

## Paternity is Legal Fatherhood

Paternity is legal fatherhood. Establishing paternity is how a biological father becomes the legal father of his child if he is not married to the mother. Establishing a legal father is easy and it's free when you do it at the hospital. It's important for both the parents and child.

## Having a Dad Makes a Big Difference in a Child's Life!

Establishing a legal father benefits everyone involved.

### *It helps children...*

- ◆ Feel good about themselves because they know they are wanted
- ◆ Feel secure in knowing they are part of a family with two parents who care
- ◆ Know about both families' medical and family histories
- ◆ Get access to health insurance and benefits like Social Security and inheritance
- ◆ Grow up happier and healthier
- ◆ Stay away from high-risk behaviors

### *It helps moms...*

- ◆ Get help with responsibilities and decisions
- ◆ Share the joys of being a parent
- ◆ Divide the costs of bringing up the child

### *It helps dads...*

- ◆ Get legal rights to have a relationship with their child
- ◆ Show that they are committed to their child
- ◆ Create an emotional bond with their child and be a part of their child's life
- ◆ Share their side of the family with their child
- ◆ Ask the court to assist with visitation and custody matters

## How Paternity Is Determined

**Marriage.** If the parents are married at the time the child is born, the husband is the child's legal father.

**Recent Divorce.** If a child is born less than 280 days after a couple is divorced, the ex-husband is the child's "presumed legal father." Paternity cannot be established with another man until genetic testing and a court order exclude the ex-husband as the child's "presumed legal father."

**Voluntary Paternity Acknowledgment.** This is when unmarried parents sign a form agreeing that they are the child's parents. Signing this form means the father's name will be placed on the birth certificate as the child's legal father. Sometimes parents have a genetic test to confirm that the man is the child's father before they sign the form.

**Court Order.** Paternity may be determined by a court. This is explained below.

### *How the Court Process Works*

Before the mother or the child's Custodial Parent (CP) can ask the state to help get child support, paternity must be established when a child does not have a legal or "presumed legal father."

The man who is named as the father will be asked to take a genetic test. We will file paperwork with the court and seek to establish paternity with a court petition. The man can:

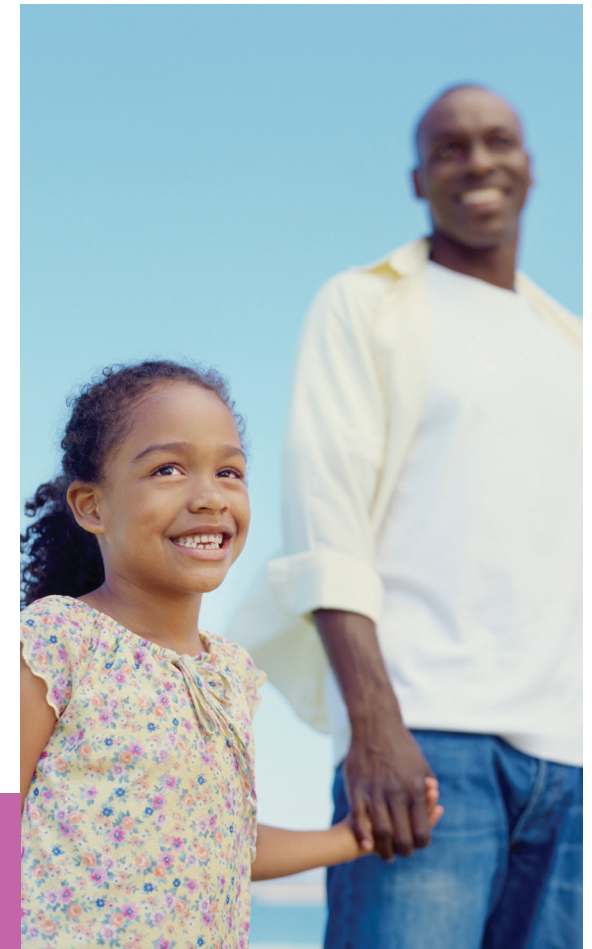
- ◆ File an answer to the petition
- ◆ Call the child support office and ask for a genetic test
- ◆ Get an attorney who will help him respond to the petition
- ◆ Appear in court

If the man does not respond to the petition or appear in court, a default order may be entered. This means that the court accepts what the mother says to be true. The man she believes to be the father will be named the child's legal father and the

court will ask him to pay child support and provide health care coverage. If you are named as the father in a child support case, it is important that you respond to a court petition and appear in court.

