



Virginia Paternity Establishment Program Training Manual

*Families Make the Difference!
Add the DAD!*

Issued August 2019

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ABOUT THIS MANUAL

Whether you are new to the Virginia Paternity Establishment Program (VPEP), or a seasoned birth registrar, WELCOME! With your help, VPEP will ensure that more of Virginia's children have the benefits that come with having a legal father. Through your dedication and hard work, **you are making a difference for Virginia's children and families.**

In 2018, the Department of Social Services, Division of Child Support Enforcement, awarded Veritas HHS a contract to manage the Virginia Paternity Establishment Program. Our staff will provide you with the training, materials, and support you need to help unmarried parents understand the importance of establishing paternity and how to complete the *Acknowledgment of Paternity (AOP)*.

This manual is a resource that will guide you in assisting unmarried parents with paternity establishment. It will help you understand the VPEP's background and goals and will teach you about the specific processes involved in voluntarily acknowledging paternity.

Using this manual, you will be able to:

- Understand VPEP's background and purpose and its integration into the birth registration process;
- Identify and complete the *AOP* forms used in this program;
- Answer basic questions about the program and the form;
- Know which questions are appropriate to answer (for example, those of a legal nature and which an attorney should answer); and
- Understand how to distribute the *AOP* once it is completed.

In addition, this manual provides other helpful information to assist you in your job. For example, there is an entire section devoted to *Effective Communication*.

Direct your VPEP questions or requests for materials to your outreach coordinator or to:

Virginia Paternity Establishment Program
P.O. Box 8270
Richmond, VA 23226 or
vapep@veritas-hhs.com or toll-free at 1-866-398-4841

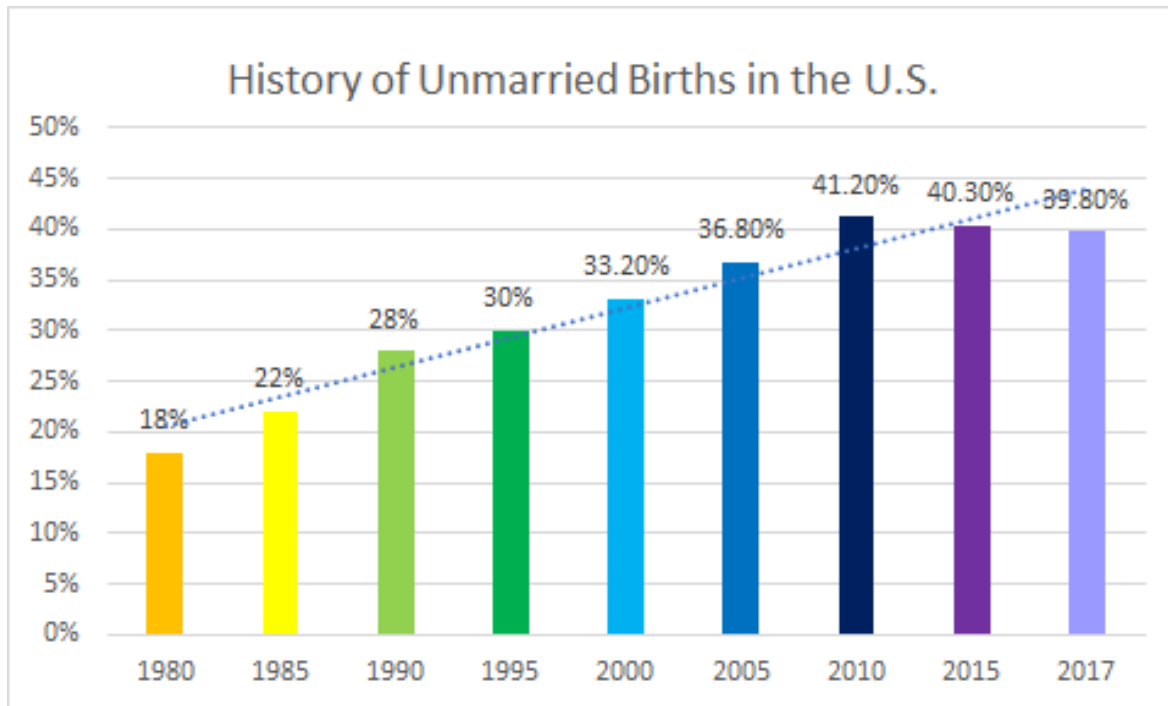


WELCOME to the VPEP Training Manual. As you use this manual and take training modules, know that YOU ARE MAKING A DIFFERENCE FOR VIRGINIA'S CHILDREN AND FAMILIES! If you have questions about anything in this manual, the VPEP team members are here to help. Call your assigned outreach coordinator or the VPEP office at: 1-866-398-4841.

SECTION 1: BACKGROUND

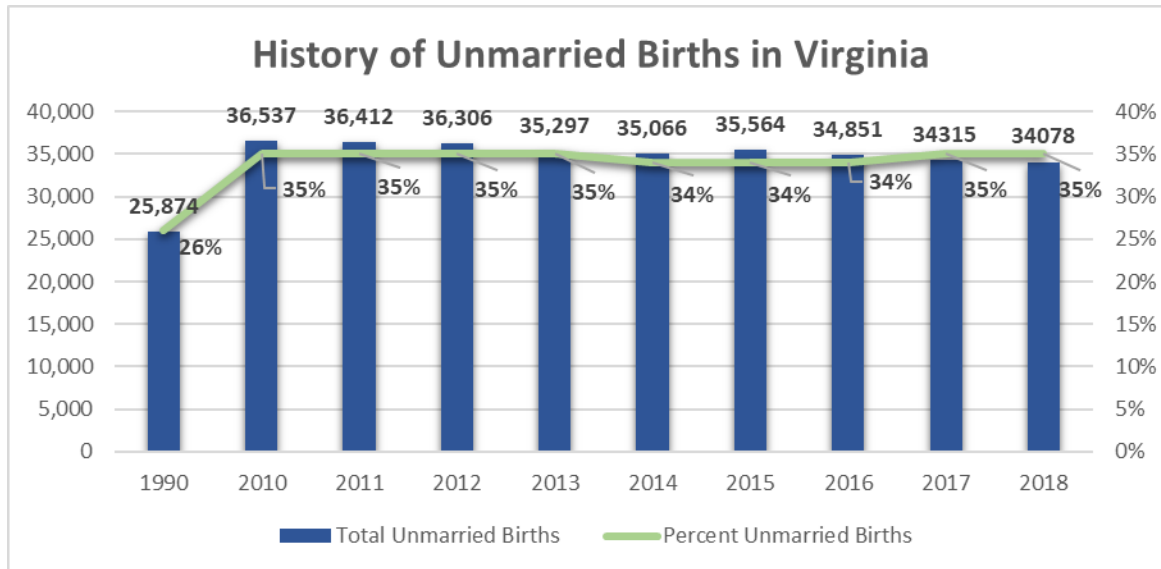
The Need for Voluntary Paternity Acknowledgment

Over the past three plus decades, the number of American children born to unmarried parents has increased dramatically. In 1980, 18 percent of births in the United States were to unmarried parents; by 2017, that number had increased to 39.8 percent of all births.



Source: National Center for Health Statistics

As the next graphic shows, between 1990 and 2010, Virginia experienced a sharp increase in the number of unmarried births — jumping from 26 percent of all births to 35 percent. However, after 2010, the rate leveled off and remained fairly constant, and even declined in 2014 before again rising slightly in 2015. In 2017, it took a slight upward turn. With the unmarried birth rate hovering between 34 to 35 percent, which is well below the national average, it still represents almost 35,000 children who needed to have paternity established in 2018. In the last seven years, close to 245,000 children in Virginia were born to unmarried parents and would benefit from having paternity established.



The non-marital birth rate has caused concern among policymakers, largely because high rates of births to unmarried parents are closely related to elevated rates of child poverty and increased welfare dependency. Children who do not have paternity established also are deprived of having a connection to their father, economic security that comes from receiving child support and health insurance coverage, knowledge of medical history, a social identity, and the potential for Social Security, veteran's benefits, and inheritance rights in the event of the father's death.

What is Paternity Establishment?

When a child is born to a unmarried parents, the child does not have a legal father unless paternity is established. Paternity means legal fatherhood. Establishing paternity provides the child with a legal connection to both parents. There are three ways to establish paternity.

Voluntarily: When parents are unmarried, they can sign an *Acknowledgment of Paternity (AOP)*. (See the *APPENDICES* for a copy of this form.) Prior to signing the form, the parents must be given the *Paternity Acknowledgment Rights and Responsibilities Statement*, orally and in writing, and have time to read the statement and ask questions. Their signatures must be notarized.

Having the parents complete the *AOP* in the hospital when their child is born is the easiest, most common, and most effective way to establish paternity voluntarily. However, should parents choose not to acknowledge paternity when their child is born they can do it later after leaving the hospital, at 1) the hospital where the child was born; 2) any other birthing hospital; 3) the Division of Vital Records (DVR) office in Richmond; 4) a local Department of Health clinic; 5), their local Department of Social Services (DSS) office; or 6) their local Division of Child Support Enforcement (DCSE) office. When the parents correctly complete the



REMEMBER

Having the parents complete the *AOP* in the hospital when their child is born is the easiest, most common, and most effective way to establish paternity voluntarily.

AOP and the form is notarized, this creates a conclusive finding of paternity. Consequently, if there is any doubt regarding who the child's biological father is, the parents should not sign an *AOP* and have genetic testing to determine paternity.

Administratively: As mentioned above, parents can voluntarily establish paternity at their local DCSE office. Either parent can open a case. Parents are advised that once paternity is established, DCSE staff will seek to also obtain an order for financial and medical support. Generally, all the forms are prepared, and the parents sign the *AOP* and the father consents to and signs the support order. However, if the father is unwilling to also sign the support order, DCSE staff will move forward with obtaining an order for medical and financial support. If either parent has any doubt regarding the child's biological father, DCSE staff can arrange for genetic testing.

Court Determined: One parent, his/her legal representative, or a DCSE attorney can file a motion to establish paternity in court. This is usually done when a parent refuses to provide DNA for testing or when custody and visitation need to be determined.

Once paternity is established, the entity involved will send the proper documentation to DVR so the father's name can be added to the birth certificate.

What is the Legal Basis for the Virginia Paternity Establishment Program (VPEP)?

Legislation on the national and state level was passed to address the problems that result when children are born to unmarried parents. Federal and state laws require birthing hospitals/facilities to participate in the completion of paternity acknowledgments.

FEDERAL LEGISLATION

Enacted by Congress in 1993, the Omnibus Budget Reconciliation Act (OBRA) required every state to establish a program for the voluntary acknowledgment of paternity in hospitals at the time of a child's birth to an unmarried mother.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) required states to adopt additional laws supporting voluntary paternity acknowledgment. These additional provisions were designed to strengthen existing paternity programs.

PRWORA required all states to develop procedures for a simple civil process for voluntarily acknowledging paternity. The procedures must provide that before a mother and alleged father can sign a voluntary acknowledgment form, they must be given notice (orally and in writing) of:

- The alternatives to signing the form;
- The legal consequences of signing the form; and
- The rights and responsibilities that arise from acknowledging paternity.

The procedures must also specify that the name of the father can be included on the child's birth record only if the mother and father have both signed the voluntary paternity acknowledgment form. The acknowledgment is considered to be a legal finding of paternity once it is recorded,

unless either parent rescinds the acknowledgment within 60 days of the last signature date. However, a rescission will not cause or allow an amendment to the birth certificate. Therefore, the father's name WILL NOT be removed from the birth certificate. In order to have the father's name removed or to change the child's surname, a certified copy of a court order directing the Vital Records agency to amend the birth certificate is required.

STATE LEGISLATION

In Virginia, the requirements for hospitals to assist unmarried parents with acknowledging paternity are found in the *Code of Virginia § 63.2-1914. Hospital paternity establishment programs*.

As part of the birth registration process, birthing hospitals are to collect the information about the father needed to establish paternity. If the unmarried parents do not complete an *AOP*, the hospital should try to collect information about the father on the *Putative Father Information* form to assist in the establishment of paternity at a later date.

(See the *APPENDICES* for a list of Federal and State laws on paternity acknowledgments and in-hospital paternity acknowledgment programs.)

What Is the Paternity Establishment Percentage (PEP)?

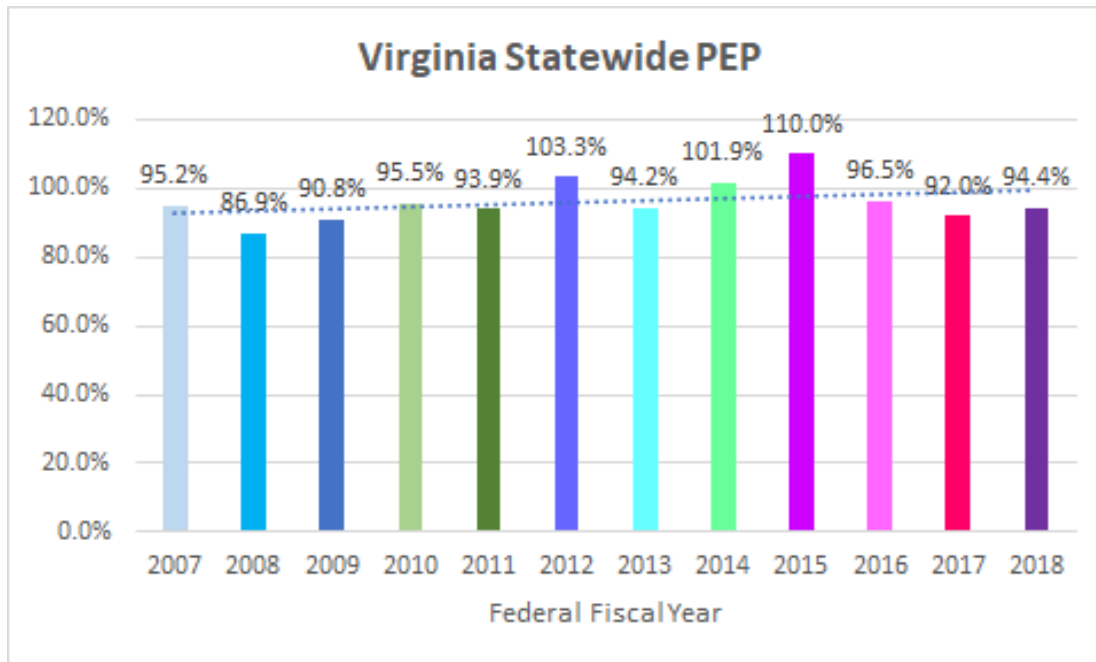
The PEP is a child support performance measure by which the Federal Government evaluates states and their child support agencies on the percentage of children born to unmarried parents and for whom paternity has been established. States are required to maintain a 90 percent paternity establishment rate for children born to unmarried parents. Meeting the 90 percent standard allows the Commonwealth to earn incentive money for its child support program and avoid federal penalties to its Temporary Assistance for Needy Families (TANF) program.

