

Rights and Responsibilities of Each Parent When They Sign an ROP

When parents sign a Recognition of Parentage (ROP), it does not establish custody and parenting time.

After an ROP is signed, the mother has the same sole legal and physical custody she had before the ROP was signed. If the father wants any custody or parenting time, he has to ask the court for an order. This court action is not a paternity action, but is about custody under a different law. The court will then decide custody or parenting time using the same “best interest” standard used for the paternity order.

Our Recognition of Parentage was signed and we are now going to a child support hearing before a magistrate. Can that magistrate make some decisions about custody?

No. The special expedited process for child support cannot make any decisions about custody or parenting time. If you want to have custody decided by a court, you must let the other parties (the other parent and the county) know by properly bringing an action for custody and asking to have the matter heard in district court. District Court has the power to make decisions about both child support and custody.

Our Recognition of Parentage was signed and we are now going to court about domestic abuse. Can the court make some decisions about parenting time?

The court can decide/set parenting time in an Order for Protection proceeding. The safety of the children and the person asking for the OFP must be considered by the court.