Acknowledgement of Paternity Act

Summary

This act would provide a newborn’s mother and natural father with an opportunity to complete an affidavit acknowledging paternity. It also provides the mother with written information explaining the benefits of having her child’s paternity established, the availability of paternity establishment services, and the availability of child support enforcement agencies.

Model Legislation

Section 1. {Title}

Section 2. {Definitions}

Section 3. {Acknowledgment upon birth} Upon the birth of a child to an unmarried woman, the attending physician or midwife, an agent of either, or an agent of the hospital where the birth occurred shall:

(A) Provide the newborn’s mother and natural father with an opportunity to complete an affidavit acknowledging paternity. The completed, signed affidavit shall be filed in triplicate with the {insert appropriate local office.) The (appropriate local office) shall send one copy to the (appropriate state office) and one copy to the (state’s department responsible for public welfare) and shall retain one copy. A fourth and fifth copy shall be given to the mother and natural father separately. This affidavit shall contain:

1. a sworn, signed statement by the mother consenting to the assertion of paternity and stating that this is the only possible father;
2. a signed statement by the father that he is the child’s natural father;
3. a written explanation of the implications of and the parental duties and parental rights that arise from signing such a statement;
4. the Social Security numbers, driver’s license numbers and addresses of both parents.

(B) Provide written information, furnished by the (state’s department responsible for public welfare) to the mother, which explains the benefits of having her child’s paternity established, the availability of paternity establishment services and the availability of child support enforcement agencies.

Section 4. {Severability clause}

Section 5. {Repealer clause}

Section 6. {Effective date}