In Virginia, voluntary paternity acknowledgments (obtained in the hospital and through other agencies), paternity administrative orders, and paternities established through the court system make up the PEP. The in-hospital paternity acknowledgment rate contributes substantially to Virginia's PEP.

One way of calculating the PEP is using what is called a statewide standard, which is calculated by dividing the number of children born to unmarried parents who have paternity established in a given federal fiscal year (FFY) by the number of children born to unmarried parents in the previous year. Virginia uses this method.

For example, in FFY 2018, 32,657 children born to unmarried parents in Virginia had paternity established. There were 34,606 unmarried births in the previous year. Dividing 32,657 by 34,606 calculates to a statewide PEP of 94.4 (rounded up) percent for FFY 2018.

When a state fails to meet the federal 90 percent requirement, the Federal Government will require the state to first submit a corrective action plan and increase its PEP by a minimum of 2 percent in the next FFY or face a penalty on the state's TANF block grant. Over the last decade, Virginia has met the federal requirement in all years, except in 2008, as the following graph shows.



REMEMBER

VPEP's goal is to help hospitals achieve and maintain an 80 percent voluntary paternity acknowledgment rate.

To calculate the overall in-hospital percentage (as well as a percentage for each individual hospital), we divide the number of *AOPs* completed by hospitals in a given month (or year) by the number of unmarried births in hospitals during the same time period.

For example, in January 2019, Hospital A, had 25 children born to unmarried parents; and of those, parents completed 20 *AOPs*. This gives the hospital an in-hospital paternity establishment rate of 80 percent ($20/25 = 0.80$). Hospital B had 15 children born to unmarried parents; and of those, only five completed *AOPs*, for a 33 percent in-hospital paternity establishment rate ($5/15 = 0.33$).

The Virginia Paternity Establishment Program's goal is to help hospitals continuously achieve an 80 percent voluntary paternity acknowledgment rate. When combined with the other establishment methods, hitting the 80 percent mark helps the Commonwealth ensure it will meet or exceed the federally required 90 percent. This is why we track hospital percentages monthly and offer help (additional training and face-to-face visits) when a hospital's percentage is below 80 percent or shows a substantial decline in the number of *AOPs* obtained.

Are There Penalties Associated with PEP?

As discussed above, Virginia must maintain a PEP of 90 percent or better. If the Commonwealth drops below the 90 percent standard in a given federal fiscal year, the Federal Government would place the Commonwealth under a corrective action plan. The Commonwealth would have to show a 2 percent improvement or increase back above 90 percent to not face a penalty. If the Commonwealth meets the 2 percent increase, corrective action stops. If the Commonwealth fails to meet the 2 percent increase, the Federal Government will assess a penalty against the state's Temporary Assistance to Needy Families (TANF) grant. This would adversely affect the Commonwealth's ability to provide for its most vulnerable citizens.



REMEMBER

By helping unmarried parents establish paternity, you are also helping to ensure the Commonwealth meets the federally established PEP and doesn't lose TANF funds.

SECTION 2: THE VIRGINIA PATERNITY ESTABLISHMENT PROGRAM

The Importance of Establishing Paternity

Paternity establishment provides many potential benefits for children and families, including:

SELF-ESTEEM

Generally, children respond better when given love and support from both parents.

RELATIONSHIPS

It is important for a child to know his or her mother and father and to benefit from a relationship with both parents. Once paternity is established, the father is more likely to maintain his relationship with the child. The father's extended family may also be more likely to participate in the child's life.

IDENTITY

Children have a need to know both parents and their **FAMILY HISTORY** for a sense of **IDENTITY AND FAMILY BELONGING**. Only when unmarried parents acknowledge paternity will the father's information appear on the child's birth certificate. In the absence of a signed *Acknowledgment of Paternity* (or a formal paternity proceeding), the father's section on the birth certificate remains blank.

HEALTH HISTORY

When parents acknowledge paternity, the child will have access to information about medical histories on both sides of his or her family. Knowing the family's medical history is important for the child and his/her physician(s). This is critical in situations in which the child inherits a medical condition. Additionally, after paternity is established, the father may be able to add the child to his medical insurance policy.

CUSTODY AND VISITATION

If parents are unmarried at the time of a child's birth, the mother is presumed to have custody. However, by completing the *AOP*, the father can petition the court for visitation rights and/or share in custody arrangements.

ADOPTION

If a father does not acknowledge paternity or add his name to Virginia's *Putative Father Registry*, his child can be adopted by another man without his consent or permission.



REMEMBER

Establishing paternity provides the child with a wide range of potential benefits.

EMOTIONAL AND FINANCIAL SECURITY

BOTH parents have a responsibility and are expected to contribute to their child's emotional and financial security. **BOTH** parents are legally and financially responsible for their child. This reduces the likelihood that either parent will have to apply for financial or medical assistance. If the parents separate and paternity has already been established, it will be easier for the custodial parent to obtain an order for child support. Income from child support often keeps a child from living in poverty.

In addition, acknowledging paternity potentially allows the child to qualify for important financial benefits from the father. If something happens to the father, possible benefits include: Social Security, life insurance, pensions, and inheritance rights.

LEGAL RIGHTS

Establishing paternity means that a child will have the same legal rights as a child born to married parents.

Clearly, voluntary paternity acknowledgment is important for a number of reasons; primarily, it:

- 1. Provides an easy process that allows parents to establish paternity without going to court;**
- 2. Solidifies the father/child relationship; and**
- 3. Is the first step in securing an order for financial and medical support, helping to ensure the child does not live in poverty.**

VPEP's Goals

Every child deserves the benefits of having two parents, including those children born to unmarried parents. Equally, every parent deserves the opportunity to love, care for, and support their child in all the ways that count. By increasing the number of approved legal *AOPs* across the Commonwealth, VPEP can make a difference in these children's lives.

Ultimately, the program is designed to achieve the following goals:

- Improve upon the voluntary paternity process currently in place in Virginia's birthing facilities and increase the number and quality of *AOP* forms completed and submitted;
- Educate birthing facility staff about the significant roles and responsibilities they have in the program's success;
- Educate unmarried parents about the importance of establishing paternity for their children and encourage them to acknowledge paternity voluntarily;



REMEMBER

Voluntary paternity acknowledgment is an easy process that allows parents to establish paternity without going to court and is a first step toward solidifying the father/child relationship.

- Increase the number of children who have a legal father, thereby increasing child support orders and decreasing unmarried mothers reliance on public assistance;
- Develop and maintain paternity information in the Virginia Paternity Establishment Database; and
- Assist the Commonwealth of Virginia in achieving federal performance measures and receiving maximum incentive monies.

The Hospitals' Role in Paternity Acknowledgment

Virginia's hospitals' birth registrars play a critical role in the success of the paternity acknowledgment process.

Fortunately, the hospitals already have effective processes for collecting birth information, processing birth records, and completing *AOPs*. Hospital staff contribute to the paternity process by:

- Presenting unmarried parents the opportunity to acknowledge paternity voluntarily when their child is born;
- Providing parents with informational materials to help them understand what paternity acknowledgment can mean to them and their child;
- Explaining, orally and in writing, the rights and responsibilities to all unmarried parents, as well as other options parents have if they are not completely sure who the child's father is;
- Ensuring paternity forms are processed correctly so the father's information is placed on the child's birth certificate; and
- Notarizing the signing of *AOPs*.



REMEMBER

Virginia's hospitals' birth registration staff play a critical role in the success of the voluntary paternity acknowledgment process.

Within seven days of a child's birth, the hospital must send the birth certificate to the Division of Vital Records (DVR) in Richmond. If paternity was established via an *AOP*, the hospital sends the original form to DVR at the same time it sends the birth certificate information. The hospital also sends a copy of the *AOP* to the VPEP office.

The hospital also prints the *Paternity Report* from the VVEST program and sends it with the *AOPs* forms to the VPEP office.

The VPEP Office's Role in Paternity Establishment

DSS/DCSE hired Veritas HHS, a private service provider, to help with the development of materials, training, and outreach efforts. Veritas HHS staffs and operates the VPEP office, serves as DSS/DCSE's liaison for VPEP, and works with hospital and Vital Records staffs in matters relevant to VPEP, ensuring the program's success. The company also provides forms' processing services and maintains the VPEP database.

The VPEP office staff are responsible for collecting and processing paternity forms and overall program coordination. VPEP staff track hospital participation in the program, answer any questions that hospital staff have, and issues payments to hospitals for all accepted *AOPs*.

The Local Department of Health Clinics' Role in Paternity Acknowledgment

Local Department of Health clinics play an important role in the success of the paternity acknowledgment process. They contribute by:

- Providing informational materials to unmarried parents to explain what acknowledging paternity means for them and their child;
- Explaining to all unmarried parents, orally and in writing, the rights and responsibilities involved in acknowledging paternity;
- Offering the parents an opportunity to complete an *AOP* and assisting them with completing the form; and
- Forwarding paternity documentation to the DVR office in Richmond and to the VPEP office.

The DVR's Role in Paternity Acknowledgment

The Division of Vital Records (DVR) is responsible for the overall coordination and administration of Virginia's birth registration process. Specific roles related to the paternity acknowledgment process include:

- Contributing to the development of standards and instructions for completing the *Acknowledgment of Paternity* form;
- Maintaining the original *AOPs* that hospitals, local Department of Health clinics, local DSS offices, and DCSE offices submit;
- Reviewing birth certificates and doing quality assurance (QA) on paternity documents to ensure that paternity for each child is accurately recorded;
- Providing data regarding paternity status and accuracy of forms; and
- Adding the father's name to the birth certificate.

The DCSE's Role in Paternity Acknowledgment

The Virginia Department of Social Services (DSS), Division of Child Support Enforcement (DCSE) assists parents who wish to establish paternity and collect child support from a noncustodial parent. DSS/DCSE, in collaboration with DVR, was responsible for developing a simple process for unmarried parents to acknowledge paternity voluntarily without going to court. DSS/DCSE established the Virginia Paternity Establishment Program (VPEP) to help fulfill its role in the voluntary paternity acknowledgment process. One of VPEP's main purposes is to assist birthing hospitals with educating unmarried parents. VPEP staff train birth registrars and provide materials,

including brochures, posters, brief videos, and other educational materials to make unmarried parents aware of their option to acknowledge paternity voluntarily, their rights and responsibilities, and the importance of acknowledging paternity for their children.

The DCSE Local Offices' Role in Paternity Acknowledgment

When child support cases are opened, and if paternity is in question, local DCSE staff will review the VPEP database to determine if an *AOP* exists. If it does, DCSE staff will compare the names of the parties with informaton in the State's electronic system. The DCSE worker can then choose the best approach for proceeding with the case either establish paternity and an order for support, or if paternity is already established, proceed with an order for child support.

SECTION 3:

OVERVIEW OF THE PATERNITY ACKNOWLEDGMENT PROCESS

The Paternity Acknowledgment Process at the Hospital

Under Virginia law, hospitals are responsible for giving unmarried parents the opportunity to legally establish paternity. Hospitals provide educational materials to unmarried parents so they can make an informed decision about whether they should establish paternity. To establish paternity at the time of birth, parents must complete an *Acknowledgment of Paternity (AOP)* form. (See the *APPENDICES* for a copy of this form). The hospital's role is to ensure unmarried mothers and fathers have every opportunity to properly complete this form and to include the father's information on the child's birth certificate. To fulfill this role, hospitals must:

- Provide trained, knowledgeable staff members to meet with unmarried parents;
- Collect personal data from the mother required to complete the hospital worksheet, which includes the marital status of the mother at the time of birth;
- Inform unmarried parents of their option to establish paternity through a voluntary process, prior to discharge, and provide an opportunity to speak with staff who are trained to explain the process and answer any questions the parents have;
- Provide the parents with written information about paternity establishment, such as rights and responsibilities, legal consequences, and alternatives to signing a voluntary acknowledgment;
- Have staff available to help parents complete the AOP and to notarize the parents' signatures; and
- Mail the EBC-generated original AOPs and birth certificates to DVR no later than seven days after a child's birth and a copy of each AOP to the VPEP office weekly.



REMEMBER

It is important that parents understand that completing an *Acknowledgment of Paternity* is entirely voluntary; never pressure parents to acknowledge paternity.

The AOP collects much of the same information as the birth certificate. Consequently, hospital staff should process the AOP along with the birth certificate and compare the two documents to ensure their accuracy.

