



## FOR CERTIFIED ENTITY STAFF ACKNOWLEDGMENT OF PATERNITY MANUAL

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## **BASICS OF PATERNITY**

## BASICS OF PATERNITY

#### WHAT IS PATERNITY ESTABLISHMENT?

- Paternity establishment is the process of determining the legal father of a child born to parents who are not legally married to each other.
- Every child has a biological father, but if a child's parents are not married, the law does not accept or recognize the biological father as the legal father. Until the father is determined to be the legal father, he has no rights to or responsibilities for the child.
- Establishing paternity for a child born to unmarried parents gives the child the same rights and benefits as children born to parents who are married.

#### HOW CAN PATERNITY BE ESTABLISHED?

Unmarried parents can establish paternity in one of two ways:

- Completing a voluntary Acknowledgment of Paternity form; or
- Having a Texas court determine paternity

#### WHAT IS AN ACKNOWLEDGMENT OF PATERNITY (AOP)?

- <u>Simple Answer</u>: The AOP is the form used when a mother and father want to voluntarily establish legal paternity for their biological child.
- <u>More Specifically</u>: The AOP is the form used when the biological parents of a child are not married to each other when their baby is born. All parties voluntarily complete the AOP, and then the form is filed with the Department of State Health Services (DSHS) Vital Statistics Section (VSS). After the AOP is filed with the VSS, it becomes a legal finding of paternity.
- An AOP cannot be used to establish or deny parentage for children born to same-sex couples.

#### WHO BENEFITS FROM ESTABLISHING PATERNITY?

#### The child

A child benefits from establishing paternity by having:

- A legal record of the identity of his or her parents
- The father's name may be added to the birth certificate
- Access to family medical history and genetic information
- The emotional benefits of knowing the identity of both parents
- Financial support from both parents
- Medical support or health insurance from either parent
- Other financial benefits, such as Social Security benefits, veteran benefits, military allowances, worker's compensation benefits and inheritance

#### The mother

Benefits to the mother for establishing paternity may include:

- Help in sharing of parental responsibilities
- Information about family medical history
- Improved financial security for the family
- Access to medical support and/or health insurance for the child

#### The father

The father benefits from establishing paternity by legally validating his:

- Help in sharing of parental responsibilities
- Right to have his name added to the child's birth certificate
- Parental rights
- Right to seek court-ordered custody and visitation
- Right to be informed of an adoption proceeding

#### WHEN CAN THE AOP BE DONE?

- Before the baby is born
- When the baby is born
- Any time after the baby is born and before a child support order or paternity determination is in place

#### WHO CAN COMPLETE AN AOP?

#### <u>Always:</u>

- Biological mom
- Biological dad

#### Sometimes:

• Presumed father

#### Never:

- Surrogate parents
- Same sex couples

## INSTRUCTIONS

## INSTRUCTIONS

This section covers the following topics:

**Responsibilities of a Certified Entity** 

Sample AOP and Parent Survey

Step-by-Step Process for Completing a Basic AOP

Example AOP and Parent Survey

**Appropriate Identification:** This section provides a list of all acceptable forms of identification a party can use when completing an AOP.

#### **RESPONSIBILITIES OF A CERTIFIED ENTITY**

- Complete AOP Certified Entity Training provided by the Office of the Attorney General (OAG) at least once a year.
- Provide parties the opportunity to establish paternity through the completion of the AOP.
- Provide parties with all legally required information about paternity establishment and child support services.
- Ensure the AOP is completed correctly.
- Provide the parties with an opportunity to complete a Parent Survey.
- Provide a copy of the completed AOP form to all signatories.
- File the completed AOP form with the Texas Department of State Health Services, Vital Statistics Section.
- Retain the original documents according to your entity's retention schedule. A minimum of two years is suggested.
- Provide instructions and assistance to rescind an AOP, if necessary.

#### HOSPITALS, BIRTHING CENTERS AND MIDWIVES

All birthing hospitals, birthing centers, registered nurses working in a partnership program funded through the nurse-family partnership competitive grant program, the Texas Department of State Health Services, Vital Statistics Section and each certified entity must have properly trained staff to inform parents about the AOP process and to conduct the AOP process when requested. [1 TAC § 55.407]

#### WHERE CAN I FIND THE LAWS THAT ADDRESS THE AOP?

Laws that address the AOP process may be found below and in the Resources section of this training manual.

- United States Code, Chapter 42, Section 666 (a) (5) (C) (D) and (E)
- Texas Family Code, Chapter 160, Subchapter D
- Texas Health and Safety Code, Attachment 1, Section 192.012
- Texas Administrative Code, Chapter 55, Subchapter J, Rules 55.401 55.409

## SAMPLE AOP & PARENT SURVEY



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- of the book of the test	Child's first	middle	last n	ame
born on /	/ . in			
mm dd	<u>y y y y</u>	city	county	state
to				
Mother's first	middle	last name	maiden name i	f different
1 1				
Father's date of birth	social security number	address	city	state zip code
1 1				
Mother's date of birth	social security number	address	city	state zip code
We further declare u	under penalty of pe	rjury that:		
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<u>This is a legal document</u>. If you are not sure that the man named in this Acknowledgment is the biological father of the child, you should <u>NOT</u> sign this document. <u>You may want to get a genetic test</u>. The biological father who signs this Acknowledgment becomes the legal father of the child when this document is filed with the Department of State Health Services, Texas Vital Statistics

Signing this legal document gives you certain rights and responsibilities. Signing this document is voluntary. You should consult an attorney if you have any concerns about signing this document. This document requires an Entity Code completed in the lower right corner by an individual certified by the Office of the Attorney General to administer Acknowledgments of Paternity.

#### Benefits, Right, and Responsibilities of Paternity

Establishing parentage makes it easier for a child to receive benefits such as social security, military and veteran's benefits, health care coverage and life insurance, as well as inheritance.

This Acknowledgment has the same effect as a court order establishing paternity. Both parents have parental right and duties as provided by state law. Either parent has the right to seek primary custody of the child. A parent not living with the child may have the right to visit and maintain a relationship with the child, either as both parents agree or as ordered by a court. By signing this Acknowledgment, you may be ordered to pay child support and medical support.

This document may be completed before the birth of the child, at the time of birth, or at any time after the birth of the child prior to any court hearing in a proceeding involving the child. If this document is signed before the birth of the child, it is binding for any child born no later than 300 days after the signature date on this document. When this Acknowledgment is properly filed with Texas Vital Statistics, it creates a parent-child relationship between the man and child. Establishment of paternity is required for a father's name to be entered on a birth certificate.

#### Child Support services can be obtained through the Office of the Attorney General, Child Support Division or by hiring an attorney.

#### **Denial of Paternity**

If a child's mother is married to a man other than the biological father at the time of birth or within 300 days of the ending of a marriage (by a finalized divorce,) the (ex) husband is presumed to be the legal father. To complete this document for a child that has a presumed father, the presumed father must deny paternity by completing the Denial of Paternity section. The mother must agree that the presumed father is not the biological father by also signing the denial section. The acknowledgment section must also be completed by the biological father and mother, or the denial will not be accepted. Upon the filing of this document, the presumed father is legally determined not to be the father of the child. His legal duty to support the child is removed. Likewise, his legal right of custody or visitation with the child is terminated.

#### Change of Mind

If any party to this document changes his/her mind about acknowledging or denying paternity, he/she may file a Rescission of Acknowledgment of Paternity (VS-158) to rescind this document. The Rescission of Acknowledgment of Paternity must be filed within sixty (60) days after this legal document is filed with Texas Vital Statistics or before the date a proceeding related to the child is initiated, whichever occurs first. After sixty (60) days, or the date a proceeding for the child was initiated, a lawsuit is required to challenge this document. Fraud, duress, or material mistake of fact in signing this form must be proven during the lawsuit.

#### If a Party is a Minor

Minors are authorized to complete the Acknowledgment of Paternity without parental consent. Minors are allowed to rescind or challenge this document in the same procedures as persons eighteen (18) or older.

All parties must receive oral notice of the above information before completing this Acknowledgment. You can receive oral notice of the information by calling 1-866-255-2006 and selecting option 1, "Notice of Rights and Responsibilities of a Parent."

If you have questions, you may call the Paternity Opportunity Program at 1-866-255-2006.

September 2011



#### PARENT SURVEY ON THE ACKNOWLEDGEMENT OF PATERNITY (AOP) Mandated By Law

This Survey should be completed after the AOP has been signed or a person has declined to sign the AOP.

Hospital/Entity Name & Location:	
Child's Name:	

Entity Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Please read and INITIAL the following:

STATEMENTS	MOTHER	FATHER
1. I was given the opportunity to sign an Acknowledgment of Paternity.		
2. I choose <b>NOT</b> to complete an Acknowledgment of Paternity		

#### If you initial #2, please skip questions 3 through 8.

3. I was made aware that I could have a DNA test done before I signed the AOP.			
4. I was given written and oral information regarding the benefits, rights and responsi AOP, an explanation of those rights and responsibilities, and information about characteristic structures and responsibilities.			
5. The biological father who signed this AOP will have all legal rights and duties of a may include the legal responsibility for financial and medical support of the child AOP.	•		
<ol> <li>If I change my mind, a Rescission of Acknowledgment of Paternity (VS-158) must the earlier of 60 days of signing the Acknowledgment of Paternity or the date a pro- involving the child is initiated before a court.</li> </ol>			
7. After 60 days, I may challenge the AOP in court and must prove fraud, duress, or n of fact.	naterial mistake		
8. I was given a completed copy of the AOP with the benefits, rights, and responsibili back.	ties on the		
Mother's Printed Name:	ID Type:		
Mother's Signature:	Phone Numbe	er:	
Father's Printed Name: ID Type:			
Father's Signature:	Phone Numbe	er:	
Certified Staff Signature:	Date:		

**Presumed Father:** (After you read the Denial of Paternity and Change of Mind sections of the rights and responsibilities, please read the statement below and initial.)

After I have signed the Denial of Paternity and it has been filed with the Vital Statistics Unit, my legal rights and responsibilities to this child will be terminated. If I change my mind, a Rescission of Acknowledgment of Paternity (VS-158) can be filed within the earlier of 60 days of signing the Acknowledgment of Paternity or the date a proceeding involving the child is initiated before a court. After 60 days, I may challenge the AOP in court and must prove fraud, duress, or material mistake of fact.

	Initial Here:
Presumed Father's Printed Name:	ID Type:
Presumed Father's Signature:	Phone Number:
Certified Staff Signature:	Date:

#### CHNEY CHILER ALL CHILE

#### ENCUESTA SOBRE EL RECONOCIMIENTO DE PATERNIDAD(AOP)

Ordenada en Conformidad con la Ley

*Esta encuesta debe ser llenada después de que el Reconocimiento de Paternidad (AOP) ha sido firmado o después de que una persona se ha negado a firmarlo.* 

		go de la Entidad	
Nombre del Niño(a):	Fecha de	Nacimiento	
Favor de leer y poner sus INICIALES en las siguientes declaraciones:			
DECLARACIONES		MAMÁ	PAPÁ
<ol> <li>Me dieron la oportunidad de firmar un formulario de Reconocimiento de Parternidad (Ac Paternity, AOP, en inglés)</li> </ol>	knowledgment of		
2. Tomo la opición de <u>NO</u> llenar un Reconocimiento de Paternidad (AOP).			
Si Pone sus iniciales en #2, por favor ignore las preguntas 3 a 8			1
3. Me han informado que me puedo someter a una prueba genética de ADN (DNA)antes de la Reconocimiento de Paternidad (AOP)			
<ol> <li>Me dieron información por escrito y oralmente con respecto a los beneficios, derechos y de un AOP, una explicación de tales derechos y responsabilidades e información sobre l niños.</li> </ol>	la manutención de		
<ol> <li>El padre biológico que firmó este AOP tendrá todos los derechos y deberes legales de un p incluir la responsabilidad legal de manutención económica y manutención médica del niñ AOP</li> </ol>			
<ol> <li>Si cambio de opinión, una Anulación de Reconocimiento (VS-158) debe ser presentada ya días de haber firmado el AOP o antes de la fecha en que inicie un procedimiento relaciona la corte, lo que ocurra primero.</li> </ol>			
7. Después de 60 días, puedo desafíar el AOP ante la corte y debo comprobar fraude, coaccio de un hecho.	ón, o error material		
8. Me dieron una copia del AOP llenado, con los beneficios, derechos, y responsabilidades e	n la parte posterior		
Nombre de la Mamá en letra de molde:	Identificación:		
Firma de la Mamá::	Número de teléf	ono:	
Firma del Papá	Número de teléf	òno:	
Firma del Personal Certificado:	Fecha:		

El Presunto Papá: (Después de leer las secciones: Negación de Paternidad (Denial of Paternity) y Cambio de Opinión (Change of Mind), en los Derechos y Responsabilidades, por favor lea la siguiente declaración y ponga sus iniciales.)

Después de que yo haya firmado la *Negación de Paternidad* y sea presentada ante la Unidad de Estadísticas Vitales (Vital Statistics Unit), mis derechos y responsabilidades legales hacia este niño serán terminados. Si cambio de opinión, se puede presentar una **Anulación del Reconocimiento de Paternidad (VS-158)** ya sea dentro de 60 días de haber firmado el AOP o antes de la fecha en que inicie un procedimiento relacionado con el niño ante la corte, lo que ocurra primero. Después de 60 días, puedo desafiar el AOP ante la corte y debo comprobar fraude, coacción, o error material de un hecho.

Nombre del Presunto Papá en letra de molde:	Identificación
Firma del Presunto Papá:	Número de teléfono:
Firma del Personal Certificado:	Fecha:

18

Iniciales aquí: \_\_\_\_\_

## STEP-BY-STEP INSTRUCTIONS

## STEP-BY-STEP INSTRUCTIONS

This section is a nine-step checklist to follow when completing a standard AOP. The nine steps are listed in the table below. It is helpful to use this page each time you complete an AOP.

	AOP Cł	necklist	
	First	Middle	Last
Infant's	Name:		
	's Name:		
	cal Father's Name:		
Presum	ned Father's Name (if applicable):		
Step	Process		Complete?
1	Determine whether an AOP is appropria	ate	
2	Provide all required information		
3	Reassess whether an AOP is appropriat	.e	
4	Complete the AOP		
5	Review the completed AOP		
6	Complete a Parent Survey		
7	Submit the AOP to VSS via TxEVER		
8	Provide all required copies to parties		
9	Retain original documents		

#### TWO-PARTY AOP

An AOP is completed when the following conditions are met:

- Biological parents are not married to each other and are both present
- Parties are certain the man who wants to sign the AOP is the biological father
- Parties are willing to sign the AOP

#### AOP GUIDELINES

- Use the Vital Statistics Section's Texas Electronic Vital Events Registrar (TxEVER) to submit an AOP
- Only signing parties to the AOP should be present
- Never give out a blank AOP
- Never leave parties that are completing an AOP unattended
- All parties must provide identification prior to signing the AOP
- Picture identification is preferred but not required

## STEP 1 – Determine Whether an AOP Is Appropriate

### ARE THE PARENTS ELIGIBLE?

The first step is to determine if an AOP is appropriate by asking the parents a few questions to confirm that:

- The biological parents were unmarried when their child was born, and there is no presumed father.
- All parties to the AOP are certain that the man who wants to sign the AOP is the biological father.
- Both biological parents want to voluntarily establish legal paternity for their child.
- All parties to the AOP are capable of understanding the legal consequences of completing the document.

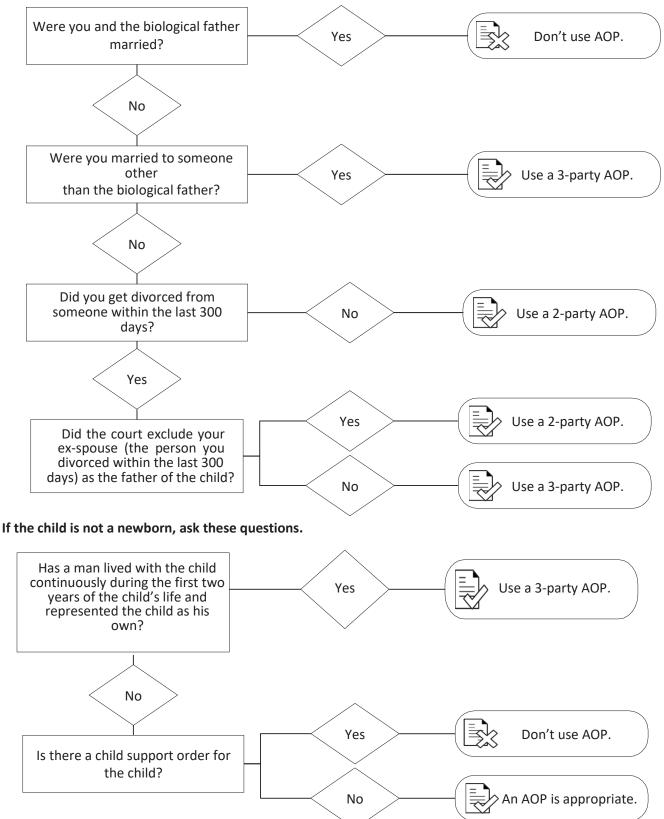
#### WHO IS A PRESUMED FATHER?

- The man married to the biological mother at the time of the child's birth.
- The ex-husband if the child was born within 300 days of the divorce unless the divorce decree specifically excludes the ex-husband as the father.
- The man who lived with the child continuously during the first two years of the child's life and represented the child as his own.

#### **AOP Assessment: Questions for Biological Mother**

At the time of the child's birth, ask these questions and verify mother is not currently married or recently divorced from a woman. Acknowledgment and Denial of Paternities cannot be used with same sex couples.

#### At the time of the child's birth, ask these questions.



#### QUESTIONS TO ASK YOURSELF

- 1. Are you related to any of the parties to the AOP?
- 2. Are you well acquainted with any of the parties to the AOP in a manner that might make it appear you have some undue influence over their decision to sign the AOP?
- 3. Are you aware of a presumed father who cannot or will not sign the Denial of Paternity portion of the AOP?
- 4. Are you aware of an existing child support order for this child?

If you answered **YES** to No. 1 or No. 2, find another certified staff member to complete the AOP process.

If you answered **YES** to No. 3 or No. 4, **stop** the AOP process and **redirect** the couple to another paternity establishment option (OAG or private attorney).

If you answered **NO** to all, continue the AOP process.

