

Voluntary Acknowledgment of Paternity Affidavit

THIS FORM IS A LEGAL DOCUMENT AND REQUIRES A NOTARY TO WITNESS BOTH PARENTS' SIGNATURES.

Important: Read and understand all the information below and on the back of this Paternity Affidavit *before* you sign.

PARENTS: After completion, please remove and keep the MOTHER copy and the FATHER copy for your files. If using digital version of this form, make and retain copies for each parent's files. By law, the original form will be placed in a sealed file. After filing, access to a copy of this form is limited to a parent who signed the form, adult registrant age 18 or older, or a child support enforcement agency, except by court order.

Oregon law permits the establishment of paternity by Voluntary Acknowledgment and, if desired, a change in the last name of the child, if there is no father listed on an existing Oregon birth record and as long as the conditions outlined in the Statement of Rights and Responsibilities (on the back of this form) are met. The back of the form provides more information regarding when this form may be used, rights and responsibilities of the parents, alternatives to signing this affidavit, consequences of signing this affidavit, rights of a minor parent, and additional information. Do not sign this Affidavit if you are not sure that all of the conditions on the back of the form have been met.

INSTRUCTIONS

Section 1: Complete this section with the information as shown on the child's original birth certificate. Include child's new last name as it should appear on the birth certificate.

Section 2: Mother completes this section with the same information as it appears on the child's birth certificate.

Section 3: Father completes this section.

Section 4: This section is not mandatory. Only complete it if the parents of a child born out of wedlock married at some later date. (Oregon law permits the filing of a new birth certificate showing both parents and, if desired, changing the last name of the child.) If the marriage took place outside of Oregon, to get a new birth certificate for your child, forward a CERTIFIED COPY of the marriage certificate with this Affidavit (signed by both parents) to the Vital Records Unit. If the marriage took place in Oregon, forward this Affidavit, including the date and County of the marriage and witnessed signatures of both parents to the Vital Records Unit.

Section 5: This section must be signed by each parent and witnessed by a notary. If notary is using a raised seal, the notary must indicate in which state he or she is registered and the date the notary's commission expires. *Notary signature and seal must appear on this form.* Do not attach a separate notary statement.

This Affidavit may be filed at any time after the birth of your child if the above conditions are met. If this Affidavit is postmarked within 14 days from the child's date of birth, no fee is required. If this Affidavit is not postmarked within 14 days from the child's date of birth, the Center for Health Statistics must register the birth certificate without the father's name. If the birth certificate is registered without the father's name, the registered birth certificate can be amended to add the father's name once this Affidavit is received, but a \$35 fee is required to amend the record. This fee does not include a certified copy of the amended record. The fee for a certified copy of the birth certificate is \$25.

Mail to: Oregon Vital Records, PO Box 14050, Portland, OR 97293-0050.

This form can be provided upon request in alternative formats for individuals with disabilities. Other formats may include (*but are not limited to*) large print, Braille, audio recordings, Web-based communications and other electronic formats call 971-673-1190 (*voice*), 711 (TTY), or FAX 971-673-1203 to arrange for the alternative format that will work best for you.

Voluntary Acknowledgment of Paternity Affidavit

THIS IS A LEGAL DOCUMENT

Fees: \$35 Filing fee
\$25 Birth certificate

This document establishes paternity under ORS 432.098. Signatures of the parents below establish paternity and create legally binding duties upon both parents for the child named in this Affidavit, including duty for both parents to financially support the child. *Do not sign until you understand your legal rights and responsibilities as stated on the back of this form.*

Complete in ink and do not alter.

SECTION 1 – CHILD (as named on birth certificate)				CSP USE ONLY
Child's name:	First	Middle	Last	Suffix (Example: Jr. or Sr.)
Date of birth: (mm/dd/yyyy)	Birthplace: City	County	Child's new last name as it should appear on birth certificate (enter "N/A" if not changing):	

SECTION 2 – NATURAL MOTHER OF CHILD				
Mother's name:	First	Middle	Last	Suffix (Example: Jr. or Sr.)
Present address:	No. and street	City	State	ZIP
Date of birth: (mm/dd/yyyy)	Birthplace State: (If not United States, name country)	Last name before any marriages: (Maiden name)		Social Security number:
				Daytime telephone number:

SECTION 3 – NATURAL FATHER OF CHILD				
Father's name:	First	Middle	Last	Suffix (Example: Jr. or Sr.)
Present address:	No. and street	City	State	ZIP
Date of birth: (mm/dd/yyyy)	Birthplace State: (If not United States, name country)			Social Security number:
				Daytime telephone number:

SECTION 4 – LEGITIMATION	
Date of Marriage:	If married in Oregon, enter the county of marriage:
If applicable, enter mother's new name as it should appear on birth certificate:	

SECTION 5 – NOTARIZED SIGNATURES	
Read and understand <i>before</i> you sign this document.	
It is a Class C felony for any person to make any false statement or supply false information intending that the information be used in the preparation of any certificate. The Statement of Rights and Responsibilities, which is on the reverse side of this Affidavit, must have been read to you prior to the signing of this Voluntary Acknowledgment of Paternity Affidavit.	
I acknowledge the following: 1) I am the biological parent of the child; the above information is true; 2) the mother was not married to anyone at the time of the child's conception, birth, or anytime in between, or 300 days prior to the birth of the child; 3) I have not consented to the adoption of the child; 4) it has not been determined that I am not the biological parent of the child; 5) I have not surrendered my parental rights to a public or private child-caring agency, and have not had my parental rights terminated for this child; 6) I am signing this Affidavit for the purpose of establishing paternity of the child.	

MOTHER'S NAME AND SIGNATURE – DO NOT SIGN UNTIL NOTARY IS PRESENT	
_____ (Mother's printed name)	_____ X _____ (Mother's signature) (Date signed)
Signed in the State of _____, County of _____	
This instrument was acknowledged before me on: _____, by _____ (Date) (Name of mother)	
_____ X _____ (Signature of notarial officer) (Date)	My commission expires: _____ (Date)

FATHER'S NAME AND SIGNATURE – DO NOT SIGN UNTIL NOTARY IS PRESENT	
_____ (Father's printed name)	_____ X _____ (Father's signature) (Date signed)
Signed in the State of _____, County of _____	
This instrument was acknowledged before me on: _____, by _____ (Date) (Name of father)	
_____ X _____ (Signature of notarial officer) (Date)	My commission expires: _____ (Date)

For Vital Records use only Date filed: _____	Per ORS 109.070(e) Paternity is established upon filing of this form by the State Registrar of the Center for Health Statistics
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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 could ask for a court trial to determine the legal paternity of the child and to decide whether birth costs and child support should be awarded pursuant to ORS 109.155.

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.