# Establish Paternity For Your Child... And For You!



Questions and Answers for Dads

# CONGRATULATIONS ON BECOMING A FATHER!

This booklet has been written for fathers who are not legally married to the mother of their baby. There is also a booklet like this one written for mothers. As you read you will find out what paternity is, why it should be established, and how easy it is to do.

Paternity is the legal identification of the father of a child. Each hospital and birthing center in Connecticut is required by law to offer unmarried parents the opportunity to establish their baby's paternity immediately after the birth of their child. To establish paternity of a child, the mother and the father must sign the form called Acknowledgment of Paternity. Your information as father of the child cannot be placed on the birth certificate unless you complete and sign this form.

Both you and the mother must sign the form in front of a notary public, so you need to have a photo id with you. Hospitals have notary services and will let you know when someone will be available to notarize the form.

Your baby's paternity is not established until both you and the mother sign the acknowledgment and it is filed with the Department of Public Health.

You will find a sample copy of what a completed form looks like the end of this book. If you have questions about the form, please talk to hospital staff. They have been trained to help parents establish paternity.

If you would like information about child support services, please call the Connecticut Department of Social Services Child Support unit nearest you. A list of the office addresses and telephone numbers is on page 15. These offices can also help you establish paternity for free if you do not do it at the hospital, or if you have other children whose paternity has not yet been established.

Remember, your information as biological father of the child will not be placed on the birth certificate unless you sign the Acknowledgment of Paternity. Signing this form legally establishes you as the biological father of your baby.

We wish you and your baby much health and happiness!

Sincerely,

Your local hospital, The Department of Social Services, and The Department of Public Health

# ESTABLISH PATERNITY... for your child's sake!

# Paternity? What's that?

Paternity means legal fatherhood.

Establishing paternity means legally determining the biological father of a child.

When parents are not married, paternity can be established by the mother and the father voluntarily signing a paternity form.



The mother signs the affirmation portion of the Acknowledgment of Paternity. The father signs the acknowledgment section of the same form. There is a sample copy of the form at the end of this book.

Signing this form shows that both parents agree that they are the child's biological parents.

This form must then be filed with the Paternity Registry at the Department of Public Health (DPH).

If you complete the form at the hospital or at DSS, staff will forward the form to DPH for you.

# What's so important about establishing paternity?

Raising a child takes a lot of hard work, time and money, but it is very rewarding. Children grow up healthy when they have lots of love and attention from two involved parents.

There are many benefits for your child and for you when you establish paternity. Paternity gives your child...

- a chance to have a relationship with both parents you all deserve the opportunity to teach, love, and inspire each other
- · a sense of family identity & belonging
- the chance to learn about health or medical problems that exist in your family which may not show up at birth or in childhood
- financial and economic benefits, such as child support payments, health insurance, Social Security, pensions and veterans benefits
- the right to inherit when mother or father dies

# What about my child's birth certificate? Will I be named as the father on it?

You will only be named as the father on the child's birth certificate if both you and the mother sign the Acknowledgment of Paternity and it gets filed at the Department of Public Health.

If you are not married to your baby's mother, and you do not complete the form, then only her name and the child's name will appear on the birth certificate - the father's name will not appear.

Remember, the child's birth certificate is an important document, and will show legal paternity after the Acknowledgment of Paternity form is signed by both the mother and you and filed at the Department of Public Health.

When the mother and you fill out the birth certificate worksheet, it is important to both you and your child that the information be as accurate and complete as possible. Your child's birth certificate will be used throughout his or her life. It is the document most often used to prove the child's full given name, place of birth, and date of birth.

The birth certificate also gives information about names and other personal items of identification needed to prove citizenship, to get a passport, and to allow someone to inherit when a parent dies.

It is also used for school, work permits, a driver's license, employment, military enlistment, a marriage license, public assistance benefits, retirement pensions, and Social Security benefits.

## Will I have to pay child support if I sign the Acknowledgment form?

Yes you will, if the court enters an order for child support payments.

By signing Acknowledgment of Paternity form you are agreeing that you are the child's father and you are legally responsible for supporting the child. As you know, financial support is part of being a responsible parent.

The state has guidelines that take into consideration the financial situation of the father and the mother. The amount of child support to be paid is based on each parent's income and expenses.

You may also be responsible for helping with day care expenses and providing health insurance for your child, if it is available at a reasonable cost.

More information on determining how much you will have to pay is found in the Connecticut Child Support and Arrearage Guidelines, which is available at any Court Clerk's office.