## STEP 2 – Provide All Required Information

#### INFORMATION YOU MUST GIVE THE PARTIES

- Their **Benefits, Rights and Responsibilities** found on the back of the AOP form.
  - Written Information on the benefits, rights and responsibilities of signing an AOP
    - Provide the parties with a copy of the back of the AOP. You can download this document in English and Spanish by visiting the Child Support section of <u>www.</u> <u>texasattorneygeneral.gov</u> and selecting AOP Certified Entities – Materials for Certified Entities.
  - **Oral Information** on the rights and responsibilities of signing an AOP
    - READ this document line by line to the parties, or
    - call (866) 255-2006 and allow the parties to listen to the recording in either English or Spanish, or
    - allow the parties to watch the AOP video.
  - Explanation of the Rights and Responsibilities
    - After written and oral information is given to the parties, answer their questions to the best of your ability. Be sure to explain every part of this document until you are sure it is understood.
- Information on the availability of child support services.
  - Use brochures and handouts available from the Office of the Attorney General.

#### **EXPLAIN IN DETAIL**



Making sure parents completely understand the AOP process is the most important thing you will do.

Refer to the example AOP in this manual as you read this section!

#### "This is a legal document ... rights and responsibilities..."

• This document carries the same weight as a court order establishing paternity.

#### "... biological father of the child ..."

• The biological father is the man who conceived the child with the mother.

#### "You may want to get a genetic test."

- A genetic test is also called a DNA test.
  - If you think a DNA test may be necessary, encourage parties to delay signing the AOP.
  - A DNA test can be done in a private lab.
  - If you open a child support case with the Office of the Attorney General (OAG), and the OAG determines that a DNA test is necessary, one may be provided with no upfront cost.
  - Only DNA tests done through a lab accredited by the American Association of Blood Banks (AABB) may be considered in court.
  - Tests done in non-accredited labs and over-the-counter home DNA paternity testing kits will not be considered as evidence in Texas court.
  - Generally, the OAG will not provide a DNA test if the parties have already completed the AOP.

#### "voluntary"

• This is important! The AOP is only used when all parties agree. There are other ways to establish paternity when the parties are not in agreement.

#### "Both parents have parental rights and duties as provided by state law."

- In Texas, both legal parents are responsible for the financial and emotional support of their child.
- Some rights you may have as a legal parent include:
  - Access to your child's medical and school records
  - The right to request custody, visitation, or financial and medical support for your child
  - Name placed on the birth certificate
  - Provision of benefits (such as Social Security or military) to your legal child

#### "Establishment of paternity is required for a father's name to be entered on a birth certificate."

- Only the legal father's name may be placed on the birth certificate. If the AOP is completed at the time of the child's birth, then the father's name is automatically listed. If the AOP is completed at a later time, the child's parents will need to amend the child's birth certificate.
- To change the child's birth certificate based on an AOP or Texas court order, both parents must sign (before a notary public) the **Correcting a Birth Certificate** (VS-170) form from the Texas Vital Statistics Section. (More detail will be provided about this form later in the training.)

#### "Denial of Paternity"

- When certified entities are certain there is no presumed father, they can choose not to read this particular section, but it is a best practice to review it with parents.
- Three indications that a man is a presumed father:
  - He was married to the biological mother at the time of the child's birth.
  - He was married to the biological mother within 300 days before the child's birth.
  - He continuously lived with the child for the first two years of the child's life and represented the child as his own.

**Note:** The Denial of Paternity is not needed if a divorce decree specifically states that the husband is not the biological father of the child.

#### "... the presumed father is not the biological father ...."

• This is very important. The AOP is used only when unmarried biological parents want to establish paternity. If the presumed father is the biological father but wishes to relinquish his parental rights, the AOP is not the correct process.

#### "Change of Mind"



Important! Go over this section very carefully with the parent.

"... he/she may file a Rescission of Acknowledgment of Paternity (VS-158) to rescind this document ... within sixty (60) days ..."

- If any party changes his or her mind about signing the AOP, he or she can file the **Rescission** of Acknowledgment of Paternity (VS-158) to invalidate the AOP before the earlier of:
  - A legal proceeding that has been initiated regarding the child, or
  - the 60th day after the AOP was originally filed with the VSS.

#### "... to challenge this document."

- If any party to the AOP changes his or her mind after the time frame for rescission has elapsed, that person may challenge the AOP by filing a lawsuit with the Texas court and going before a judge to prove fraud, duress or material mistake of fact.
- A challenge to the AOP can be filed any time before the issuance of an order affecting the child, including a child support order.
- Challenging an AOP may require the assistance of a private attorney.

#### Additional information about rescinding or challenging the AOP:

- Certified entities will assist in explaining the steps to complete the rescission form, but the parent is responsible for actually mailing the required documents to the VSS.
- Parents should understand that once the AOP is signed and the rescission period has passed, a challenge requires a lawsuit.
- The OAG does not assist parents with challenging the AOP.

## STEP 3 – Reassess Appropriateness of an AOP

#### ASK THE PARTIES

1. Do you have additional questions about any part of the AOP?

If the answer is **YES**, answer all of the parties' questions. If you are not able to answer their questions, please reach out to your Paternity Coordinator. If the answer is **NO**, **continue** to the next question.

- 2. Do you understand all that I have read and explained to you about paternity establishment and this AOP form?
- 3. Do you want to complete the AOP process, legally establishing paternity for this child?

If the answer is **YES** to both No. 2 and No. 3, **continue** the AOP process. If the answer is **NO** to No. 2, answer questions to the parties satisfaction and **continue** the AOP process or direct the party(s) to the AOP Hotline at (866) 255-2006. If the answer is **NO** to No. 3, **stop** the AOP process and refer the parties to the OAG or a private attorney.

**Note:** If either party asks about or mentions DNA or paternity testing, make sure it is understood that parties can get testing through a private lab – but testing should be done before completing an AOP. If a party opens a child support case with the Office of the Attorney General, and the OAG determines that a DNA test is necessary, one may be provided with no upfront cost. A common complaint from parties is that they did not understand the need to request a paternity test prior to signing an AOP.

#### ASK YOURSELF:

- Have I provided all of the legally required information about the benefits, rights and responsibilities of paternity establishment and about child support services?
- Am I confident this person understands all that I have read and explained about this document?

If the answer is **YES** to both, <u>continue</u> the AOP process. If the answer is **NO** to either, <u>pause</u> the AOP process.

## STEP 4 – Complete the AOP

- Read the AOP document aloud to the party(s) as you complete each section of the AOP or as you review each section of the Texas Electronic Vital Events Registrar (TxEVER) generated AOP.
- Explain penalty for perjury:
  - Section 37.10 of the Texas Penal Code states that a person commits an offense if the person makes, presents or uses any record, document or thing with knowledge of its falsity. An offense under this section is a Class A misdemeanor unless the person's intent is to defraud or harm another, in which event the offense is a state jail felony.
- Certified entities must complete and submit AOPs using the TxEVER system

DocuSign is now an option when completing an AOP. You can access this program by logging into the certified entities portal.

Note: This section will be addressed under DocuSign. (See page 113).

If the TxEVER system is unavailable, the certified entity may fill this in by hand.

- Use an original AOP
- Use black ink
- Correct errors
  - With one straight line only
  - Do not use "Wite-Out" correction fluid or tape
  - Initial the correction
  - Identify initials in the left margin
- Complete the first six lines of the AOP (and the Denial of Paternity, if applicable)
- Refer to the TxEVER AOP Registration Guide available online at <u>https://www.dshs.texas.gov/vs/partners/txever-guides/</u>

**Note**: If a correction is made you must provide parties a copy of the corrected AOP.

#### COMPLETE STATEMENT BOXES

- First, read each statement to the parents.
- Fill in one circle next to each correct statement and have parents confirm.

#### PARENTS MUST SIGN THE AOP

Parties may sign:

- First Name, Last Name
- First Name, Middle Name, Last Name
- First Name, Middle Initial, Last Name

If a parent is unable to sign his or her name due to a physical disability, lack of knowledge or ability to write, any mark, including an "x" or initials, is acceptable.

#### DATES

All dates on the AOP must be legible. It is a best practice to use this format:

• Month – Day – Year

#### ENTITY CODE

Confirm or fill in your entity code at the bottom of the AOP.

#### VARIATIONS ON THE AOP

#### **Social Security Number and Address**

It is possible to print an AOP without a Social Security number or address.

If a party:

- does not have a Social Security number, leave blank.
- does not have an address or declines to provide one type "withheld" in the data field in TxEVER.
- declines to provide a Social Security number, select "withheld by request" in TxEVER.
- indicates family violence, select "withheld by request" for all parties.

This will allow the information to be saved in TxEVER, but "withheld by request" will appear on the printed AOP.

#### **Minor Parties**

- Minors may complete the AOP without parental consent.
- Minors have the right to the same processes for rescission and challenge of the AOP as parties 18 or older.

## STEP 5 – Review Completed AOP

#### **REQUIRED ELEMENTS**

- Biological father's information: full name and date of birth
- Child's information: full name, date of birth, city, county and state of birth
- Mother's information: full name including maiden name and date of birth
- Appropriate circles filled in the statement boxes
- Correct signatures and dates
- Your entity code

**Note:** Presumed Father, if applicable, provide his full name and date of birth.

## STEP 6 – Complete a Parent Survey

The parent survey is proof that the certified entity met the requirements of the law, and it may be used as evidence in Texas court.

- The parent survey is required by Section 55.408 of the Texas Administrative Code.
- Obtain copies by visiting the child support website at <a href="https://www.texasattorneygeneral.gov/child-support">https://www.texasattorneygeneral.gov/child-support</a>, select select AOP for Certified Entities, then select Materials for Certified Entities.
- Parties should complete the survey with minimal involvement from the certified entity.
- Retain this survey according to your entity's retention schedule. A minimum of two years is recommended.
- The certified entity completes the top two lines.
- Parties should initial next to every applicable statement.
- Indicate the type of ID provided.
  - Copy the identification and staple it to this form.
  - Be sure to black out any sensitive information such as credit card numbers.
- Certified staff and parties all sign the completed parent survey.

#### WHAT IF PARTIES DECLINE TO COMPLETE A PARENT SURVEY?

- Parties who decline to complete or sign the Parent Survey may still complete an AOP, which shall be filed with the VSS.
- Certified staff complete the top two lines of the Parent Survey.
- Record form of ID presented.
- Certified staff shall sign and date the Parent Survey.
- Note on the Parent Survey that it was offered but declined by the parties (state the reason for declining if one was given).
- Retain the Parent Survey in your file according to your entity's retention schedule.

#### WHAT IF THE MOTHER DECLINES AN AOP AT THE TIME OF BIRTH?

- Certified staff complete the top two lines of the Parent Survey.
- Have the mother initial No. 1 and No. 2.
- Mother shall print and sign her name.
- Certified staff shall sign and date.
- Retain the Parent Survey in your file according to your entity's retention schedule.
- Provide information about alternative options to assist her in establishing paternity.
- Provide information on the availability of child support services through the Office of the Attorney General.

# STEP 7 – Submit the AOP to the Vital Statistics Section

- All AOPs will be submitted via TxEVER.
- Please follow the steps in the TxEVER Registration Guide for submitting, birth matching and releasing the record in TxEVER.
- The TxEVER AOP Registration Guide is available online at <a href="https://www.dshs.texas.gov/vs/partners/txever-guides/">https://www.dshs.texas.gov/vs/partners/txever-guides/</a>, under user and training guide.

# STEP 8 – Provide All Required Copies to Parties

You must provide printed copies of the AOP to all parties completing the AOP.

• Write or stamp the word "COPY" on the bottom left-hand corner of the copy given to the parties.



## Never stamp or write the word "COPY" on an original AOP if you completed the AOP manually.

- Ensure the copy of the AOP includes the Benefits, Rights and Responsibilities (English only). This provides clear evidence that the parties had access to all of the information you were required to provide prior to signing.
- Best Practice: Provide TxEVER AOP copies to all parties.

## STEP 9 – Retain original documents

Retain the following documents in a centralized and secure location according to your entity's retention schedule. It is recommended that the following documents be kept for a minimum of two years:

- TxEVER generated and manually completed AOP
- Parent Survey
- Copy of identification presented



We decla	re under pena	lty of perjury that	DANNY	RAY	3	ZUKO	
			Biological Father's f	irst middle	la	last name ZUKO	
is the bio	logical father	of	BETTY	RIZZO	ZUI		
			Child's first	middle	last n	ame	
born on	11 01	2020 , in	RYDELL	MCGEE	TI	CXAS	
	mm dd	уууу	city	county	S	tate	
to	SANDRA		MARIA	OLSEN	OL	SEN	
	Mother's first	st	middle	last name	maiden nam	e if different	
04 18	1995	123-23-1234	58 GREASE LIGHTING	RYDELL	TEXAS	76904	
Father's	date of birth	social security numb	er address	city	state	zip code	
07 01	1997	123-34-4321	58 GREASE LIGHTING	RYDELL	TEXAS	76904	
Mother's	date of birth	social security numb	er address	city	state	zip code	
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IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.



#### This is a legal document. Type or Print in black ink. Parents are to be given a copy of this completed document. We declare under penalty of perjury that DANNY RAY ZUKO **Biological Father's first** middle last name is the biological father of BETTY ZUKO RIZZO Child's first middle last name born on , in RYDELL 11 01 2020 MCGEE TEXAS city county state d d mm y y y y to SANDRA OLSEN MARIA OLSEN Mother's first middle last name maiden name if different 58 GREASE LIGHTING 04 1995 123-23-1234 RYDELL TEXAS 76904 18 address Father's date of birth social security number city state zip code 07 01 1997 123-34-4321 RYDEI TEXAS 76904 58 GREASE LIGHTING Mother's date of birth social security number address city state zip code

We further declare under penalty of perjury that:

Texas Penal Code, Section 37.10, specifies penalties for making false entries or providing false information in this document

governmental document.

This is a

WARNING:

We have been given written and oral notice of: the benefits of having paternity established; the availability of paternity establishment and child support services; and the legal consequences of, the rights and responsibilities of, and the alternative to signing this Acknowledgment.

No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed.

There is no court order naming another man as the biological father of this child.

A genetic test has not determined that another man is the biological father of this child.

Fill one circle by the correct statement from EACH of the following:

	re <u>has not</u> been genetic testing of the may ve to determine if he is the biological fat		or	Genetic testing <u>has</u> determined that the man biological father of this child.	n listed above is the
biol 300 cour mar first	mother was not married to someone off ogical father at the time of the child's bin days prior to the child's date of birth, or t order that states that the man the moth ried to is not the father of the child, and t two years of the child's life, no man cor d with the child and represented the chil	th or within there is a er was during the utinuously	or	The mother <u>was</u> married to someone other father at the time of the child's birth or duri before the child's birth or during the first tw child's life, a man continuously lived with t represented the child as his own; and that m the Denial of Paternity below or has a Deni filed with the Vital Statistics Unit.	ng the 300 days to years of the he child and han has completed
Day -	Signature Document on file	11/03/2020		Signature Document on file	11/03/2020
Fu	Ill Signature of Biological Father	date		Full Signature of Mother	date

Denial of Paternity (only required if "mother was married to someone other than the biological father or if, during the child's first two \*\*\* \*\* \* \*\* \*\*\* \*\* \* \*\* \*\*\* \*\* \* \*\*\*

years of life, a man continuously lived with the child and represented the child as his own" is checked.)

We declare under penalty of perjury that

Presumed Father's first middle last name the presumed father of the child, is not the biological father. We understand that filing of this denial with an acknowledgment removes the presumed father's legal duty to support the child and terminates his right of custody or visitation with the child.

Full Signature of Presumed Father date **Full Signature of Mother** date Presumed Father's date of birth social security number Presumed Father's address city state zip code e Health Services **AOP Number Entity Code** State File Number D st d St V 1111111 3333 VS-159.1F Revised 09/2011

IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.



This is a legal document. Type or Print in black ink. Parents are to be given a copy of this completed document.

We declare under penalty of perjury that		DANNY	RAY	ZUKO
		Biological Father's first	middle	last name
is the biological father of	BETTY	RIZZO	ZUKO	C
	Child's first	middle	last name	
born on 11/01/2020	, in	RYDELL	MCGEE	TEXAS
mm dd	<u> </u>	city	county	state
to SANDRA	MARIA	OLSEN	OLSEN	
Mother's first	middle	last name	maiden name if differ	rent
04/18/1995	123-23-1234	58 GREASE LIGHTING	RYDELL	TEXAS 76904
Father's date of birth	social security number	address	city	state zip code
07/01/1997	123-34-4321	58 GREASE LIGHTING	RYDELL	TEXAS 76904
Mother's date of birth	social security number	address	city	state zip code

We further declare under penalty of perjury that:

We have been given written and oral notice of: the benefits of having paternity established; the availability of
paternity establishment and child support services; and the legal consequences of, the rights and responsibilities
of, and the alternative to signing this Acknowledgment.

- No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed.
- There is no court order naming another man as the biological father of this child.
- · A genetic test has not determined that another man is the biological father of this child.

#### Fill one circle by the correct statement from EACH of the following:

<ul> <li>There <u>has not</u> been genetic testing of the man listed above to determine if he is the biological father of this child.</li> </ul>		or <sup>o</sup>	Genetic testing <u>has</u> determined that the man listed above is biological father of this child.	
The mother was not married to someone of biological father at the time of the child's b 300 days prior to the child's date of birth, or order that states that the man the mother was not the father of the child, and during the fi the child's life, no man continuously lived v and represented the child as his own.	irth or within r there is a court is married to is rst two years of	or	The mother <u>was</u> married to someone father at the time of the child's birth or before the child's birth or during the i life, a man continuously lived with th child as his own; and that man has co Paternity below or has a Denial of Pa Statistics Unit.	or during the 300 days first two years of the child's a child and represented the impleted the Denial of
Danny Zuko	/ 11/03/2020		Sandy Olsen	/ 11/03/2020
Full Signature of Biological Father	date	Full	Signature of Mother	date
We declare under penalty of perjury that	neuroad Enthade Sect		esidet.	lan same
P the presumed father of the child, is not the				
P the presumed father of the child, is not the removes the presumed father's legal duty to	biological father. V	and term	stand that filing of this denial wit	h an acknowledgment
	biological father. V support the child date	and term	stand that filing of this denial wit inates his right of custody or visit Signature of Mother	h an acknowledgment ation with the child.

IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.

#### PARENT SURVEY ON THE ACKNOWLEDGEMENT OF PATERNITY (AOP) Mandated By Law



This Survey should be completed after the AOP has been signed or a person has declined to sign the AOP.

