

How Do I Establish Paternity If I Was Married During My Pregnancy, but the Biological Father is Another Man?

Federal and state law says that if the mother was married at the time of conception, the time of birth, or any time in between, her husband is presumed to be the legal father of the child and a paternity acknowledgment cannot be completed.

In this situation, the biological father cannot complete a Paternity Acknowledgment Affidavit. To have the biological father added to the birth certificate a determination by a court in accordance with South Carolina Law must be sought.

#### There are two options:

- Submit application to Child Support Services
- Seek private legal counsel for assistance.

Making positive choices for your child

## South Carolina Parenting Opportunity Program

Program for Unmarried Parents to Establish Paternity

The Child Support Services Division (CSSD will help you establish the biological father as the legal father of your child!

The mother completes two Custodial Parent Applications for Child Support Services.

- Mother is the Custodial Parent in both applications
- In first application the biological father is listed as the Non-Custodial Parent
- In second application the legal father is listed as the Non-Custodial Parent
- There is no cost for CSSD assistance or genetic testing fee

# Contact SC POP with Questions 866-914-8786

### Or visit DSS website for more information or application

#### https://dss.sc.gov/child-support/parentsfamilies/establishing-paternity

If you already have a divorce decree that establishes the paternity of the child(ren), contact the State Office of Vital Records at

### 803-898-3630

DDSS SOUTH CAROLINA DEPARTMENT of SOCIAL SERVICES COMPETENCE • COURAGE • COMPASSION

Learn more about why paternity is important to your child. Snap the QR Code to watch an informative video.



FORM 27164 SCPOP ESTABLISH PATERNITY FACT SHEET