

## Connecticut Acknowledgment of Parentage: Frequently Asked Questions

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### What is an Acknowledgment of Parentage?

Federal law requires states to provide a simple civil process for acknowledging parentage upon the birth of a child. That simple civil process is the Acknowledgment of Parentage program.

Federal regulations require states to provide an Acknowledgment of Parentage program at hospitals and state birth record agencies. Acknowledgment of Parentage forms themselves are short affidavits in which the person signing affirms that they wish to be established as a legal parent with all of the rights and responsibilities of parentage. The person who gave birth to the child must also sign the form, and both parents have to provide some demographic information about themselves.

By signing an Acknowledgment of Parentage, a person is established as a legal parent, and the child's birth certificate is issued or amended to reflect that legal parentage. Properly executed, an Acknowledgment of Parentage has the binding force of a court order and should be treated as valid in all states.

### Who can sign an Acknowledgment of Parentage?

An Acknowledgment of Parentage must be signed by the birth parent and the other parent (i.e., the person establishing parentage through the Acknowledgment of Parentage). The other parent can be a genetic parent, an intended parent of a child born through assisted reproduction other than surrogacy, or a presumed parent (i.e., the spouse of the birth parent at the time of the child's birth, or a person who resided with the child and held out the child as the person's child for the first two years of the child's life<sup>1</sup>). A parent does not need to be over the age of 18 to sign an Acknowledgment of Parentage.

### When can a parent sign an Acknowledgment of Parentage?

Acknowledgments of Parentage can be signed after the birth of a child, up until the child's 18th birthday. An Acknowledgment of Parentage can also be completed before the child's birth but will not take effect until the child is born.

<sup>1</sup> A person who is establishing parentage based on residing with the child and holding out the child as the person's child cannot establish parentage through an Acknowledgment of Parentage until the child is two.

## What is the process for signing an Acknowledgment of Parentage?

Prior to the signing of an Acknowledgment of Parentage, the signatories must be given oral and written notice explaining the legal consequences, rights, and responsibilities that arise from signing an Acknowledgment of Parentage. These include:

- That signatories to the acknowledgment have the right to rescind the acknowledgment, for any reason, within 60 days of signing
- That the acknowledgment may not be rescinded after 60 days, except in cases of fraud, duress, or material mistake of fact
- That the acknowledgment may result in custody and visitation rights for the person establishing parentage through the acknowledgment
- That the person establishing parentage through the acknowledgment will be liable for the child's financial and medical support at least until the child's 18th birthday
- If the person establishing parentage through the acknowledgment is doing so on the basis of being a genetic parent, that genetic testing is available to establish genetic parentage with a high degree of accuracy and that the person has the legal right to contest parentage

The CPA also mandates, at signing, the presence of either a notary or a witness. The Acknowledgment of Parentage takes effect once the child is born or once the form is filed with the Connecticut Department of Public Health, whichever comes later.

The Acknowledgement of Parentage form is not available online. Because oral and written notice is required before signing a valid Acknowledgment of Parentage, the form must be completed at the hospital where the child is born, or at a later date at the Department of Public Health or a local Department of Social Services Office.

## Can a signed Acknowledgment of Parentage be rescinded or challenged?

Connecticut law requires that a signatory be able to rescind the form for any reason within 60 days after its signing or prior to an administrative or judicial proceeding relating to the child in which the signatory is a party, whichever is earlier. A signatory may rescind an Acknowledgment of Parentage by filing a rescission—signed in the presence of either a notary or witness—with the Connecticut Department of Public Health.

If the form is not rescinded within that 60-day time frame, an Acknowledgment of Parentage can be challenged only on the basis of fraud, duress, or material mistake of fact. At this stage, the Acknowledgment of Parentage can only be challenged in court.