

## INSTRUCTIONS FOR PARENTS

### Process to Get a Certified Copy of the *Voluntary Acknowledgment of Paternity and Birth Certificate*

After the *Voluntary Acknowledgment of Paternity (VAoP)* has been completed, signed and notarized, the agency completing the form will send it to the Tennessee Office of Vital Records. Vital Records will amend the birth record to include the father's name and, if you changed the child's name when completing the *VAoP*, the child's name change will be made on the birth record.

***Please allow a minimum of 4 - 6 weeks for Vital Records to process the VAoP and amend the birth record before requesting a certified copy of the VAoP and amended birth certificate.***

In order to receive a certified copy of the *VAoP* and amended birth certificate, contact the Health Department or Child Support Office where you signed the *VAoP* form. They will verify that your child's birth certificate has been amended with the father's information and if applicable, the child's name change. Once the amendment has been processed, you will be able to purchase the certified *VAoP* and amended birth certificate at any Tennessee Health Department.

## FEES

### If *Voluntary Acknowledgment of Paternity* is processed when child is under age one

- **\$15.00** for a certified birth certificate – which is an exact copy of the amended birth certificate.

### If the child is age one or older

- **\$15.00 one-time amendment fee** to add the father's name and other information
- **\$15.00 amendment fee plus \$15.00** (for a certified birth certificate) for a total of **\$30.00**

### Any age child

- In order to change your child's name on their Social Security card, the Social Security Administration (SSA) may need to see a certified copy of the birth certificate **and** the *VAoP*. Contact your local SSA office to find out if they will require you to have the certified *VAoP*.
- If you are a male Uniformed Service member of the military and want to add your child to the Defense Enrollment Eligibility Reporting System (DEERS), you will need a certified copy of the amended birth certificate **and** the *VAoP*.
- When requesting a certified copy of the *VAoP*, a birth certificate must also be purchased. A certified copy of the *VAoP* is **\$5.00** plus **\$15.00** for a certified birth certificate for a total of **\$20.00**.
- If you have questions regarding the amendment of the birth certificate, you can contact the Office of Vital Records at **1-615-741-1763**.

T.C.A 68-3-302, requires birthing facilities and other entities completing the Voluntary Acknowledgment of Paternity (VAoP) form, to provide the parents **written and oral information concerning the legal consequences of, their rights and responsibilities that come from signing the VAoP**. This information is outlined below:

1. Completion of the Voluntary Acknowledgment of Paternity (VAoP) is **voluntary**.
2. It is a **legal document that has the same effect as a court order** establishing paternity and can be used as a basis for entering a child support order.
3. If either parent is **not sure** if the man is the biological father, they **should not sign the VAoP**.
  - a. They can sign later at a health department, child support office or Office of Vital Records, once they have a DNA test with a 95% or greater probability that the man is the father.
4. If **either parent changes their mind** about acknowledging paternity after signing the VAoP, they have **60 days to file the Rescission of VAoP form** and the required fees with the TN Office of Vital Records.
5. If the VAoP is **not rescinded** during the 60 days after signing, parents will have to go to **court to remove the father** from the child's birth certificate.
6. The child may have the right to receive benefits from the man who signs the VAoP. These **benefits may include child support, medical insurance, inheritance rights, Social Security and Veteran's benefits**.

**Additional information** can be found at these website links:

- **Department of Human Services, Paternity/VAoP Program:**
  - <https://www.tn.gov/humanservices/for-families/child-support-services/tennessee-paternity-acknowledgment-program--tn-vaop-.html>
  - **Information available on this site**
    - Parent Education Video – explains the legal consequences of, and parent's rights and responsibilities of signing the VAoP
    - Paternity/VAoP brochures
    - Fact Sheet for Married/Unmarried Mothers
- **Department of Health, Vital Records:**
  - <https://www.tn.gov/health/health-program-areas/vital-records.html>

**If you have additional questions related to paternity, child support, or genetic testing, call the TN Paternity Acknowledgment Program: 1-800-457-2165**

State of Tennessee

A program of the Department of Human Services in cooperation with the Department of Health

# TENNESSEE VOLUNTARY ACKNOWLEDGMENT OF PATERNITY (VAoP)

## PARENTS WORKSHEET

(Rev 07/2019)

BOTH PARENTS MUST READ "WRITTEN NOTICE OF ALTERNATIVES, LEGAL RIGHTS AND RESPONSIBILITIES"

