

## RIGHTS AND RESPONSIBILITIES FOR COMPLETING A PATERNITY ACKNOWLEDGMENT

### PURPOSE

The Paternity Acknowledgment Affidavit, when completed properly, establishes the father and child relationship when the father is not married to the child's mother. It creates certain legal rights and responsibilities for the mother, father, and child. By signing this document, the parents are establishing the right of the child to certain benefits including:

- **Two parents who can establish an emotional relationship with the child.**
- **Two parents who share a legal duty to financially support the child.**
- **Two parents whose names will appear on the child's birth certificate.**
- **It will be easier for the child to access both parents' medical histories.**
- **It will be easier for the child to benefit from any health insurance, social security, or inheritance from the father.**

### RIGHTS AND RESPONSIBILITIES

1. I understand that I am not required to sign the Paternity Acknowledgment.
2. I understand that I should not sign the Paternity Acknowledgment Affidavit **unless I am confident that I am the biological father of the child.**
3. I understand that I have the right to a genetic test to prove that I am the father of the child.
4. I understand that I have a right to a court hearing on the issue of paternity.
5. I understand that I have the right to an attorney to represent me at my own expense.
6. I understand that by signing the Paternity Acknowledgment Affidavit, it will be presumed by law that I am the father of the child and the child's birth certificate will be issued/amended to reflect this fact. I understand that I may rescind my acknowledgment within sixty (60) days of the date of the signature on the Paternity Acknowledgment form. Furthermore, I understand that if I decide to rescind, that **rescission will not cause or allow an amendment to the birth certificate. In order to have the father's name removed, a determination of paternity must be made by a court of competent jurisdiction** or an administrative agency pursuant to SC Code Ann. Sections 20-7-952 and 20-7-9505 which directs DHEC to amend the birth record. A certified copy of the order determining paternity and directing DHEC to amend the birth certificate must be provided to DHEC in order for any amendments to be processed. Any rescission made after sixty (60) days must be made in accordance with SC Code Ann. Section 20-7-958 (B). I also by signing this document acknowledge that I have read or have had read to me and understand my rights and responsibilities as outlined in this document provided to me.
7. I understand that by signing the Paternity Acknowledgment Affidavit, my name will be entered on the birth certificate as the father of the child.
8. I understand that by signing the Paternity Acknowledgment Affidavit, I have the right to notice of an adoption proceeding.
9. I understand that by signing the Paternity Acknowledgment Affidavit, I am accepting responsibility to provide child support and medical insurance until the child is eighteen (18) years of age, or beyond in some circumstances.
10. I understand that by signing the Paternity Acknowledgment, I am attesting to the fact that I understand all of my rights and responsibilities, and that no pressure is or has been placed upon me to sign the Paternity Acknowledgment.

### FILING INSTRUCTIONS

The paternity Acknowledgment, once signed in the presence of a notary public at the hospital, will be forwarded to the South Carolina Department of Health and Environmental Control, Division of Vital Records, 2600 Bull Street, Columbia, South Carolina, 29201. If both parents do not sign a Paternity Acknowledgment before leaving the hospital or birthing facility, only the mother's and child's name will be entered on the certificate of birth. The Paternity Acknowledgment may be signed at a later date, at which time the certificate of birth will be amended to enter the name of the father. The Paternity Acknowledgment may be executed at the county health department in the county where the child was born or at the state Vital Records office of the South Carolina Department of Health and Environmental Control. Trained staff are available to explain your rights and responsibilities and to answer your questions.