### *When a man does not think he is the father*

If a man is not already the child's legal father or "presumed legal father", a genetic test will determine if he is the child's biological father. Either parent may request a genetic test, or the court may order it. If the man turns out to be the child's father, he may have to pay a small fee for the genetic test.



**What a difference a Dad makes!**

## We Are Here to Assist You

Our office is dedicated to helping the custodial parent (CP) and the non-custodial parent (NCP) share the responsibilities of caring for their child. We can answer questions about your situation. If we cannot help with an issue, we will refer you to other programs or resources that can.

Our job is to work with both parents to benefit the child — we do not take sides. We work with CPs to collect child support. We work with NCPs to help them be responsible for making their child support payments on time. We avoid harsh collection methods for NCPs who are working with us to meet their child support obligations. When the NCP is faced with job loss or shortened hours, we can help by connecting them with programs to help them apply for higher paying jobs and overcome barriers to earning enough money to support their child. We can also work with either parent to initiate a Modification of Child Support Order.



### To learn more about establishing paternity:

[www.state.sc.us/dss/csed/patest.htm](http://www.state.sc.us/dss/csed/patest.htm)

[www.facebook.com/SCPOP](https://www.facebook.com/SCPOP)

Toll free: (866) 914-8786

Direct: (803) 898-8188

Click on the QR codes below  
to watch the videos.



For fathers



For mothers

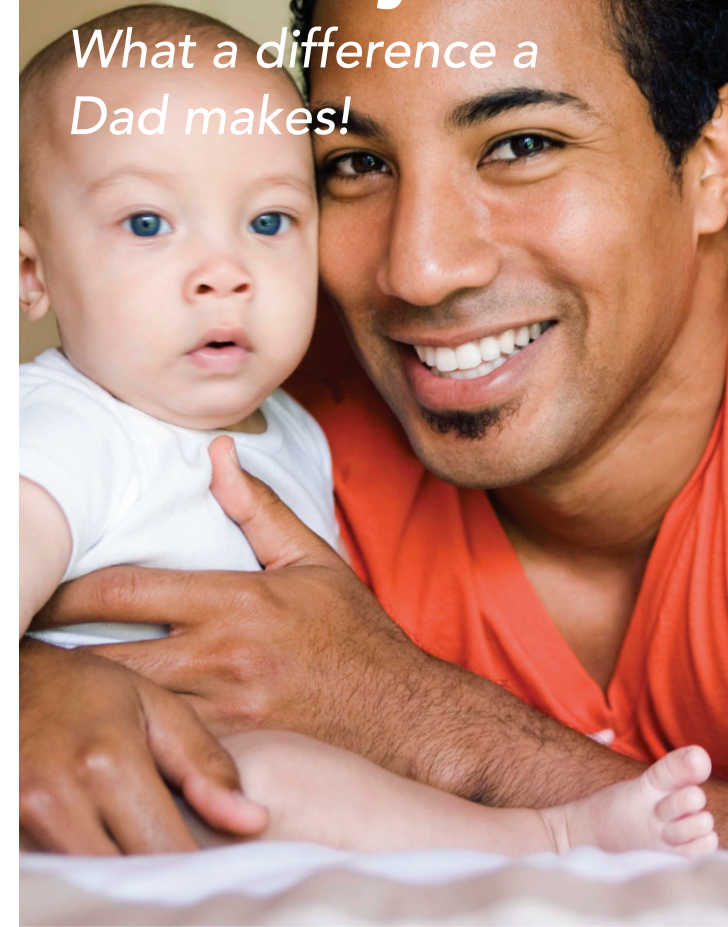
### For information about birth certificates:

South Carolina Department of Health  
and Environmental Control (DHEC)  
Division of Vital Records  
(803) 898-3630



# Establishing Paternity

What a difference a Dad makes!



## South Carolina Parenting Opportunity Program

Important information for unmarried parents.