ON PAGE TWO (2) BEFORE COMPLETING THIS WORKSHEET

*AMBOS PADRES TIENEN QUE LEER LA PÁGINA DOS (2) ANTES DE COMPLETAR ESTE FORMULARIO*

SECTION A. ALL PARTS OF SECTION A. MUST BE COMPLETED SECCIÓN A. TODAS LAS PARTES DE LA SECCIÓN A. TIENEN QUE SER COMPLETADAS				
<b>CHILD'S Information</b> From original certificate  <i>Información acerca del NIÑO</i> Tal y como aparece en el certificado original	NAME OF CHILD – FIRST <i>PRIMER NOMBRE DEL NIÑO</i>		MIDDLE <i>SEGUNDO NOMBRE</i>	LAST <i>APELLIDO</i>
	DATE OF BIRTH (Month/DD/YYYY) <i>FECHA DE NACIMIENTO (Mes/DD/AAAA)</i>	SEX <i>SEXO</i>	HOSPITAL OF BIRTH <i>HOSPITAL DEL NACIMIENTO</i>	STATE, COUNTY, CITY OF BIRTH <i>ESTADO, CONDADO, CIUDAD DE NACIMIENTO</i>
<b>FATHER'S Information</b>  <i>Información del PADRE</i>	NAME OF FATHER – FIRST <i>PRIMER NOMBRE DEL PADRE</i>		MIDDLE <i>SEGUNDO NOMBRE</i>	LAST <i>APELLIDO</i>
	DATE OF BIRTH (Month/ DD/YYYY) <i>FECHA DE NACIMIENTO (Mes/DD/AAAA)</i>		SOCIAL SECURITY NUMBER <i>NÚMERO DE SEGURO SOCIAL</i>	BIRTHPLACE – State or Foreign Country <i>LUGAR DE NACIMIENTO: Estado o País extranjero</i>
	CURRENT ADDRESS (Number, Street, City, State, Zip Code) <i>DIRECCIÓN ACTUAL (Número, Calle, Ciudad, Estado, Código postal)</i>			PHONE NUMBER (Including Area Code) <i>NÚMERO DE TELÉFONO (con el código de área)</i>  ( )
<b>MOTHER'S Information</b>  <i>Información de la MADRE</i>	NAME OF MOTHER – FIRST <i>PRIMER NOMBRE DE LA MADRE</i>		MIDDLE <i>SEGUNDO NOMBRE</i>	MAIDEN and CURRENT LEGAL LAST NAME <i>APELLIDO DE SOLTERA y APELLIDO LEGAL ACTUAL</i>
	DATE OF BIRTH (Month/DD/YYYY) <i>FECHA DE NACIMIENTO (Mes/DD/AAAA)</i>		SOCIAL SECURITY NUMBER <i>NÚMERO DE SEGURO SOCIAL</i>	BIRTHPLACE – State or Foreign Country <i>LUGAR DE NACIMIENTO: Estado o País extranjero</i>
	CURRENT ADDRESS (Number, Street, City, State, Zip Code) <i>DIRECCIÓN ACTUAL (Número, Calle, Ciudad, Estado, Código postal)</i>			PHONE NUMBER (Including Area Code) <i>NÚMERO DE TELÉFONO (con el código de área)</i>  ( )
<b>SECTION B.</b> Required when signing the form outside the hospital  <i>SECCIÓN B.</i> Obligatorio si se firma el formulario fuera del hospital	<ul style="list-style-type: none"> <li>▪ <b>If your child is under age one (1), you may change their first, middle or last name from the name on the original birth certificate.</b> <i>Si su hijo es menor de un año (1), puede cambiar el nombre, segundo nombre o apellido del nombre que aparece en el certificado de nacimiento original.</i></li> <li>▪ <b>If your child is over age one (1), you can only change their last name on this form. A certified court order is required to change their first and/or middle name.</b> <i>Si su hijo es mayor de un año (1), solo puede cambiar su apellido en este formulario. Es necesario obtener una orden judicial certificada para cambiar el primer y/o segundo nombre.</i></li> </ul>			
	<b>CHILD'S NAME AS YOU WANT IT SHOWN ON THE AMENDED BIRTH CERTIFICATE</b> <i>NOMBRE DEL NIÑO TAL Y COMO DESEA QUE APAREZCA EN EL CERTIFICADO DE NACIMIENTO MODIFICADO</i>			
	NAME OF CHILD – FIRST <i>PRIMER NOMBRE DEL NIÑO</i>		MIDDLE <i>SEGUNDO NOMBRE</i>	LAST <i>APELLIDO</i>

