

Establishing Parentage

What every new parent should know

Legal Parentage

If you are married when your child is born, Vermont law automatically recognizes both parents as the *legal* parents. If you are not married when your child is born, the law:

- Assumes the mother is the biological (and *legal*) parent; but
- Does not recognize the father until parentage has been legally established.

Establishing Parentage

You may establish parentage one of two ways:

1. By signing the *Voluntary Acknowledgment of Parentage* form.

If both parents agree, signing this form is the simplest way to establish a legal relationship between a father and child.

2. By filing an action to establish parentage in Family Court.

If either of you has any doubt about the father's identity, you should not sign the *Voluntary Acknowledgment of Parentage* form. Instead, you should file an action to establish parentage in Family Court.

Voluntary Acknowledgment

You can establish parentage right at the hospital when your baby is born. Here's how:

1. Fill out the *Voluntary Acknowledgment of Parentage* form.
2. Both parents must sign the form in front of a witness. The witness must be someone other than the parents and at least 18 years old.
3. Once the form is filled out, signed by both parents, and witnessed, hospital staff can add the father's information to your child's birth certificate and submit your form to the Office of Vital Records.
4. If you can't complete the form at the hospital, you may submit it later to:
Office of Vital Records, Department of Health
108 Cherry Street, PO Box 70
Burlington, VT 05402-0070 • 1-800-439-5008
5. Before sending your form to Vital Records, make a copy and keep it for your records.
6. Once they receive your form, Vital Records staff will add the father's information to your child's birth certificate. *If you submit the form after six months from your child's date of birth, you will need a probate court decree to amend your child's birth certificate.*

Changing Your Mind

The law allows you to rescind (or *withdraw*) your voluntary acknowledgment of parentage within 60 days of signing the form OR before a court hearing to establish parentage takes place—whichever happens first.

If you change your mind, advise the Office of Vital Records *in writing* that you want to rescind your voluntary acknowledgment of parentage.

Why Establish Parentage

Identity: Children have the right to know who their parents are.

Health: Children need to know their family's medical history. And, it might be possible to get health insurance for a child through the father's employer, union, or military service.

Finances: Children supported by only one parent often live in poverty. They need and have the *legal right* to financial support from both parents.

Survivor Benefits: If the father dies before parentage is legally established, children may not qualify for certain benefits that would otherwise legally pass on to them. Some of these benefits include life insurance, pension, veteran's benefits, Social Security, and inheritance rights.

Establishing parentage gives a child born outside of marriage a *legal* father and the same *legal rights* as a child born to married parents.

More Info/Assistance

If you need more information or help establishing parentage, please contact the Department for Children and Families, Office of Child Support (OCS). OCS staff can help you to understand the legal implications of establishing parentage. And, if you apply for services, OCS can:

1. File an action to establish parentage on your behalf;
2. Arrange and pay for genetic testing if it's necessary; and
3. Help you establish an order for child and medical support.

Office of Child Support
Dept for Children and Families
103 South Main Street, A Bldg
Waterbury, VT 05671-1901

1-800-786-3214
OCSCSU@ahs.state.vt.us
dcf.vermont.gov/ocs

You can also get information and forms at: www.VermontJudiciary.org