

**What if the mother is married to someone else?**

If the mother was married when she became pregnant or anytime while she was pregnant, but the husband is not the biological father, follow the instructions on the back of the acknowledgment form (Denial of Husband's Paternity).

**What about child support and government assistance?**

If child support services are needed, either parent can contact their attorney or apply to the Office of Child Support Enforcement where a copy of the acknowledgment form will be on file. If government assistance is needed such as TEA (formerly AFDC) or Medicaid, the mother must cooperate with Department of Human Services to establish paternity in order to qualify for benefits. Merely signing the paternity acknowledgment form does not initiate child support or government assistance services. You must do this on your own.

**If we sign the acknowledgment form, does the father have the right to visit or ask for custody?**

Signing the acknowledgement form does not automatically give the father the right to visitation or custody. The father may use the form to ask the court to establish these rights. If the parents are in agreement, either parent may ask the court for an order to establish their rights to visitation or custody. Parents should ask their attorney about the law.

*Benefits of Establishing Paternity*

FOR THE CHILD

- 1. have a relationship with both parents
- 2. get financial support from both parents
- 3. qualify for benefits, such as a father's health insurance or social security

FOR THE MOTHER

- 1. get financial support for the child
- 2. share responsibilities of parenthood

FOR THE FATHER

- 1. have a relationship with their child
- 2. request the right to visit the child

FOR MORE INFORMATION ABOUT  
PATERNITY, CHILD SUPPORT OR  
GENETIC TESTS

Call 1-501-682-8399

Department of Finance and Administration

Office of Child Support

Voluntary Paternity Acknowledgment  
Program of Arkansas

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**Voluntary Paternity  
Acknowledgment  
Program of  
Arkansas**



## What is paternity acknowledgment?

Paternity acknowledgment is one way a child's father can become the legal father when the parents are not married to each other. If both parents agree to sign the paternity acknowledgment form, the parents do not have to go to court to establish paternity for their child.



## How is paternity acknowledged when our baby is born?

When your baby is born, the hospital staff is required to collect information for the baby's birth certificate. They will also have the paternity acknowledgment form for the mother and father to sign saying that he is the biological father.

## What if we are not sure who the father is?

If either parent is unsure, do not sign the paternity acknowledgment form. You should have a paternity test, which is sometimes called a genetic test. For information about the test you may contact your doctor, an attorney or your local Office of Child Support Enforcement.

## What will the genetic test show?

The genetic test will show if a man is NOT the biological father of a child. Or, the test may show that it is almost certain, 95% or more, that a man is the father of the child.

## Why is it important for a child to have a legal father?

A child may be able to get some benefits as a legal dependent of the father. Some of the benefits may include:

social security

veteran's benefits

healthcare insurance



inheritance

disability

A child has a right to support from both parents, including emotional and financial.

## If we sign the acknowledgment of paternity now, can we change our minds later?

Yes. Persons signing a voluntary acknowledgment of paternity may change their minds and rescind their acknowledgment. To do this, you should complete a rescission form and file it with the Division of Vital Records. You may request a rescission form by calling the Division of Vital Records at 1-800-637-9314. The rescission form must be filed before any administrative or judicial proceedings take place, or within sixty (60) days from the date the voluntary acknowledgment is signed, whichever ever comes first. After sixty (60) days, the only way to change the legal father of the child is to file a motion with the court. A motion must be based on a claim that the acknowledgment was signed due to fraud, duress or material mistake of fact.

## Will the father's name be on the baby's birth certificate?

If unmarried parents sign the paternity acknowledgement form at the hospital when the baby is born, the hospital staff can put the father's name on the baby's birth certificate. The parents must tell the hospital staff what name they want for their child and if the mother agrees, the baby can have the father's last name.

## Do the parents have to be in Arkansas to acknowledge paternity?

No. Parents can mail the acknowledgement form anywhere to be signed. Parents must sign it in front of a notary public and then mail it to the address on the cover of the form.

## If we do not sign the acknowledgment form at the hospital, what can we do?

If paternity is not established prior to leaving the hospital, parents can take the form with them and sign it later. They can acknowledge paternity for any child who is born in Arkansas.

## Why should parents who are living together and plan to get married later, sign the form?

If the parents are not married to each other when the child is born, the man is technically not the legal father, even if the parents are living together. Signing the paternity acknowledgement is one way to make the man the legal father.