Hospital/Entity Name & Location: Somewhere General Hospital	Enti	ity Code: <u>3333</u>	}
Child's Name: <u>Betty Rízzo Zuko</u>	Date	e of Birth: <u>11/0</u>	1/2020
Please read and INITIAL the following:			
STATEMENTS		MOTHER	FATHER
1. I was given the opportunity to sign an Acknowledgment of Paternity.		<u>50</u>	<u>DRZ</u>
2. I choose <b>NOT</b> to complete an Acknowledgment of Paternity			
If you initial #2, please skip questions 3 through 8.			
3. I was made aware that I could have a DNA test done before I signed the AOP.		<u>50</u>	<u>DRZ</u>
4. I was given written and oral information regarding the benefits, rights and responsit AOP, an explanation of those rights and responsibilities, and information about chi		<u>50</u>	<u>DRZ</u>
5. The biological father who signed this AOP will have all legal rights and duties of a may include the legal responsibility for financial and medical support of the child a AOP.		<u>50</u>	<u>DRZ</u>
6. If I change my mind, a Rescission of Acknowledgment of Paternity (VS-158) must the earlier of 60 days of signing the Acknowledgment of Paternity or the date a pro- involving the child is initiated before a court.		<u>50</u>	<u>DRZ</u>
7. After 60 days, I may challenge the AOP in court and must prove fraud, duress, or m of fact.	aterial mistake	<u>50</u>	<u>DRZ</u>
8. I was given a completed copy of the AOP with the benefits, rights, and responsibilit back.	ies on the	<u>50</u>	<u>DRZ</u>
Mother's Printed Name: <u>Sandy Olsen</u>	ID Type: <u>Hí</u>	gh School I	.D
Mother's Signature: <u>Sandy Olsen</u>	Phone Numbe	r: <b>(512) 555-1</b>	234
Father's Printed Name: Danny Zuko	ID Type: <u>Re</u>	port Card	
Father's Signature: Danny Zuko	Phone Numbe	r: <u>(512) 555-1</u>	.234
Certified Staff Signature: Jennifer Lopez Ortiz	Date: <u>11/03</u>	/2020	

**Presumed Father:** (After you read the Denial of Paternity and Change of Mind sections of the rights and responsibilities, please read the statement below and initial.)

After I have signed the Denial of Paternity and it has been filed with the Vital Statistics Unit, my legal rights and responsibilities to this child will be terminated. If I change my mind, a Rescission of Acknowledgment of Paternity (VS-158) can be filed within the earlier of 60 days of signing the Acknowledgment of Paternity or the date a proceeding involving the child is initiated before a court. After 60 days, I may challenge the AOP in court and must prove fraud, duress, or material mistake of fact.

Presumed Father's Printed Name:	ID Type:
Presumed Father's Signature:	Phone Number:
Certified Staff Signature:	Date:

Initial Here: \_\_\_\_\_



# ENCUESTA SOBRE EL RECONOCIMIENTO DE PATERNIDAD(AOP)

Ordenada en Conformidad con la Ley

Esta encuesta debe ser llenada después de que el Reconocimiento de Paternidad (AOP) ha sido firmado o después de que una persona se ha negado a firmarlo.

Hospital/Entidad Nombre y Ubicación:	Código de	la Entidad	_
Nombre del Niño(a):	Fecha de N	Nacimiento	
Favor de leer y poner sus INICIALES en las siguientes declaraciones:			
DECLARACIONES		MAMÁ	PAPÁ
<ol> <li>Me dieron la oportunidad de firmar un formulario de Reconocimiento de Parternidad (Acknow Paternity, AOP, en inglés)</li> </ol>	ledgment of		
2. Tomo la opición de <u>NO</u> llenar un Reconocimiento de Paternidad (AOP).			
Si Pone sus iniciales en #2, por favor ignore las preguntas 3 a 8.			T
3. Me han informado que me puedo someter a una prueba genética de ADN (DNA)antes de firma Reconocimiento de Paternidad (AOP)	r el		
<ol> <li>Me dieron información por escrito y oralmente con respecto a los beneficios, derechos y response de un AOP, una explicación de tales derechos y responsabilidades e información sobre la ma niños.</li> </ol>			
<ol> <li>El padre biológico que firmó este AOP tendrá todos los derechos y deberes legales de un padre incluir la responsabilidad legal de manutención económica y manutención médica del niño nor AOP</li> </ol>			
<ol> <li>Si cambio de opinión, una Anulación de Reconocimiento (VS-158) debe ser presentada ya sea días de haber firmado el AOP o antes de la fecha en que inicie un procedimiento relacionado ce la corte, lo que ocurra primero.</li> </ol>			
<ol> <li>Después de 60 días, puedo desafiar el AOP ante la corte y debo comprobar fraude, coacción, o de un hecho.</li> </ol>	error material		
8. Me dieron una copia del AOP llenado, con los beneficios, derechos, y responsabilidades en la p	arte posterior		
Nombre de la Mamá en letra de molde:	Identificación:		
Firma de la Mamá::	Número de teléfo	ono:	
Nombre del Papá en letra de molde	Identificación:		
Firma del Papá	Número de teléfo	ono:	
Firma del Personal Certificado:	Fecha:		

El Presunto Papá: (Después de leer las secciones: Negación de Paternidad (Denial of Paternity) y Cambio de Opinión (Change of Mind), en los Derechos y Responsabilidades, por favor lea la siguiente declaración y ponga sus iniciales.)

Después de que yo haya firmado la Negación de Paternidad y sea presentada ante la Unidad de Estadísticas Vitales (Vital Statistics Unit), mis derechos y responsabilidades legales hacia este niño serán terminados. Si cambio de opinión, se puede presentar una Anulación del Reconocimiento de Paternidad (VS-158) ya sea dentro de 60 días de haber firmado el AOP o antes de la fecha en que inicie un procedimiento relacionado con el niño ante la corte, lo que ocurra primero. Después de 60 días, puedo desafiar el AOP ante la corte y debo comprobar fraude, coacción, o error material de un hecho.

Nombre del Presunto Papá en letra de molde:	Identificación
Firma del Presunto Papá:	Número de teléfono:
Firma del Personal Certificado:	Fecha:

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Iniciales aquí:

# ACCEPTABLE IDENTIFICATION

# ACCEPTABLE IDENTIFICATION

### Texas Administrative Code, Chapter 55, Subchapter J, Rules 55.404 and 55.408

All parties must show identification that includes first and last name before signing the AOP. Note on the Parent Survey what type of identification was provided. Make a copy of the identification and attach the copy to the Parent Survey.

Examples of Acceptable ID:

- Picture ID (preferred not required)
- Valid or Expired Driver's License
- Passport
- Work ID
- Credit Card/Debit Card
- Current Utility or Cell Phone Bill
- Student ID
- Birth Certificate or other Legal Document (including foreign)
- Social Security Card
- Mother's Medical Record (only in hospital)
- Mother's Hospital Bracelet (only in hospital)
- Current Report Card
- Military ID
- Offender ID
- Firearms License
- Voter Registration Card
- Any State Issued or Foreign ID

If you are in doubt about an ID, please contact your Paternity Outreach Coordinator.

Notes

# DNA TEST REQUESTED

# DNA TEST REQUESTED

If either party indicates a desire for DNA testing:

- Encourage the parties to delay signing the AOP. Tell the parties they can sign an AOP later, after DNA test results are obtained.
- Inform parties that the OAG may provide DNA testing when paternity has not been established. If any party opens a child support case with the Office of the Attorney General (OAG), and the OAG determines that a DNA test is necessary, one may be provided with no upfront cost.
- Provide parties information on availability of child support services.
- Parties can also choose any local lab to obtain DNA testing. If parties do not plan to submit the DNA test results as part of a Texas court process, they can use over-the-counter DNA test kits available from many pharmacies.
- Only DNA tests conducted through a lab accredited by the American Association of Blood Banks (AABB) will be considered in Texas court.



If parties complete an AOP after getting DNA testing, remind them to complete the Correcting a Birth Certificate (VS-170) form so the father's name can be added to the child's birth certificate.

Notes

# PRESUMED FATHER

# PRESUMED FATHER



An AOP can be used if the presumed father is not the biological father AND the two biological parents want to establish paternity for the child. Presumed father must be willing to complete denial regardless if a DNA test was completed.

Refer to the questions under Step 1 in the Step-by-Step Process for Completing the Basic AOP.

## WHO IS A PRESUMED FATHER?

- The man married to the biological mother at the time of the child's birth.
- The ex-husband if the child was born within 300 days of the divorce unless the divorce decree specifically excludes the ex-husband as the father (see note below).
- The man who lived with the child continuously during the first two years of the child's life and represented the child as his own.

If there is a presumed father who is willing to deny paternity, follow the steps below:

- Complete the AOP much like a basic AOP with some additional requirements:
  - Both mother and biological father will complete and sign the Establishment section.
  - The mother and presumed father will each sign the Denial section.
  - The AOP will have electronic signatures from the mother, presumed father and biological father.
- The biological father cannot become the legal father unless the presumed father signs the Denial of Paternity.
- If any one of the parties is not available to complete the denial at the same time or location, see the "Partial" section of this manual.

If there is a presumed father who is not willing to deny paternity, refer the biological parents to a child support office or a private attorney.

**Note:** When a Texas court order has excluded the presumed father as the child's father, fill in the left circle of the second statement box on the AOP. If the child has a presumed father who is not willing to deny paternity, an AOP is not appropriate. For guidance on capturing the presumed father's information and signature, please refer to the TxEVER AOP Registration Guide.



WARNING: This is a governmental document. Texas Penal Code, Section 37.10, specifies penalties for making false entries or providing false information in this document.

## STATE OF TEXAS ACKNOWLEDGMENT OF PATERNITY

We decla	are under p	enalty of p	perjury that	WES		н	GHTOWER
				Biological Fathe	r's first middle		last name
s the bic	ological fatl	her of	MAG			HIG	HTOWER
		0.00	Chi	ld's first	middle	last	name
orn on	03 20	2020	, in	BULL	GILLEY	ð	TEXAS
	mm dd	уууу		city	county		state
	SISS	Y			DAVIS	GL	EN
	Mother's		anna e the	middle	last name	maiden na	me if different
12 06	1981		THHELD BY REQUEST	WITHHELD BY RE	QUEST		
Father's	date of birth	n and a state of	ecurity number	address	city	state	zip code
15 11	1982		THHELD BY REQUEST	WITHHELD BY RE	QUEST		
Mother's	s date of birth	n social s	ecurity number	address	city	state	zip code
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IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.

# COMMON LAW MARRIAGE

# COMMON LAW MARRIAGE

Under Texas law, if a couple is married without formality, also known as common law marriage, the husband is considered the presumed father, and his name can go on the birth certificate as the legal father.

However, some states and branches of the armed services do not recognize common law marriage; therefore, couples claiming a common law marriage should be encouraged to sign an AOP to ensure the establishment of paternity.

## IF PARTIES CLAIM COMMON LAW MARRIAGE:

• Encourage the couple to complete an AOP to ensure the establishment of paternity.



Parties must be at least 18 years old to claim common law marriage.



# STATE OF TEXAS ACKNOWLEDGMENT OF PATERNITY



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IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.

# PARTIAL AOP - ABSENT PARTY

# PARTIAL AOP – ABSENT PARTY

A partial AOP is when parties complete their portion of an AOP at different times (possibly even at different locations). You should complete a partial AOP when one party is with you, but the other party is:

- In the military
- At another location in Texas
- Living in another state or country
- Incarcerated

Follow the partial AOP instructions located within this section:

- If the absent party is located in Texas, he or she may contact one of the following to obtain an AOP:
  - The Office of the Attorney General Child Support Division <u>https://csapps.oag.texas.gov/find-AOP-certified-entity</u>
  - Local Registrar (County Clerk's Office) Contact your local Paternity Outreach Coordinator (POP) for selected sites
  - Local City Vital Statistics Office
- If the absent party is in another state or country, give him or her the Absent Parent form. Have the party complete the form and email or mail it to the address listed on the form. This form is also available online under AOP for Certified Entities, Special Circumstances at <u>https://www.texasattorneygeneral.gov/child-support</u>.

**Note:** Parties to an AOP can go separately to the above locations. The AOP does not become a legal document until all parties involved have completed their portions and all portions of the AOP are submitted to VSS via TxEVER.



# **PARTIAL AOP INSTRUCTIONS**

### For Certified Entity Use Only:

Partial AOPs are completed at separate times or locations.

All parties must be willing to complete the AOP.

OAG - Paternity Outreach Coordinators are available to assist you in finding a certified entity for the other party in Texas.

Each Partial AOP must include:

- > All personal information of the parent you are assisting
- > Child's name as it appears on the birth certificate
- Child's date of birth
- City, county and state of child's birth
- Mother's name including maiden name and date of birth
- Father's name and date of birth
- Required signatures and date
- Signatures in the Denial section, if applicable
- > Presumed father's name and date of birth, if applicable
- > Your entity code

Complete, <u>save</u> and submit the AOP to the Vital Statistics Section (VSS) using TxEVER. Do not link a partial AOP to a birth record.

Write or stamp "COPY" on the bottom left-hand corner and on the signature line of the party who is not present.

**NEVER** write or stamp "COPY" on an original AOP.

**Note:** An AOP does not become a legal finding until all parties involved have completed their portions and all portions have been submitted to VSS via TxEVER. Partial AOPs saved in TxEVER will expire and will be purged (deleted) from TxEVER if not completed within 2 years.



# **Absent Party AOP Instructions**

Establish paternity when parties live in different locations.

Carefully read the instructions below to establish paternity through the Acknowledgment of Paternity (AOP) voluntary process if you and the other parent/party live in different locations. You and the other parent must each work with a certified entity to separately complete the AOP process.

You must have the other parent's/party's **current contact information**. Each party must present **acceptable photo identification** to the certified entity.

### **OTHER PARTY LIVES IN TEXAS**

After completing your portion of the AOP, you or the other party can call the OAG's Paternity Opportunity Program at **866-255-2006** to find a certified entity near the other party's location.

It is up to the other parent to visit their nearest certified entity and complete their portion of the AOP.

Certified entity locations include:

- Attorney General Child Support Offices
- Some local registrar (County Clerk's Offices)
- Some local city vital statistics offices

### **OTHER PARTY LIVES OUTSIDE OF TEXAS**

After completing your portion of the AOP, please complete the *Request for Acknowledgment of Paternity – Absent Party Form* and submit the form to the Office of the Attorney General's (OAG) Paternity Opportunity Program.

The OAG's AOP Specialist will contact the other party and may contact you to gather or confirm information. The AOP Specialist will assist the other party in completing their portion of the AOP.

The AOP becomes legally binding once each party completes their portion of the AOP and each portion of the AOP is filed with the Department of State Health Services (DSHS) Vital Statistic Section (VSS).

### UPDATING THE CHILD'S BIRTH CERTIFICATE

After the AOP is filed with VSS and if you want to add the father's name to the birth certificate and/or change the child's <u>last name</u>, please contact DSHS' VSS to apply for a new birth certificate.

Visit the VSS website - <u>http://www.dshs.texas.gov/vs/reqproc/amendparentage.shtm</u> to obtain an **Correcting a Birth Certificate** (<u>VS-170</u>) from that agency. Follow the instructions on the application and submit the document and required fee to DSHS Vital Statistic Section.



### Reconocimiento de Paternidad

### Instrucciones en Caso de Persona Ausente

Establecimiento de paternidad cuando las personas viven en diferentes lugares.

Lea cuidadosamente las siguientes instrucciones para establecer la paternidad a través del Reconcomiendo de Paternidad voluntario. Estas instrucciones solo aplican si usted y la otra persona están viviendo en diferentes lugares. Usted y la otra persona tienen que colaborar con una entidad certificada para completar por separado el proceso de Reconocimiento de Paternidad.

Usted necesita tener la **información de contacto actual** de la otra persona.

#### SI LA OTRA PERSONA VIVE EN TEXAS

Después de que usted complete la parte del Reconocimiento de Paternidad que le corresponde, usted o la otra persona puede llamar al Programa de Oportunidad de Paternidad de la Procuraduría General al **866-255-2006** para localizar una entidad certificada cerca de la otra persona.

La otra persona es responsable de ir a la entidad certificada más cercana y completar la parte del Reconocimiento de Paternidad que le corresponde.

Las ubicaciones de entidades certificadas incluyen:

- La Procuraduría General División de Manutención de Niños
- Algunos Registros Locales (Oficina de la Secretaría del Condado)
- > Algunas oficinas locales de Estadísticas Vitales en Texas

#### SI LA OTRA PERSONA NO VIVE EN TEXAS

Después de completar la parte del Reconocimiento de Paternidad que le corresponde, por favor complete una *Solicitud para Reconocimiento de Paternidad – Formulario de Persona Ausente* y entregue el formulario al Programa de Oportunidad de Paternidad de la Procuraduría General usando la dirección indicada en el formulario.

Cuando recibamos el formulario, un especialista de Reconocimiento de Paternidad se comunicará con la otra persona, y quizás se comunique con usted para reunir o confirmar información. El especialista de Reconocimiento de Paternidad le ayudará a la otra persona para completar la parte del Reconocimiento de Paternidad que le corresponde.

El Reconocimiento de Paternidad establece vínculo legal una vez que cada persona completa su parte correspondiente del formulario y cada parte del Reconocimiento de Paternidad es registrada con la Sección de Estadísticas Vitales (VSS) del Departamento de Servicios de Salud del Estado (DSHS),

#### ACTUALIZANDO EL ACTA DE NACIMIENTO DEL NIÑO

Una vez que el Reconocimiento de Paternidad haya sido registrado con la Sección de Estadísticas Vitales (VSS) y si usted desea añadir el nombre del papá al acta de nacimiento o cambiar el apellido del niño, por favor comuníquese con la Sección de Estadísticas Vitales de DSHS para solicitar una nueva acta de nacimiento.

Visite la página de la Sección de Estadísticas Vitales en -

http://www.dshs.texas.gov/vs/reqproc/amendparentage.shtm para obtener una solicitud para obtener una nueva Acta de Nacimiento Basado en Parentesco (VS-170). Siga las instrucciones del formulario y entregue el documento y cuotas requeridas a la Sección de Estadísticas Vitales de DSHS.