The Paternity Acknowledgment Process After Mom and Baby Are Discharged From the Hospital

It is important to note that there is no statute of limitations for completing an *AOP*. If parents choose not to acknowledge paternity in the hospital when their child is born, should they decide to subsequently Add the DAD, there are several places they can go to complete the *AOP*.

Advise parents they can go to any birthing hospital to complete the *AOP*, but encourage them to return to your hospital. By returning to the hospital where mom gave birth, the mom and dad will feel comfortable because they know the staff and the surroundings; it will also ensure your hospital receives credit for the acknowledgment.

Also advise them they may go to the Division of Vital Records (DVR) in Richmond, their local Health Department clinic, their local Department of Social Services office, or local Division of Child Support Enforcement office to complete the *AOP*.

Parents may also print a copy of an *AOP*, including the *Rights and Responsibilities*, from the VPEP website at www.vapaternity.com and mail the completed and notarized forms to:

Virginia Paternity Establishment Program
P.O. Box 8270
Richmond, VA 23226

After the child has been discharged from the hospital, DVR charges a \$10 fee to amend the birth certificate and \$12 for each copy of the birth certificate. Parents must include a check for \$10 and an additional amount for the number of copies birth certificates they wish to receive. For example, if they only require one birth certificate, they would make a check payable to the State Department of Health in the amount of \$22; if they require two birth certificates, the check amount would be \$34. It usually takes up to four to six weeks for DVR to process the document and amend the birth certificate.

General Guidelines for Hospital Staff

The following guidelines to the paternity acknowledgment process provide you with some important things to remember.

PROVIDING GENERAL INFORMATION TO PARENTS ABOUT PATERNITY ACKNOWLEDGMENT

When unmarried parents arrive at the hospital for the birth of their child, they are excited, but they also may quickly feel overwhelmed by all the forms and information they receive. Their ability to read and understand the written materials you provide about the paternity acknowledgment process may be a challenge considering all that is happening. The short hospital stay also limits your time to answer questions and gather information needed to complete the *AOP* and birth certificate. To fulfill this requirement, and to maximize the chances of parents making informed decisions, consider the following:

- Parents who receive paternity information in advance of their child's birth will have more time to consider their options and need less education once they arrive at the hospital. Many hospitals already distribute information to mothers as part of an overall pre-registration process. If information relating to birth certificates and paternity acknowledgment is not part of the pre-registration process at your hospital, consider including it or have your delivering doctors distribute information.
- Having prenatal care providers distribute information about voluntary paternity acknowledgment to unmarried, about-to-be parents prior to the birth of their child allows the parents to come to the hospital with a greater understanding of the process and its requirements. Should you have contact with doctors, prenatal clinics, and other entities working with parents prior to the birth of their child and have an opportunity to share information and materials, please do. A brochure about voluntary paternity acknowledgment is available for distribution to these entities, and VPEP staff are also available for education and outreach efforts.
- When providing information to the parents before or at the time of delivery, it is important to understand the sensitive nature of this process. It is also important that parents understand that completing and signing the *AOP* is entirely voluntary; never pressure parents into completing the form.

INSTRUCTING PARENTS AND ANSWERING QUESTIONS

Some fathers may not be present when you are preparing the birth certificate. While it is ideal for both parents to be present to discuss the *AOP*, sign the form, and have their signatures notarized, it is not mandatory.

The parents may have questions about their rights and responsibilities under the law. If the written and oral information provided does not answer all their questions, advise them to call the VPEP helpline at 1.866.398.4841, visit the website www.vapaternity.com, or email vapep@veritas-hhs.com, or contact a private attorney. It is illegal to give legal advice unless you are an attorney.

Some parents may wish to obtain genetic testing instead of completing an *AOP*. If parents show any hesitancy or uncertainty about who the biological father is, explain that they should not complete the *AOP*. If parents sign the form and then get a genetic test that shows the man who signed the form **IS NOT** the father of the child **AND** the 60-day period to rescind the *AOP* has passed, **they will not be able to remove his name from the birth certificate**. Once the *AOP* is signed and the 60-day timeline has passed, paternity can only be contested through a legal process on the basis of fraud, duress, or material mistake of fact.



REMEMBER

It is illegal to give legal advice unless you are an attorney.

COMPLETING THE ACKNOWLEDGMENT OF PATERNITY

The *Acknowledgment of Paternity* is an integral part of the birth registration process and is a permanent legal record. Discrepancies or alterations on the form may substantially alter the form's legal integrity. For example, what appears today to be a minor cross-out could be used 75 years from now to eliminate inheritance rights of a grandchild of these parents because the court questions when such a change was made. These forms, as with birth certificates, must stand alone through time as substantial legal documents. Basic rules for completing the *AOP* follow:

- The form must be typed or printed in permanent black, unfading ink.
- The use of white-out is not acceptable; neither is the use of correction tape or correcting typewriters. As with other alterations to the form, it is impossible to determine if these corrections were made when the form was prepared or at a later date. Information typed over correction tape may be easily removed from the paper — for example, even by the friction of a sheet of paper on top of it. **Note:** Cross-outs are allowed above line 23 on the form (parents can place a single line through error, correct, and initial).
- The information on the *AOP* must match exactly the information on the birth certificate.
- Parents should provide all information requested on the form. In some very limited cases, complete information may be unavailable. If a parent was born in another country, enter the name of the country.
- DVR will not accept paternity forms if parents do not provide the required information. If parents refuse to provide required information, the paternity form is considered incomplete, and the father will not be added to the child's birth certificate.
- It is important to remember that this is a voluntary program; and if parents wish to participate, they must provide all required information. If you have questions about specific cases, contact DVR's central office at 804-662-6200.
- Federal law mandates collection of Social Security numbers for this program. Advise parents that they are required to provide a Social Security number if they have one. If a parent does not have an SSN, enter 000-00-0000; if the parent refuses to provide his or her SSN, enter 999-99-9999 on the form.



REMEMBER

Both parents must complete, sign and have the *AOP* form notarized.

SIGNATURES

- Both parents must complete and sign the form using black. Both signatures must be notarized.
- The notary is responsible for ensuring the parents provide appropriate identification (a valid picture ID) prior to signing the *AOP*.
- Minor parents may sign the form. A guardian's signature is not required.

- Should the parent be unable to sign his or her name, the parent can make a mark. However, in order for DVR to approve the form, you must provide DVR with a note stating that the parent signed the form “with a mark.” You must ensure that the parent uses the same mark on all documents requiring a signature.

PROCESSING THE COMPLETED FORMS

- After the *AOP* form is completed at the hospital, including the notarized signatures of both parents, enter the information into VVEST birth certificate system, send the original *AOP* to the DVR to have the father’s name added to the birth certificate, send a copy to the VPEP office for processing, provide a copy to the mother and to the father, and file the second original in your hospital file.
- If there is an error on the *AOP*, DVR staff and VPEP staff will contact the hospital for correction. You are then responsible for contacting the parents to get it corrected. If parents do not respond within five business days, you must remove the father's information from the record. If that occurs, inform the parents they can still complete an *AOP* form at the hospital where mom gave birth or any other birthing hospital in Virginia, a local Department of Health clinic, the Office of Vital Records in Richmond, a local Department of Social Services office, or a local Division of Child Support Enforcement office. Remind them that while there is no fee if the form is completed at the time of birth, there is a fee to add the father to the birth certificate after the record is transmitted (\$10 to amend and a \$12 for each copy of the birth certificate).

More detailed processing instructions follow in *Section 4*.

SECTION 4: INSTRUCTIONS FOR COMPLETING THE ACKNOWLEDGMENT OF PATERNITY

This AOP form is required to add the biological father's information to the birth record when the mother was not married at the time of birth, or at conception, or any time in between.

The instructions below are for completing the *Acknowledgment of Paternity* (VS22 7/04). There are some slight differences in this form and the form VVEST prints after information is entered in the system. We have provided a copy of both forms in the *APPENDICES* section.

When completing an AOP, parents must acknowledge they were given and have read the *Rights and Responsibilities* and were also provided with an oral description of their rights and responsibilities. With the VVEST form, this acknowledgment is part of the form and only one signature from each parent is required. However, when completing the VS22, parents must sign a second form — the *Paternity Acknowledgment Rights and Responsibilities Statement* (8/14/2012 Revision). The parents are required to sign the forms in the presence of a notary.

In addition to adding the father's information to the birth certificate, this form constitutes a determination of paternity unless either parent requests a rescission at the Division of Vital Records within 60 days of completing the form (the last signature date on the form).

Parents can complete an AOP at the hospital when all of the following conditions are met:

- **The mother gives birth in Virginia.** If the birth occurred in another state, the parents should contact the state where the child was born.
- **The mother was not married at the time of birth or conception, or any time in between.**
Note: If the mother was married at any time during the pregnancy, her husband (or ex-husband if the divorce was less than 300 days before the child's birth), by law, is considered the child's legal father. Follow these guidelines:
 - Even if the mother states another man is her child's biological father, she and the father cannot complete an AOP.
 - The name of the mother's husband (or ex-husband) must be entered on the birth certificate as the father. If she refuses to provide the information, leave the father's section blank on the birth certificate.
- **The mother and biological father wish to acknowledge paternity at the time of birth.** To acknowledge paternity, both the mother and father must complete the AOP, show proper picture identification, sign the form, and have both their signatures notarized. (**Note:** Paternity can also be acknowledged later, as detailed above.)



REMEMBER

If the mother was married at any time during the pregnancy, her husband (or ex-husband if the divorce was less than 300 days before the child's birth), by law, is considered the child's legal father.

If parents do not wish to return to a hospital, the *APPENDICES* section below contains a listing of agencies where parents can receive help completing an *AOP* after leaving the hospital.

QUESTIONS TO CONSIDER WHEN COMPLETING THE *AOP*

Question	Yes/No	Follow These Instructions
Is the mother married to the child's biological father?	YES	DO NOT complete an <i>AOP</i> . It is not needed.
	NO	DO complete an <i>AOP</i> .
Is the mother married to someone other than the biological father?	YES	DO NOT complete an <i>AOP</i> . The mother's husband is the legal father of a child born during their marriage, even if they are separated. The mother's only option to have a different man shown as the child's legal father is to petition the Juvenile and Domestic Court to have genetic testing completed and have the court enter an order based on the results.
	NO	If the mother is unmarried, DO complete an <i>AOP</i> .
Is the mother divorced?	YES	If the mother was divorced more than 300 days before the child's birth , then child is NOT considered a child of the marriage. DO complete the <i>AOP</i> .
	NO	If the mother was divorced less than 300 days before the child's birth , DO NOT complete an <i>AOP</i> . The mother's ex-husband is considered the child's father until a court order states otherwise.
Are the mother and alleged father 100 percent sure he is the biological father?	YES	DO complete the <i>AOP</i> .
	NO	DO NOT complete the <i>AOP</i> and suggest that they pursue genetic testing prior to signing the form.
Is the baby's father married to someone else?	YES	DO complete the <i>AOP</i> .
	NO	DO complete the <i>AOP</i> .

**REMEMBER**

Information given on the AOP must match the information exactly as provided on the birth certificate.

SPECIFIC INSTRUCTIONS FOR COMPLETING EACH ITEM ON THE AOP

All items on the form are required and must be completed in the manner described below. It is important to remember that the information given on the *AOP* must match the information provided on the birth certificate.

Instructions for Completing Each Section of the AOP

Prepare two (2) originals of the *AOP* and the *Rights and Responsibilities*, if applicable (not completing in VVEST), forms for the parents to complete. After the forms are signed and notarized, make three (3) copies of each. The items on this list are required, unless otherwise noted.