# How do I establish paternity for my child?

There's two ways to establish paternity when parents are not legally married:



- (1) you and the mother can voluntarily establish paternity by completing the Acknowledgment of Paternity form at the hospital or a local DSS office; once it is signed by both parents, paternity will be legally established and the form will be sent to the Department of Public Health (DPH) for filing in the Paternity Registry
- (2) paternity can be established through legal procedures in a Connecticut Superior Court; this will cost money and takes longer than completing an acknowledgment

# Where can I complete the Acknowledgment of Paternity form?

You and your child's mother can complete the form for free in the hospital when your child is born.

It's also free to do the form at a local Department of Social Services (DSS) office. And you can do the form at DSS even if the mother isn't receiving services from them.

You and the mother can also complete the form at several community-based organizations around Connecticut. Call 1-866-6-CTDADS (1-866-628-3237) to find out where these agencies are located.

You can complete the form at the customer window at the Department of Public Health in Hartford, but if you do the form there, you will have to pay \$50 to change your child's birth certificate.



# What if I have questions about the form, or about paternity?

The Notice of Rights and Responsibilities is part of the Acknowledgment of Paternity form and explains what is expected of you and your baby's mother. The hospital staff will give you an opportunity to read the notice and then talk with you and the father about it.

A copy of this notice can be found at the end of this booklet on page 19. If you need more help, hospital staff can let you know where to go to get your questions answered.

They will also know how to complete the form, and can answer other questions you may have.

DSS Child Support staff can also help you, even if your baby's mother is not receiving state assistance.

# What about my child's name?

When you and the mother of your child complete the birth certificate papers together, hopefully you will agree on the child's first, middle and last name.

If you do not agree, the mother has the right make the final name choices (first, middle and last) for your child.

Contact the
Department of Public Health
at (860) 509-7958
if you have questions about
naming your baby.

# Where is the Department of Public Health located?

DPH is located in Hartford, Connecticut. Call them with questions about birth certificates or the Paternity Registry:

Connecticut Department of Public Health
Vital Records Section - Paternity Registry
410 Capitol Avenue - MS#11VRS
P.O. Box 340308
Hartford, CT 06134-0308
TELEPHONE: (860) 509-7958

# How long will it take to have my name included on my child's birth certificate?

If paternity is not established at the hospital at the time of your child's birth, and the acknowledgment form is completed after the birth certificate has been transmitted by the hospital, the Department of Public Health (DPH) will create a new birth certificate that includes the father's information. However, this process can take several months to complete.

Changes to the birth certificate will not be seen automatically. It takes time for the records to be changed.

We realize that it can be frustrating to wait for such an important document. But if the establishment of paternity is the reason for the change it's worth the wait!

Having the father's and mother's information on the birth certificate will be important to your child as he or she goes through life.



# What other services are available?

Full child support services are available to the custodial and noncustodial parent. The custodial parent is the parent who lives with the child and the noncustodial parent is the parent who doesn't live with the child.

Services include:

- ~ location of parent
- ~ paternity establishment (includes genetic testing)
- ~ support order establishment & modification
- ~ enforcement and collection of court orders

Just call the DSS office nearest you and ask the Child Support Unit staff to send you an application for child support services. On your appointment date, bring the completed application with you to the interview and a child support worker will go over the paperwork with you.

# What if we aren't sure I am the biological father?

If one or both of you is unsure about paternity, you should not sign the Acknowledgment of Paternity until you get a genetic test (also known as a DNA test) to find out whether or not you are the biological father of the child.

The mother and you can call the local DSS Child Support office and let them know she wants to apply for services. The first service you and the mother would ask for is a DNA test to determine paternity.

You, the mother, and the child all have to be tested. The lab uses a test called the Buccal Swab. The Swab looks like a Q-tip, and the lab technician will run it along the inside your facial cheek to get cells for testing. It is 99.9% accurate and will prove if you are or are not the father of the child.



# Who pays for the genetic (DNA) testing?

If you ask for the genetic testing or the court orders the genetic testing and you are found to be the father, you may have to pay for it unless the court finds that you are not able to pay.

If you aren't involved with the court system but want to take a DNA test, you can look for labs that do DNA testing in the yellow pages of your phone book. When you call, ask if the lab does paternity testing. If they do, you can discuss cost and a payment plan with them.

The mother can also apply for child support services from DSS, and the first service you would ask for is a DNA test to determine paternity.

