

What if we're not sure who the father is?

Do not sign the Acknowledgment of Paternity. It is recommended you get a genetic test to erase any doubt. The mother of the child can do this by applying for assistance from the Office of Child Support Enforcement, or either parent can petition the court for a genetic test, which will be done by a court-approved genetic testing company.

Does establishing paternity mean I will have to apply for or start paying child support?

No. Establishing paternity is nothing more than establishing who the father of a child is. But the person who has custody of the child is able ask for a support order if they want child support, and the father of the child has a right to ask the court for custody and visitation of the child.

If I sign the AOP, can I change my mind?

Either parent can change his or her mind by completing a rescission form and filing it with the Office of Vital Records within 60 days from the date of the last notarized signature. Rescission forms are available at Arkansas Vital Records. After 60 days, the AOP may only be revoked by court order and only if the signing of the AOP was based on fraud, duress, or material mistake of fact.

What if I'm married but another man is the father?

If the husband of a woman who has just given birth knows he is not the father of her child, he can deny paternity at the time of birth if the mother and biological father are in agreement. All parties can sign the back of the AOP before the hospital submits the birth certificate to the Division of Vital Records. If the husband's name is already on the birth certificate, a court order will be required to remove the husband's name and add the biological father.



For More Information

Contact the Office of Child Support Enforcement Acknowledgment of Paternity Program at 501-682-8100 or paternity@ocse.arkansas.gov

Understanding the Acknowledgment of Paternity



1-877-731-3071
www.childsupport.arkansas.gov



Pub.005 10/2017

THE STATE OF ARKANSAS
OFFICE OF CHILD SUPPORT ENFORCEMENT

When a child is born to married parents, there is an automatic legal relationship between the child and the husband of the mother. But when a child is born to unmarried parents, that legal relationship doesn't exist. The Acknowledgment of Paternity (AOP) provides an opportunity for unmarried, biological parents of a child to legally establish paternity (legal fatherhood).

Why Paternity is Important

Establishing paternity provides important benefits to all parties.

Benefits for a child:

- The knowledge of who his or her biological parents are
- Information about family medical history
- Financial support from both parents, including Social Security, veterans benefits, and inheritance rights
- Medical or life insurance from either parent

Benefits for a mother:

- Shared parental responsibility
- Information about the father's medical history
- Improved financial security of the family

Benefits for a father:

- Legal establishment of parental rights
- Having his name on his child's birth certificate
- The right to seek custody and visitation
- The right to be informed about adoption proceedings

Effect of Signing an AOP

When both parents sign an AOP, it determines the child's legal father and establishes the duty and right of both parents to support and develop a relationship with their child. This means you do not have to go to court to determine or confirm the child's father.

Frequently Asked Questions

How is paternity established?

Paternity can be established in one of two ways:

- Both parents can complete an AOP at the time of the child's birth at the hospital. The father's name will be listed on the birth certificate. An AOP may also be signed later, but an amended birth certificate must be issued to add the father to the birth certificate.
- Paternity may be established by a court order. Either parent can pursue legal action to establish paternity of their child. The Office of Child Support Enforcement (OCSE) can also assist if there is a case open with OCSE.

Where can I find an AOP?

AOP forms are available at Vital Records, local county health units, and OCSE and DHS offices throughout the state. There is no charge for this service but there is a charge for an amended birth certificate.

What do I need to complete the AOP?

In order for the AOP to be a legal document, it has to be notarized. A notary public will require a government-issued picture ID in order to confirm you're who you say you are.