AOP – Parts I – V	
Part I – Child's Information	1. Enter the child's Full Name at Birth . The name of the child listed on the AOP form must match exactly the name given to the child on the birth certificate. (List first, middle, and last name, and suffix, if any.)
	2. Sex : Enter Male or Female, as appropriate
	3. Enter the child's Date of Birth . The date of birth must exactly match the date of birth on the birth certificate. Spell out the name of the month (January, February, etc.). Do not use a numeric format for the birth month.
	4. Enter the child's Place of Birth . Enter the name of the independent city or county in Virginia where the birth occurred. Enter it exactly as it appears on the birth certificate . Note: If the birth occurred at home with the hospital completing the birth certificate as the provider of the postnatal care, the place of birth must be the city or town where the birth occurred and not the hospital's location.
	5. Birth Certificate Number . If completing the form immediately after the child's birth, leave this field blank. DVR assigns this number later. If the parents return to complete the <i>AOP</i> after the birth certificate has been filed, enter the state birth number.
Part II – Biological Mother of the Child	6. Enter the mother's Full Maiden Name, exactly as it appears on the birth certificate . Include any name changes due to adoption or court order but not due to marriage.
	7. Enter the mother's Present Name , including her first, middle, and last names, even if her current name and maiden name are the same. The mother's name on the AOP form must match exactly the name given on the birth certificate .
	8. Enter the mother's Date of Birth , using the same format and date as on the birth certificate (Month, Day, and Year). Spell out

AOP – Parts I – V	
	the name of the month (January, February, etc.) Do not use a numeric format for the birth month.
	9. Enter the mother's Place of Birth . This is the state OR foreign country where the mother was born. This item must match the information on the birth certificate.
	10. Enter the mother's Social Security Number . This item is required and must exactly match the SNN provided for completion of the birth certificate. If the mother does not have a SSN, enter 000-00-0000"; if the mother refuses to provide her SSN, enter "999-99-9999."
	11. Enter the mother's Race or Color. If using the VVEST AOP form, the drop-down menus for race include the following categories: • White (Includes Hispanic) • Black • American Indian • Asian • Chinese • Japanese • Korean • Filipino • Guamanian • Hawaiian • Vietnamese • Samoan • Other Asian or Pacific Islanders • Other Races • Unknown The VVEST system also includes the field titled "Hispanic" where the birth registrar fills in the Hispanic origin. The choices include: • Central American • South American • Cuban • Mexican • Puerto Rican • Non-Hispanic • Unknown Hispanic • Unknown When completing the form manually, choose one of the following categories for Race or Color: • White (Includes Hispanic) • Black • American Indian

AOP – Parts I – V	
	• Asian • Chinese • Japanese • Korean • Filipino • Guamanian • Hawaiian • Vietnamese • Samoan • Other Asian or Pacific Islanders • Other races • Unknown
Part III – Biological Father of the Child	12. Enter the father's legal Full Name . List first, middle, and last names, and suffix, if any, exactly as the name appears on the birth certificate .
	13. Enter the father's Date of Birth , using the same format and date as on the birth certificate (Month, Day, and Year). Spell out the name of the month (January, February, etc.) Do not use a numeric format for the birth month.
	14. Enter the father's Place of Birth . This is the state OR foreign country where the father was born. This item must match the information on the birth certificate .
	15. Enter the father's Social Security Number . This item is required and must exactly match the SNN provided for completion of the birth certificate . If the father does not have a SSN, enter 000-00-0000"; if the father refuses to provide his SSN, enter "999-99-9999."
	16. Enter the father's Race or Color . If using the VVEST AOP form, the drop-down menus for race include the following categories: • White (Includes Hispanic) • Black • American Indian • Asian • Chinese • Japanese • Korean • Filipino • Guamanian • Hawaiian • Vietnamese • Samoan • Other Asian or Pacific Islanders

AOP – Parts I – V	
	• Other Races • Unknown The VVEST system also includes the field titled “Hispanic” where the birth registrar fills in the Hispanic origin. The choices include: • Central American • South American • Cuban • Mexican • Puerto Rican • Non-Hispanic • Unknown Hispanic • Unknown When completing the form manually, choose one of the following categories for Race or Color: • White (Includes Hispanic) • Black • American Indian • Asian • Chinese • Japanese • Korean • Filipino • Guamanian • Hawaiian • Vietnamese • Samoan • Other Asian or Pacific Islanders • Other races • Unknown
<i>Note: Items 17, 18, and 19 refer to the father at the time of the child’s birth and are used to obtain demographical information. This father may choose to provide this information, but it is not required.</i>	
	17. <i>Enter a number (0-18) to indicate the highest academic grade level that the father completed or leave blank. Note: Three-year nursing schools, business schools, and technical training schools are NOT considered academic grades for this form.</i>
	18. <i>Enter the father’s occupation, trade, or profession at the time of the child’s birth or leave blank. Note: The VVEST form does not include this field.</i>
	19. <i>Enter the kind of business or industry in which the father performed the occupation listed in number 18 or leave blank. Note: The VVEST form does not include this field.</i>

AOP – Parts I – V	
Part IV – Biological Parents' Marriage (Complete this section if the parents marry after their child's birth. A certified copy of the parents' marriage certificate must accompany the AOP.)	20. Enter the Place of Marriage . This is the name of the independent city or county and state or foreign country where the marriage took place. This information must exactly match what is shown on the marriage license.
	21. Enter the Date of Marriage . Enter the date EXACTLY as shown on the marriage certificate . Spell out the name of the month (January, February etc.). Do not use a numeric format for the month.
Part V – Parents' Acknowledgment Note: Part V of the VVEST form is the Rights and Responsibilities Statement and Part VI is the Parents' Acknowledgment	22. THIS SECTION MUST BE COMPLETED. Enter the Child's Name , including first, middle, last, and suffix (if any), as the parents agree and EXACTLY as shown on the birth certificate.
	23a. After the child's birth, the father will sign the form in the presence of a Notary Public . The signature must match the name as shown in Field 12 of the form. (As with any notarization, the notary shall examine the father's photo identification prior to notarizing his signature.)
	23b. Enter the father's complete address . On the first line, enter the father's street address (for example, house number, apartment number, street name/number/R.F.D., highway or route number). On the second line, include the name of the city or town, state, and zip code where the street address is located.
	24a. The mother will sign the form after the child's birth and in the presence of a Notary Public . The signature must match the name as shown in Field 7 of the form. (As with any notarization, the notary shall examine the mother's photo identification prior to notarizing her signature.)
	24b. Enter the mother's complete address . On the first line, enter the mother's street address (for example, house number, apartment number, street name/number/R.F.D., highway, or route number). On the second line, include the name of the city or town, state, and zip code where the street address is located.
	25-32 Notary Items Each signature must be separately and completely notarized, even when the parents sign the form at the same time. The notary is attesting to the validity of the individual signatures. 25. & 26. The notary enters the date (s)he is witnessing the parent's signature. Note: The parents do not need to sign the form at the same time, and the same notary does not have to be used for both signatures. If a parent signs the form without a notary being present, the form is considered "void" and a NEW AOP must be prepared and signed

AOP – Parts I – V	
	in the NOTARY'S PRESENCE. DO NOT USE THE ACKNOWLEDGMENT ALREADY SIGNED. 27. & 28. The officiating notary signs here to notarize EACH parent's signature. The notary must positively identify each parent signing the AOP before notarizing the father's or mother's signature. 29. & 30. The notary enters his or her address. If the same notary notarizes both signatures, (s)he will enter the same address in both fields. 31. & 32. The notary enters the expiration date of his or her commission for EACH notarization. If a notary's commission has expired, (s)he must NOT notarize any signatures. Note: The Notary Registration Number, including the Notary Seal or Stamp, must be included on each AOP.

Have the unmarried mother and father complete two (2) original *AOPs*, and if not completing the form in VVEST, the *Paternity Acknowledgment Rights and Responsibilities Statement*. Each parent must sign the *Statement*, attesting to having read the *Statement* and having been provided with an oral description. Just as with the *AOP*, the parents' signature on the *Statement* must be notarized. Make three (3) copies of the *AOP* and the *Statement* (if completed) and distribute as follows:

- **Original (ensure this is the form with the "original" signatures):** Mail to DVR (Send within seven days of child's birth)

Virginia Department of Health
Division of Vital Records
P.O. Box 1000
Richmond, VA 23218-1000

- **2nd Original:** Retain in hospital registrar's office/medical records for up to one year
- **Copy:** Father
- **Copy:** Mother
- **Copy:** Mail to VPEP office (Send weekly):

Virginia Paternity Establishment Program
P.O. Box 8270
Richmond, VA 23226

SECTION 5: SPECIAL SITUATIONS

Legal Advice

NEVER provide legal advice!

Legal advice means counseling and/or advising an individual about his or her obligations under the law. The *AOP* form and the brochure contain information about establishing paternity and the parents' rights and responsibilities. If parents ask you legal questions, instruct them to read the forms or other information. If the written information does not answer the parents' questions, and their questions are legal in nature, do not attempt to answer them; instead, advise the parents to contact DVR at 804-662-6200, seek advice from the court system directly, or seek assistance from a licensed attorney.

Examples of questions requesting legal advice include:

- If I complete this form, will I be able to visit or take my child whenever I want?
- Should I fill out this form if I am an undocumented immigrant?
- How will filling out this form affect the custody of my child?

Married Mother—The Biological Father Is Not the Husband

If the mother is married at the time of the child's birth or conception or was married any time during the 300 days prior to the birth, then Virginia law presumes that her husband (or ex-husband) is the child's legal father. The law applies even if the mother and husband have been separated or even divorced within the 10 months prior to the child's birth. Please be sure to record this information correctly in the VVEST system.

Although births to married mothers who wish to have their husband's name excluded from the birth certificate represent a small percentage of all births, the difficulties a registrar experiences can be very time consuming.

- The State Registrar, Janet Rainey, has included in your DVR training manual a letter addressing this situation, which she suggests you copy and distribute, as needed. You may also refer the parents directly to the Division of Vital Records at 804-662-6200.
- You will complete the birth certificate as if the mother and father are married. You may place the husband's information on the birth certificate if the mother gives you this information. If the mother refuses to provide the husband's information, enter "unknown" in the VVEST fields.



REMEMBER

Never provide legal advice. If parents ask you legal questions, instruct them to read the forms or other information. If the written information does not answer the parents' questions, and their questions are legal in nature, do not attempt to answer them; refer them to DVR, the court system or to seek advice from a licensed attorney.

- The biological father is NOT allowed to sign the *AOP* form if the mother was married at any time. **Do not complete the *AOP* in this situation.**
- The mother and father should contact the Division of Vital Records if the husband's name was not entered on the birth certificate. If the husband's name was entered, then refer the parents to their local Juvenile Domestic and Relations court (JDR) in their home area for further instruction.
- In the meantime, a blank will appear on the birth certificate where the father's name goes or the presumed father's name will go on the birth certificate.

Genetic (DNA) Testing

If parents are unsure about paternity, or if they have questions about obtaining genetic testing, refer them to a private attorney, the VPEP office, their Juvenile Domestic and Relations (JDR) court in their home area, the Division of Vital Records at 804-662-6200, or the Division of Child Support Enforcement at 1-800-468-8894. Provide them with the Virginia Paternity Establishment Program Add the DAD brochure, which discusses where to go for DNA testing (see APPENDICES).

Immigration

Regardless of parents' citizenship status, they may voluntarily establish paternity by completing the *AOP* form. Enter the country of their birth on the form. Parents' Social Security numbers must be included on the *AOP* form (if they have one). If a parent is a recent immigrant, or does not have a Social Security number, enter "000-00-0000" in the *AOP*'s SSN field. ***AOP* forms are confidential and are never shared with immigration agencies or other government programs besides child support.**

Notes:

- Take care with foreign names. They may be longer than typical American names or have a different format.
- Help avoid errors with foreign parents by clearly indicating (example: with sticky note) the parts of the worksheet, *AOP*, and birth certificate they need to check before signing. Returning to DVR to correct a birth certificate is an added burden for those who do not speak English.
- If a signature appears as a trace over or a mark, be sure to provide a note to DVR explaining this so the form will not be rejected.

Minor Parents

Parents under the age of 18 are considered minor parents. These parents have the right to establish paternity for their child. They may sign the *AOP* regardless of their age. **A minor's parent's or guardian's signature is not required in lieu of, or in addition to, the minor's signature.**

Note: If a mother applies for child support services, and the alleged father is a minor and signed the *AOP* as a minor, child support cannot be established administratively; it must be ordered by the court.

Military Families

Parents who are members of the military have special situations to which all birth registrars should be aware. This means you will be asked to vary from the standard process or procedure to better assist these parents. In many instances, the father will be unable to be at the hospital when the child is born. If this is the case, please follow the suggestions below:

MILITARY PARENT DEPLOYED

The mother should fill out the *AOP* and have her signature notarized and then send the form to the father. The father will go before his commanding officer (CO) and sign the form. COs are generally Notary Publics and can notarize the form. If not, the father will need to ensure there is a notary present. The CO will return the form to the mother, who will provide it to the hospital's birth registrar. The birth registrar will provide the original to the DVR and send a copy to the VPEP office.

Note: For a military parent to place his or her newborn on DEERS (military insurance), you will need to provide them with either a second original *AOP*. Without this, the parent will not be able to immediately cover the child for care under the military insurance plan.

Incarcerated or Unavailable Father

More and more, we are seeing an increase of dads who are not able to come to the hospital at any time during the mother's and baby's hospital stay. Often, this is because the father is incarcerated or may have a job that keeps him on the road. Much like military parents, this situation requires a different approach to securing the *AOP*.

If the father is incarcerated in the local jail, simply have the mother complete her portion of the manual *AOP* form and send it to the jail with a cover letter and a return, postage-paid envelope addressed to the hospital and to the birth registrar's attention. (You will find a listing of local jails with contact information on the VPEP website). A sample letter you can use as a guide is also included on the web site.

In addition, those fathers who are unable to be at the hospital at the time of birth can return to the hospital to complete the form at a later date. **There is no end date as long as both parents are alive to complete the forms.** Although, if the return is seven days after the child's birth, you will not be able to use the VVEST system to complete this process. The

parents can complete a manual *AOP* and the *Paternity Acknowledgment Rights and Responsibilities Statement*.

Note: There will be a fee required for DVR to amend the birth certificate. You (the hospital) do not need to collect this fee. However, inform the parent(s) they will need to pay the fee for amending the birth certificate before the father will be added.

Same-Sex Couples

In 2014, the regulations surrounding same-sex marriage changed. Same-sex couples can be legally married; however, regulations did not change surrounding the birth certificate or *AOP* process. The *AOP* process is only for unmarried mothers and biological fathers at this time. If you are assisting a same-sex couple, married or otherwise, contact or refer couple to DVR at 804-662-6200 for assistance.

Good-Cause Exceptions

In the hospital, the mother may not want to acknowledge paternity because she fears it will affect her present or future Virginia Temporary Assistance to Needy Families (TANF) program benefits. If she has questions, refer her to her TANF caseworker, if she already has one. If she plans to apply for TANF, she can call the Department of Social Services (DSS) toll-free helpline at 1-800-468-8894 to have her questions answered. DSS staff will explain that in order to receive benefits, she will have to provide the name of the child's father and cooperate with the Division of Child Support Enforcement to establish paternity, unless there is good cause not to cooperate (for example, she fears for her safety). It is up to the DSS local office to determine whether good cause exists.