### WHAT PARENTS MUST KNOW BEFORE COMPLETING THE VAoP – PARENTS WORKSHEET

- This Acknowledgment may only be signed by the birth mother and the biological father.
- This form is intended for use by couples who were not married at the time of birth nor within the 300 days prior to birth.
  - If the mother was married to someone other than the alleged biological father when the child was born or within the 300 days prior to birth, a court ruling of her husband's non-paternity based on genetic (DNA) testing is necessary in order to first establish that the child is not the husband's child.
- THE VAoP IS A LEGAL DOCUMENT. Do not sign the VAoP if you do not understand what it means.
- **Once this form has been filed with the Tennessee Office of Vital Records, a certified court order will be required to make changes to the child's name.**
- If either parent completes the Rescission form within 60 days of signing this form, the child's surname (last name) will automatically be changed to the mother's legal surname at the time of birth.
- Both parents must sign this Acknowledgment in the presence of a notary public.
- Both parents must receive a copy of the completed Acknowledgment. They should keep the copy of this form with their personal records.
- If either parent is under age 18, their parent or guardian must be present when this Acknowledgment is signed before a notary and they must sign this form to give consent for the minor parent to acknowledge paternity.

## WRITTEN NOTICE OF ALTERNATIVES, LEGAL RIGHTS AND RESPONSIBILITIES

Read the below information before completing the Voluntary Acknowledgment of Paternity

Following are the alternatives to completing the Acknowledgment of Paternity form and your legal rights and responsibilities. You must receive oral (spoken) notice of the below information. The hospital, health department or child support staff shall provide the oral information by means of the Parent Education video, or they must read the information aloud to both parents.

- 1) Completion of the Acknowledgment of Paternity form is voluntary.
- 2) THIS IS A LEGAL DOCUMENT. Once processed by the Tennessee Office of Vital Records, the man's name is added to the child's birth certificate and he becomes the legal father of the child. It has the same effect as a court order establishing paternity and can be used as a basis for entering a child support order.
- 3) If either parent is not sure that this man is the biological (natural) father of this child, you should not sign an Acknowledgment of Paternity until you have a genetic (DNA) test. If the test shows a 95% or greater probability that the man is the father, Tennessee law says he is the presumed father and you may then sign an Acknowledgment of Paternity.
- 4) If either parent changes their mind about acknowledging paternity after signing the Acknowledgment of Paternity, you may sign a Rescission form and file it and the required fees with the Tennessee Office of Vital Records within 60 days of signing the Acknowledgment. You may obtain a copy of the Rescission form at your local Health Department or online at <http://tn.gov/health/article/vr-applications>.
- 5) If it is more than 60 days after you both sign this form and you decide you want to prove this man is not the father, you must go to court. You must prove there was fraud, duress, or material mistake of fact when you signed the Acknowledgment of Paternity.
- 6) Your child may have the right to receive benefits as the legal child of the man who signs an Acknowledgment of Paternity. These benefits may include child support, medical insurance, inheritance rights, Social Security and Veteran's benefits.
- 7) Acknowledging paternity does not automatically give the father visitation or custody rights. Please seek legal advice regarding custody and visitation rights, or any other related legal matters.
- 8) If you do not sign the Acknowledgment, paternity may be established by a court order. Contact your local Child Support Office for additional information. The contact information for your local office is available online at <http://www.tn.gov/humanservices/topic/child-support-services>.