### ACKNOWLEDGMENT OF

PATERNITY Absent Party Form
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ACKNON PATERNITY				CLEAR
Please complete this form and email or ma		-	@OAG.TEXAS.GOV	
THE THE THE		OFFICE OF ACKNOWL BOX 12017 AUSTIN, T	THE ATTORNEY GENERA EDGMENT OF PATERNIT 7 – MC 038 K 78711-2017	r po
<b>Who is the Requesting Party?</b> Biological B	Nother	⊔ B10	logical Father	Presumed Father
Child's Name: (as shown on the birth certificate)				
Child's Date of Birth:				
City, County, State of Child's Birth:				
Does a court order exist for this child?	$\Box$ Ye	es	□ No	
Mother's Full Legal Name:				
Maiden Name: (if different)				
Date of Birth:				
Mailing Address, City, State, Zip Code:				
Phone Number (with area code):				
Email Address:				
Has she completed her portion of the AOP?	□ Ye	S	□ No	
Language Preference:	🗆 En	glish	$\Box$ Spanish	
<b>Biological Father's Full Legal Name</b> :				
Date of Birth:				
Mailing Address, City, State, Zip Code:				
Phone Number (with area code):				
Email Address:				
Has he completed his portion of the AOP?	□ Ye	S	□ No	
Language Preference:	🗆 Er	nglish	$\Box$ Spanish	
Has a DNA test been conducted between the biolo	gical fatl	her and the	e child? 🗆 Yes	□ No
Presumed Father's Full Legal Name:				
Date of Birth:				
Mailing Address, City, State, Zip Code:				
Phone Number (with area code):				
Email Address:				
Has he completed his Denial portion of the AOP?	□ Ye	S	□ No	
Language Preference:	□ En	glish	$\Box$ Spanish	

### **RECONOCIMIENTO DE PATERNIDAD**

## Formulario para la Parte Ausente



#### Por favor llene este formulario y envíelo a:

#### CSD-AOP@OAG.TEXAS.GOV

OFFICE OF THE ATTORNEY GENERAL ACKNOWLEDGMENT OF PATERNITY PO BOX 12017 – MC 038 AUSTIN, TX 78711-2017

¿Quién presenta la solicitud?	🗆 Mamá Biológica	🛛 🗆 Papá Biológico 🛛 Presunto Papá
Nombre del Niño: (Igual como está escrito en el certificado de nacimiento)		
Fecha de Nacimiento del Niño:		
Ciudad, Condado, Estado donde Nació el Niño:		
¿Hay una orden de la corte para este niño?	🗆 Sí	🗆 No
Nombre Legal Completo de la Mamá:		
Nombre de Soltera: (si es diferente)		
Fecha de Nacimiento: Dirección Postal, Ciudad, Estado, Código Postal: Número de Teléfono (con código de área):		
Dirección de correo electrónico:		
¿Ha completado ella su porción del Reconocimiento de Paternidad (AOP)?	□ Sí	🗆 No
Idioma Preferido:	□ Inglés	□ Español
Nombre Legal Completo del Papá Biológico:		
Fecha de Nacimiento: Dirección Postal, Ciudad, Estado, Código Postal: Número de Teléfono (con código de área): Dirección de correo electrónico:		
¿Ha completado él su porción del Reconocimiento	🗆 Sí	
de Paternidad (AOP)? Idioma Preferido:		□ Español
¿Se ha hecho una prueba de ADN entre el papá biológico y el niño?	0	□ No
Nombre Legal Completo del Presunto Papá:		
Fecha de Nacimiento:		
Dirección Postal, Ciudad, Estado, Código Postal:		
Número de Teléfono (con código de área):		
Dirección de correo electrónico:		
¿Ha completado él su porción del Reconocimiento de Paternidad (AOP)? Idioma Preferido:		⊐ No □ Español

November 2020



# STATE OF TEXAS ACKNOWLEDGMENT OF PATERNITY

We de	eclare un	nder pen	alty of per	jury that	ADAM		100 mar 100	CI	HANDLER
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is the	biologic	cal father	t -	A	DAM			CHAI	NDLER JR
				Ch	ild's first	midd	le	las	t name
of bor	rn on	05 31	2020	, in	PINE VALLEY		NIXON		TEXAS
	mm	n dd	уууу		city	co	unty		state
0		DIXIE			MARIA	M	ARTIN	C	OONEY
-		Mother's fi	rst		middle		name		ame if different
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	her's date			urity number	address		city	state	zip code
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IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.



# STATE OF TEXAS

KNOWLEDGMENT	OF PATERNITY

This is a legal document. Type or Print in black ink. Parents are to be given a copy of this completed document.

We declare under penal	ty of periury that	ADAM		CHANDLER
C. T. T. C.	1.1.1.2.2	Biological Father's first	middle	last name
is the biological father o	of ADAM		CHAI	NDLER JR
D.	Child's first	middle	last nam	e
born on 05/31/2020	, in	PINE VALLEY	NIXON	TEXAS
mm dd	у у у у	city	county	state
DIXIE	MARIA	MARTIN	COONE	ΞY
Mother's first	middle	last name	maiden name if di	ifferent
04/06/1965				
Father's date of birth	social security number	address	city	state zip code
02/20/1986				
Mother's date of birth	social security number	address	city	state zip code
				15 TH 15 TH

We further declare under penalty of perjury that:

- We have been given written and oral notice of: the benefits of having paternity established; the availability of
  paternity establishment and child support services; and the legal consequences of, the rights and responsibilities
  of, and the alternative to signing this Acknowledgment.
- No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed.
- There is no court order naming another man as the biological father of this child.
- A genetic test has not determined that another man is the biological father of this child.

#### Fill one circle by the correct statement from EACH of the following:

above to determine if he is the biologic	he man listed cal father of this child. 0	or <sup>o</sup>	Genetic testing has determined biological father of this child.	that the man listed above is the
O The mother <u>was not</u> married to someon biological father at the time of the child 300 days prior to the child's date of bir order that states that the man the mothen not the father of the child, and during the child's life, no man continuously lift and represented the child as his own.	d's birth or within th, or there is a court er was married to is the first two years of	or	The mother <u>was</u> married to som father at the time of the child's b before the child's birth or during life, a man continuously lived w child as his own; and that man h Paternity below or has a Denial Statistics Unit.	with or during the 300 days the first two years of the child's ith the child and represented the mas completed the Denial of
COPY	1		COPY	T
Full Signature of Biological Father	date	Ful	I Signature of Mother	date
We declare under penalty of perjury the the presumed father of the child, is not	Presumed Father's first the biological father. V			
removes the presumed father's legal du				
Thad Martin				
Full Signature of Presumed Father	date BY REQUEST WITH		I Signature of Mother BY REQUEST	date
Full Signature of Presumed Father 09/02/1970 / WITHHELD	and the second	HELDE	BY REQUEST	date state zip code

IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.

# PARTIAL AOP - INCARCERATED PARTY

# PARTIAL AOP – INCARCERATED PARTY

If a party is incarcerated, follow the partial AOP instructions located within this section and:

- 1. Complete a partial AOP with the present party.
- 2. Give the present party the OAG Incarcerated Parent form. Have the party complete the form and mail it to the address listed on the form or email the form to <u>CSD-AOP@oag.texas.gov</u>



### ACKNOWLEDGMENT OF PATERNITY INCARCERATED PARENT PROGRAM

CLEAR

Please complete this form and email or mail to:

#### CSD-AOP@OAG.TEXAS.GOV

OFFICE OF THE ATTORNEY GENERAL ACKNOWLEDGMENT OF PATERNITY P.O. BOX 12017 – MC 038 AUSTIN, TX 78711-2017

<b>Child's Informa</b>	ation (as it appears	on the Birth (	Certificate)			
Full Name:						
	Last			First	Middl	le Suffix
Date of Birth:			Birth Hospital:			
Place of Birth:						
	City			County		State
Does a court order ex	xist for this child?	YES	🗖 NO	DNA Testing Co	ompleted? 🔲 YES	S 🗖 NO
Mother's Inform	mation					
Full Name:						
	Last			First	Middl	е
Date of Birth:			Phone Number:			
If incarcerated:						
	Inmate #		Ì	Name of Facility		
Current Mailing Add						
Email Address:	Street Address			City	State	ZIP Code
Linui / Iuuross.						
<b>Biological Fath</b>	er's Information					
Full Name:	Last		_	First	Middl	le Suffix
Date of Birth:			Phone Number:			
If incarcerated:	Inmate #		i	Name of Facility		
Comment Mailine Add						
Current Mailing Add	Street Address			Cit	y State	ZIP Code
Email Address:						
	er's Information narried to a man othe		ogical father of the	child when the c	hild was horn or w	vithin 300
	birth, that man is the p					
Full Name:						

Full Name:					
	Last		First	Mide	dle Suffix
Date of Birth:		Phone Number:			
If incarcerated:					
	Inmate #	Λ	lame of Facility		
Current Mailing Address:					
	Street Address		С	ity State	ZIP Code
Email Address:					

Revised: 11/2020



### **RECONOCIMIENTO DE PATERNIDAD PROGRAMA** PARA PADRES ENCARCELADOS

Por favor llene este formulario y envíelo a: CSD-AOP@OAG.TEXAS.GOV

#### **OFFICE OF THE ATTORNEY GENERAL** ACKNOWLEDGMENT OF PATERNITY P.O. BOX 12017 – MC 038 AUSTIN, TX 78711-2017

	r		<b>NT 1 1 . N</b>
Información del niño:	como anaroco on	AL Acta da	Nacimiantal

Nombre Completo:								
	Apellido	Primer nombr	е	Nombre in	termedio	Sufi	јо	
Fecha de Nacimiento:		Hospit Nacim						
Lugar de Nacimiento	:							
¿Existe una orden de	<i>Ciudad</i> corte para su hijo?	SÍ 🗖 N	0	realizado la	<i>aís</i> a prueba de <i>l</i> gico and el r		ado SÍ	NO
Información de	la Mamá							
Nombre Completo:								
	Apellido			Primer No.	mbre	Non	nbre Inte	ermedio
Fecha de Nacimiento	:	Núme Teléfo						
Si está Encarcelada:								
	Número de Recluso	:		Nom	bre del Recl	usorio		
Dirección Postal:	Nombre de la Calle				Ciudad	Estado	Códig	o Postal
Dirección de correo								
electrónico:								

Información del Pa	apá Biológico				
Nombre Completo:					
	Apellido	Primer nombre	Nombre intermedio	Sufijo	
Fecha de Nacimiento:		Número de Teléfono:			
Si está Encarcelado:					
	Número de Recluso:		Nombre del Recli	isorio	
Dirección Postal:					
	Nombre de la Calle		Ciudad	Estado	Código Postal
Dirección de correo electrónico:					

### Información del Presunto Paná

Si la mamá estaba casada co niño, el hombre con quien e	on un hombre que no es el p						
Nombre Completo:							
	Apellido	Primer I	Vombre	Nombre	Intermedio	Suf	ijo
Fecha de Nacimiento:		Tel	éfono:				
Si está Encarcelado:							
	Número de Recluso:			No	mbre de Reclu	isorio:	
Dirección Postal:							
	Nombre de Calle				Ciudad	Estado	Código Postal

Dirección de correo electrónico:

#### Example of TxEVER 2 Party Incarcerated Partial with Electronic Signature



### STATE OF TEXAS ACKNOWLEDGMENT OF PATERNITY

- 12		

#### This is a legal document. Type or Print in black ink. Parents are to be given a copy of this completed document. in this document We declare under penalty of perjury that VINCENT VEGA **Biological Father's first** middle last name is the biological father of LUCI JO VEGA Child's first middle last name providing false information born on 10 10 2020 m OUENTIN JULES TEXAS city county state d d mm VVVV to MIA MARIA WALLACE WALLACE maiden name if different middle Mother's first last name 1990 07 06 Father's date of birth social security number address city state zip code 1985 123-23-1234 OUENTIN 02 20 TEXAS 74096 14 COOLIDGI 10 Mother's date of birth social security number address city state zip code for making false entries We further declare under penalty of perjury that: We have been given written and oral notice of the benefits of having paternity established; the availability of paternity establishment and child support services, and the legal consequences of, the rights and responsibilities of, and the alternative to signing this Acknowledgment No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed. There is no court order naming another man as the biological father of this child. A genetic test has not determined that another man is the biological father of this child. penalities Fill one circle by the correct statement from EACH of the following: There <u>has not</u> been genetic testing of the man listed or i Genetic testing has determined that the man listed above is the above to determine if he is the biological father of this child. biological father of this child. specifies 6 The mother was not married to someone other than the ര The mother was married to someone other than the biological biological father at the time of the child's birth or within father at the time of the child's birth or during the 300 days Section 37.10, 300 days prior to the child's date of birth, or there is a before the child's birth or during the first two years of the or court order that states that the man the mother was child's life, a man continuously lived with the child and married to is not the father of the child, and during the represented the child as his own; and that man has completed first two years of the child's life, no man continuously the Denial of Paternity below or has a Denial of Paternity lived with the child and represented the child as his own filed with the Vital Statistics Unit. Penal Code, 10/11/2020 Mia W Wallace Full Signature of Mother Full Signature of Biological Father date date Denial of Paternity ( only required if "mother was married to someone other than the biological father or if, during the child's first two Texas years of life, a man continuously lived with the child and represented the child as his own" is checked.) document We declare under penalty of perjury that Presumed Father's first middle last name the presumed father of the child, is not the biological father. We understand that filing of this denial with an acknowledgment governmental removes the presumed father's legal duty to support the child and terminates his right of custody or visitation with the child. Full Signature of Mother Full Signature of Presumed Father date date This is a zip code Presumed Father's date of birth social security number Presumed Father's address city state te Health Services **AOP Number Entity Code** State File Number WARNING: afi ita 1111111 3333 vised (-)/201

IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.

# **BEFORE THE BIRTH**



## **BEFORE THE BIRTH AOP INSTRUCTIONS**

## For Certified Entity Use Only:

If the parents have not selected a name for the child, check the box "Is Child Unnamed?"

In the case of multiple births, the names will be listed as:

- > Infant A and last name chosen by parent
- > Infant Band last name chosen by parent

In the data field for the Date of Birth (DOB), enter the child's expected due date. Then include birthplace information for the expected birth. For example – Galveston (city), Galveston (county), Texas (state).

The remaining parts of the AOP should be completed as any other AOP in TxEVER.

Instruct the mother to bring her printed copy of the AOP to the hospital when she delivers her baby.



## STATE OF TEXAS ACKNOWLEDGMENT OF PATERNITY

Wea	decla	re und	ler pen	alty of pe	erjury that	JA	СК		S	PARRO
						Biological	Father's first	middle		last nan
is the	e biol	logica	l fathe	rof	IN	FANT			SP	ARRO
					Ch	ild's first		middle	last	t name
born	on	08	25	2020	, în	BLUE		SAVVY	0	TEXAS
		mm	d d	уууу	2.1.1.1	city		county		state
to		A	NGELI	CA				BLACK	в	LACK
1		Me	other's fi	irst		middle		last name	maiden na	ame if c
01	06	19	980	123	-23-1234	86 HIGH	ISEA	BLUE	TEXAS	
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10	04		984	432	-13-2321	86 HIGH	SEA	BLUE	TEXAS	
Mo	ther's	date of	birth	social se	curity number	add	ress	city	state	
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<ul> <li>T</li> <li>T</li></ul>	<ul> <li>N</li> <li>F</li> <li>F</li></ul>	We hav baternity of, and i No other there is A genet circl has no to dete other y ical fat ys price order the d to is vo yean with the	e been g y establi he alten r Ackno no cour ie test he e by t t been y rmine i vas not her at d or to the aat state not the s of the e child a	wen written shment and native to sig wledgment t order nam as not deten <b>he corre</b> genetic tes f he is the married to he time of child's da s that the r father of t child's life	and oral notice child support se aning this Ackne of Patemity for ing another mar mined that anoth <b>ct statemen</b> ting of the mar biological father someone othe the child's birth te of birth, or th man the mother he child, and do a, no man conti- ented the child	ervices, and the leg owledgment. In naming another in as the biological ther man is the biological there man is the biological there man is the biological there is a set of the biological the biological set of the biological set of the biological the biological set of the biological set of the biological the biological set of the biological set	al consequences man as the biolo father of this chi ogical father of th I of the follo or Or Genet biolog The n father or childy repres the D	of, the rights and responsib gical father of this child has d. his child. wing: ic testing has determined gical father of this child. tother was married to son at the time of the child's is the child's birth or durin s life, a man continuously ented the child as his ow ential of Paternity below of	where the set of the s	e biolog 300 day s of the d and comple

We decla	re und	der pei	alty of pe	rjury that	JACK		SP	ARROW
					Biological Father's first	middle	1a	st name
is the bio	logica	l fathe	er of	INF	ANT		SPA	RROW
				Chi	ld's first	middle	last r	ame
born on	08	25	2020	, în	BLUE	SAVVY	T	EXAS
	mm	d d	уууу	2.1.1	city	county	1	state
to	A	NGELI	CA			BLACK	BL	АСК
	Me	other's f	irst		middle	last name	maiden nar	ne if different
01 06	19	1980	123	-23-1234	86 HIGH SEA	BLUE	TEXAS	76904
Father's	date of	birth	social sec	curity number	address	city	state	zip code
10 04		1984	432	-13-2321	86 HIGH SEA	BLUE	TEXAS	76904
Mother's	date of	f birth	social see	curity number	address	city	state	zip code

- paternity establishment and child support services, and the legal consequences of, the rights and responsibilities
- of, and the alternative to signing this Acknowledgment.
- ٠ No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed.
- There is no court order naming another man as the biological father of this child.
- . A genetic test has not determined that another man is the biological father of this child.

#### Fill one circle by the correct statement from EACH of the following:

There <u>has not</u> been genetic testing of the man l above to determine if he is the biological father		Genetic testing <u>has</u> determined that the ma biological father of this child.	n listed above is the
The mother was not married to someone other biological father at the time of the child's birth 300 days prior to the child's date of birth, or the court order that states that the man the mother v married to is not the father of the child, and dur first two years of the child's life, no man contin lived with the child and represented the child as	or within re is a vas Or ing the uously	The mother <u>was</u> married to someone other father at the time of the child's birth or duri before the child's birth or during the first tw child's life, a man continuously lived with t represented the child as his own; and that n the Denial of Paternity below or has a Deni filed with the Vital Statistics Unit.	ing the 300 days vo years of the the child and nan has completed
Signature Document on file	07/10/2020	Signature Document on file	07/10/2020
Full Signature of Biological Father	date	Full Signature of Mother	date

Denial of Paternity (only required if "mother was married to someone other than the biological father or if, during the child's first two

years of life, a man continuously lived with the child and represented the child as his own" is checked.)

Texas

he presumed father of the child, is not the bio	C Second and Department of the Second S		and the second se
removes the presumed father's legal duty to su	ipport the child and term	inates his right of custody of	or visitation with the child.
Full Signature of Presumed Father	date	Full Signature of Mother	date
Presumed Father's date of birth social security numb Texas Department of State Health Services	en 👘 se source s service à s	ddress city Entity Code	state zip coo State File Number
V an dants 2 V 29, 2 ke lised 0 (2011	num	3333	

IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.



#### STATE OF TEXAS ACKNOWLEDGMENT OF PATERNITY

1				
-	-	_	-	

This is a legal document. Type or Print in black ink. Parents are to be given a copy of this completed document.