In any case, you, the mother and the baby all need to be tested. They use a method called Buccal Swab. The swab is like a Q-tip, and they wipe it in your cheek to get cells for testing. It is very accurate.

If you have more questions about genetic testing, call the local Child Support unit at your local DSS office - the phone numbers are listed on page 15 of this booklet.

# I'm not even 18 yet. What do I do?

If you are sure you are the biological father of the child, you can still sign an Acknowledgment of Paternity that will be legally binding even though you are under 18 years old.

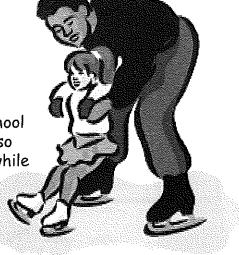
Remember, if you are not sure that you are the father of the child, you should not acknowledge paternity. You have the right to deny paternity and request genetic tests, and to have a court hearing at which you could be represented by a lawyer.

You may want to talk with an adult before you sign the acknowledgment.

I'm in school full-time and I don't have a job. Do I still have to pay child support?

As a parent, you have the responsibility to support your child to the best of your ability. Part of that responsibility includes helping with the financial costs involved with raising a child.

You're a student now, but someday you'll be out of school and working. The court may require you to get a job so that you can contribute to your child's support even while you are in school.



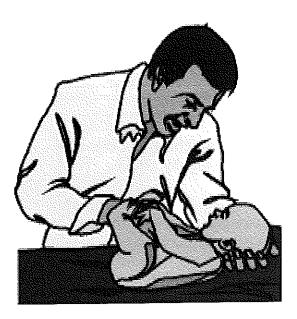
# I'm unemployed. Do I still have to pay child support?

As a parent, you have the responsibility to support your child as best you can. Being a parent involves both emotional and financial support. You may not have a job now, but your situation could change.

The court may require you to get a job so that you can meet such responsibility. Your unemployment benefits could also be attached as payment of child support.

Establishing paternity involves more than child support.

It gives you the rights to your child as well, and the opportunity to strengthen the bond between you and your child!



# Do I need to establish paternity if the mother and I are getting along, and I am supporting our child?

Yes, you should establish paternity. Even if you are supporting the child...you may even be living together...the situation may change.

If something happens to your child's mother, and you have not established paternity, you will not be recognized as the legal father.

Your child cannot gain benefits from you such as Social Security, health and life insurance, veterans' and survivor's benefits unless you establish paternity.

#### Does she have to name the child's father and establish paternity?

The mother must name the child's father if she receives public assistance from the State of Connecticut Department of Social Services. If she is not sure who the father is, the DSS Child Support staff can help.

She will be asked questions by child support staff or staff from the State Attorney General's office about the man or men who may be the father so they can be contacted.

A letter will be sent to the man named as father that asks him to contact the DSS Child Support worker to either set up a genetic test to determine paternity or make an appointment to come in and sign the Acknowledgment of Paternity form.

If the mother refuses to name the father, or refuses to help in the process of establishing paternity, she may not be granted public assistance, or she could be taken off and her case closed.



If she does not receive public assistance and has requested child support services to establish or collect child support payments, no action can be taken unless she names the child's father.

Paternity must be established before payment of child support can be ordered.

We were using birth control and didn't plan this pregnancy. Will I still be responsible for child support?

Even if the pregnancy was unplanned, **both** parents are responsible for legally supporting the child. It doesn't matter whether you agreed to the pregnancy or not. Both you and the mother have a responsibility to provide emotional and financial support for the child.

Your child needs both of you!



# Can I sign an Acknowledgment of Paternity form at a later date?

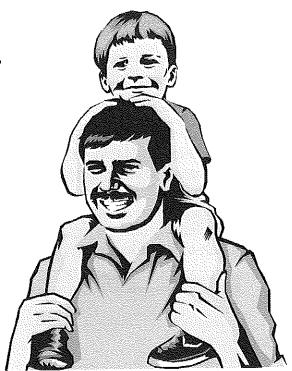
Yes. You can sign the form at a later date.

If your child begins receiving public assistance, the state will contact you to sign the Acknowledgment of Paternity.

If you do not respond, the state is required to begin a court action to establish paternity.

If you do sign an Acknowledgment of Paternity later, a new birth certificate will be prepared for your child to include information provided by you and the mother.

