

Now is the best time to establish paternity!



Children need the support of both parents from the time they are born. Give your baby the best possible chance in life by getting paternity established as soon as possible. Your child will benefit emotionally, financially and medically from your decision.

Once paternity is established, both parents have the right to seek visitation or custody of the child.



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The California Department of Child Support Services does not provide legal services to parents or guardians.

Establishing Paternity (Child's Father)



What is paternity?

Paternity is a term meaning the legal father of the child. Paternity can be established either by the court or by both parents completing and signing a paternity declaration in the hospital and having it filed with the state.



How is paternity established?

Marriage

When a woman is married and becomes pregnant, it is presumed that her husband is the legal father of the child and paternity is established without the parents having to take any legal action.

Declaration of Paternity

The easiest way for unmarried parents to establish paternity is by signing the Paternity Opportunity Program Declaration of Paternity form. It is given to unmarried parents in the hospital when the child is born. Both parents must sign the form for it to be valid. The Declaration of Paternity is also available at local child support agencies, local registrars and courts. For more information, call the Paternity Opportunity Program (POP) at (866) 249-0773.

Court Order

Paternity can be established by court order. If either parent has opened a case with the local child support agency, the local child support agency can file all the necessary papers to get a court order.

Genetic Testing

Either parent or the local child support agency can request a genetic test if biological proof of paternity is wanted before a man is named the legal father.

Why is it important to establish paternity?

The benefits to the child are:

- Knowing who both parents are.
- Legal documentation of his or her parents.
- Father's name can be on the birth certificate.
- Support from both parents.
- Access to family medical history.
- Health insurance coverage, if available.
- The right to inherit from either parent.
- The right to receive Social Security or veterans' benefits, if available.

Establishing paternity by court order

When a man is identified as the father, he will be served with legal paperwork to establish paternity and/or child support and health insurance coverage. This paperwork is called a Summons and Complaint.

The Summons and Complaint will be served on the presumed father or the person accepting service on his behalf. If the presumed father knows he is the child's father, he can go to the local child support agency and sign an agreement (Stipulation).

If the man named in the Summons and Complaint thinks he is not the father, then he must file the Answer to Complaint with the court within 30 days of being served. He may contact the local child support agency to arrange for testing to determine if he is the father. Testing does not necessarily require a blood test and can be done quickly and painlessly.

The presumed father has 30 days to legally respond to the Summons and Complaint or the court will establish him as the father and could order him to pay child support and provide medical coverage for the child.

It is very important for the presumed father to respond within 30 days so his income and the amount of time he has custody of the child can be considered when the court makes decisions about child support.