Disestablishing Paternity

In Virginia, the *Acknowledgment of Paternity* is considered a "legal document" once it is notarized. Even if the birth clerk has not yet filed it with DVR, it is considered a "legal document." **Either parent has 60 days the date of the last signature on the form to change his or her mind.** If a parent (or parents) wishes to rescind the *Acknowledgment*, the parent must go to the DVR office to complete the paperwork. However, a rescission will not cause or allow an amendment to the birth certificate. It **WILL NOT** remove the man's name as the child's legal father on the birth certificate. To have the father's name removed or to change the child's surname, a certified copy of a court order directing DVR to amend the birth certificate is required. Upon the expiration of the 60-day rescission period, **"a verified voluntary acknowledgment of paternity may be challenged in court only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the challenger."** It is very difficult to disestablish paternity in Virginia after the 60-day rescission period has passed.

Safety

If a woman fears for her safety because of violence or potential violence from the father or another individual, or otherwise does not want to voluntarily acknowledge paternity, she does not have to

name the child's father. It is important to remember this is a voluntary program, and mothers should never be pressured into naming the father or establishing paternity.

Translations

Given the legal implications of signing an *AOP*, it is critical that parents understand the importance of the document. If a parent cannot read the form in English, provide her or him with a translator if your facility has one, use the language line which all hospitals now have, or allow the parents to read translated version of educational materials, which you can access in the e-library section on the VPEP website.

NOTE: It is important to remember that the Spanish version, or any other version, of the *AOP* is simply a guide. ***The English version is the form that must be completed.***

Artificial Insemination and Other Fertility Issues

Cases involving artificial insemination, surrogate parentage, donor sperm or egg, or other fertility issues present complex legal issues. Refer parents involved in these situations to DVR for guidance.

SECTION 6: GENETIC (DNA) TESTING

When either parent is unsure who the biological father is, give them the *Virginia Paternity Establishment Program Add the DAD* brochure, which provides information and options for genetic testing. Then, explain: 1) the procedure for DNA testing is simple — a buccal swab (cheek swab) of the mother, child, and alleged father is taken; and 2) the testing is not done at the hospital.

Most courts and other government agencies require AABB-accredited laboratories to perform the testing. Consequently, while parents can purchase an over-the-counter test, the results cannot be used for any legal proceedings or certifications as there is no record of the chain of custody.

Unmarried parents can call the Division of Vital records, Virginia Paternity Establishment Program toll free at 866-398-4841, their local DCSE office to receive information on a low-cost genetic test through DCSE or they can contact one of the following private laboratories directly.

- LabCorp
1-800-742-3944
www.LabCorpDNA.com
- DDC Diagnostic
1-800-362-2368
www.dnacenter.com
- Paternity Testing Corporation
1-888-837-8323
www.ptclabs.com

SECTION 7: NOTARY PUBLIC INFORMATION

Introduction

It's important that ALL birth registrars become a notary.

In addition, successful Virginia hospitals employ several staff members who become notaries and assist parents with completing the *AOP* form. Having more than one notary on staff provides adequate coverage during different shifts, vacation, sick leave, or staff turnover. It is also important for these staff members to be located near or in the birthing unit to readily assist parents prior to discharge.

If the notary is not easily accessible, parents who wish to acknowledge paternity will be unable to complete the *AOP* in the busy time following their child's birth. Many parents who leave the hospital without completing the *AOP* will not take the time and make the effort to establish a legal father for their child. Without the assistance from a trained birth registrar, many parents complete the form incorrectly, fail to get their signatures notarized, or neglect to return the form to DVR. As a result, paternity will not be established for many children, even though the father has expressed an interest in establishing a legal relationship with his child.

How to Become a Notary Public in Virginia

Please read carefully the following information.

NOTARY APPLICATION ELIGIBILITY AND INFORMATION

To be eligible to apply for a Virginia Notary Public Commission, you must be: (1) at least 18 years old; (2) able to read and write the English language; (3) be a legal resident of the United States; (4) live or work in the Commonwealth of Virginia; and (5) have not been convicted of a felony. Any person who has ever been convicted of a felony under the laws of the United States or the Commonwealth, or the laws of any other state, shall not qualify to be appointed and commissioned as a Virginia Notary Public unless such person has had his/her rights restored.

Non-residents of Virginia may be appointed as notaries if they are regularly employed in the state and perform notary services in connection with their employment. A non-resident notary who ceases to be regularly employed in Virginia must surrender his or her commission.

Virginia is a "self certifying state" and does not require classes or testing to qualify to become a notary public.

Click below if you are applying for a Virginia Notary Public commission for the first time.

<https://www.commonwealth.virginia.gov/official-documents/notary-commissions/notary-application-process/>

Click below if you are currently serving as a Virginia Notary Public, you have not changed your name, and you would like to renew your commission.

<https://www.commonwealth.virginia.gov/official-documents/notary-commissions/online-notary-application-renewal/>

Click below if more than 30 days has passed since your Virginia Notary Public commission has expired and/or your name has changed and you would like to reapply.

<https://www.commonwealth.virginia.gov/official-documents/notary-commissions/notary-application-process/>

Your commission is good for four years. The process for renewing a commission is the same as applying for an original commission.

Note: Be aware of your expiration date. You will NOT receive a reminder that your commission is about to, or has, expired.

Please note, if you are a notary whose commission expires in the first few months of the calendar year (January, February, March), submit your application in January. Applications received prior to January will result in the commission expiring one year earlier than anticipated.

For additional information, contact:

Office of the Secretary of the Commonwealth
P.O. Box 1795
Richmond, VA 23218-1795
(804) 692-2536
(804) 372-0017 (FAX)
notary@governor.virginia.gov

Important Guidelines for Virginia Notaries

A Virginia Notary Public's first and most important duty is to become, and continue to be, thoroughly familiar with everything contained in *A Handbook for Virginia Notaries*. This is the notary's manual for exercising the position's powers and responsibilities. No one should perform any duty as notary without having an understanding of what this publication contains. Performing any duty of a notary in a manner that is contrary to the contents of the *Handbook* may result in the revocation of the notary's commission and criminal prosecution resulting in a fine and jail time.

Here are some very important points to remember that are based on frequently asked questions or complaints regarding service as a Virginia Notary Public:

- A notary is a public official appointed by the Governor. Even though a notary may hold that position to serve his or her employer, no employer or supervisor can impose requirements pertaining to a notary that are contrary to Virginia's laws and regulations pertaining to notaries.
- A notary must always be completely satisfied with the identity of the person whose signature is being notarized. A notary is not obligated to notarize a person's signature without being sure that the person is who he or she claims to be. Always check identification and be satisfied that the identification is valid. Never accept the word of a third party as being sufficient for identification to justify notarizing a person's signature.

- A notary cannot notarize his or her own signature, the signature of his or her spouse, or a document in which the notary or the notary's spouse may benefit. For example, a notary cannot notarize a will in which a notary or the notary's spouse is to be a beneficiary.
- A notary cannot certify birth, marriage, and death certificates (copies of originals).
- A notary is not authorized to perform marriages or any act that constitutes the practice of law.
- The term "acknowledged before me" means that the person signing the document has satisfied the notary as to be his or her identify and has actually signed the document while the notary was watching him or her sign.
- A notary is not required to charge a fee for his or her services, but if a fee is charged, it cannot be more than \$5 for each notarial act.
- A Virginia notary may notarize a document to be filed and used outside of Virginia if it is signed and notarized in Virginia.
- A notary must notify the Secretary of the Commonwealth's Office (SOC) of any changes to the information provided on his or her application during the course of his/her commission.
- A Virginia notary's seal must be photographically reproducible and contain the name of the notary exactly as it appears on the notary's commission, the words "Notary Public" and "Commonwealth of Virginia." Stamps/seals must be ordered through an outside vendor. Information on stamp/seal must be accurate. The Office of the Secretary of the Commonwealth does not sell or make notary stamps/seals.
- There are seven (7) items required for the notary to state on each document being notarized:
 1. The name of the county or independent city in which the document is signed
 2. The date the document is signed
 3. The notarial statement — what is being notarized (i.e., a signature, a true copy of an original, or an oath)
 4. The notary's signature
 5. The date that the notary's commission expires (month, day, year)
 6. Notary registration number
 7. Photographically reproducible notary seal/stamp
- Every effort should be made to have complete notarization on the same page as the signature(s) being notarized. If notarization is on a separate page from signature(s), the notarial statement must include the name of each person whose signature is being notarized.
- If a notary has any questions or concerns regarding any act of a Notary Public, he or she should contact the Notary Section of the Office of the Secretary of the Commonwealth BEFORE performing that act.

- If a notary violates any law or regulation governing notaries public, the Secretary of the Commonwealth may revoke his or her commission. A notary may be criminally prosecuted for willful misconduct. It is a felony to act as a notary without having a valid commission and doing so may result in imprisonment for each offense.
- A notary's commission may be renewed every fourth year by filing a new application with the Secretary of the Commonwealth's Office
- If there are any changes to the notary laws, the information will be available by July 1 of every year under Official Documents on the notary website at www.commonwealth.virginia.gov or by calling the Secretary of the Commonwealth's Office.
- We recommend creating a Notary Management account on the Secretary of Commonwealth's website. The Notary Management account will allow you to check the status of notary applications, update your contact information, and, if eligible, renew online. The log-on and creation link can be found under Official Documents on the Secretary of the Commonwealth's website at www.commonwealth.virginia.gov.

SECTION 8: EFFECTIVE COMMUNICATION

Communicating with the Parents

CONGRATULATING NEW PARENTS

Becoming a new parent is one of the most exciting things that can happen in one's lifetime. There will be tremendous amounts of joy and laughter — and sometimes worry and sadness. Two-parent families, even when the parents are living independently of one other, can responsibly shape their children's lives. Research has shown that children with involved fathers do much better in life. When a dad is involved in a child's life, the child has higher self-esteem and fewer problems in school. It also shows that these children are less likely to become involved with substance abuse, crime, and violence.

Unmarried parenting is now more the norm than 20 years ago and seems to be a growing trend in our communities. Ten years ago, a birth registrar may have been a bit nervous to enter the room of someone who was unmarried with a new baby, but not now. In many instances, both families are accepting of the relationship and are willing to have both parents names on the birth certificate. Celebrate the new arrival and congratulate the new parents on their bundle of joy.

EXPLAINING THE PURPOSE OF YOUR VISIT

As the birth registrar, you are responsible to complete the birth certificate and *AOP* process smoothly. When first meeting with the parents (or mother if the father is unavailable), you will:

- Ensure privacy by asking anyone else in the room to step outside;
- Ask the parents to turn off the TV and avoid answering the telephone;
- Explain that you are completing very important paperwork for the state birth registrar;
- Explain the information is confidential and will not be released to outside entities, such as the immigration department;
- If the father is unavailable at the time of your initial visit, give the mother your extension and ask her to call when the father arrives and/or ask her for his phone number so you can make an appointment to visit when he arrives. If he is planning to visit, ask the nurse to contact you when she sees he has arrived; and
- Thoroughly explain the process.

Many unmarried parents do not understand what acknowledging paternity means. Many believe it has to do with DNA testing. Although DNA testing is one method, certainly it is not required for the



REMEMBER

Your job as a birth registrar is important. When paternity is established, a dad is more likely to be involved in his child's life. Research shows that when dad is involved, the child has higher self-esteem and fewer problems in school. It also shows that these children are less likely to become involved with substance abuse, crime, and violence.

voluntary process at the time of birth. Many new parents are unaware of their option to add the father to the birth certificate by acknowledging paternity.

Create a sense of urgency; explain that there is a limited amount of time to complete this paperwork prior to the mother's discharge. But, please always remember, never pressure the parents into completing the forms.

HOW LONG DOES IT TAKE?

All unmarried parents should be allowed the time necessary to establish paternity through a voluntary process prior to discharge, as stated in the Code of the Commonwealth of Virginia. Birth registrars are responsible for ensuring unmarried parents have every opportunity to complete the *AOP* form prior to leaving the hospital. Determining how long you should spend with the parents can vary dramatically.

You must also take the time to:

- Provide the parents with written materials that educate them about the process;
- Discuss the process;
- Thoroughly review their rights and responsibilities, legal consequences, and alternatives to signing the *AOP*; and
- Answer the parents' questions.

It's also important to remember that, on average, it takes approximately:

- 30 minutes to complete a birth certificate worksheet and enter it into VVEST;
- 15 minutes more for the paternity portion (if both parents are available);
- 15 minutes more if the birth registrar is not a notary (one must be located in the facility and must come to the patient); and
- More time may be needed to obtain appropriate ID and signatures

All of the educational materials are shown in the *APPENDICES* section of this manual. These are new materials as of June 2019. Your outreach coordinator will provide you with supplies of these materials, and they are available to download on the VPEP website. Should you run short and need supplies quickly, call the VPEP office at 1-866-398-4841.

WHAT TO DO WHEN PARENTS DECLINE

Parents may decline for a number of reasons, and you should always be prepared to find out why. The "Why" is very important to VPEP's success. By gaining a better understanding of parents' reasons for not signing an *AOP*, it helps Veritas HHS focus on these specific concerns and adapt our outreach approach to provide more targeted outreach materials and better educate the public, especially unmarried parents and about-to-be parents, tailor marketing materials to meet the needs of our communities, and make your job a little bit easier.

Simply, asking the right questions and really listening can help unmarried parents feel more comfortable about the process. In many instances, the parents do not understand what establishing paternity really means. They may think it means “not knowing who the father is,” “DNA testing like on that afternoon TV show,” or even “a way for the government to find out that we are living unlawfully in the US.” Regardless, it’s up to you to set their minds at ease.

There will be times when a establishing paternity voluntarily is not right for the mother’s or parents’ situation. The mother may not know the father’s identity, there may be issues about the mother’s safety and/or her child’s safety, or times where other agencies step in to assist when the mother is unable to make decisions on her own. In these instances, voluntarily establishing paternity is not an option. Thank the mother for her time and provide her with information should the circumstances change.

