



What every parent should know about

Establishing Paternity



866-540-0008
michigan.gov/childsupport

 **MDHHS**
Michigan Department of Health & Human Services

A baby in green plaid overalls is holding hands with two adults on a paved path. The baby is looking up and smiling. The background is a blurred outdoor setting.

What is paternity?

Paternity means legal fatherhood.

Why is it important to establish paternity?

Establishing a legal father is very important for a child who is born to unmarried parents. It gives the child the same rights and benefits as those of a child whose parents are married.

These rights and benefits include:

Identity

It's good for children to know both of their parents. This gives the child a sense of identity.

Family ties

Every child has the right to a relationship with both parents. The child may come to know both sides of the family. This can give the child a sense of belonging.

Financial support

The law requires both parents to support their children. Parents can share the cost of raising their child, even if they don't live together. Children are more likely to have their needs met when both parents give financial support.

Benefits

A child has a right to benefits from both parents. These can include:

- Health and life insurance
- Social Security
- Pensions
- Inheritance rights
- Veterans' benefits

Benefits are very important if a parent dies or becomes disabled.

Medical information

Knowing the medical histories of both biological parents can be important if the family has any health problems.

How is paternity established?

Married parents

If parents are married to each other when a child is born or when the mother became pregnant, the mother's husband is the child's legal father.

Unmarried parents

Parents who are not married to each other must do something to establish paternity. There are two main ways parents can establish paternity when they are not married:

- Unmarried parents can establish paternity voluntarily. This means they agree to name the father of the child; or
- Unmarried parents can ask the local family court to help establish paternity. This usually involves DNA paternity testing.


Both of these ways are explained below.

Establishing paternity voluntarily by signing an affidavit

The parents of a child who is born to an unmarried mother can voluntarily establish paternity. They can do this by signing a form that says the man is the biological father. The man can sign the form even if he's married to someone else.

This form is called the Affidavit of Parentage, or "affidavit" for short. (The form number is DCH-0682.)

When both unmarried parents sign the affidavit, and it's also signed by a qualified witness or notary, it means they are the legal parents of their child. No one has to go to the local family court to establish paternity.



AFFIDAVIT OF PARENTAGE
Michigan Department of Health and Human Services
Division for Vital Records and Health Statistics

State File Number

AOP Number

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

First	Middle	Last	Suffix
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	Suffix
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In signing this form, we understand that:

<p>(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.</p>	<p>(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).</p>
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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.

FATHER'S INFORMATION	MOTHER'S INFORMATION
First Name _____	First Name _____
Middle Name _____	Middle Name _____
Last Name _____	Last Name _____
Date of Birth: (MM/DD/YYYY) _____	Date of Birth: (MM/DD/YYYY) _____
Place of Birth: (State or Country) _____	Place of Birth: (State or Country) _____
Social Security Number _____	Social Security Number _____
Current Address (Street, Apt. No., City, State, Zip) _____	Current Address (Street, Apt. No., City, State, Zip) _____
To the best of my knowledge, the above information is true:	To the best of my knowledge, the above information is true:
Father's Signature _____ Date _____	Mother's Signature _____ Date _____
NOTARY SECTION	NOTARY SECTION
Notary Public in and for _____ County, Michigan	Notary Public in and for _____ County, Michigan
Acting in the county of _____	Acting in the county of _____
Signature _____ Printed Name _____	Signature _____ Printed Name _____
Signature and sworn to before me this _____ day of _____ 20 _____	Signature and sworn to before me this _____ day of _____ 20 _____
Commission expiration date _____	Commission expiration date _____
QUALIFIED WITNESS SECTION – Facility Use Only (if not notarized, complete as defined on reverse of form)	QUALIFIED WITNESS SECTION – Facility Use Only (if not notarized, complete as defined on reverse of form)
Signature of Father's Witness _____ Printed Name of Witness _____	Signature of Mother's Witness _____ Printed Name of Witness _____
Witness Place of Employment _____	Witness Place of Employment _____
Witness Work Address (Street, City, State, Zip) _____	Witness Work Address (Street, City, State, Zip) _____

DCH-0682 (Rev. 4-16) By authority of Act 305 of 1996 as amended. 1

What does it mean to sign the affidavit?

The affidavit is a legal document. When parents sign the affidavit, they agree to the following:

- The mother has custody of the child unless the local family court or parents agree on something else in writing. When a parent has custody, this means the child will live with that parent.
- Either parent may file a claim at their local family court for parenting time or custody.
- Both parents will be notified if one parent wants the child to be adopted by someone else.
- Both parents must support their child. If child support is ordered by the court, parents must follow the order.
- The parents give up their right to:
 - Get a DNA paternity test.
 - Have a court-appointed lawyer represent either of them regarding paternity.
 - Go to trial to determine the biological father.

Where and when do parents sign the affidavit?

The parents can sign the affidavit at the hospital after the child is born, or parents can sign it anywhere at a later time. When signing the affidavit, parents must have a valid photo ID. The affidavit must also be signed by someone who is a qualified witness or notary. This person will check the parents' signatures and photo IDs.

