

Establishing Paternity

Paternity establishment refers to the legal determination of being named as a child's father. This is important to a child's sense of self and can make it easier to learn about the medical history of the child's family. It also may allow the child to obtain financial resources such as the father's Social Security or Veterans Benefits if the father becomes disabled or inherited should the father die. It is important to establish paternity as early as possible. Paternity can be established up to the child's 21st birthday, but it is best to do it right after birth. If the man will not voluntarily acknowledge that he is the father, our CSEA office can order genetic testing, which is a simple and accurate method of establishing paternity.

A person, even if under age 18, can be identified and ordered to support his child. In addition, a man can be ordered to support his child even if the mother of the child is married to someone else. Even if an alleged father does not live in Ohio, paternity and a support order can be established. Although a potential father may not be able to pay support now, it is important to establish paternity. Circumstances can change in the future and resources or other assets may become available.

Ways to Identify Paternity

There are several ways to identify and establish paternity. A man is presumed to be the child's father if one of the following occurs:

- the child is born while the mother is married to the man;
- the child is born within 300 days after the marriage between the mother and the man ends.

A presumed father has appeal rights relative to a presumed paternity.

Paternity may be established when:

- a man and the mother sign an Acknowledgment of Paternity form at the hospital, CSEA, or health department stating the man is the child's father; or
- the man, the child, and the child's mother submit to DNA testing and the results show there is at least a 99% chance the man is the child's father; or
- the parents go to court to determine paternity.

If the mother is married at the time a child is born and her husband is not the biological father, the mother will need to consult a private attorney. She cannot utilize the Acknowledgment of Paternity form or the CSEA for DNA testing services.

If the father marries the mother after the child is born, to establish paternity, he must either sign a notarized statement that he is the father of the child or have his name added to the child's birth certificate.

Contact our CSEA office if you have more questions about establishing paternity or if you need to establish paternity for your child.