We d	leclare unde	er pena	lty of perjury th	JACK		SPARROW
				Biological Father's fit	rst middle	last name
is the	biological	father	of INFANT		S	PARROW
PR	e biological ROJECTED	DOB	Child's first	mi	ddle	last name
born	on 08/2	5/2020	, in	BLUE	SAVVY	TEXAS
	mm	d d	<u>y y y y</u> -	city	county	state
to A	NGELICA			BLACK		
	Mother's first		middle	last narice	maiden n	ame if different
0	1/06/1980		123-23-1234	86 HIGH S	SEA BLUE	TX 76904
Father's	s date of birth		social security number	address	city	state zip code
0	4/10/1978,		432-13-2321	86 HIGH S	EA BLUE	TX 76904
Mother	r's date of birth		social security number	address	city	state zip code

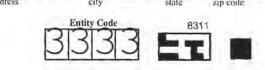
We further declare under penalty of perjury that:

- We have been given written and oral notice of: the benefits of having paternity established; the availability of
  paternity establishment and child support services; and the legal consequences of, the rights and responsibilities
  of, and the alternative to signing this Acknowledgment.
- · No other Acknowledgment of Paternity form naming another man as the biological father of this child has been filed.
- There is no court order naming another man as the biological father of this child.
- · A genetic test has not determined that another man is the biological father of this child,

#### Fill one circle by the correct statement from EACH of the following:

There <u>has not</u> been genetic testing of the man above to determine if he is the biological fath		or	0	Genetic testing <u>has</u> determined that the n biological father of this child.	nan listed above is the
The mother was not married to someone othe biological father at the time of the child's birt 300 days prior to the child's date of birth, or to order that states that the man the mother was not the father of the child, and during the first the child's life, no man continuously lived wi and represented the child as his own.	h or within there is a court married to is t two years of	or	0	The mother <u>was</u> married to someone other father at the time of the child's birth or du before the child's birth or during the first life, a man continuously lived with the ch child as his own; and that man has compl Paternity below or has a Denial of Patern Statistics Unit.	tring the 300 days two years of the child's tild and represented the eted the Denial of
JACK SPARROW	/ 7/10/2020	11		Angelica Black	7/10/2020
ull Signature of Biological Father	date		Fu	Il Signature of Mother	date
Denial of Paternity (only required if "n years of life, a man c	* ** *** ** * nother <u>was</u> married ontinuously lived v	** ** d to so with th	meor meor	* * ** *** ** ** * ** *** ** * * ** *** * te other than the biological father or if, during t ild and represented the child as his own" is chec	* * ** *** ** * * * * he child's first two :ked.)
Ve declare under penalty of perjury that					
Presented father of the child, is not the bio emoves the presumed father's legal duty to s	sumed Father's firs ological father, upport the child	We	unde	erstand that filing of this denial with an	name acknowledgment on with the child.
'ull Signature of Presumed Father	date	-	Fu	Il Signature of Mother	date





IMPORTANT! Please remember to include the Benefits, Rights and Responsibilities back page found on the AOP form for customers.

Notes

# WHEN NOT TO COMPLETE AN AOP

# DO NOT COMPLETE AN AOP WHEN:

- Child's biological parents are married to each other.
- The man who wants to complete the AOP is not the biological father.
- Identification is not available.
- You are related to or know one of the parties well. (Consult another entity to complete the AOP.)
- Parties want to use the AOP instead of adoption.
- The child was born to a surrogate parent.
- The parties are a same sex couple.
- Parties are unable to understand an AOP.
- There is a child support order for the child.
- There is a Texas court order establishing paternity.
- An individual is attempting to sign for a parent by a general power of attorney.
- Any party is deceased.
- The child has a presumed father who is unwilling to sign the denial of paternity within an AOP.

**Note:** If you encounter any of the above situations, inform the parties that an AOP is not appropriate for their situation, but they may consult a private attorney for more information.

Notes

# ADMINISTRATIVE RESCISSION GUIDELINES

# ADMINISTRATIVE RESCISSION GUIDELINES

## PARTIES NEED TO KNOW:

The administrative rescission process must be completed within 60 days of filing the Acknowledgment of Paternity with the Vital Statistics Section (VSS) or prior to a legal proceeding related to the child is initiated, whichever comes first.

## CERTIFIED ENTITY RESPONSIBILITIES

- Cannot give out blank documents.
- Rescinding party must present ID (see the Appropriate Identification tab in your manual).
- Ensure rescinding party completed all required fields.
- Required fields:
  - Child's information as it appears on the completed AOP
  - Mother's name and address
  - Biological father's name and address
  - Presumed father's name and address (if applicable)
  - Rescinding party's information
  - Rescinding party's signature and date
- Fields not required:
  - Rescinding party's SSN
  - Rescinding party's phone number
- Read the declarations located on the front of the form to the rescinding party.
- Read aloud the checklist located on the back of the form and have the rescinding party initial each section.
- Have the rescinding party sign and date the form.
- Enter your entity code.
- Make a copy of the rescission form and the party's ID.
- Give the rescinding party the original Rescission of Acknowledgment of Paternity form.

Retain a copy of the rescission form (front and back) and a copy of the rescinding party's ID according to your entity's retention schedule. It is recommended to retain these documents for a minimum of two years.

## **RESCINDING PARTY'S RESPONSIBILITIES**

After the Rescission of the Acknowledgment of Paternity has been completed:

- The rescinding party is responsible for making copies of the Rescission of Acknowledgment of Paternity form (VS-158) (front and back).
- The rescinding party must mail copies of the form by certified or registered mail, return receipt requested, to the:
  - Mother of the child
  - Father of the child
  - Presumed father (if applicable)
  - Office of the Attorney General Child Support Division (if a child support case is open for the child associated with the AOP)
- The rescinding party must obtain proof of mailing from the U.S. Postal Service and pay any fees associated with mailing the copies of the form.
- The rescinding party must send copies of the proof of mailing along with the original rescission document to the VSS and keep the return receipt cards received from the U.S. Postal Service to prove they mailed copies of the form to the other parties.

**Note:** The envelope must be postmarked within 60 days of filing the Acknowledgment of Paternity with the VSS or prior to the initiation of a legal proceeding related to the child, whichever occurs first.



## STATE OF TEXAS RESCISSION OF ACKNOWLEDGMENT OF PATERNITY

<u>This is a legal document.</u> Type or Print in black ink. This document is used to withdraw the legal father and child relationship created by the Acknowledgment of Paternity (AOP) that was filed with the Texas Department of State Health Services, Vital Statistics Unit. This form must be submitted to the Vital Statistics Unit by the date a proceeding related to the child is initiated or the 60<sup>th</sup> day after the effective date of the acknowledgment, whichever comes earlier.

#### Section I. Child's information as it appears on the Acknowledgment of Paternity

Child's first name	Middle	Last	
Date of birth (mm/dd/yyyy)	City of birth	County	State
Section II. Parent's informa	tion as it appears on the Ackr	nowledgment of Paternity	
Mother's first name	Middle	Last	Maiden Name
Present street address	City	State	Zip
Father's first name	Middle	Last	Suffix
Present street address	City	State	Zip
Section III. Presumed fathe	r's information as it appears o	on the Denial of Paternity Sec	tion (if applicable)
First Name	Middle	Last	
Present street address	City	State	Zip
Section IV. Rescinding part	y's information		
First name	Middle	Last	Suffix
Social Security number	Date of birth (mm/dd/yyyy)		Phone Number
			( ) -
ID Туре	ID number		

I declare under penalty of perjury that:

- I acknowledge that as of the date the rescission is filed, a proceeding has not been held affecting the child identified on the Acknowledgment of Paternity or Denial of Paternity, including a proceeding to establish child support;
- I will immediately send a completed rescission by certified or registered mail, return receipt requested, to any signatory of the AOP as required by Tex. Fam. Code §160.307 and as explained in the "Duty to Inform" section on page 2.

Signature of Person Withdrawing Acknowledgment or Denial of Paternity

Date of Signature

NOTICE: This form is NOT COMPLETE until mailed to signatories of the	Entity code
Acknowledgment of Paternity as required by statute and is NOT VALID without a	
Certified Entity Code. A completed and valid form MUST BE FILED with Vital	
Statistics to be effective. Instructions are on the back of this form.	

VS-158 9/2011

WARNING: This is a governmental document. Texas Penal Code 37.10, specifies penalties for making false entries or providing false information in this document.

<u>This is a legal document.</u> This form is used to withdraw the legal father and child relationship created by the previously signed Acknowledgment of Paternity. Any person who signed the Acknowledgment of Paternity may use this form to rescind their Acknowledgment of Paternity. This form is NOT COMPLETE until mailed to signatories of the Acknowledgment of Paternity as required by statute and is NOT VALID without a certified entity code. A completed and valid form MUST BE FILED with Texas Department of State Health Services, Vital Statistics Unit, to be effective. This must be accomplished within the earlier of 60 days of signing the Acknowledgment of Paternity or the date a proceeding involving the child is initiated before a court.

#### Duty to Inform

A copy of the rescission form, in order to be completed and become valid, shall be sent by certified or registered mail, return receipt requested:

- If the rescission is of an acknowledgment of paternity, to the other signatory of the acknowledgment of paternity and the signatory of any related denial of paternity; or
- If the rescission is of a denial of paternity, to the signatories of the related acknowledgment of paternity; and
- If a signatory to the acknowledgment of paternity or denial of paternity is receiving services from the Office of the Attorney General Child Support Division, a copy of the completed rescission must be sent by certified or registered mail to the Office of the Attorney General, PO Box 12017 MC 044 Austin TX 78711.

#### Checklist:

The Certified Entity will review with you these instructions for filing your Rescission and can answer your questions about the process. The Certified Entity has no obligation to make copies for you. You must follow these instructions to be sure your Rescission will be filed and accepted.

Steps you must follow to rescind the Acknowledgment of Paternity	I understand
	what I must do:
All four (4) of the steps below must be completed within the earlier of 60 days of the effective date	
of the Acknowledgment of Paternity or the date a proceeding involving the child is initiated before a	Initials:
court.	
1) Complete this form with Certified Entity and have the Certified Entity add their unique code.	Initials:
2) Make copies of this form for yourself and make enough copies to mail to all people who signed	
the original AOP and the Attorney General's Office, if required. You must mail those copies by	Initialay
certified or registered mail, return receipt requested; and obtain proof of mailing from the US Postal	Initials:
Service. You must pay for any USPS fees.	
3) Send the proof of mailing receipts along with this original rescission document to VSU (USPS	Initiala:
forms 3800 or 3806). You must pay any USPS fees. Keep the return receipt cards received from	Initials:
USPS to be able to prove you mailed copies of this form to the other parties.	
4) Mail this completed form and copies of the proof of mailing to:	
Vital Statistics Unit	
PO Box 149347, MC 1966	
Austin, Texas 78714	Initials:
There is no fee to file this document.	
The envelope must be postmarked within 60 days of the effective date of the Acknowledgment of	
Paternity or before a proceeding involving the child is initiated whichever occurs first.	
To obtain a certified copy of this form, use form VS-134.1 from VSU and pay any required fees.	
To change the birth certificate, use form VS-166 from VSU and pay any required fees.	Initials:
(http://www.dshs.state.tx.us/vs/reqproc/forms.shtm)	

VS-158 9/2011

WARNING: This is a governmental document. Texas Penal Code 37.10, specifies penalties for making false entries or providing false information in this document.

# MATERIALS FOR PARTIES

<u>This is a legal document</u>. If you are not sure that the man named in this Acknowledgment is the biological father of the child, you should <u>NOT</u> sign this document. <u>You may want to get a genetic test</u>. The biological father who signs this Acknowledgment becomes the legal father of the child when this document is filed with the Department of State Health Services, Texas Vital Statistics.

Signing this legal document gives you certain rights and responsibilities. Signing this document is voluntary. You should consult an attorney if you have any concerns about signing this document. This document requires an Entity Code completed in the lower right corner by an individual certified by the Office of the Attorney General to administer Acknowledgments of Paternity.

#### Benefits, Rights and Responsibilities of Paternity

Establishing parentage makes it easier for a child to receive benefits such as social security, military and veteran's benefits, health care coverage and life insurance, as well as inheritance.

This Acknowledgment has the same effect as a court order establishing paternity. Both parents have parental right and duties as provided by state law. Either parent has the right to seek primary custody of the child. A parent not living with the child may have the right to visit and maintain a relationship with the child, either as both parents agree or as ordered by a court. By signing this Acknowledgment, you may be ordered to pay child support and medical support.

This document may be completed before the birth of the child, at the time of birth, or at any time after the birth of the child prior to any court hearing in a proceeding involving the child. If this document is signed before the birth of the child, it is binding for any child born no later than 300 days after the signature date on this document. When this Acknowledgment is properly filed with Texas Vital Statistics, it creates a parent-child relationship between the man and child. Establishment of paternity is required for a father's name to be entered on a birth certificate.

#### Child Support services can be obtained through the Office of the Attorney General, Child Support Division or by hiring an attorney.

#### Denial of Paternity

If a child's mother is married to a man other than the biological father at the time of birth or within 300 days of the ending of a marriage (by a finalized divorce,) the (ex) husband is presumed to be the legal father. To complete this document for a child that has a presumed father, the presumed father must deny paternity by completing the Denial of Paternity section. The mother must agree that the presumed father is not the biological father by also signing the denial section. The acknowledgment section must also be completed by the biological father and mother, or the denial will not be accepted. Upon the filing of this document, the presumed father is legally determined not to be the father of the child. His legal duty to support the child is removed. Likewise, his legal right of custody or visitation with the child is terminated.

#### Change of Mind

If any party to this document changes his/her mind about acknowledging or denying paternity, he/she may file a Rescission of Acknowledgment of Paternity (VS-158) to rescind this document. The Rescission of Acknowledgment of Paternity must be filed within sixty (60) days after this legal document is filed with Texas Vital Statistics or before the date a proceeding related to the child is initiated, whichever occurs first. After sixty (60) days, or the date a proceeding for the child was initiated, a lawsuit is required to challenge this document. Fraud, duress, or material mistake of fact in signing this form must be proven during the lawsuit.

#### If a Party is a Minor

Minors are authorized to complete the Acknowledgment of Paternity without parental consent. Minors are allowed to rescind or challenge this document in the same procedures as persons eighteen (18) or older.

All parties must receive oral notice of the above information before completing this Acknowledgment. You can receive oral notice of the information by calling 1-866-255-2006 and selecting option 1, "Notice of Rights and Responsibilities of a Parent."

If you have questions, you may call the Paternity Opportunity Program at 1-866-255-2006.

September 2011

**Este es un documento legal.** Si no está segura que el hombre a quien se nombra en el Reconocimiento de Paternidad es el papá biológico del niño, NO debe firmar este documento. <u>Usted quizás quiera hacer una prueba genética</u>. **El papá** biológico que firma el Reconocimiento de Paternidad se convierte en el papá legal del niño cuando el documento es registrado en la Unidad de Estadísticas Vitales del Departamento Estatal de Servicios de Salud.

Al firmar este documento legal, se le otorgan a usted ciertos derechos y responsabilidades. Firmar este documento es voluntario. Debe consultar con un abogado si tiene cualquier inquietud sobre la firma de este documento. Este documento requiere que sea incluido un Código de Entidad en la esquina de abajo al lado derecho que debe ser puesto por una persona autorizada por la Procuraduría General para administrar el Reconocimiento de Paternidad.

#### Beneficios, Derechos y Responsabilidades de la Paternidad

Establecer el parentesco ayuda a facilitar que un niño reciba beneficios tales como seguro social, beneficios militares y de veteranos, cobertura de cuidado médico y seguro de vida, al igual que herencias.

#### Este Reconocimiento de Paternidad tiene el mismo efecto que una orden de la corte estableciendo la paternidad. Ambos

padres tienen derechos de paternidad y deberes según como dispone la ley estatal. Cualquiera de los padres (mamá o papá) tiene derecho de intentar obtener la custodia principal del niño. Un padre que no vive con el niño quizás pueda tener derecho a visitar y mantener una relación con el niño, ya sea por acuerdo de los dos padres o por orden de una corte. Al firmar este Reconocimiento de Paternidad, a usted se le puede ordenar que pague manutención de niños o manutención médica. Este documento se puede llenar antes de nacer el niño, al momento de nacer, o en cualquier momento después del nacimiento del niño previo a que se realice alguna audiencia en corte en un procedimiento que involucre al niño. Si este documento es firmado antes de nacer el niño, establece un vínculo para cualquier niño que nace dentro de un lapso de 300 días después de la fecha de la firma de este documento. Cuando este Reconocimiento de Paternidad queda debidamente registrado con la Unidad de Estadísticas Vitales de Texas, establece una relación de padre e hijo entre el hombre y el niño. Se requiere establecer la paternidad para que el nombre del papá aparezca en el acta de nacimiento.

#### Puede obtener servicios de manutención de niños a través de la División de Manutención de Niños de la Procuraduría General o contratando a un abogado

#### Negando la Paternidad

Si la mamá de un niño está casada con un hombre que no es el papá biológico al momento de nacer o dentro de 300 días de que termine un matrimonio (por medio de un divorcio finalizado), dicho esposo o ex esposo se presume es el papá legal. Para completar este documento para un niño con un presunto papá legal, el presunto papá debe negar la paternidad llenando la sección Negación de la Paternidad. La mamá debe estar de acuerdo que el presunto papá no es el papá biológico al también firmar la sección negando la paternidad. El papá biológico y la mamá también deben llenar la sección de reconocimiento, o no será aceptada la negación de la paternidad. Al registrar este documento, se determina que el presunto papá no es el papá legal del niño. Su deber legal de proporcionar manutención al niño queda eliminado. Igualmente, su derecho legal de custodia o visitas con el niño queda eliminado.

#### Cambio de Opinión

Si una de las partes mencionadas en este documento cambia de opinión sobre el reconocimiento o el rechazo de paternidad, pueden registrar una Anulación del Reconocimiento de Paternidad (VS-158) para anular este documento. La Anulación del Reconocimiento de Paternidad debe ser registrada dentro de sesenta (60) días después de que este documento legal haya sido registrado con Estadísticas Vitales de Texas o antes de la fecha en que dé inicio un procedimiento legal relacionado con el niño, según lo que ocurra primero. Después de sesenta (60) días, o de la fecha de la primera audiencia, se requiere una demanda para desafiar este documento. El fraude, coacción o equivocación material de hecho al firmar este formulario debe ser comprobado durante la demanda.

#### Si Una de las Partes Es Menor de Edad

Los menores de edad están autorizados para llenar el Reconocimiento de Paternidad sin permiso de sus padres. Los menores de edad pueden anular o desafiar este documento bajo los mismos procedimientos a disposición de personas de dieciocho (18) años o mayores.

Todas las partes deben recibir un aviso oral de la información mencionada arriba antes de llenar el Reconocimiento de Paternidad. Usted puede recibir aviso oral de esta información llamando al 1-866-255-2006 y seleccionando la opción 1, "Aviso de Derechos y Responsabilidades de un Padre".