- If the affidavit is signed at the hospital right after the child is born:
 - Both parents will be listed on the birth certificate.
 - Most hospital staff can witness or notarize the parents' signatures.
 - It's free. The parents don't pay anything.
- If the affidavit is signed at a later time:
 - Parents must find a qualified witness or notary to sign the affidavit.
 - The birth certificate was already created at the hospital. So, the parents will need to ask the state vital records office to add the father's name to the birth certificate.
 - Parents will have to pay a fee to make this change to the birth certificate.

Establishing paternity by going to the local family court

Paternity can also be established by a judge in court. Parents who choose to go to their local family court without hiring a lawyer may contact the Office of Child Support for help.

Parents who receive public assistance may be required to go to their local family court to establish paternity if they do not sign the affidavit.

The birth certificate

The birth certificate is the record of the child's birth and is usually created at the hospital when the baby is born. It is not used to establish paternity.

- If the mother is married when she becomes pregnant or when the baby is born, her husband's name will be put on the birth certificate as the child's father.
- If the mother is not married when she becomes pregnant or when the baby is born, or if the mother was never married, the mother and father must establish paternity before the father's name can be put on the birth certificate.

Questions about paternity establishment

Why is now the right time to establish paternity?

Children need care and support from their parents, right from birth. If parents don't establish paternity early, their child may grow up without the advantages and benefits that come from having both parents share in their care. **Give a child the best possible chance in life by establishing paternity as early as possible.**

What if the mother or the father does not want to establish paternity?

Then the parents should not sign the affidavit. Either parent can contact the Office of Child Support for help with getting paternity established.

What if the mother or the father is not sure who the biological father is?

Then the parents should not sign the affidavit. Instead, either parent can ask for a DNA paternity test to find out for sure if the man is the biological father of the child. Either parent can contact the Office of Child Support for help with DNA paternity testing.

At-home paternity tests, or results from an unapproved lab, cannot be used to determine the legal father.

IMPORTANT: Once legal paternity is established, it can be difficult, or impossible, to undo—even if a DNA paternity test later shows the man is not the biological father of the child.

What if the mother doesn't know where the father is?

If the mother doesn't know where the father is, she can contact the Office of Child Support for help finding him.

What if the father lives outside of Michigan?

The Michigan Office of Child Support can work with the other state to help with paternity establishment. Also, the father can sign the affidavit to say he is the child's father, even if he lives in another state.

What if the mother or father is under the age of 18?

Parents of any age can establish paternity for their child. A parent under the age of 18, without anyone's consent, can:

- Get a DNA paternity test.
- Sign the affidavit.
- Go to the local family court to establish paternity.

When is DNA paternity testing done?

DNA paternity testing is done after the baby is born. When parents are not sure who the biological father is, they should not sign the affidavit. Instead, parents should contact the Office of Child Support to ask for help with DNA paternity testing.

How is DNA paternity testing done?

Either parent can contact the Office of Child Support to ask for DNA paternity testing. A child support worker will arrange for a lab to do the testing and give the final report. This may happen through a court order.

The test is simple and painless. DNA samples are taken by rubbing a cotton-tipped swab on the inside of the cheek of the mother, father and child. All three DNA samples are sent to a lab. The lab compares the samples for a match.

What does DNA paternity testing show?

DNA paternity testing shows whether or not a man is the biological father of a child.

If the test shows the man is the biological father, another step is needed to make him the legal father:

- The parents can sign the affidavit to make him the legal father; or
- The parents can go to the local family court, where a judge will order that the man is the legal father of the child.

Who pays for DNA paternity testing?

The Office of Child Support can help parents set up DNA paternity testing at little or no cost. The local family court will decide who pays for the testing.

Questions about custody, parenting time and child support

Who has custody of the child?

When the mother and father sign the affidavit, custody is first given to the mother. Either parent can ask the local family court to help make a different custody decision.

Does the father have the right to parenting time?

Yes. The father has the right to spend time with his child. The time that parents spend with their children is called “parenting time.” Parents can make an agreement on their own about parenting time for each parent. Or, the local family court can help them set up parenting time.

How is child support determined?

Child support is set by a formula in the state law. The formula uses the father’s and mother’s income and the number of nights a child spends in each parent’s home. Other factors may also be considered.

A child support calculator is available on the michigan.gov/childsupport website. Either parent can use it to calculate the possible child support amount.

Where do I get help in starting a child support case?

The Office of Child Support can provide free help with starting a child support case. You do not have to be on public assistance. Private attorneys can also help with a child support case.

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

Don’t wait. Do it for your child.

To get help:

- Starting a child support case, establishing paternity by signing the affidavit or getting a family court order, contact the Michigan Office of Child Support:

866-540-0008

michigan.gov/childsupport

- Making changes to a birth certificate (birth record), contact the Vital Records Changes Unit within the Michigan Department of Health and Human Services:

517-335-8660

michigan.gov/vitalrecords



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