WHAT TO DO WHEN A PARENT CHANGES HIS OR HER MIND

Once all steps of the acknowledgment of paternity process are completed, hospital staff can no longer make alterations to the document. *AOP* forms are legal documents and should be treated as such. You may not change, rescind, or destroy these documents without violating one party’s rights, most especially the child’s. Should either parent request a change, advise them that you are unable to assist, and they will need to contact DVR for assistance at 804-662-6200.

Verbal Communication

ANSWERING QUESTIONS

Directly answer the question. When responding to a question, answer concisely and to the point. After responding, check to see if you have answered the question completely by saying something like: “Does that answer your question?” or “Was that what you were asking?” Veritas HHS has provided training and reference materials (this manual) to help you when talking with unmarried parents. Please take time to review the materials often so you are prepared when difficult questions arise.

Admit when you do not know the answer. If you do not know the answer to a parent’s question, just say so. Although one of the roles of the “birth registrar” is that of “expert” and “information source,” admitting that you do not know the answer to a question will probably not damage the parents’ confidence in you. In fact, giving the parents clues about how certain you are of your answers is likely to increase their confidence in you. For example: “The experts agree that . . .”; “As I recall, they found . . .”; “I’ll have to look that up”; etc. On the other hand, if you try to fake it, there is a good chance the parents will find you out, and your credibility will be seriously damaged.

MAKING THE PARENTS FEEL COMFORTABLE

- **Create an accepting atmosphere.** Encourage parents to ask questions by creating an atmosphere where the parents are not afraid to ask questions for fear of embarrassment.

- **Ask for questions.** Give parents the opportunity to ask questions. Pause after making an important point or explaining a topic or say, “Any questions?” or “Do you want me to explain further?”
- **Listen to the question or to the parent’s comments.** The way you listen to a question or comment communicates your attitude toward the parents. Look at the parents when they are talking; show that you are following by nodding your head, etc.; check whether you really understand what they are saying by rephrasing and repeating the question back to the parents. Sometimes little things we do unknowingly communicate something to parents that is very different from what we intended. For example, one birth registrar occasionally looked at her watch when a parent would ask a question. She learned that the parent interpreted this as the birth registrar felt the questions were wasting time, rather than the birth registrar simply wanting to know the time.
- **Fully answer parents’ questions.** It is not enough to just respond to parents’ questions; you must answer each question to the parents’ satisfaction as best you can. You should ask parents if they understand your response and if you have adequately addressed their concerns. This approach fosters both accurate communication and says to parents, “Your question is important, and I will take the time necessary to answer it so you understand.” If, after two or three attempts, you still have not answered the question to the parents’ satisfaction, then it is appropriate to suggest getting together later to review the question again. During this time, contact your Veritas HHS outreach coordinator or call the VPEP helpline for assistance.

Non-Verbal Communication

It is not only what you say that is important, but it’s how you say it that can make the difference to parents. Nonverbal messages are an essential component of communication in the paternity process.

Being aware of your nonverbal behavior will:

- Create an awareness of your behavior and allow you to become a better receiver of parents’ messages;
- Allow you to become a better sender of signals that reinforce learning; and
- Increase the degree of perceived psychological closeness between you and the parents.

Consider the following nonverbal behaviors and how to apply them to your interactions with parents:

- **Eye contact.** Eye contact, an important channel of interpersonal communication, helps regulate the flow of communication. And, it signals interest in others. Furthermore, eye contact increases the speaker’s credibility. Registrars who maintain eye contact open the flow of communication and convey interest, concern, warmth, and credibility.
- **Facial expressions.** Smiling is a powerful cue that transmits:

- Happiness
- Friendliness
- Warmth
- Liking
- Affiliation

So, if you smile frequently, parents will perceive you as being more likable, friendly, warm, and approachable. Smiling is often contagious, and parents will react favorably and learn more.

- **Gestures.** If you do not gesture while speaking, parents may perceive you as boring, stiff, and unanimated. A lively and animated style captures parents' attention, makes the material you are presenting more interesting, facilitates learning, and provides a bit of entertainment. Head nods, a form of gestures, communicate positive reinforcement to parents and indicate you are listening.
- **Posture and body orientation.** You communicate numerous messages by the way you walk, talk, stand, and sit. Standing erect, but not rigid, and leaning slightly forward communicates to parents that you are approachable, receptive, and friendly. Furthermore, interpersonal closeness results when you and the parents face each other. Avoid folding your arms in front of your chest, as this is not welcoming and suggests you are standoffish. Avoid speaking with your back turned or looking at the floor or ceiling as this communicates disinterest to parents.
- **Proximity.** Cultural norms dictate a comfortable distance when interacting with parents. Look for signals of discomfort caused by invading a parent's space.
- **Paralinguistic.** This facet of nonverbal communication includes vocal elements like:
 - Tone
 - Pitch
 - Rhythm
 - Timbre
 - Loudness
 - Inflection

For maximum effectiveness, vary these six elements of your voice. When you speak in a monotone, parents will perceive you as boring and dull. Many parents report that they learn less and lose interest more quickly when listening to registrars who do not modulate their voices.

Obviously, adequate knowledge of paternity establishment is crucial to your, and your hospital's, success; however, it's not the only crucial element. Creating a climate that facilitates communication with parents and helps them learn about the importance of establishing paternity demands that you have solid verbal and nonverbal skills. To improve your skills, record your speaking; then ask a colleague in your communication department to listen and suggest improvement.

Encouragement Techniques

It's fun to give honest positive praise and encouragement to people. And, we all probably need more of it. Much of the world seems to easily get stuck in a rut and forget the positive things about the people with whom they interact and the true enjoyment of their work. Here are a few techniques to use for encouraging parents:

- **Show genuine interest.** This is the most effective way to encourage parents. Let them know you care. Express *genuine* interest by asking questions. Get the parents to talk. With this approach, you can have a positive interaction with the parents.
- **Acknowledge what's important to the parents.** When you acknowledge what's important to the parents, you affirm or validate about who they are and what they're doing. This builds confidence and self-esteem.
- **Say "Well done."** Nothing worth doing is ever easy. If it's easy, then it's not worth doing. One good way of providing encouragement is simply by saying "Well done" or "Congratulations." These magical words of encouragement at the right time can make a positive difference in your interactions with parents.
- **Say "Thank you."** Saying thank you is common courtesy and good manners. It's only natural to expect a reward after doing something positive. And, it is only natural to thank someone when they do something helpful and positive. Always thank the parents, no matter the outcome.
- **Offer to lend a hand.** You can be *proactive* by offering to lend a hand. If parents see that you are willing to commit your time and energy in their interests, they will be more committed to listening and learning. For example, your day ends at 5 p.m., but father won't arrive at the hospital until 5:15 p.m. Agreeing to stay a little past your shift (if permitted) to finish up the paper work shows the parents you are committed to them and their child.

Giving encouragement boosts a parent's motivation, which, in turn, can lead to action and improved results. Start now, feel positive, and help Virginia's children.

Dealing with Emotional Parents

As birth registrar, while the parents with whom you interact, for the most part, will be thrilled and excited over the birth of their child, that may not always be the case. You need to be prepared and equip yourself to deal with those parents who may be struggling with their new responsibilities or may be dealing with other issues.

Here are few tips to help you deal with emotional parents:

- **Be calm.** Staying calm is the best way to help a parent listen and cooperate. Someone who is calm is seen as being in control, centered, and more respectable — and more able to help. When a parent sees that you are calm despite his or her emotional state, you will get his or her attention. If the parent (or parents) is/are too emotional to engage in constructive conversation and discuss paternity acknowledgment, offer to return a little later. Simply say, “I see you are upset right now. How about I come back in an hour. Would that be o.k.? We really need to discuss how important it is for your baby to have paternity established.”
- **Treat parents with respect.** No matter a parent’s economic, social, or educational status, or attitude, always treat a parent with respect. In turn, you will garner the parent’s respect. Assess a parent’s understanding of the voluntary paternity acknowledgment message. Don’t become frustrated if they don’t understand and become emotional or difficult. Respect the parent enough to explain the process again, more slowly, and at a lower grade level.
- **Understand a parent’s intentions.** No one is emotional just for the sake of being emotional. Generally, there is an underlying reason that is motivating a person’s behavior. However, rarely is that motivation apparent. Sometimes emotions also make a person angry and that makes discussing acknowledging paternity more challenging. If a parent is also angry and being difficult, without delving too deeply, attempt to identify what is making him or her act in this manner. What is stopping the parent from cooperating? Try to discover if providing more information will change the parent’s attitude and help resolve the issue.
- **Get some perspective from others.** In all likelihood, your colleagues and managers have encountered emotional persons. Seek them out, share your experiences (without divulging confidential information), and listen to any advice they have to offer.
- **Let the parent(s) know your goal.** Let the parent(s) know why you do what you do. Sometimes they may be resistant because they don’t understand the importance of every child having a “legal” father and the associated benefits. Letting the parent know you are committed to the work you do should improve your interactions.



REMEMBER

You need to be prepared and equip yourself to deal with those parents who may be struggling with other issues. Stay calm and build a rapport. Let the parents know your goal. Always treat parents with respect and try to understand a parent’s intentions.

- **Build a rapport.** At your first visit, connect with the parent(s). It is o.k. take a few minutes to say welcome and congratulations and get to know the parent(s). This should help take the edge off any emotional or difficult parent.
- **Focus on what can change.** If your first interaction with a parent is difficult, acknowledge that that interaction is past. Rather than dwell on what you cannot change, focus on what you can do to make the next visit successful.
- **Ignore.** If you have tried your best to calm the parent, the parent is still not receptive, and you feel you have done everything possible to get the discussion back on track, advise the parent that you are available to discuss paternity establishment further should (s)he wish to do so and provide your contact information.

SECTION 9: EDUCATIONAL & OUTREACH EFFORTS

Educational Materials

The Virginia Paternity Establishment Program (VPEP) has developed materials to help promote the program and educate unmarried, about-to-be parents and the general public about the program. All materials are available from your designated outreach coordinator or the VPEP office. Your outreach coordinator will visit your hospital a minimum of two times per year and will bring supplies of these materials:

- **Virginia Paternity Establishment Program Add the DAD brochure (in English and Spanish)**
 - Distributed to birthing hospitals, DOH clinics, DVR, DSS and DCSE offices, and other organizations that serve unmarried fathers and mothers (OB/GYN offices, pre-natal clinics, fatherhood groups)
- **Prenatal/Doctor Cards (in English and Spanish)**
 - Distributed to OB/GYN offices, clinics, all hospital feeder agencies, and DOH clinics
- **Posters (in English and Spanish)**
 - Distributed to hospitals, OB/GYN offices, clinics, all hospital feeder agencies, and DOH clinics

Note: The VA PEP office has bulk AOP forms produced by the Division of Vital Records; please contact our officeto request forms or for additional assistance.

Hospital Bulletins

Many birthing hospitals have bulletins or newsletters they provide to staff. We believe it is very important to educate all hospital staff about the important role birth registrars play in helping the unmarried parents in Virginia. VPEP has a staff of trained professionals who are willing to write for any publication or speak at any meeting/seminar the hospital feels is important to promoting this important service to the community. If your hospital wants to include an article in its newsletter or have someone come and speak about the importance of this vital program, please contact the VPEP office at 866-398-4841.

Website (www.vapaternity.com)

The VPEP website is a useful resource for anyone seeking information about establishing paternity. The site contains information about the Virginia Paternity Establishment Program and the benefits of a child having a legal father and the father being shown on the child's birth certificate. There are frequently asked questions ranging from how to establish paternity voluntarily to the cost of genetic testing. Parents can print the AOP form from the site. The site contains a translation feature to accommodate non-English-speaking visitors to the site. Finally, the site provides multiple ways to contact personnel regarding the Paternity Establishment Program. This includes a 24 hour toll-

free number, email address, mailing address, and local phone number. It also includes our social media pages such as Facebook, Twitter, Instagram, etc. Please check out the website to see what it's all about!

Note: We encourage you to visit www.vapaternity.com for valuable information regarding how you can help put the father's name on the birth certificate.

- General information regarding paternity establishment (how, where, when it can be done; cost)
- Benefits of paternity establishment
- E-Library with access to downloadable forms and resources, including the Rights & Responsibilities Statement
- Quarterly online newsletter for hospital staff which will highlight the "Spotlight" quarterly awards program
- Monthly blog posts
- VPEP contact information: email or 24/7 toll-free helpline
- Links to the federal Office of Child Support Enforcement, Division of Child Support Enforcement, Office of Vital Records, National Center for Health Statistics (NCHS), Centers for Disease Control (CDC)
- Toll Free 24 hour Help Line for personal assistance
- Training manual and training module

Annual Report Cards

Since 2008, VPEP has been providing hospitals with a detailed report of the program requirements stipulated by the Code of Virginia. The Report Card:

- Includes establishment rates, progress, an "apples-to-apples" comparison to other facilities, and any issues or suggestions to improve the overall program at each facility; and
- Is sent to hospital administrators, CEOs, CFOs, and presidents.
 - Copied to all directors and birth registrars
 - Recommendations and best practices to improve the program

Press Releases

VPEP staff will draft and distribute Department of Social Services' (DSS') approved press releases and media advisories to highlight important milestones. An example of a milestone would be when VPEP celebrates the success of the hospitals that improve their establishment rates from one year to the next. In collaboration with DSS, press releases are sent to all major media outlets across Virginia. A typical release would:

- Show the top 10 facilities ranked by establishment rates;

- Give special recognition to the top-ranking hospital; and
- Show percentages determined by percentage of unmarried parents signing an AOP in each facility listed (not number of AOPs).
 - Example 1: Hospital A – 1,000 unmarried births; 800 parents establish paternity. Rate is 80%.
 - Example 2: Hospital B – 300 unmarried births; 240 parents establish paternity. Rate is 80%.