Si tiene preguntas, llame al Programa de Oportunidad de Paternidad al 1-866-255-2006



Voluntary Acknowledgment of Paternity

If you are not married to the father of your child, but you want him listed as the legal father on your child's birth certificate, here is the information you will need to know:

- Both parents must sign a document called an Acknowledgment of Paternity (AOP). When the Acknowledgment of Paternity is filed with the Vital Statistics Section (VSS), the biological father becomes the legal father.
- Identification must be provided to complete an AOP.
- The Acknowledgment of Paternity can be completed:
  - ➢ before your baby is born,
  - when your baby is born, or
  - > anytime afterwards.
- To sign the AOP before your baby's birth, both you and the biological father must go to a certified entity listed below. When the AOP is completed, the certified entity will submit the AOP to VSS. Please bring your copy of the AOP to the hospital when you have your baby.
- If an AOP was not completed when the baby was born, both parents may go at any time afterwards to a certified entity listed below to complete an AOP.
- The Acknowledgment of Paternity can be signed and completed at:
  - > The Office of the Attorney General Child Support Division
  - Local Registrar (County Clerk's Office)
  - Local Vital Statistics Office
- To find a certified entity near you, you may call (866) 255-2006.

#### Important Information

If you are married to a man other than the father of the child, your husband must complete the Denial of Paternity section on the Acknowledgment of Paternity form.

If you were divorced from a man within 300 days before your child's birth, and a court order <u>does not</u> exclude your ex-husband as the father of the child, your ex-husband must sign the Denial of Paternity.

If the Denial of Paternity is needed and not completed, you cannot proceed with the AOP. You may contact a child support office or private attorney for assistance.

Form 1608 Revised: 04/2019



## Reconocimiento de Paternidad Voluntario

Si no está casada con el papá del niño, pero desea ponerlo como el papá legal en el acta de nacimiento, esta es la información que necesita:

- Ambos padres deben firmar el documento llamado Reconocimiento de Paternidad (Acknowledgement of Paternity, AOP). Cuando el Reconocimiento de Paternidad es presentado ante la Unidad de Estadísticas Vitales (Vital Statistics Unit, VSS), el papá biológico se convierte en el papá legal.
- Debe mostrar su identificación para completar el Reconocimiento de Paternidad.
- El Reconocimiento de Paternidad puede ser completado:
  - antes del nacimiento de su bebé;
  - al nacer su bebé, o
  - > a cualquier momento después del nacimiento de su bebé;
- Para firmar el Reconocimiento de Paternidad antes del nacimiento de su bebé, ambos la mamá y el papá biológico deben ir a una de las entidades certificadas mencionadas aquí abajo. Al completar el Reconocimiento de Paternidad, la entidad certificada enviará un fax a la Unidad de Estadísticas Vitales. Por favor traiga una copia del Reconocimiento de Paternidad al hospital cuando nazca su bebé.
- Si no completó un Reconocimiento de Paternidad al nacer su bebé, ambos padres pueden ir posteriormente, en cualquier momento, a una de las entidades certificadas mencionadas abajo para completar el Reconocimiento de Paternidad.
- El Reconocimiento de Paternidad puede ser firmado y completado en:
  - La Procuraduría General División de Manutención de Niños
  - Registro Local (Oficina de la Secretaría del Condado)
  - La oficina local de Estadísticas Vitales
- Para localizar a una entidad certificada cerca, llame al (866) 255-2006.

#### Información Importante

Si está casada y su esposo no es el papá del niño, su esposo debe llenar la sección de Negación de Paternidad, en el Reconocimiento de Paternidad.

Si se divorció de alguien dentro de un lapso 300 días antes de que naciera su niño, y una orden de la corte no excluye a su ex esposo como el padre del niño, su ex marido tiene que firmar la negación de paternidad.

Si la Negación de Paternidad es necesaria, pero no ha sido llenada, no puede proceder con el Reconocimiento de Paternidad. Comuníquese con una oficina de manutención de niños o un abogado privado para asistencia.



### Information About Child Support for New Parents

# The Attorney General of Texas Child Support Division is committed to helping parents with paternity establishment and child support.

#### Q: Who may apply?

A: Anyone who would like to establish paternity, child support, and/or medical support

#### Q: Why should I apply?

**A:** People come to the Office of the Attorney General (OAG) - Child Support Division for many reasons – sometimes because parents are not together. Even parents who are together and getting along may want to consider applying for child support services.

- Unmarried mothers or fathers who would like the added security of DNA testing before legal fatherhood (paternity) is established, removing the possibility of legal challenges in the future.
   <u>Note</u>: If you open a child support case with the OAG and we determine that a DNA test is necessary, one will be provided with no upfront cost.
- Mothers or fathers who want to establish a formal financial arrangement (this protects both parents).
- Mothers who are married to someone other than the biological father and need help establishing paternity with the biological father.

#### Q: How do I apply?

**A:** Applying for child support services means filling out an application with the OAG and providing the staff with as much information as you can about your child, yourself and the other parent. This can be done:

- **Online** Go to the Office of the Attorney General's website at:
  - o <u>www.texasattorneygeneral.gov/child-support/get-started/how-apply-child-support</u>
- In Person You may visit any of our offices to obtain an application.
- For additional information, call (800) 252-8014.

#### Q: How much does it cost?

**A:** There is no charge to apply for child support services. However, federal law requires all states impose a \$35 annual service fee on cases that involve parents who have never received Temporary Assistance for Needy Families (TANF). Fees will be deducted from child support payments. Parents who have more than one child support case will pay a fee on each case that meets the criteria.

#### Q: Will I have to go to court?

**A:** Many parents take care of all their child support business in the office through the Child Support Review Process (CSRP). If parents can reach an agreement about paternity establishment, child support and visitation, and/or medical support, they can sign all the necessary documents and establish an order without going to court.



# La División de Manutención de Niños de la Procuraduría General de Texas está comprometida a ayudar a los padres con el establecimiento de paternidad y la manutención de los niños.

#### P: ¿Quién puede presentar una solicitud?

R: Cualquier persona que desee establecer paternidad, manutención de niños y/o manutención médica

#### P: ¿Por qué debo llenar una solicitud?

**R:** La gente viene a la Procuraduría General de Texas – División de Manutención de Niños por muchas razones, a veces porque los padres no están juntos. Incluso los padres que están juntos y se llevan bien pueden considerar solicitar servicios de manutención de niños.

- Mamás o papás solteros que deseen la seguridad adicional de las pruebas de ADN antes de que se establezca la paternidad legal, eliminando la posibilidad de desafíos legales en el futuro. <u>Nota</u>: Si abre un caso de manutención de niños con la Procuraduría General y determinamos que es necesaria una prueba de ADN, se le proporcionará una sin costo inicial.
- Mamás o papás que desean establecer un acuerdo financiero formal (esto protege a ambos padres).
- Mamás que están casadas con alguien que no es el papá biológico y necesitan ayuda para establecer la paternidad con el padre biológico.

#### P: ¿Cómo presento mi solicitud?

**R**: Solicitar servicios de manutención de niños significa llenar una solicitud con la Procuraduría General y proporcionar al personal toda la información que pueda sobre su hijo, usted y el otro padre. Esto se puede hacer:

- En línea Vaya al sitio web de la Procuraduría General en:
  - o <a>www.texasattorneygeneral.gov/child-support/get-started/how-apply-child-support</a>
- En Persona Puede visitar cualquiera de nuestras oficinas para obtener una solicitud.
- Para obtener información adicional, llame al (800) 252-8014.

#### P: ¿Cuánto cuesta?

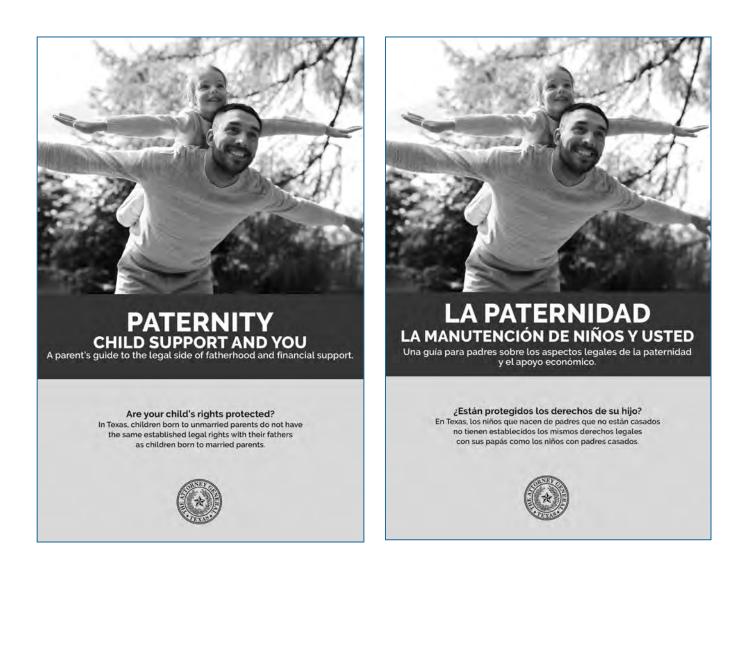
**R:** No hay ningún cargo para solicitar servicios de manutención de niños. Sin embargo, la ley federal requiere que todos los estados impongan una tarifa de servicio anual de \$ 35 en casos que involucran a padres que nunca han recibido Asistencia Temporal para Familias Necesitadas (Temporary Assistance for Needy Families, TANF). Las tarifas se deducirán de los pagos de manutención de niños. Los padres que tienen más de un caso de manutención niños pagarán una tarifa por cada caso que cumpla con los criterios.

#### P: ¿Tendré que ir a la corte?

**R**: Muchos padres se encargan de todos sus negocios de manutención de niños en la oficina a través del Proceso de Revisión de Manutención Infantil (Child Support Review Process, CSRP). Si los padres pueden llegar a un acuerdo sobre el establecimiento de paternidad, manutención de niños, visitas, y/o manutención médica, pueden firmar todos los documentos necesarios y establecer una orden sin ir a la corte.

# Paternity, Child Support and You

You may also give parties the OAG's "Paternity, Child Support and You" brochure.



# Frequently Asked Questions about Child Support

You may also give parties the OAG's "Frequently Asked Questions about Child Support" brochure.



FREQUENTLY ASKED QUESTIONS About Child Support



PREGUNTAS FRECUENTES Sobre La Manutención De Niños

# VITAL STATISTICS FORMS



Texas Department of State Health Services

## **Correcting a Birth Certificate**

#### THIS FORM CANNOT BE USED TO CORRECT A RECORD BASED ON AN ADOPTION.

#### Who Can Apply for a Correction?

- The person named on the birth certificate, if at least 18 years of age.
- Parent(s) named on the birth certificate, if child is under 18 years of age.
- Legal guardian(s), managing conservator, or legal representative (proof required) of the person named on the birth certificate.
- Hospital or medical facility where the person named on the birth certificate was born.

#### How Do I Make a Correction?

- $\Box$  Complete and sign this application. See pages 4 and 5.
  - Section 1, 2, 5 and 6 MUST be completed. See pages 2 and 3 for how to complete Section 3 or 4.
     Everyone signing section 6 must sign before a notary public and ATTACH A COPY OF THEIR VALID PHOTO ID(S).
- □ The application must be original. Photocopies, alterations, strike-through, or write overs will not be accepted.
- $\Box$  Submit the appropriate documentation. See pages 2 and 3.
- □ Submit the appropriate fees. See fee schedule below.

For Frequently Asked Questions, go to: <u>https://www.dshs.texas.gov/vs/faq/#correct</u>. For more information, go to: <u>https://www.dshs.texas.gov/vs/requirements.aspx</u>.

Where Do I Mail the Application?

**Regular Mailing Instructions -** *Estimated processing time is* 6-8 weeks. See <u>https://www.dshs.texas.qov/vs/processing/</u> for current times.

Please submit your application, supporting documents (if required) and fees to: DSHS – Vital Statistics Section, P.O. Box 12040, Austin, TX 78711-2040.

**Expedited Service Mailing Instructions** - *Estimated processing time is 20-25 business days.* 

The order and \$5.00 processing fee must be sent to the Vital Statistics Section via an **overnight mail service such as: FedEx. Lone Star, or UPS.** 

Please submit your application, supporting documents (if required) and fees to: DSHS-Vital Statistics Section, MC 2096, 1100 W. 49<sup>th</sup> Street, Austin, TX 78756.

#### FAILURE TO PROVIDE INFORMATION REQUESTED ON THIS FORM, MAY RESULT IN SIGNIFICANT PROCESSING DELAYS AND/OR DENIAL OF YOUR APPLICATION.

Fee	s: How much must I submit?				
	Fee Schedule	Fee (\$)	Qty (#)		Total (\$)
	Filing Fees (Select One):				
	Correction to Birth Certificate (Not required if child's name change is in	\$15.00		=	
	same court order to add/replace/remove parent)		-		
	Correction to Birth Certificate by adding/removing/replacing a parent	\$25.00		=	
$\square$	New Birth Certificate based on child's sex or parent's race or color	\$25.00		=	
	See "Correcting the Child's Sex or Parent's Race or Color" on Page 3.				
	r urgent requests, orders may be <b>EXPEDITED</b> by paying the below expec				
	nding the order through an overnight mail service, such as: FEDEX, Lone	Star, or U	PS to: DS	HS-	Vital
Sta	tistics Section, MC 2096, 1100 W. 49 <sup>th</sup> Street, Austin, TX 78756.	P			
	Expedited processing Fee (per application)	\$5.00			
All	orders are returned free of charge by USPS regular mail. For expedited	return ma	il service,	, se	lect
on	e of the overnight return shipping methods below.				
	Expedite Overnight Mail (shipping within USA)	\$12.50			
	USPS Express Overnight Mail (shipping overnight to PO Box ONLY)	\$22.95	_	=	
	Birth Certificate(s):				
	Certified Corrected Birth Certificate (\$22.00 per copy)	\$22.00	Х	=	
	Grand Total	•			
-					

#### Fees may be combined in one check or money order made payable to DSHS – Vital Statistics

For the status of your request, contact VSS by telephone at 1-888-963-7111 or online at: https://www.dshs.texas.gov/orderstatus/. Page 1 of 5 VS-170 (Rev. 2/22)

#### What type of correction are you requesting?

A correction to a birth record may be filed to complete or correct a record that is incomplete or proved by satisfactory evidence to be inaccurate. You must complete pages 4 and 5 of this application and may need to provide a supporting document (See Box#1). **IF THE CHILD IS A MINOR AND BOTH PARENTS ARE ON THE BIRTH RECORD**, **BOTH PARENTS MUST SIGN SECTION 6**, unless otherwise specified in Box #1.

I want to	You will need <u>one</u> of the supporting documents shown in Box # 2 below
Correct a hospital error before 1 <sup>st</sup> birthday	No documentation required.
(hospital must sign and submit application)	no documentation required.
Correct an error or omission made by the hospital after child's 1 <sup>st</sup> birthday	1 or 2
Add or correct child's first or middle name, BEFORE child's 1 <sup>st</sup> birthday Examples: Cindie to Cindy or "no name" to Kathie	No documentation required
Add or correct child's first or middle name, AFTER child's 1 <sup>st</sup> birthday Examples: Ann to Anne or Merie to Marie or "no name" to Ryan	1, 2, 3, 4, 5, 6, 7, 8, or 9
Correct spelling of child's last name (all documents must be dated PRIOR to birth of child unless providing a court order) Example: Martines to Martinez	5, 10, 11, 12, 13, or 14
Correct child's date of birth, place of birth, time of birth or sex	<u>1, 2, or 5</u>
Correct child's sex after medical/surgical sex change	5
Correct parent's information (parent must be currently listed on the birth certificate)	5, 10, 11, 12, 13, or 14
Correct mother's residence address at the time of the child's birth	1, 2, or 5
Adding a parent AND the parents <b>were married BEFORE</b> the child was born ( <b>Both</b> parents must sign Section 6 of this application in the presence of a notary. A Hospital Representative cannot apply)	12
Change First, Middle, Last name Example: Martinez to Brown	5
Remove information from birth record	5
Add/remove/replace a parent (A Hospital Representative cannot apply	See page 3, "Adding, Removing, or
for this correction)	Replacing a Parent's Name"

Suggested Supporting Documents:

Documents must be **original certified copies** (no photocopies) on official letterhead or with an original certification or seal unless otherwise specified below. Foreign documents, including notaries, must have an apostille or legalization from the Foreign Country where the document was issued. All supporting documents must match the requested correction(s) exactly and cannot be altered.

If an acceptable supporting document cannot be obtained, a **court order** to correct the information must be submitted. If an item has already been amended once, a **court order** is required to amend the same item again.

ugun					
Box	# 2: Supporting Documents				
1	Hospital or medical record at birth (admission/discharge or worksheet)				
2	Letter from Hospital or medical facility at birth explaining correction needed				
З	Baptismal certificate - Must be within first 5 years of birth				
4	Numident printout from the Social Security Administration (SSA). Issued by the SSA, PO BOX 33022, Baltimore, MD 21290-3022. Contact SSA at 410-965-1727 for fees and more information.				
5	A certified copy of a court order affecting information shown on the birth certificate. Include all pages with judge's signature and seal of the court.				
6	Elementary school record - Must be signed by custodian of school records based on earliest attendance.				
7	Federal census record				
8	School census record				
9	Armed forces discharge papers (form DD 214) – Photocopy accepted				
10	Birth certificate(s) of child's parent(s)				
11	Birth certificate of child's older brother or sister				
12	Certified copy of Parent's Marriage license				
13	Parent's Naturalization Certificate (must include name change) Call the Immigration and Naturalization Service (ICE) at 800-375-5283 to obtain information on how to secure this document.				
14	Photocopy of Parent's domestic passport or Parent's foreign passport with U.S. Visa				

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#### Adding, Removing or Replacing a Parent's Name

A new birth certificate may be filed based on parentage to Add, Remove or Replace a parent on the birth certificate. Complete Sections  $1, 2, \underline{4}, 5$  and 6 of this application (pages 4 and 5). In addition, **one** of five types of documentation must be presented as evidence to file the new birth certificate:

- 1. A certified copy of the certificate of marriage of the parents;
- 2. A copy of the Acknowledgment of Paternity (VS-159.1) filed with the Vital Statistics Section;
- 3. A certified copy of the court decree establishing parentage;
- 4. A copy of the Acknowledgment of Paternity Rescission (VS 158) filed with the Vital Statistics Section; or,
- 5. A gestational agreement.