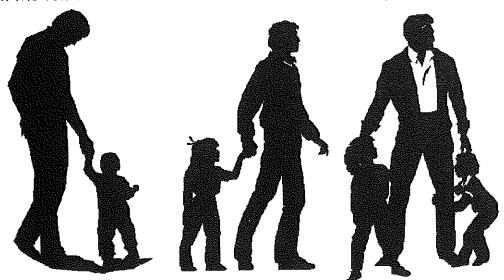
Your information as the father of the child will be added to the new birth certificate.



You and the mother may also change your child's name at this time. If you do not agree on the name, however, the mother has the right to make the final name choices (first, middle and last) for your child.

You and your baby's mother will be notified when the new birth certificate, with your information added, is available at the town hall.

The new birth certificate will be available in the town where the child was born, and/or in the town where the mother lived at the time she gave birth.



# Will establishing paternity guarantee me access and custody rights?

No. Signing the acknowledgment does not guarantee access and custody rights.

However, by acknowledging paternity, you gain legal rights to your child, which gives you a better chance of being part of your child's life and developing a strong, loving relationship.

Hopefully, if you are not living as a couple, you and the child's mother will agree about sharing time with your child.

After paternity has been established, you and the mother have the right to go to court and have the Superior Court decide on access and custody.



Judicial Branch Family Services staff are available to answer your questions about custody. Office locations and phone numbers are listed on page 16 of this book.

# If I don't sign the form, will I have to pay child support?

You will be asked to pay child support once paternity is established, whether it is done voluntarily or in court.

If you are not sure you are the father and the child is on state assistance, child support services will be provided to your child. You will be contacted by DSS and you can request a genetic test then. If you do not respond to DSS, the State is required by law to bring a court action against you to establish paternity.

If your child is not on state assistance, the child's mother can go to court on her own or request child support services from DSS to legally establish paternity. When your case goes to court, the court can order genetic tests of you, the mother, and the child to determine if you are - or are not - the father. Genetic testing is very accurate.

If the court determines that you are the biological father, you will most likely be ordered by the court to pay child support and provide health insurance for your child, based on your ability to pay.

# I am already named as the father on my child's birth certificate. Doesn't this mean I'm the legal father?

Before June 1, 1998, an unmarried mother could name a man as the biological father without doing paternity paperwork and his name was put on the birth certificate.

You are considered the father on the birth record. This is not the same thing as being the legal father of the child. In order to have rights to the child the mother and you have to establish legal paternity by signing the acknowledgment form.

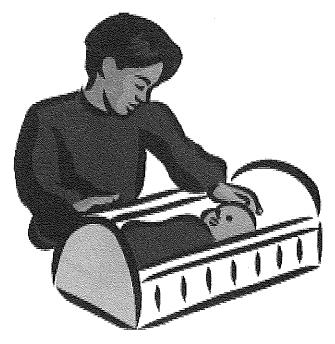
The law changed on June 1, 1998. Now a man cannot place his information on the birth record unless the mother and he legally acknowledge paternity.

## Remember...

If you complete the form at the hospital before the birth record is created then you are the legal father of the child and your information will go on the birth certificate.

If you don't complete the acknowledgment at the hospital, the birth certificate will only have the mother's and child's information on it. The space for father's information will say "not stated".

If you do the form at a later date, the Acknowledgment of Paternity form still needs to be submitted to the Department of Public Health (DPH). Your information will be added at that time. DPH will notify both you and the mother when the new birth certificate is ready at the town/city hall. If you live with your child's mother one letter is sent to your address, but if you and the mother live apart, each of you will get a letter.

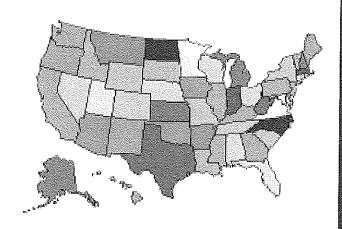


# Where can I get legal advice?

The staff at the hospital or DSS can give you information, but they cannot give you legal advice.

Child support services available from the State do not include legal assistance concerning visitation and custody.

For legal advice, you should consult an attorney. The information in this booklet is based on laws in effect in the State of Connecticut as of October 1, 1997.



# Do I have to pay child support if I don't live in the same state as my child?

Yes. All states have laws to collect child support payments from parents who live in another state.

If the mother receives child support services from this state, DSS staff will ask the state where you live to enforce your child support obligation if you don't pay, or they will bring you to court in that state to order support payments.

# I know I can establish paternity for my newborn at the hospital, but how can I establish paternity for my other child(ren)?