Hospital Staff Incentives

“PEP RALLY”

- Quarterly incentives for highest establishment rate
- Yearly incentive for highest establishment rate

“SPOT LIGHT”

- Incentives for great suggestions

“SUPER STAR”

Going above and beyond to ensure children have a legal connection:

VPEP will:

- Post the names of winning birth registrars and their hospitals on the VPEP website;
- Send an e-blast recognizing the winners to all participating hospital staff across Virginia;
- Recognize the winners in the VPEP quarterly newsletter;
- Send a congratulatory letter to birth registrar, the birth registrar’s manager, and the hospital’s CEO; and
- Present a Certificate of Award to the birth registrar.

In addition, there are monthly incentives for which birth registration staff may receive pizza parties, breakfast for the staff or gift cards for lunch. The prize is dependent on how much rates improve rather than competing against other facilities.

Annual PEP Training

Training is an important component in providing birth registrars and appropriate staff with the knowledge and tools they need to perform their job duties. VPEP offers annual training featuring courses varying from new paternity policies and procedures to effective time management and communication skills.

We believe in giving credit where credit is due! A VPEP Awards Ceremony will be a part of each regional conference and provides a forum of recognition for those who work tirelessly on the front

lines, ensuring successful paternity rates. This is an opportunity for stellar staff to be recognized by their peers, their supervisors, and paternity policy decisionmakers through the Commonwealth of Virginia

Paternity 101 Webinars

Interactive webinars will be beneficial for your hospital partners (prenatal entities, lactation consultants, birth class instructors, pre-admission staff, along with the broader community including social service providers, fatherhood groups and organizations that serve pregnant women or young families. These webinar trainings are meant to help spread the importance and knowledge about paternity establishment for unmarried families. These events will be posted on the website and publicized on social media, we hope you'll encourage your hospital partners to attend. The broader the knowledge, the more likely parents will be informed about paternity and ready to sign an AOP at the hospital.

SECTION 10:

HOSPITAL STAFF BEST PRACTICES FOR PATERNITY ESTABLISHMENT

VPEP strives to ensure the very best for all of Virginia's children! Your role in helping unmarried parents establish paternity is vital to this effort. Below we have listed *Best Practices* to help you when working with unmarried parents and helping them establish paternity. We understand that hospital size, location, and other variables may impact the feasibility of the following best practices. We encourage you to modify them, as needed.

- Distribute VPEP materials to other hospital departments that work with expecting mothers. Examples of how and where these materials may be distributed are: prenatal and Lamaze classes, in pre-admission packets, volunteer services, and prenatal/ante-partum services.
- Place VPEP materials inside birthing rooms, in lobbies, on the nurses' stations counter, and on bulletin boards. Do whatever you can to ensure unmarried parents have information about in-hospital voluntary paternity acknowledgment before you visit with them.
- Consider changing or expanding availability of hospital staff to accommodate working fathers by providing an opportunity to complete the *AOP* on nights and weekends. Train nurses and volunteers to complete the *AOP* during evening and weekend hours when birth registrars may be off duty.
- Increase the number of notaries to ensure one is always available to notarize signatures when the parents are ready to sign. Some hospital staff who may already be notaries are: chaplains, social workers, and department managers.
- Use the short VPEP video clips on the VPEP website. Parents can watch the clips on their smart phones at their convenience. If your hospital has an educational channel and you would like to add the clips, contact your outreach coordinator or call the VPEP helpline at 1-866-398-4841.
- If you work in Medical Records, ask for access to a computer in the Women's Center for you to complete paternity acknowledgments on (a laptop on a rolling cart that you can take into a patient's room) rather than having to go back to your office to complete the form. This will save you a lot of time.
- Add the following link to your hospital's website: <https://vapaternity.com>.
- Consider implementing a *Add the DAD* class where you show unmarried, about-to-be dads the VPEP video clips, provide VPEP educational materials, answer questions, and provide other important information for dads.
- When gathering the birth certificate information and explaining the voluntary paternity acknowledgment process, ask everyone besides the mother and father to leave the room. This will help you get the information more quickly, and it will provide increased privacy for the mom and dad. Also, consider speaking with parents separately if you sense the father is feeling pressured.

- If parents choose not to complete the *AOP* at the hospital, advise them they can complete the form after they leave the hospital. They can: 1) return to the hospital where mom gave birth; 2) go to any other birthing hospital; 3) go to a local Department of Health clinic, the DVR office in Richmond, a local Department of Social Services office, or Division of Child Support Enforcement office, or 4) they can complete the form and mail it to the VPEP office.
- Notify the VPEP office of any changes in birth registrar(s) and the need for training new or additional staff.

ANNUAL CERTIFICATION OF TRAINING

The biggest contributing success factor for an effective voluntary program is thorough training and support for the staff responsible for completing the majority of *AOPs*. These staff are on the front line conveying information, explaining the benefits of establishing paternity, and responding to questions about parents' rights and responsibilities.

An annual certification of this training with a passing score will be required of all hospital staff who process *AOPs*. Once completed, hospital staff will need to e-mail the certificate of completion to their assigned outreach coordinator. Our outreach coordinators will work with individual birth registrars (or designees and appropriate managerial staff) in their assigned hospitals to ensure all complete the training and are certified, as appropriate. Our database will show the trainee's name, hospital, date of training, and pass/fail/score.

Our goal is to ensure that each birth registrar (or other ancillary staff) takes the training and walks away with the program knowledge and confidence to help unmarried parents accurately and willingly acknowledge paternity.

Sample Training Module

VPEP Practitioner Training - Microsoft Edge

https://vapaternity.maricklearning.com/articulate/content/design-review/story_html5.html

VPEP Practitioner Training

WELCOME

Veritas-HHS and the Virginia Department of Social Services have created training materials to assist you, the practitioner, with the administration of the Virginia Paternity Establishment Program (VPEP).

VPEP plays an important role in the Voluntary Paternity Acknowledgment process at your hospital.

Continue

VIRGINIA DEPARTMENT OF SOCIAL SERVICES

PREV NEXT

Type here to search

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TRAINING MANUAL APPENDICES

- *Acknowledgment of Paternity* (VVEST form)
- *Acknowledgment of Paternity* (7/04 form)
- *Acknowledgment of Paternity* and *Rights and Responsibilities* forms
- Federal Regulations Regarding Paternity Acknowledgment and In-Hospital Paternity Acknowledgment Programs
- Code of Virginia § 63.2-1914
- Add the Dad Brochure(English)
- Add the Dad Brochure (Spanish)
- Add the Dad Poster (English)
- Add the Dad Poster (Spanish)
- Add the Dad Doctors' Card (English)
- Add the Dad Doctors' Card (Spanish)
-

ACKNOWLEDGMENT OF PATERNITY — VVEST FORM**ACKNOWLEDGMENT OF PATERNITY**

Virginia Department of Health/Division of Vital Records
(32.1-257, 32.1-261 or 32.1-269, Code of Virginia)

This statement is to acknowledge paternity of the child described herein. In order for the father's name to appear on the birth certificate of a child born out-of-wedlock, both biological (natural) parents must complete and sign this statement before a notary public.

PART I - CHILD

1. Full Name at Birth : _____
2. Gender : _____ 3. Date of Birth : _____
4. Place of Birth : _____ 5. Birth Certificate Number : _____

PART II - BIOLOGICAL MOTHER OF CHILD

6. Full Maiden Name : _____
7. Present Name : _____
8. Date of Birth : _____
9. Place of Birth (State or Foreign Country): _____
10. Social Security Number : _____ 11. Race or Color : _____

PART III - BIOLOGICAL FATHER OF CHILD

(NOTE: Items 17, 18, 19 concern the father at the time of the child's birth)

12. Full Name : _____
13. Date of Birth : _____
14. Place of Birth (State or Foreign Country): _____
15. Social Security Number : _____ 16. Race or Color : _____
17. Highest Level of Education Completed : _____

PART IV - BIOLOGICAL PARENTS' MARRIAGE (IF APPLICABLE, you must complete this section and enclose a certified copy of your marriage record)

18. Place of Marriage : _____ 19. Date of Marriage : _____
(City/County and State, or Foreign Country)

PART V- RIGHTS AND RESPONSIBILITIES STATEMENT

Rights and Responsibilities of the Father

1. I understand that my signature on the Acknowledgment of Paternity form establishes that I am the natural father of the named child for legal purposes.
2. I sign the Acknowledgment of Paternity voluntarily and understand that I am under no obligation to do so. No pressure has been placed upon me to sign. I understand I may take the following actions instead of signing this form.
 - A. Seek the advice or representation of legal counsel
 - B. Request that blood tests be taken
 - C. Have the matter of paternity determined by the court
3. I understand I will have the responsibility to provide support for my child.
4. I understand I will be responsible to pay such support until the child turns 18 years of age or beyond if required by law.
5. I understand after paternity is established, I have the right to request visitation with and custody of the child. Custody and visitation are decided in legal actions separate from the issues of paternity and child support.
6. I understand the Acknowledgment of Paternity may be used in any legal proceeding regarding my child.
7. I understand I have the right to talk to a staff person to clarify information on this statement and to ask any questions I have.
8. I understand I have the right to rescind this acknowledgment within sixty days from

https://vr-fhs.vdh.virginia.gov/vital/vital_reports.affidavit_of_paternity?p_id=9012944

4/5/2019

Page 2 of 2

the date of signing unless an administrative or judicial proceeding involving this child has taken place earlier.

Rights and Responsibilities of the Mother

1. I understand that my signature on the Acknowledgment of Paternity form means that I swear that I am the mother of the named child and that the person signing as the father is the biological father of the child.

2. I sign the Acknowledgment of Paternity voluntarily and understand that I am under no obligation to do so. No pressure has been placed upon me to sign. I understand I may take the following actions instead of signing this form.

A. Seek the advice or representation of legal counsel

B. Request that blood tests be taken

C. Have the matter of paternity determined by the court

3. I understand after paternity is established, the father has the right to request visitation with and custody of the child. Custody and visitation are decided in legal actions separate from the issues of paternity and child support.

4. I understand I have the right to talk to a staff person to clarify information on this statement and to ask any questions I have.

5. I understand I have the right to rescind this acknowledgment within sixty days from the date of signing unless an administrative or judicial proceeding involving this child has taken place earlier.

PART VI - PARENTS' ACKNOWLEDGMENT (THIS ITEM MUST BE COMPLETED)

20. We, being duly sworn, affirm that we are the biological parents of the child named above, we have read and have been provided with an oral description of the rights and responsibilities statement provided in Part V of this document, and we request that the father's information be shown on this child's birth certificate and that the child's name be listed on the birth certificate as shown below.

Child's Name :

21a. Signature of Father:

22a. Signature of Mother:

b. Address of Father:

b. Address of Mother:

23. Subscribed and sworn before me on: _____

24. Subscribed and sworn before me on: _____

25. Notary's signature :

26. Notary's signature :

27. Notary's address :

28. Notary's address :

29. My commission expires :

30. My commission expires :

31. Notary ID: _____

32. Notary ID: _____

https://vr-fhs.vdh.virginia.gov/vital/vital_reports.affidavit_of_paternity?p_id=9012944

4/5/2019

ACKNOWLEDGMENT OF PATERNITY — 7/04 FORM

Clear and Reset Form	ACKNOWLEDGEMENT OF PATERNITY Virginia Department of Health / Division of Vital Records <i>(32.1-257, 32.1-261 or 32.1-269, Code of Virginia)</i>	Virginia Department of Health Division of Vital Records P.O. Box 1000 Richmond, VA 23218-1000
This statement is to acknowledge paternity of the child described herein. In order for the father's name to appear on the birth certificate of a child born out of wedlock, both biological (<i>natural</i>) parents must complete and sign this statement before a notary public.		
PART I - CHILD		
1. Full Name at Birth: _____ (First) (Middle) (Last) (Suffix)		
2. Sex: _____		3. Date of Birth: _____
4. Place of Birth: _____		5. Birth Certificate Number (If Known): _____
PART II - BIOLOGICAL MOTHER OF THE CHILD		
6. Full Maiden Name: _____ (First) (Middle) (Maiden)		
7. Present Name: _____ (First) (Middle) (Last)		
8. Date of Birth: _____		9. Place of Birth (State or Foreign Country): _____
10. Social Security Number: _____		11. Race or Color: _____
PART III - BIOLOGICAL FATHER OF THE CHILD (NOTE: Items 17, 18 and 19 concern the father at the time of the child's birth)		
12. Full Name: _____ (First) (Middle) (Last) (Suffix)		
13. Date of Birth: _____		14. Place of Birth (State or Foreign Country): _____
15. Social Security Number: _____		16. Race or Color: _____
		17. Highest Level of Education Completed: _____
18. Occupation: _____		19. Industry: _____
PART IV - BIOLOGICAL PARENTS' MARRIAGE (IF APPLICABLE, You must complete this section and enclose a certified copy of your marriage record)		
20. Place of Marriage: _____ <i>(City/County and State, or Foreign Country)</i>		21. Date of Marriage: _____
PART V - PARENTS' ACKNOWLEDGEMENT (THIS ITEM MUST BE COMPLETED)		
22. We, being duly sworn, affirm that we are the biological parents of the child named above, and we request that the father's information be shown on this child's birth certificate, and that the child's name be listed on the birth certificate as shown below: Child's Name: _____ (First) (Middle) (Last) (Suffix)		
23. a. Signature of Father: _____		24. a. Signature of Mother: _____
b. Address of Father: _____ _____		b. Address of Mother: _____ _____
25. Subscribed and sworn before me on: _____		26. Subscribed and sworn before me on: _____
27. Notary's signature: _____		28. Notary's signature: _____
29. Notary's address: _____ _____		30. Notary's address: _____ _____
31. My commission expires: _____		32. My commission expires: _____

The fee for a certified copy of a birth record is \$12.00 per copy. There is a \$10.00 administrative fee to establish the new birth certificate. Checks or money orders should be made payable to State Health Department.