Box # 3: Adding, Removing or Replacing a parent's name			
I am/We are	You need to complete this application and		
A mother not married during pregnancy and not married now and wants to add a father Or A mother married within 300 days prior to the birth of the child and wants to add a biological parent who is not the spouse	<ol> <li>Both parents sign Section 6 of this application in the presence of a notary; and,</li> <li>Complete an Acknowledgement of Paternity (Visit the Office of the Attorney General, Paternity Opportunity Program at https://www.texasattorneygeneral.gov/cs/establishing- paternity)</li> </ol>		
A mother not married during pregnancy but is now married to the parent	<ol> <li>Both parents sign Section 6 of this application in the presence of a notary; and,</li> <li>Provide a certified copy of your marriage license</li> </ol>		
A parent with a court order establishing parentage / removing parent (only corrections ordered in the court order will be completed) Or Parents with a gestational agreement	<ol> <li>(1) One parent signs Section 6 of this application in the presence of a notary; and,</li> <li>(2) Provide a certified copy of the <i>entire</i> court order (all pages) signed by a judge</li> </ol>		
Parents who have signed a State of Texas Acknowledgment of Paternity (VS 159.1)	<ol> <li>Both parents sign Section 6 of this application in the presence of a notary; and,</li> <li>Provide a copy of the signed Acknowledgement of Paternity (VS-159.1).</li> </ol>		
A parent who has an Acknowledgement of Paternity Rescission (VS 158) filed with the Vital Statistics Section and wants to remove their name from the birth certificate*	<ol> <li>(1) One parent signs Section 6 of this application in the presence of a notary; and,</li> <li>(2) Provide a copy of the signed Acknowledgement of Paternity Rescission (VS-158).</li> </ol>		

Certified documents submitted will be retained by VSS and placed in a sealed file. A court order is required to unseal a file. Parents should keep copies of certified documents for their records and future use before sending them to VSS.

\* Once a parent is removed from the birth certificate, they are no longer a qualified applicant to request a certified copy of the child's newly corrected birth certificate.

#### Correcting the Child's Sex or the Parent's Race or Color

A new birth certificate may be filed that incorporates the corrected sex of the person named on the birth certificate. It may also be filed on older records to remove the parent(s) "race or color". The filing fee to create a new birth certificate is \$25.00. Complete Section 3 and check the bottom box requesting a new birth certificate be filed. If the bottom box on Section 3 is not checked, the correction will be attached to the original record as an addendum (\$15.00 filing fee required).

#### Reviewing the certified copy of the amended birth record

Once the amendment has been filed, the certified copy of the birth certificate will describe the corrections made <u>below the image of the original birth record</u>.



**IMPORTANT:** Photocopies, alterations, strike-through, or write-overs in Section 1 through 6 will not be accepted. Please use a new application if you make a mistake.

## **Birth Certificate Correction Application**

Type or Print (please use blue or black ink ONLY)

Remittance No.\_

#### Section 1: What is Your Name? (Applicant's Information) Name (First, Middle, Last): Address (Mailing Address, City, State, Zip): Email Address: Telephone # (daytime) Your relationship to Person named on the birth certificate: Parent Self Hospital Representative Legal guardian(s) or Managing Conservator Legal Representative (proof required) >>>>>A COPY OF THE APPLICANT'S VALID PHOTO ID MUST BE ATTACHED<<<<< Section 2: Birth Certificate Information Enter information as it appears on the current birth certificate (before corrections). Birth Certificate Number, if known: 142 -Child's First Name: Middle Name: Last Name: Date of Birth: Sex: Place of Birth (City or town) (County) (State) TEXAS

 Full Maiden Name (First, Middle, Last) of Parent 1:
 Full Maiden Name (First, Middle, Last) of Parent 2:

# Section 3: What do you want to correct? If you are adding, removing or replacing a parent, complete Section 4. List items to be added, corrected or removed What is on the birth certificate now? What should the birth certificate say? Example: Child's First Name Not Shown Tara Example: Date of Birth August 2, 2010 August 12, 2010 Image: Date of Birth Image: Date of Birth Image: Date of Birth

If you have a certified court order granting a name change only (not changing parentage), complete the information below.

	First Name:	Middle Name:	Last Name:
Court Ordered Name Change			

Check box (if applicable): We are/I am requesting a new birth certificate be filed to incorporate the correction to the child's sex or remove the parent's race or color.

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Section 4: Add, Remove or Replace a Parent						
If you want to add, remove or replace the name of a parent, please fill out this section.						
I am requesting to:						
CHILD'S NAME ON NEW	RECORD (Even if it will	remain the same	e) If changing child's	first or middle name,		
birth certificate correction p First Name:	procedures on page 2 appl Middle Name:	Last Name(s):		Suffix:		
	Mudie Name.	Last Name(s).		Sullix.		
<b>INFORMATION FOR PAR</b>	ENT 1 (Even if it will re	main the same)				
Title (check one):	Mother 🗌 Father 🗌 P	arent				
Full Name (Full Maiden I						
First Name:	Middle Name:	Last Name(s):		Suffix:		
Date of Birth		Place of Birt	'n			
Month: / Day: /Year:		State or Foreig				
INFORMATION FOR PAR		main the same)	If only 1 parent wil	I remain on the birth		
certificate, leave this inf						
Title (check one): Full Name (Full Maiden I		arent				
First Name:	Middle Name:	Last Name(s):		Suffix:		
Date of Birth		Place of Birt				
Month: / Day: /Year:		State or Foreig	n Country:			
Section 5: Would you li						
No, I would not like a c						
Yes, I would like a cert	tified copy of the correct	ted birth certifica	ate. Number requ	ested:		
Please verify fees and qua	antity ordered in the fee	e box on Page 1.				
Section 6: Affidavit						
Section 6: Affidavit Please sign below in th	e presence of a nota	ry public and A	TTACH a copy of y	your valid Photo ID.		
Please sign below in th				-		
				-		
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Page 5 of 5

VS-170 (Rev. 2/22)

TEXAS Health and Human Services Health Services OFFICE USE ONLY

POSITIVE SEARCH:

03111VL SLARCII. \_\_\_\_\_

NEGATIVE SEARCH: \_\_\_\_\_

BUDGET-FUND: ZZ712

### APPLICATION FOR ACKNOWLEDGMENT OF PATERNITY (AOP) INQUIRY

#### COMPLETE STEPS 1, 2 & 3. SIGN AND DATE THE APPLICATION. INCLUDE A PHOTOCOPY OF YOUR VALID ID. Step 1: YOUR INFORMATON AND SHIPPING ADDRESS (PLEASE PRINT) Your Name (First, Middle, Last Name): Street Address: City: State: Zip Code: Email Address: Daytime Telephone Number: Family Code §160.313 allows access to AOPs to the following individuals/agencies: Mother Father Presumed Father Court Ordered for Attorney **RELATIONSHIP (CHECK ONE):** I authorize mailing to the address below instead of my mailing address listed above. Name: Address to Send to if different than noted above: City: State: Zip Code: Step 2: INFORMATION FOR CHILD SHOWN ON AOP NAME OF CHILD DATE OF BIRTH (MM/DD/YYYY): First Middle Last BIRTHPLACE: City County State MOTHER'S NAME: DATE OF BIRTH (MM/DD/YYYY) First Middle Maiden Last DATE OF BIRTH (MM/DD/YYYY) BIOLOGICAL Middle Last First FATHER'S NAME: **Check One:** Certified Copy of AOP **Certified Copy of AOP Rescission** Step 3: COST & FEES (NOT REFUNDABLE, if Record Not found) Select Record Type: Qty Price/each Total Make check or money order payable to DSHS - Vital AOP Inquiry x \$10.00 1 \$ Statistics - ZZ712. For urgent requests, orders may be **EXPEDITED** by sending the order Mail completed form, payment and valid ID to: DSHS - VSS, through an overnight mail service, such as: FEDEX, LoneStar, or UPS to P.O. Box 12040, Austin, TX 78711-2040. Regular orders our physical address: DSHS - VSS MC 2096, 1100 W. 49th St., are processed and mailed 6 - 8 weeks after receipt of the Austin, TX 78756 and paying the below expedited processing fee. request. Expedited Processing (estimated 20-25 business days) \$5.00 All orders are returned free of charge by USPS regular mail. For The applicant must include a photocopy of his or her expedited return mail service, select one of the overnight return valid photo ID issued by a governmental entity. Visit shipping methods below. our website for a current list of acceptable identification in \$12.50 Overnight Return Mail (for shipping within USA) English (<a href="http://www.dshs.texas.gov/vs/regproc/Acceptable-IDs/">http://www.dshs.texas.gov/vs/regproc/Acceptable-IDs/</a>) \$22.95 USPS Express Return Mail (for shipping to PO Box and Spanish (http://www.dshs.texas.gov/vs/reqproc/Acceptable-ONLY) IDs-(Spanish)/). Total \$ Due:

WARNING: IT IS A FELONY TO FALSIFY INFORMATION ON THIS DOCUMENT. THE PENALTY FOR KNOWINGLY MAKING A FALSE STATEMENT ON THIS FORM OR SIGNING A FORM WHICH CONTAINS A FALSE STATEMENT IS 2 TO 10 YEARS IMPRISONMENT AND A FINE OF UP TO \$10.000. (HEALTH AND SAFETY CODE, CHAPTER 195, SEC. 195.003.)

<b>READ &amp; SIGN (Application</b>	ons without signatures or attached valid ID will NOT be accepted for processing)	
Signature of Applicant _	Date Signed (MM/DD/YYYY)//	

For the status of your request, contact VSS by telephone at 1-888-963-7111 or online at: https://www.dshs.texas.gov/orderstatus/.

VS - 134.1 (2/22)



## **REQUISITION FOR TEXAS VITAL STATISTICS FORMS**

To assist Texas Vital Statistics in providing you with quality customer service when ordering supplies, we would appreciate your completing and returning the "Requisition for Vital Statistics Forms" (VS-100) to Texas Vital Statistics in the following preferred order:

1.	FAX Supply Orders:	( <b>512) 458-7506</b> Attn: VS Supply Representative -OR-
2.	Mail Supply Orders:	VS Supply Representative Texas Vital Statistics Texas Department of State Health Services PO BOX 149347 Austin, TX 78714-9347

We recommend, if possible, that you FAX or MAIL your supply request. On average, VS will mail your order within 3-5 days of receipt. Please allow an additional 7-10 processing days through the U.S. Postal Service.

To check on the status of your supply order, you may call (512) 458-7111 ext 3392

Return Mailing Address:			
Organization Name	Mailing	Address	
Attention:	City	State	Zip
Telephone # (M-F, 8am – 5pm)	Date of	Request	
Name of Form		Form No.	Quantity

Forms Provided by Texas Vital Statistics are on the Back.

Texas Department of State Health Services - Texas Vital Statistics

Name of Current Vital Statistics Forms	Form No.	Rev Date	Available on Website
Requisition for Vital Statistics Forms*	VS-100	09/11	YES
Batch Control Form*	VS-101	10/04	
Mother's Worksheet (2005)*	VS-109.1	09/11	YES
Mother's Worksheet (2005)* (Spanish)	VS-109.1A	02/05	YES
Medical Worksheet (2005)* {§192.003}	VS-109.2	09/11	YES
2005 Certificate of Birth-Long Form (restricted distribution)	VS-111	01/05	
Certificate of Death (restricted distribution)	VS-112	04/09	
Certificate of Fetal Death	VS-113	01/06	
Report of Death*	VS-115	09/04	YES
Burial-Transit Permit (restricted distribution)	VS-116	09/04	
Court-Ordered Delayed Certificate of Death	VS-128	02/01	
Notice of Intent to Claim Paternity*	VS-130	2/10	YES
Paternity Registry Notice of Change of Information*	VS-131	12/05	YES
<b>Revocation of Notice of Intent to Claim Paternity*</b>	VS-132	12/05	YES
Paternity Registry Inquiry Request*	<b>VS-134</b>	06/15	YES
Acknowledgment of Paternity Inquiry Request *	VS-134.1	06/15	YES
Mail Application for Birth Record*	VS-140	03/20	YES
Mail Application for Death Record*	VS-142	12/05	YES
Request for Gift Certificate for Heirloom Birth Certificate*	<b>VS-144</b>	12/05	YES
Adult Adoptee Application Non-Certified Copy of Original BC*	VS-145	12/05	YES
Rescission of Acknowledgement of Paternity	VS-158	09/11	
Acknowledgement of Paternity	VS-159.1M	09/11	
Certificate of Adoption*	VS-160	02/11	YES
Information on Suits Affecting the Family Relationship*	VS-165	07/15	YES
Inquiry of Court of Continuing Jurisdiction for a Child*	VS-168	10/04	YES
Application to Amend Certificate of Birth *	VS-170	07/15	YES
Application to Amend Certificate of Death*	VS-172	07/15	YES
Amendment to Medical Certification of Certificate of Death	VS-174	01/09	
Application for Marriage License*	VS-180	06/15	YES
Declaration and Registration of Informal Marriage*	VS-180.1	06/15	YES
Application for Disinterment Permit and Consents*	VS-271	05/99	YES
Cemetery Consent Form*	VS-271.1	07/05	YES
Certificate of Birth Resulting in Stillborn Application*	VS-301	12/05	YES
BVS Postage paid envelope (Large Only)			
25% White New Cotton 8 ½ x 11 – TER-Death			
Native Texan Heritage Heirloom Birth Certificate and			YES
Commemorative Wedding Anniversary Certificate Brochure			

## \* Only these forms bolded and noted with an asterisks (\*) may be duplicated for use in your office \* <u>MAKE COPIES OR DOWNLOAD THESE FORMS</u>

All Others Forms Must be Vital Statistics Originals

#### Forms on the Website:

http://www.texasvsu.org

VS-100 Rev. 07/2020

Texas Department of State Health Services - Texas Vital Statistics

# RESOURCES



# **ACKNOWLEDGMENT OF PATERNITY BEST PRACTICES**

- 1. Have detailed policies and procedures in place relating to the Acknowledgment of Paternity (AOP) process.
- 2. Birthing centers and hospitals have successful AOP programs when the birth certificate staff's management team:
  - > evaluate staff performance related to the AOP process.
  - complete and review the Hospital AOP Report submitted to the OAG's Paternity Opportunity Program staff.
  - > review the Hospital Paternity Acknowledgments Quarterly Report.
  - foster consistent and clear communication among the birth registrars, the nursing and case management staff.
  - > participate in Paternity Opportunity Program monitoring visits.
- 3. Successful hospital-based AOP programs perform exceptionally well when:
  - > birth registration is in the same area as the mother/child recovery unit.
  - > staff have immediate access to Texas Electronic Vital Events Register (TxEVER).
  - birth registration staff have the resources they need (e.g. laptop, printer, cell phone, signature pad, access to a copy machine).
  - birth registration staff have access to and can receive updates from Paternity Opportunity Program staff via email.
  - > parents have access to birth registration staff during after-hours or weekends.
- 4. Allocate sufficient staff time to complete the AOP process with parents. Staff often deal with language barriers and differing education levels. They must communicate clearly with parents in order to complete the AOP process, and that can take time.
- 5. Retain the Parent Survey, a transitory copy of their photo ID, AOP (TxEVER AOP and uploaded AOP) and copies of any rescission documents completed at your facility in accordance to your entity's record retention schedule.
- 6. Use documents and hand-outs provided in mandatory annual training sessions by Paternity Opportunity Program staff. Updated material may be found at:\_ www.texasattorneygeneral.gov/child-support/agency-partners/acknowledgementpaternity-aop-certified-entities
- 7. If after-hours coverage is not possible, consider providing parents with contact information for the hospital staff who are AOP-certified (e.g. hospital birth registrar). Prompt follow-up for after-hours and weekend births ensures that parents receive AOP information as required by law.
- 8. Offer parents information about paternity establishment during the prenatal period. Consider including AOP information (Form 1608):
  - > in labor & delivery pre-registration packets, or
  - > at prenatal clinics, prenatal appointments or birthing classes.



# REQUEST FOR PATERNITY OPPORTUNITY PROGRAM (POP) MATERIAL

# **ITEM**

# **<u>OUANTITY</u>** (max 500 per brochure)

Request the exact number of each you need.

PATERNITY CHILD SUPPORT & YOU	EnglishBrochure(s) SpanishBrochure(s)			
FREQUENTLY ASKED QUESTIONS ABOUT CHILD SUPPORT	EnglishBrochure(s)SpanishBrochure(s)			
ACKNOWLEDGMENT OF PATERNITY VIDEO The benefits, rights, and responsibilities of a legal parent.	DVD(s)			
(bi-lingual; FOR FACILITY USE ONLY)	Note: This video may also be viewed on our website listed below.			
<ul> <li>&gt; Child Support &gt; Agency Partners &gt; AOP Certified E. Entities</li> <li>Absent Party Instructions (bilingual)</li> <li>Benefits, Rights and Responsibilities (bilingual)</li> <li>Incarcerated Parent Program (bilingual)</li> <li>Information About Child Support for New Parent</li> <li>Parent Survey on the Acknowledgment of Patern</li> <li>Voluntary Acknowledgment of Paternity Inform</li> <li>If you are unable to access the internet, please contact</li> <li>request the above forms.</li> </ul>	ts (bilingual) hity (bilingual) ation Sheet Form 1608 (bilingual)			

# <u>Mail To</u>

ATTN:		
FACILITY:		
ADDRESS:		
CITY / ZIP:		
PHONE:		
E-MAIL:		

**Note:** To request AOP, rescission or other Vital Statistics Services (VSS) forms, please complete and fax the *Requisition for Texas Vital Statistics Forms* (VS-100) to VSS at (512) 458-7506.



# Using DocuSign to Send Acknowledgement of Paternity (AOP) Forms

The following describes the steps needed to process AOPs using DocuSign. For any questions about AOP processes, policies, agency guidelines, etc., please refer to the AOP portal. This document is strictly a guide to the DocuSign functionality.

Please note that DocuSign works best in either Chrome or Firefox web browser.

#### Step 1: Visit the AOP Portal to Access the Form Links

Log in to the AOP portal and go to the Forms folder to find the 6 form options.

http://csoutreach.oag.texas.gov/aop/trainee/profilelink



There are 6 available forms:

- AOP Acknowledgement of Paternity With Presumed Father This form will be routed to all three parties to sign in DocuSign.
- AOP Acknowledgement of Paternity Without Presumed Father This form will be routed to just the Mother and Father to sign in DocuSign.
- AOP Partial Mother Acknowledgement of Paternity This form will be routed for only the Mother's signature in DocuSign.





- AOP Partial Father Acknowledgement of Paternity This form will be routed for only the Father's signature in DocuSign.
- AOP Partial Presumed Father Acknowledgement of Paternity This form will be routed for only the Presumed Father's signature in DocuSign.
- AOP ID Submission

If you have not met the party or viewed their ID in another way, you may use this form for them to securely submit an image of their ID to you to verify their identity. Each ID Submission form goes to only 1 party for information security purposes.

#### Step 2: AOP ID Submission – If you have not already received a copy of the ID

# You will send a separate envelope to each party in the AOP to have them submit a photo of their ID. The envelopes are separate so the parties will not receive copies of the other party's ID.

In the window that opens for the ID Submission template: enter the customer's name and email address and your name and email address, then click Begin Signing. This sends a document with text in both English and Spanish asking the recipient to submit a photo of their ID. It also includes the AOP rights and responsibilities and child support information form for the customer.

