

STATEMENT OF RIGHTS AND RESPONSIBILITIES

This Voluntary Acknowledgment of Paternity Affidavit (Affidavit) is a legal document. Signing this Affidavit is voluntary. Since the signing of this Affidavit has legal consequences, you may want to consult a lawyer before signing.

THIS AFFIDAVIT CANNOT BE USED TO ESTABLISH PATERNITY IF:

- You are NOT the biological parent of the child;
- The child's mother was married to another man at the time of the child's conception, birth, or anytime in between or 300 days prior to the birth of the child;
- You want parentage tests to help determine the biological father of the child;
- You signed consent to the adoption of the child or signed a document to surrender the child to a public or private child-caring agency;
- You had your parental rights for this child terminated by a court; or
- You have been determined not to be the biological parent in a legal judgment or by administrative order.

When this Affidavit is properly signed, witnessed and filed with the Registrar of the Center for Health Statistics, it establishes the man who has signed it as the legal father of the child, as long as the conditions in the statement above have been met.

RIGHTS AND RESPONSIBILITIES OF PARENTS: To be the legal parent means you have all of the parental rights and responsibilities that a parent would have if the child was born in a marriage.

IF YOU ARE A NONCUSTODIAL PARENT:

- You have the right to visit the child or to seek custody of the child.
- You have the responsibility to contribute to the support of the child, even if there is no court order requiring the payment of a certain amount of money.
- If there is a support order, the amount may be increased or decreased by a court or administrative order.
- The support order may be enforced by wage withholding, tax refund intercepts, property liens and other involuntary processes.
- The child may have the right to inherit from your estate and receive Social Security benefits based on your earnings.
- There could be other benefits and responsibilities as well.

IF YOU ARE A CUSTODIAL PARENT:

- You have the right to seek birth costs and to seek child support beginning on the date of the child's birth.
- You have the right to have a child support order established, modified and enforced.
- You have the responsibility to care for, maintain and control your child.
- The child may have the right to inherit from your estate and receive Social Security benefits based on your earnings.
- There could be other benefits and responsibilities as well.

CUSTODY: By law, the parent who has physical custody of the child at the time this Affidavit is filed has legal custody. Only a court can legally change custody.

ALTERNATIVES TO SIGNING THIS AFFIDAVIT: You have alternatives to signing this Affidavit. Instead of signing this Affidavit, you may ask for a court trial to determine the legal paternity of the child.

You may obtain parentage tests. A parentage test, which requires blood or other human tissue samples from the mother, child and the man, may help determine if the man is the biological father of the child. Either of you may request these tests. If you want parentage tests, DO NOT SIGN THIS AFFIDAVIT. You may obtain parentage tests through the state's child support program.

CONSEQUENCES OF SIGNING THIS AFFIDAVIT: By signing this Affidavit, you become the legal parent of the child. Please see the rights and responsibilities listed above. You have sixty (60) days after filing this Affidavit to rescind or "take back" this Affidavit. You may have fewer than sixty (60) days if an order is entered in a proceeding regarding the child to which you were a party. You may challenge this Affidavit up to one year after the filing of this Affidavit if genetic parentage tests have not been completed and you or the State of Oregon make a request for genetic parentage tests within one year of the filing of this Affidavit. You may challenge this Affidavit at any time if you can prove fraud, duress or material mistake of fact. The legal responsibilities that come from signing this Affidavit, such as child support will not be suspended during a challenge to this Affidavit. If you sign this Affidavit and later decide you want parentage tests, you may still ask for these tests up to one year after filing this Affidavit. If those tests show that the man who has signed this Affidavit is not the biological father of the child, legal paternity may be set aside or "undone."

RIGHTS OF A MINOR PARENT: If you are under 18 years of age and not legally emancipated by marriage or by a court order, you are a minor parent. As a minor parent, you may give authorizations and enter into agreements in adoption, juvenile court, or other proceedings concerning the care or custody of the child. As a minor parent, you have the right to have a guardian ad litem appointed before a support judgment can be entered against you. As a minor parent, you may file a petition on behalf of your minor child and if you are a minor custodial parent, you may enter into a contract for an apartment and for utilities. A lawyer could best explain your rights as a minor parent.

ADDITIONAL INFORMATION: You can find more information about paternity establishment in the pamphlet, "You Owe it to Your Child," available at hospitals, birthing centers and in Division of Child Support offices or on their web site <http://www.oregonchildsupport.gov/publications/index.shtml>. Both of you can discuss paternity establishment and your rights to parentage tests with the child support program and with a lawyer. You can find the addresses and phone numbers of local child support offices in that pamphlet. To get the names of family-law lawyers, you can call the Oregon State Bar's Referral and Information Service at 1-800-452-7636.