

How Do I Request a Copy of my Washington State Paternity Affidavit?

What is a Paternity Affidavit?

A *Paternity Affidavit* (also known as a *Paternity Acknowledgment* or *Acknowledgment of Paternity*) is a special form typically used by unmarried parents to state who the father of the child is. In Washington, these forms are often offered to the mother in the hospital right after a child's birth. A paternity affidavit is not a court order, but if it is filed with the Washington State Department of Health on or after July 1, 1997, it has the same legal effect as a court order establishing the persons named as the child's legal parents.

In order to establish paternity using a paternity affidavit, the mother and the father (and presumed father if there is one) of a child must sign the form, and the form must be filed with the Washington State Department of Health. In Washington, if the form is filed on or after July 1, 1997, and is not rescinded, it is a final legal determination of parentage. In Washington, if the form was filed before July 1, 1997, there is a legal presumption that the father named on the form is the child's father, but the form is not a final legal determination of parentage.

The person named as a child's father on a paternity affidavit has all the legal rights and responsibilities of the child's parent, including rights to request custody or visitation and the responsibility to provide financial support for the child. A paternity affidavit does not establish custody or visitation or child support. However, once it is filed, either parent (or, if the children receive public assistance, the State) can ask for a child support order through the Division of Child Support's administrative

process or in court. Either parent may also file an action to enter a custody order or a child support order through a case called a Petition for Parenting Plan/Residential Schedule or Child Support.

Why Would I Need a Copy of my Paternity Affidavit?

In general, if you are the unmarried parent of a child and you signed a paternity affidavit, you should keep a copy of the Paternity affidavit in a safe place because it is official proof of your child's parentage. If you signed a Paternity affidavit stating that you are not a child's father, you should keep a copy for yourself in case there is a future question about the child's parentage. If you are filing a Petition for Parenting Plan/Residential Schedule or Child Support, you will need a certified (official) copy of the Paternity affidavit to file with your Petition. If you need to find out the date that your Paternity affidavit was filed with the Department of Health, you must request a certified copy of the Paternity affidavit from the Washington State Department of Health's Center for Health Statistics. The certified copy will show the date of filing.

What if I Just Want to Know the Date a Paternity Affidavit was Filed?

If you don't know the date your paternity affidavit was filed, you will need to contact the Department of Health at (360) 236-4335 or (360) 236-4336. The receptionist may be able to tell you whether there is a paternity affidavit on file with the Department, but (due to concerns about confidentiality) cannot tell you other specific information, such as the date it was filed. To find out

your filing date or other information about your affidavit, you will need to write to the Department of Health to request a certified copy.

If you are not one of the people who signed the paternity affidavit, the Department of Health will not send a copy of the affidavit to you. If you need a copy of an affidavit you did not sign, you will need to consult an attorney for help, or file a motion with the court to request that the court order the release of the affidavit to you.

- Full name of each child for whom you need an affidavit
- Date of birth of each child of whom you need an affidavit
- City and state of each child's birth
- Full name of the child's father
- Full maiden name of the child's mother

How Can I Request a Copy of my Paternity Affidavit?

1. Write a letter to:
**Center for Health Statistics
P.O. Box 9709
Olympia, WA 98507-9709**
2. In your letter, you must include the following information:
 - Your full name and your mailing address;
 - A copy of your photo identification (for example, your driver's license, or state ID card)

3. In your letter, **you must enclose a check or money order for \$35 for each copy of the paternity affidavit** that you are requesting. The check or money order should be made payable to the **Department of Health.**

You should expect that it will take up to four weeks for the Center for Health Statistics to send your paternity affidavit to you. If you have other questions about the paternity affidavit, you may call the paternity department at the Department of Health at (360) 236-4335 or (360) 236-4336. You may also want to check the Department of Health's website at www.doh.wa.gov.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of the date of its printing, May 2008.

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