



# Paternity

## Overview

- Establishing Paternity means legally determining the father of the child.
- Paternity gives rights and benefits to the mother, the father and the child.

### How do you Establish Paternity in the state of Florida?

- If the mother is married, the mother's husband at birth is the legal father of the child.
  - ◊ Neither parent needs to do anything to establish paternity.
- If the mother is not married, the child's father can fill out and sign the Paternity Acknowledgment form (DH-511).
- If the mother is unmarried and later marries the father they will need to fill out the Affirmation of Common child(ren) Born in Florida form (DH-743A).
- After the child's birth and at any time until the child reaches age 18, the mother and the child's father can establish paternity if they fill out and sign the Acknowledgment of Paternity (Form DH-432).
- Form DH-511 is the form that is signed at the hospital. The DH form 432 is filled out if you wait to leave the hospital.

### Paternity is determined by a judge in court

- A judge can establish paternity by a court order by filing a civil action in circuit court.
- Paternity actions are sometimes called establishment hearings, filiation hearings, or parentage actions.
- In Florida, a court may take judicial action to establish paternity judicially in two ways:
  - ◊ The noncustodial parent may sign legal documents establishing paternity. This is called a stipulation.
  - ◊ The court may hold a hearing to establish paternity and or support (usually by way of genetic testing).

### Paternity is determined by the Child support Program in a Final Order

- Can help parents determine paternity without going to court.
- Mother must provide genetic samples of both the child(ren) and the man to be the father.
- If test results are positive, then an administrative order of paternity is issued, and the Florida Bureau of vital statistics is alerted to add the father's name to the child's birth certificate.