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### RECONOCIMIENTO VOLUNTARIO DE PATERNIDAD: INSTRUCCIONES

#### Instrucciones de la página 1

#### WHAT PARENTS MUST KNOW BEFORE COMPLETING THE VAoP – PARENTS WORKSHEET

#### LO QUE LOS PADRES TIENEN QUE SABER ANTES DE FIRMAR ESTE RECONOCIMIENTO VOLUNTARIO DE PATERNIDAD

- Este Reconocimiento solo puede ser firmado por la madre biológica o el padre biológico.
- Este formulario está concebido para ser usado por las parejas que no hayan estado casadas en el momento del nacimiento, ni durante los 300 días previos al nacimiento.
  - Si la madre estaba casada con otra persona que no fuera el presunto padre biológico al nacer el niño o durante los 300 días previos al nacimiento, es necesario obtener el fallo de un tribunal respecto a la no paternidad del esposo basado en pruebas genéticas de ADN a fin de establecer ante todo que el niño no es hijo del esposo de la madre.
- ESTE ES UN DOCUMENTO LEGAL. No firme este formulario si no entiende lo que significa.
- Una vez que este formulario haya sido presentado a la Oficina de Registros Vitales de Tennessee, será necesario obtener una orden judicial certificada para realizar cambios al nombre del niño y del padre. Sin embargo, si uno de los padres, completa el formulario de Rescisión en un plazo de 60 días de la firma del presente formulario, el apellido del niño (apellido) automáticamente pasará a ser el apellido legal de la madre al momento del nacimiento.
- Ambos padres tienen que firmar este Reconocimiento en presencia de un notario público.
- Ambos padres tienen que recibir una copia del formulario de Reconocimiento completado. Se debe mantener una copia de este formulario con sus registros personales.
- Si uno de los padres es menor de 18 años de edad, su padre, madre o tutor tiene que estar presente cuando se firme este Reconocimiento ante un notario y el mismo tiene que firmar este formulario para dar su consentimiento en nombre del padre/de la madre menor de edad para reconocer la paternidad.

#### Instrucciones de la página 2

#### WRITTEN NOTICE OF ALTERNATIVES, LEGAL RIGHTS AND RESPONSIBILITIES

#### Lea la siguiente información antes de completar el Reconocimiento Voluntario de Paternidad

Las siguientes son las alternativas para completar el formulario de Reconocimiento de Paternidad y sus derechos legales y responsabilidades. Usted tiene que recibir notificación oral (hablada) de la información que aparece a continuación. El personal del hospital, el departamento de salud o de la oficina de manutención infantil proporcionará la información oral a través del vídeo de Educación a los Padres, o tiene que leer en voz alta la información a ambos padres.

- 1) Completar el formulario de Reconocimiento de Paternidad es un acto voluntario.
  - 2) ESTE ES UN DOCUMENTO LEGAL. Una vez procesado por la Oficina de Registros Vitales de Tennessee, se agrega el nombre del hombre a la partida de nacimiento del niño y dicho hombre se convierte en el padre legítimo del niño. Tiene el mismo efecto que una orden judicial para establecer la paternidad y se puede utilizar como base para emitir una orden de manutención infantil.
  - 3) Si el padre o la madre no están seguros de que este hombre es el padre biológico (natural) de este niño, no se debe firmar el Reconocimiento de Paternidad hasta tanto se obtenga una prueba genética de ADN. Si la prueba muestra un 95% o más de probabilidad de que el hombre es el padre, la ley de Tennessee establece que dicho hombre es el presunto padre y entonces se puede firmar el Reconocimiento de Paternidad.
  - 4) Si el padre o la madre cambian de opinión respecto al reconocimiento de la paternidad tras firmar el Reconocimiento de Paternidad, se puede firmar un formulario de Rescisión y presentarlo junto con las tarifas requeridas a la Oficina de Registros Vitales de Tennessee en un plazo de 60 días de la firma del Reconocimiento. Se puede obtener una copia del formulario de Rescisión en el Departamento de Salud de su localidad o en línea en <http://tn.gov/health/article/vr-applications>.
  - 5) Si han pasado más de 60 días de haberse firmado este formulario por parte de ambos padres y se decide comprobar que este hombre no es el padre, tiene que comparecer ante un tribunal. Usted tiene que demostrar la existencia de fraude, coacción o error material de hecho cuando firmó el Reconocimiento de Paternidad.
  - 6) Su niño puede tener derecho a recibir beneficios como hijo legítimo del hombre que firma el Reconocimiento de Paternidad. Dichos beneficios pueden ser, entre otros: manutención infantil, seguro médico, derechos de herencia, beneficios de Seguridad Social y beneficios de veteranos.
  - 7) Reconocer la paternidad no confiere automáticamente al padre la custodia o derechos de visita. Pida asesoramiento legal con respecto a la custodia y los derechos de visita, o cualquier otro asunto legal relacionado con este tema.
  - 8) Si no firma el Reconocimiento, la paternidad puede ser establecida a través de una orden judicial. Comuníquese con la oficina local de Manutención Infantil para obtener información adicional. La información de contacto de la oficina local la puede encontrar en línea <http://www.tn.gov/humanservices/>
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