If you have not yet established paternity for an older child or children, you and the child's mother can sign an acknowledgment at any time for those children. Remember, it's just as important for older children to have their paternity established as it is for babies. Hospital staff are not responsible to assist you with paternity for your older children the way they can for your new baby.

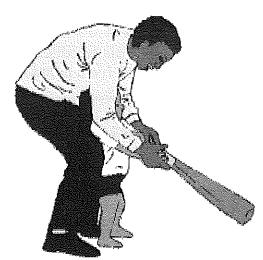
You and the mother can complete the form for free at your local DSS office, even if you do not need any services from them. DSS will then send the completed form to the Department of Public Health (DPH) to be entered into the Paternity Registry. And remember, it's free!

Once an Acknowledgment of Paternity is filed with the Paternity Registry, a new birth certificate is created by the Department of Public Health (DPH) and mailed to the town where the birth occurred. Both you and the mother will be notified by DPH that the new birth certificate with your information added is available at that town hall for a fee.

Call the DSS office nearest you if you have any questions about establishing paternity for your baby or an older child.

DSS Child Support regional office addresses and telephone numbers are listed in this book on page 15.





# Where can I get more information about child support services?

If you want general information about child support services, call the Connecticut Department of Social Services automated telephone toll-free at 1-888-233-7223 anytime between 6:00 a.m. and midnight, seven days a week. (You need a "touchtone" push button telephone.)

If you would like to apply for child support services, or if you have specific questions about establishing paternity or child support services, please call the office listed below nearest where you live.

Bridgeport:	925 Housatonic Ave., 06604;	(203) 551-2703
Danbury:	342 Main St., 06810;	(203) 207-8900
Hartford:	3580 Main St., 06120;	(860) 723-1002
Manchester:	699 E. Middle Turnpike, 06040;	(860) 647-5913
Middletown:	117 Main St. Ext., 06457;	(860) 704-3126
New Britain:	30 Christian Lane, 06051;	(860) 612-3400
New Haven:	194 Bassett St., 06511;	(203) 974-8248
Norwich:	401 W. Thames St. Unit 102, 06360;	(203) 823-3325
Stamford:	1642 Bedford St., 06905;	(203) 251-9417
Torrington:	62 Commercial Blvd., 06790;	(860) 496-6944
Waterbury:	249 Thomaston Ave., 06702;	(203) 597-4171
Willimantic:	676 Main St., 06226	(860) 465-3500



# What about access, parenting time, and custody regarding my child?

Access, parenting time (also referred to as "visitation") and custody concerns are handled by the Judicial Branch, Court Support Services Division - Family Services. If you have specific questions about these issues please call the Family Services office, listed below, that is located nearest to where you live.

Bridgeport: 1061 Main St., 06604; (203) 579-6513

Danbury: 146 White St., 06810; (203) 207-8615

Hartford: 90 Washington St., 06106; (860) 706-5170

Litchfield: Commons, Route 202, 06759; (860) 567-9463

Meriden: 54 West St., 06451; (860) 238-6140

Middletown: 1 Court St., 06457; (860) 343-6460

Milford: 14 West River St., 06460; (203) 877-0001

New Britain: 20 Franklin Square, 06051; (860) 515-5115

New Haven: 235 Church St., 06510; (203) 503-6820

New London: 70 Huntington St., 06320; (860) 443-2826

Putnam: 267 Kennedy Drive, 06260; (860) 928-0478

Stamford: 123 Hoyt St., 06905; (203) 965-5282

Vernon: 428 Hartford Tpke., 06066; (860) 872-4088

Waterbury: 300 Grand St., 06702; (203) 591-3325

**SAMPLE**CONNECTICUT DEPARTMENT OF PUBLIC HEALTH OFFICE OF VITAL RECORDS PATERNITY REGISTRY

#### SAMPLE

ACKNOWLEDGMENT OF PATERNITY

□ Post E	Rinth

SAMPLE
This is a legal document. Complete in
BLACK ball point pen and do not alter.

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#### Acknowledgment of Paternity

Sample

#### NOTICE OF RIGHTS AND RESPONSIBILITIES

Read all sections before you sign the form.

When this *Acknowledgment of Paternity* form is properly signed by the mother and the father of the child, it establishes important rights and responsibilities for the parents, and important rights for the child. Pursuant to section 46b-172 of the Connecticut General Statutes, an *Acknowledgment of Paternity* executed and sworn to by the mother and the father is a legal finding of paternity and is binding on both parents, whether adult or minor.

