

What is a paternity affidavit?

A paternity affidavit is a form created by Ohio to allow parents to acknowledge paternity of a child. The form asks for information regarding the mother, the father, and the child. Parents must fill out and sign the form. It must then be notarized and sent to the Central Paternity Registry within 10 days from the time of the last notarized signature. The Central Paternity Registry will not accept a copy of the form, but will require the original form.

Can I complete the paternity affidavit in the hospital at the time of my child's birth?

Yes. When the child is born, the hospital should speak with you regarding this form. If both parents are willing to sign and paternity is not an issue, the hospital will assist you in completing and forwarding this form to the Central Paternity Registry — free of charge. The hospital will not be able to assist you if more than one person is alleged or presumed to be the father or if both parents are not willing to sign the document. If the paternity affidavit is not completed, the father's name will not appear on the birth certificate.

Can I complete the paternity affidavit at the CSEA?

Yes. The same conditions for filling out the form apply at the CSEA as they did at the hospital. You must not presume or allege anyone else to be the father of the child and both parents must sign the fully completed document. The CSEA will assist you in filling out the document, notarizing the same, and sending it to Central Paternity Registry — at no cost to you.

What happens if you have signed the paternity affidavit?

If an alleged father acknowledges a parent/child relationship, he is responsible for the support of the child. He has the same rights and responsibilities toward that child as any other father, including paying or receiving support, providing health insurance, having his name on the birth certificate, and pursuing custody and visitation. Please note, the CSEA does not assist parties with pursuing custody or visitation.

After a party signs the paternity affidavit, can he or she change their mind?

Either parent may rescind the affidavit no later than 60 days after the date of the latest signature by requesting an administrative parentage determination from the CSEA. Parents must make all rescind requests in the county where the child resides. Parents must deliver a written notice to the county CSEA that includes the name of the child, the name of the county CSEA and the date they requested the administrative parentage. Both persons who sign the affidavit waive any right to bring a court or administrative action to determine the parentage of the child other than for purposes of rescinding the affidavit. After the 60-day period, the only way for either parent to rescind the affidavit is to bring a court action to rescind within one year after it has become final. The affidavit is not valid if any other man is legally presumed to be the father of the child.

What is a presumed father?

A man is presumed to be the father of a child when:

1. The man and the child's mother are married and the child is born during the marriage or within 300 days from the termination of that marriage (by divorce, dissolution, annulment or death) or after the man and the mother separate pursuant to a separation agreement, OR;
2. When the man and the mother attempt to marry one another and it is later found that the marriage is invalid or could be declared invalid and the child is born during the marriage or within 300 days of its termination. OR;
3. When the man and the mother marry or attempt to marry and either the man has acknowledged the child in writing before a public notary or the man is required to support the child by a written voluntary promise or by a court order, OR;
4. When a paternity affidavit filed with the Division of Child Support becomes final, OR;
5. A lab performs genetic tests ordered by a court or administrative body and the results indicate a 99 percent or higher probability of paternity.

Who is an alleged father?

An alleged father is any man who had sexual intercourse with the mother 30 days before and 30 days after the probable period of conception.

Who is an established father?

An established father is a man whom the court or administrative body has found to be the father of a child. An example would be a finding of paternity contained in an order issued by the Juvenile Court, the Domestic Relations Court, the Probate Court, or a CSEA administrative hearing officer.

What if there are more than one presumed and/or alleged fathers?

The CSEA will attempt to notify all presumed and/or alleged fathers and request their attendance at an administrative hearing along with the mother and child. At that time, a technician will take a genetic sample from the parties who are present and submit it for genetic testing.