#### Repeat this step for the mother, father, and presumed father if applicable.

You will receive back a completed email when the party completes their portion and will be able to click a link in the envelope to view the submitted ID.

Fill in the name and email for each signing role listed below Signers will receive an email inviting them to sign this doc	
Please enter your name and email to begin the signing pro	cess.
Customer	
Your Name: *	
Full Name	
Your Email: *	
Email Address	
	or this
Please provide information for any other signers needed for document.	or this
document. AOP Certified Initiator	or this
document. AOP Certified Initiator	or this
document. AOP Certified Initiator	or this





#### Step 3: Acknowledgement of Paternity

#### Once you have verified the identities of your parties, you can proceed with the AOP form itself.

From the AOP Portal Forms Page, click the link for the type of AOP form you need.

When the PowerForm opens, you will be prompted to enter name and email address for yourself, the mother, father, and presumed father (if applicable). You are the first signer because you will pre-fill form information. You will also be the last signer, in order to approve and enter the entity code. Enter the recipients then click Begin Signing.

PowerForm Signer Information
Fill in the name and email for each signing role listed below. Signers will receive an email inviting them to sign this document.
Please enter your name and email to begin the signing process.
AOP Certified Initiator
Your Name: *
Full Name
Your Email: *
Email Address
Father
Full Name
Email:
Email Address
Mother
Name:
Full Name
Email:
Email.

Next DocuSign will send you an email to fill in your portion of the form. Click the link in your email to open the AOP form and begin filling your portion.





PLEASE NOTE: YOU WILL <u>NOT</u> BE ABLE TO MAKE CORRECTIONS. IF THERE IS A MISTAKE IN THE FORM YOU SEND TO THE PARTIES FOR SIGNATURE, YOU WILL HAVE TO START OVER WITH A NEW FORM.

You will fill in fields for the name, address, DOB info for each of the parties and the child; and answer the genetic testing question on the first page.

Please make sure you enter their first and last name as it appears on their ID.

ase review the documents below.	FINISH	OTHER ACTIONS +
Q Q ±- 🖬	₽ 0	
	ATE OF TEXAS	-
ACKNOWI	EDGMENT OF PATERNITY	
TART This is a legal document. Type or Print in black ink. Pare	ents are to be given a copy of this completed docu	ment.
line in the second second	Smith	
We declare under penalty of perjury that $\frac{John}{Bologcal Father}$ is the biological father of $\frac{Childs fins}{Childs fins}$ born on $\frac{m}{m}$ d d $\frac{y}{y}$ $\frac{y}{y}$ in $\frac{cny}{cny}$ to $\frac{Jane}{Dole}$ $\frac{Dole}{last name}$		
is the biological father of		
Child's flow.	middle Javi mine	
born on, in	county train	
Jane Doe		
ac Moder's first middle last name.	maides name if different	
Father's date of birth social security number address	city state top of	de
Wother's date of birth accutal security number address We further declare under penalty of perjury that:	siny blast cip co	de
Motor's date of binh We further declare under penalty of perjury that: We have been given written and oral notice of the ber puternity establishment and child support services; and	nefits of having paternity established; the availability	π <sup>2</sup>
	d the legal consequences of, the rights and responsibil	
<ul> <li>of, and the alternative to signing this Acknowledgmen</li> <li>No other Acknowledgment of Paternity form naming at</li> </ul>		en filed.
No other Acknowledgment of Paternity form naming as     There is no court order naming another man as the bio	그 그렇게 지도하는 것 같아요. 정말 바람이 잘 많이 안 하나요. 그 같아요. 그 것	in them.
• A genetic test has not determined that another man is		
• A genetic test has not determined that another man is Fill one circle by the correct statement from EACH o	of the following:	
There <u>has not</u> been genetic testing of the man listed above to determine if he is the biological father of this child. <b>O</b>	Genetic testing has determined that the man listed a biological father of this child.	bove is the
<ul> <li>There <u>has not</u> been genetic testing of the man listed above to determine if he is the biological father of this child.</li> <li>The moder <u>was not</u> married to someone other than the biological father at the time of the child's birth or within 300 days prior to the child's birth or birth, or there is a coart, or order that states that the man the molter was morted to is not the father of the child, and during the first two years of the child's life, no man continuously lived with the child, and represented the child as his own.</li> </ul>	life, a man continuously lived with the child and re child as his own; and that man has completed the D Paternity below or has a Denial of Paternity filed w	00 days of the child's presented the enial of
and represented the child as his own	Statistics Unit.	
	1	
Full Signature of Biological Father date	Full Signature of Mother	date
Denial of Paternity (only required if 'mother was married to		* ** * ** **
years of life, a man continuously lived with	the child and represented the child as his own" is checked.) Johns	DR TWO
We declare under penalty of perjury that Presomed Father's first	middle last name	·
the presumed father of the child, is not the biological father. We have a second father is a shift of the second father is	We understand that filing of this denial with an acknow	ledgment
removes the presumed father's legal duty to support the child a	and terminates his right of custody or visitation with th	e child.
Denial of Paternity (only required if mother was married a gean of life, a man continuously lived with year of life, a man continuously lived with the presumed father of the child, is not the biological father. We removes the presumed father's legal duty to support the child a full Signature of Presumed Father date	-	
Full Signature of Presumed Father date	Full Signature of Mother	date
Presumed Father's date of birth social security number Presumed	d Father's address city state	zip code
Taking Designment of State Davids, Providence	Entity Code 831	1
Texas Department of State Health Services Vital Statistics Unit		
VS-159 1M Revised 9/2011		
AORpdf		1 af 2





Next scroll down to the survey page to enter the type of ID provided by each party. Then click Finish. Once you finish, email notifications will go to the parties involved to sign their portion and fill in the survey question initials. The parties will receive automatic reminder emails every 5 days until they finish.

Enter text		FINISH OTHER ACTIONS +
	· · · · · · · · · · · · · · · · · · ·	6
	the earlier of 60 days of signing the Acknowledgment of Paternity or the date a proceeding involving the child is initiated before a court.	-
	7. After 60 days, I may challenge the AOP in court and must prove fraud, duress, or material mi of fact	istake
	<ol> <li>Was given a completed copy of the AOP with the benefits, rights, and responsibilities on the back.</li> </ol>	
	Mother's Printed Name: ID Typ	se:
	Mother's Signature: Phone	Number
	Father's Printed Name: ID Typ	ne
	Father's Signature: Phone	Number;
	Certified Staff Signature: Date: Date:	
	Presumed Father: (After you read the Denial of Paternity and Change of Mind section responsibilities, please read the statement below and initial.)	s of the rights and
	After I have signed the Denial of Paternity and it has been filed with the Vital Statistics	

The parties will receive a form where they <u>cannot</u> edit information, they can only sign. On the survey page, they can select English or Spanish.

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enemen. Toon Pread Oxide, Section 33 Ma, specifies preaties for making false	We further declare under penalty of perjany that:	d). ba	NEXT ACP / Too	Requirements of the second sec	DGEMENT OF PATERN	CE + (200) 219-0200 ITY (AOP) has declined
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When all parties have completed, you will receive an email notification to sign and enter the final information and signatures. On the area for the certified staff signature, if there is a language section that was not used by any of the parties, you can check the checkbox instead of signing that area.

Father's Signature	Date: May 14, 2020

Then download the completed document PDF and proceed with AOP processing.

#### Step 4: Upload to TxEVER

Make sure that you extract only the first page of the AOP from the DocuSign forms and save as a "Tiff". You will then need to upload into TxEVER prior to filing the birth certificate.

Any questions please contact your local OAG - Child Support Division POP.



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	Comments														
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t done	Spouse Not Father														
Mark reason AOP is not done	Father Not Available														
lark reasor	Father No Show														
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N	AOP Signed														
Y or N	Mother Married														
	Last Name														
	Baby MR#														
	Date of Birth														

Revised 05/2007

Month

Hospital AOP Report

Hospital Name\_

# HEALTH & SAFETY CODE ATTACHMENT 1

### Sec.192.003. BIRTH CERTIFICATE FILED OR BIRTH REPORTED

- (a) The physician, midwife, or person acting as a midwife in attendance at a birth shall file the birth certificate with the local registrar of the registration district in which the birth occurs.
- (b) If a birth occurs in a hospital or birthing center, the hospital administrator, the birthing center administrator, or a designee of the appropriate administrator may file the birth certificate in lieu of a person listed by Subsection (a).
- (c) If there is no physician, midwife, or person acting as a midwife in attendance at a birth and if the birth does not occur in a hospital or birthing center, the following in the order listed shall report the birth to the local registrar:
  - (1) the father or mother of the child; or
  - (2) the owner or householder of the premises where the birth occurs.
- (d) Except as provided by Subsection (e), a person required to file a birth certificate or report a birth shall file the certificate or make the report not later than the fifth day after the date of the birth.
- (e) Based on a parent's religious beliefs, a parent may request that a person required to file a birth certificate or report a birth delay filing the certificate or making the report until the parent contacts the person with the child's name. If a parent does not name the child before the fifth day after the date of the birth due to the parent's religious beliefs, the parent must contact the person required to file the birth certificate or report the birth with the name of the child as soon as the child is named. A person required to file the birth certificate or report in accordance with the parent's request shall file the certificate or making the report in accordance with the parent's request shall file the certificate or make the report not later than the 15th day after the date of the child's birth.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989. Amended by Acts 1993, 73rd Leg., ch. 30, § 1, eff. Sept. 1, 1993; Acts 1993, 73rd Leg., ch. 519, § 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 76, § 17.01(21), eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 751, § 124, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 556, § 81, eff. Sept. 1, 1999.

Amended by: Acts 2005, 79th Leg., Ch. <u>68</u>, § 1, eff. May 17, 2005.

### Sec. 192.012. RECORD OF ACKNOWLEDGMENT OF PATERNITY.

- (a) If the mother of a child is not married to the father of the child, a
- person listed in Section 192.003 who is responsible for filing the birth certificate shall:
  - provide an opportunity for the child's mother and putative father to sign an acknowledgment of paternity as provided by Subchapter C, Chapter 160, Family Code; and
  - (2) provide oral and written information to the child's mother and putative father about:
    - (A) establishing paternity, including an explanation of the rights and responsibilities that result from acknowledging paternity; and
    - (B) the availability of child support services.
- (b) The local registrar shall transmit the acknowledgment of paternity to the state registrar.
- (c) The state registrar shall record the information contained in the acknowledgment of paternity and transmit the information to the Title IV-D agency.
- (d) The Title IV-D agency may use the information contained in the acknowledgment of paternity for any purpose directly connected with providing child support services under Chapter 231, Family Code.

Added by Acts 1999, 76th Leg., ch. 556, § 72, eff. Sept. 1, 1999.

# **Texas Administrative Code**

TITLE 1ADMINISTRATIONPART 3OFFICE OF THE ATTORNEY GENERALCHAPTER 55CHILD SUPPORT ENFORCEMENTSUBCHAPTER JVOLUNTARY PATERNITY ACKNOWLEDGMENT PROCESS

# Rules

<u>§55.401</u>	Scope
<u>§55.402</u>	Definitions
<u>§55.403</u>	Forms
<u>§55.404</u>	Voluntarily Acknowledging Paternity
<u>§55.405</u>	Denial of Paternity Form
<u>§55.406</u>	Entities Providing Paternity Establishment Services
<u>§55.407</u>	Certification
<u>§55.408</u>	Parent Survey
<u>§55.409</u>	Rescinding Acknowledgment or Denial

RULE §55.401 Scope

Fathers and mothers who wish to voluntarily establish paternity for their child or rescind a previously executed Acknowledgment of Paternity or Denial of Paternity may do so through any local child support office of the Office of the Attorney General, Child Support Division; the Texas Department of State Health Services, Vital Statistics Unit; a local birthing hospital or birthing center; or any entity certified by the Office of the Attorney General to provide such services. The Acknowledgment of Paternity must be executed according to the rules contained herein and under the Texas Family Code, Chapter 160, Subchapter D, Voluntary Acknowledgment of Paternity. Entities that are required by law to provide paternity establishment services and entities that voluntarily elect to provide paternity establishment services must abide by the rules of this subchapter.

RULE §55.402 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

(1) Acknowledgment of Paternity form--An agreement affirming parentage for a child signed by both the man claiming to be the biological father and the mother, that is executed on a form prescribed by the Texas Department of State Health Services, Vital Statistics Unit. The mother and the father may sign separate acknowledgments before or after the birth of the child.

(2) Denial of Paternity form--A statement executed by a presumed father denying parentage of the child of whom he is presumed to be the father, on a form prescribed by the Texas Department of State Health Services, Vital Statistics Unit.

(3) Rescission of Acknowledgment of Paternity form--A statement executed by a signatory rescinding an Acknowledgment of Paternity or Denial of Paternity, on a form prescribed by the Texas Department of State Health Services, Vital Statistics Unit.

(4) Certified entity--An agency, organization, or individual that is certified by the Office of the Attorney General to perform voluntary paternity establishment services. The certified entity must comply with all rules established for such certification.

(5) Presumed father--A man who is legally assumed to be the father of a child because he meets the criteria found under Texas Family Code §160.204.

(6) Parent Survey on the Acknowledgment of Paternity--A form promulgated by the Office of the Attorney General to assist parents and the certified entity in the completion of the Acknowledgment of Paternity.

The certified entities offering voluntary paternity establishment services may obtain the prescribed Acknowledgment of Paternity and Denial of Paternity forms and the Rescission of the Acknowledgment of Paternity forms by contacting the Texas Department of State Health Services, Vital Statistics Unit.

### **RULE §55.404** Voluntarily Acknowledging Paternity

(a) A man claiming to be the biological father and the mother may establish paternity before or after the birth of their child by voluntarily acknowledging paternity through a certified entity providing such services. The mother and father must read the Acknowledgment of Paternity form. In addition, both must listen to or view a video presentation of the rights and responsibilities of a parent, and alternatives to and legal consequences of acknowledging or denying paternity. Both the mother and father, separately or together, must then complete an Acknowledgment of Paternity form with the assistance of the certified entity.

(b) Both mother and father must present to the certified entity a valid driver license or another document (preferably a photo I.D.) to verify identity.

(c) The certified entity is responsible for filing the Acknowledgment of Paternity form with the Texas Department of State Health Services, Vital Statistics Unit, and providing all signatories with a copy of the form.

(d) The Office of the Attorney General shall designate staff who are certified entities to assist any party who is outside the state of Texas or is incarcerated in Texas and is unable to complete an acknowledgment of paternity in person with a certified entity. Certified entities should seek the assistance of the Office of the Attorney General for completion of such acknowledgments of paternity.

# RULE §55.405 Denial of Paternity Form

If the mother declares in the Acknowledgment of Paternity form that there is a presumed father of the child, the acknowledgment must be accompanied by a Denial of Paternity form signed by the mother and the presumed father, unless the presumed father is the man who is acknowledging paternity. The Denial of Paternity is signed using the same procedures as the Acknowledgment of Paternity outlined in §55.404 of this title. The Acknowledgment of Paternity form and the Denial of Paternity form may be filed with the Texas Department of State Health Services, Vital Statistics Unit separately or simultaneously. If the acknowledgment and denial are both necessary, neither document is valid until both documents are filed.

# **RULE §55.406 Entities Providing Paternity Establishment Services**

(a) The following entities must provide voluntary paternity establishment services after being certified by the Office of the Attorney General:

(1) all public and private birthing hospitals;

(2) all birthing centers;

(3) the Texas Department of State Health Services, Vital Statistics Unit; and

(4) a registered nurse working in a partnership program funded through the nurse-family partnership competitive grant program under Chapter 531, Subchapter M, Texas Government Code

(b) The following entities may provide voluntary paternity establishment services at their option, but only after being certified by the Office of the Attorney General:

(1) local birth registrars;

(2) public health clinics;

(3) private health care providers;

(4) certified nurse midwives;

(5) licensed midwives;

(6) agencies providing assistance or services under Title IV, Part A of the Social Security Act, agencies providing food stamp eligibility service, and agencies providing child support enforcement (IV-D) services;

(7) Head Start, child care facilities, and individual child care providers;

(8) community action agencies and community action programs;

(9) secondary education schools;

(10) legal aid agencies;

(11) private attorneys;

(12) any public or private health, welfare or social services organization; and

(13) an individual with a role in birthing, birth records, healthcare services, social services or legal services who can demonstrate to the satisfaction of the Office of the Attorney General that they have specialized training, relevant experience or other factors appropriate to become a certified entity.

All birthing hospitals, all birthing centers, the Texas Department of State Health Services, Vital Statistics Unit, a registered nurse working in a partnership program funded through the nurse-family partnership competitive grant program, and each certified entity must have staff who:

(1) provide the mother and father the opportunity to voluntarily acknowledge paternity;

(2) provide the mother and father an opportunity to speak, either by telephone or in person, with staff who are trained to clarify information and answer questions about paternity establishment;

(3) receive training from the Office of the Attorney General at least once yearly on the requirements for voluntarily establishing paternity. (The training is not to exceed eight (8) hours at locations throughout the state established by the Office of the Attorney General and the Texas Department of State Health Services, Vital Statistics Unit.)

(4) use only the Acknowledgment of Paternity and Denial of Paternity forms and Rescission of Acknowledgment of Paternity forms promulgated by the Texas Department of State Health Services, Vital Statistics Unit.

(5) use the brochures and training manuals, including the oral and written information, provided by the Office of the Attorney General and the Texas Department of State Health Services, Vital Statistics Unit.

(6) are periodically evaluated by the Office of the Attorney General.

### RULE §55.408Parent Survey

(a) Each certified entity must provide the parents (and presumed father, if applicable,) with the opportunity to complete and sign the Parent Survey if the parent was provided the opportunity to voluntarily acknowledge paternity. The Parent Survey on the Acknowledgment of Paternity (AOP) may be found at: http://www.oag.state.tx.us/cs/forms/1798patsurvey.pdf.

(b) If the parents or presumed father do not wish to complete the survey, the certified entity must note this on the form.

(c) The certified entity must retain the parent survey in its files.

### **RULE §55.409** Rescinding Acknowledgment or Denial

Any signatory to an Acknowledgment of Paternity or Denial of Paternity may rescind an acknowledgment or denial through a certified entity providing such services. The rescinding party must:

(1) Complete a Rescission of Acknowledgment of Paternity form.

(2) Mail copies of the Rescission of Acknowledgment of Paternity form by certified or registered mail to all people who signed the original Acknowledgment of Paternity or Denial of Paternity and the Attorney General's Office, if required.

(3) Submit to Texas Department of State Health Services, Vital Statistics Unit:

(A) the original Rescission of Acknowledgment of Paternity form; and

(B) the original proof of mailing of the copies.

(4) Submissions to the Texas Department of State Health Services, Vital Statistics Unit must be made by the date a proceeding related to the child is initiated or the 60th day after the effective date of the acknowledgment, whichever comes earlier.