#### MOTHER'S RIGHTS AND RESPONSIBILITIES

- 1. You do not have to sign the Acknowledgment of Paternity.
- 2. You should sign the *Acknowledgment of Paternity* only if you know who is the father of your child. If you are unsure who is the father, you should not sign the form. Genetic (DNA) testing may be able to establish paternity with a high degree of accuracy, and may, under certain circumstances, be available at state expense.
- 3. The father's name will not appear on the birth certificate unless you and the father sign the Acknowledgment of Paternity.
- 4. If you and the father sign the *Acknowledgment of Paternity*, it will be filed with the Connecticut Department of Public Health, Vital Records Section-Paternity Registry, and the father's name will be placed on the birth certificate. The *Acknowledgment of Paternity* is considered a legal finding of paternity. Your child will then have a legal father.
- 5. As the legal father, the man you name in the Acknowledgment of Paternity may obtain rights of custody and visitation.
- 6. Your child will have the right to receive support from the father at least until the child's eighteenth birthday.
- 7. Your child may be eligible for many other benefits from the father such as health insurance, social security, veteran's benefits, and the right of inheritance.

#### FATHER'S RIGHT AND RESPONSIBILITIES

- 1. You do not have to sign the *Acknowledgment of Paternity*. You should sign only if you are sure you are the father of the child. Your name will not be placed on the birth certificate unless you sign the *Acknowledgment of Paternity*.
- 2. You have the right to deny paternity and to have a trial by the Superior Court or a Family Support Magistrate.
- 3. You have the right to speak with an attorney before signing an *Acknowledgment of Paternity*. In addition, if there is a trial concerning the paternity of a child, you have the right to have an attorney represent you and, if you cannot afford an attorney, you can ask the court to appoint one for you.
- 4. You have the right to a genetic (DNA) test to determine paternity. Genetic (DNA) testing may be able to establish paternity with a high degree of accuracy, and may, under certain circumstances, be available at state expense.
- 5. If you and the mother sign the *Acknowledgment of Paternity*, it will be filed with the Connecticut Department of Public Health, Vital Records Section-Paternity Registry and your name will be placed on the birth certificate. The *Acknowledgment of Paternity* is considered a legal finding of paternity. You will then be the legal father of the child.
- 6. As the legal father of the child, you may obtain rights of custody and visitation, you will be liable for the child's financial support, at least until the child's eighteenth birthday, and you may also be liable for the child's medical and dental bills. If you do not support your child, a civil or criminal court case may be brought against you, and the court can order that your income be withheld.
- 7. The child will be given many rights and benefits which the child may otherwise not have, such as the right to inherit from you, as the legal father, and be eligible to receive health insurance, social security, or veteran's benefits.

#### RESCISSION

- 1. The mother or the father may rescind the *Acknowledgment of Paternity* within 60 days of signing the *Acknowledgment of Paternity* by contacting the Connecticut Department of Public Health, Vital Records Section-Paternity Registry or any local office of the Connecticut Department of Social Services, Bureau of Child Support Enforcement, and completing a *Rescission of Acknowledgment of Paternity* form (VS-57 form). The address of the local DSS office nearest you can be found in the blue pages of a local telephone book. After signing the VS-57 form in front of a notary public or other authorized official, forward the original to: Connecticut Department of Public Health, Vital Records Section-Paternity Registry, 410 Capitol Avenue, First Floor, MS #11VRS, P.O. Box 340308, Hartford CT 06134-0308.
- 2. If the mother or the father signs the *Rescission of Acknowledgment of paternity* (VS-57 form), the father's name will be removed from the birth certificate and he will no longer be considered the legal father of the child.
- 3. After 60 days from the signing of the *Acknowledgment of Paternity*, the father's name will be removed from the birth certificate only by order of the court. An *Acknowledgment of Paternity* may be challenged in the court or before a Family Support Magistrate after the 60-day rescission period only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the person making the challenge.

IF EITHER ONE OF YOU IS NOT ABSOLUTELY SURE OF THIS CHILD'S PATERNITY, YOU SHOULD NOT SIGN THIS *Acknowledgment of Paternity*. If you have any questions you should talk with an attorney.

The Department of Social Services' programs are available to all applicants and recipients without regard to race, color, creed, sex, sexual orientation, age, disabilities, learning disabilities, national origin, ancestry or language barriers.

The Department has a TDD/TTY line for persons who are deaf or hearing impaired and have a TDD/TTY: 1-800-842-4524. Auxiliary aids are also available for blind or visually impaired persons.

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