order.

How is child support determined?

Child support is set by a formula found in the Michigan Child Support Formula Manual. This formula considers **both** parents' income, the number of children and the custody and parenting time arrangement. Medical costs for the baby may be included in the child support order.

It is illegal to provide false information on a child's birth certificate.

Can paternity be established if the father lives outside of Michigan?

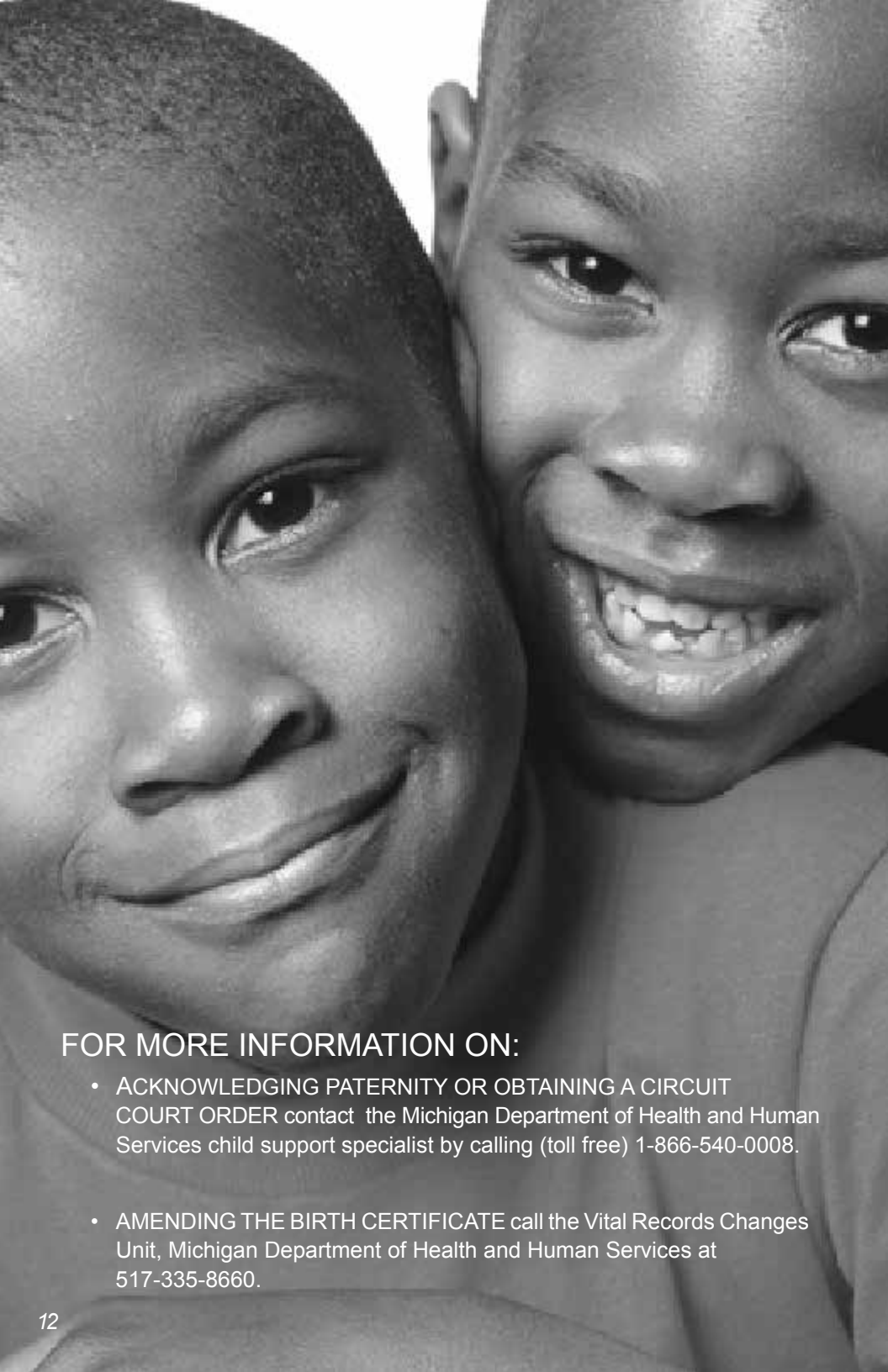
Yes. Sometimes this can be done through Michigan courts. If not, the Michigan Department of Health and Human Services child support specialist will provide help to locate the alleged father or initiate interstate procedures.

Why is now the right time to establish paternity?

Take advantage of this simple way to establish paternity without going to court. Your child has a better chance to grow up with the advantages and benefits that come from having both parents share in parental responsibilities.

Give your baby the
best possible chance in life by
getting paternity established NOW.

Don't wait. Do it for your child.



FOR MORE INFORMATION ON:

- ACKNOWLEDGING PATERNITY OR OBTAINING A CIRCUIT COURT ORDER contact the Michigan Department of Health and Human Services child support specialist by calling (toll free) 1-866-540-0008.

- AMENDING THE BIRTH CERTIFICATE call the Vital Records Changes Unit, Michigan Department of Health and Human Services at 517-335-8660.

The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs or disability.

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Previous edition may be used.