If the mother was married at the time of the child's birth or in the 10 months next preceding, the State Registrar will not accept the acknowledgement of paternity form.

INSTRUCTIONS FOR COMPLETING AND CHECKING THE ACKNOWLEDGEMENT OF PATERNITY

NOTE TO THE PREPARER/NOTARY: Before preparing or notarizing this form, be sure that:

- The date of birth is before or the same as the date of signing.
- The man signing the form is attesting or acknowledging that he is the **BIOLOGICAL (natural)** father of this child.
- The parents understand the purpose of this form is to establish the paternity of a child born out of wedlock.

Proceed **ONLY** if all of the above are true. The numbers below refer to the numbers on the front of this form. All information, except signatures, must be printed or typed.

1. **Full Name at Birth:** Enter the name of the child **EXACTLY** as it appears on the birth certificate.
 2. **Sex:** Enter the sex of the child.
 3. **Date of Birth:** Enter the child's date of birth **EXACTLY** as it appears on the birth certificate. The name of the month must be spelled out (e.g., January, February, March, etc.).
 4. **Place of Birth:** Enter the name of the independent city or county where the child was born **EXACTLY** as it appears on the birth certificate.
 5. **Birth Certificate Number:** If the certificate has been filed and has a state birth number, that number is to be entered here. Otherwise, LEAVE THIS SPACE BLANK.
 6. **Full Maiden Name:** Enter the mother's full MAIDEN name **EXACTLY** as it appears on the child's birth certificate. Do not enter any name gained by marriage. Name changes by court order or adoption should be shown.
 7. **Present Name:** Enter the mother's present full legal name (first, middle and last).
 8. **Date of Birth:** Enter the mother's correct birth date in Month-Day-Year order. Spell out the name of the month (e.g., January, February, March, etc.).
 9. **Place of Birth:** Enter the name of the state or foreign country where the child's mother was born.
 10. **Social Security Number:** Enter the mother's social security number.
 11. **Race or Color:** Enter the mother's race, as identified by the mother. Do not use "Hispanic" as a racial designation.
 12. **Full Name:** Enter the father's full legal name (first, middle, last, suffix).
 13. **Date of Birth:** Enter the father's correct birth date in Month-Day-Year order. Spell out the name of the month (e.g., January, February, March, etc.).
 14. **Place of Birth:** Enter the name of the state or foreign country where the child's father was born.
 15. **Social Security Number:** Enter the father's social security number.
 16. **Race or Color:** Enter the father's race, as identified by the father. Do not use "Hispanic" as a racial designation.
 17. **Highest Level of Education Completed:** Enter a number (0 - 18+) to indicate the father's highest academic grade completed. Three year nursing schools, business schools, and technical training schools are NOT considered academic grades for the purposes of this form.
 18. **Occupation:** Enter the father's occupation, trade or profession at the time of the child's birth.
 19. **Industry:** Enter the kind of business or industry for which the father performed the occupation indicated on line #18.
 20. **Place of Marriage:** If the parents marry **AFTER** the birth of the child shown in item #1, the name of the independent city/county and state or foreign country where the marriage took place must be copied **EXACTLY** as shown on the Marriage Certificate. If they have **NOT** married after the birth of the child, leave this line blank.
 21. **Date of Marriage:** If the parents marry **AFTER** the birth of the child shown in item #1, the date of the marriage must be shown **EXACTLY** as on the Marriage Certificate. If they have **NOT** married after the birth of the child, leave this line blank.
 22. **DO NOT LEAVE THIS LINE BLANK.** The child's full name, as the parents agree it should be shown on the birth certificate, must be indicated.
 23. a. **Signature of Father:** **AFTER** the birth of the child and **IN THE PRESENCE** of a notary, the biological father of the child named must sign his full legal signature to affirm his paternity.
b. **Address of Father:** The father's street address (e.g., house number, apartment number, street name/number/R.F.D., highway or route number) is shown on the first line whenever possible. The second line must show the name of the city or town and the state where the street address is located. Include the postal Zip Code.
 24. a. **Signature of Mother:** **AFTER** the birth of the child and **IN THE PRESENCE** of a notary, the biological mother of the child named must sign her full legal signature to affirm the biological father's paternity.
b. **Address of Mother:** The mother's street address (e.g., house number, apartment number, street name/number/R.F.D., highway or route number) is shown on the first line whenever possible. The second line must show the name of the city or town and the state where the street is located. Include the postal Zip Code.
- NOTARY ITEMS:**
25. & 26. **Subscribed and sworn before me on (Date):** The officiating notary must enter the date of signing by each parent. Each signature must be separately and completely notarized. They need not be done at the same time nor by the same notary. Any signature done out of the presence of a notary will **NOT BE ALLOWED**. If not signed in the presence of a notary, a **NEW ACKNOWLEDGEMENT** must be prepared and signed **IN THE NOTARY'S PRESENCE**. **DO NOT USE THE ACKNOWLEDGEMENT ALREADY SIGNED**.
 27. & 28. **Notary's Signature:** The officiating notary must sign here to notarize **EACH** parent's signature. The notary must positively identify each person signing the Acknowledgement of Paternity before notarizing the father's or mother's signature.
 29. & 30. **Notary's Address:** The address of the officiating notary must be entered for **EACH** notarization of a signature.
 31. & 32. **My Commission Expires (Date):** The officiating notary(s) must enter the expiration date(s) of their commission(s) for **EACH** notarization. If a notary's commission has expired, they must **NOT** notarize any signatures.

PATERNITY ACKNOWLEDGMENT RIGHTS AND RESPONSIBILITIES STATEMENT

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES/DCSE
ALL VIRGINIA BIRTHING HOSPITALS**

PATERNITY ACKNOWLEDGMENT RIGHTS AND RESPONSIBILITIES STATEMENT

Rights and Responsibilities of the Father

Please read and a trained hospital staff member will read to you the following statements before you sign the Acknowledgment of Paternity form.

1. I understand that my signature on the Acknowledgment of Paternity form establishes that I am the natural father of the named child for all legal purposes.
2. I sign the Acknowledgment of Paternity voluntarily and understand that I am under no obligation to do so. No pressure has been placed upon me to sign. I understand I may take the following actions instead of signing this form:
 - a. Seek the advice or representation of legal counsel
 - b. Request that DNA testing be taken
 - c. Have the matter of paternity determined by the court
3. I understand I will have the responsibility to provide support for my child.
4. I understand I will be responsible to pay such support until the child turns 18 years of age or beyond if required by law.
5. I understand after paternity is established, I have the right to request visitation with the child. Custody and visitation are decided in legal actions separate from the issues of paternity or child support.
6. I understand the Acknowledgment of Paternity may be used in any legal proceeding regarding this child.
7. I understand I have the right to talk to a staff person to clarify information on this statement and to ask any questions I have.
8. I understand I have the right to rescind this acknowledgment within sixty days from the date of signing unless an administrative or judicial proceeding involving this child has taken place earlier.

Rights and Responsibilities of the Mother

Please read and a trained hospital staff member will read to you the following statements before you sign the Acknowledgment of Paternity form.

1. I understand that my signature on the Acknowledgment of Paternity form means that I swear that I am the mother of the named child and that the person signing as the father is the biological father of the child.
2. I sign the Acknowledgment of Paternity voluntarily and understand that I am under no obligation to do so. No pressure has been placed upon me to sign. I understand I may take the following actions instead of signing this form:
 - a. Seek the advice or representation of legal counsel
 - b. Request that DNA testing be taken
 - c. Have the matter of paternity determined by the court
3. I understand after paternity is established, I have the right to request visitation with the child. Custody and visitation are decided in legal actions separate from the issues of paternity or child support.
4. I understand I have the right to talk to a staff person to clarify information on this statement and to ask any questions I have.
5. I understand I have the right to rescind this acknowledgment within sixty days from the date of signing unless an administrative or judicial proceeding involving this child has taken place earlier.

I have read and have been provided with an oral description of the rights and responsibilities statement above.

Signature of Father _____
 Social Security Number _____
 Subscribed and Sworn before me on: _____
 In the _____ of _____ in the
 Commonwealth of Virginia
 Notary Signature: _____
 My Commission Expires: _____

I have read and have been provided with an oral description of the rights and responsibilities statement above.

Signature of Mother _____
 Social Security Number _____
 Subscribed and Sworn before me on: _____
 In the _____ of _____ in the
 Commonwealth of Virginia
 Notary Signature: _____
 My Commission Expires: _____

Hospital R&R's 8/14/2012 Revision

FEDERAL REGULATIONS REGARDING PATERNITY ACKNOWLEDGMENTS AND IN-HOSPITAL PATERNITY ACKNOWLEDGMENT PROGRAMS

(Code of Federal Regulations) (Title 45, Volume 2) Revised as of January 1, 2008 From the U.S. Government Printing via GPO Access

SECTION 302.70. REQUIRED STATE LAWS

(iii) Procedures for a simple civil process for voluntarily acknowledging paternity under which the State must provide that, before a mother and putative father can sign a voluntary acknowledgment of paternity, the mother and the putative father must be given notice, orally or through video or audio equipment, and in writing, of the alternatives to, the legal consequences of, and the rights (including any rights ,if a parent is a minor, due to minority status) and responsibilities of acknowledging paternity, and ensure that due process safeguards are afforded. Such procedures must include:

(A) A hospital-based program in accordance with Sec. 303.5(g) for the voluntary acknowledgment of paternity during the period immediately before or after the birth of a child to an unmarried mother and a requirement that all public and private birthing hospitals participate in the hospital-based program defined in Sec. 303.5(g)(2); and

(B) A process for voluntary acknowledgment of paternity in hospitals, State birth record agencies, and in other entities designated by the State and participating in the State's voluntary paternity establishment program; and

(C) A requirement that the procedures governing hospital-based programs and State birth record agencies must also apply to other entities designated by the State and participating in the State's voluntary paternity establishment program, including the use of the same notice provisions, the same materials, the same evaluation methods, and the same training for the personnel of these other entities providing voluntary paternity establishment services.

(iv) Procedures under which the voluntary acknowledgment of paternity creates a rebuttable or, at the option of the State, conclusive presumption of paternity, and under which such voluntary acknowledgment is admissible as evidence of paternity; In SC, the acknowledgment creates conclusive evidence of paternity after the 60-day rescission period].

SECTION 303.5. ESTABLISHMENT OF PATERNITY.

(g) Voluntary paternity establishment programs.

(1) The State must establish, in cooperation with hospitals, State birth record agencies, and other entities designated by the State and participating in the State's voluntary

paternity establishment program, a program for voluntary paternity establishment services.

- (i) The hospital-based portion of the voluntary paternity establishment services program must be operational in all private and public birthing hospitals statewide

- (ii) and must provide voluntary paternity establishment services focusing on the period immediately before and after the birth of a child born out-of-wedlock.

- (iii) The voluntary paternity establishment services program must also be available at the State birth record agencies, and at other entities designated by the State and participating in the State's voluntary paternity establishment program. These entities may include the following types of entities:

- (A) Public health clinics (including Supplementary Feeding Program for Women, Infants, and Children (WIC) and Maternal and Child Health (MCH) clinics), and private health care providers (including obstetricians, gynecologists, pediatricians, and midwives);

- (B) Agencies providing assistance or services under Title IV-A of the Act, agencies providing food stamp eligibility service, and agencies providing child support enforcement **(IV-D)** services;

- (C) Head Start and child care agencies (including child care information and referral providers), and individual child care providers;

- (D) Community Action Agencies and Community Action Programs;

- (E) Secondary education schools (particularly those that have parenthood education curricula);

- (F) Legal Aid agencies, and private attorneys; and

- (G) Any similar public or private health, welfare or social services organization.

- (2) The hospitals, State birth record agencies, and other entities designated by the State and participating in the State's voluntary paternity establishment program must, at a minimum:

- (i) Provide to both the mother and alleged father:

- (A) Written materials about paternity establishment,

- (B) The forms necessary to voluntarily acknowledge paternity,

- (C) Notice orally or through video or audio equipment, and in writing, of the alternatives to, the legal consequences of, and the rights (including any rights, if a parent is a minor, due to minority status) and responsibilities or acknowledging paternity, and

- (D) The opportunity to speak with staff, either by telephone or in person, who are trained to clarify information and answer questions about paternity establishment;
 - (ii) Provide the mother and alleged father the opportunity to voluntarily acknowledge paternity;
 - (iii) Afford due process safeguards; and
 - (iv) File signed original of voluntary acknowledgments or adjudications of paternity with the State registry of birth records (or a copy if the signed original is filed with another designated entity) for comparison with information in the State case registry.
- (3) The hospitals, State birth record agencies, and other entities designated by the State and participating in the State's voluntary paternity establishment program need not provide services specified in paragraph (g)(2) of this section in cases where the mother or alleged father is a minor or a legal action is already pending, if the provision of such services is precluded by State law [this Section does not apply to SC as our law does not preclude voluntary paternity acknowledgment services to minors].
- (4) The State must require that a voluntary acknowledgment be signed by both parents, and that the parents' signatures be authenticated by a notary or witness (witnesses).
- (5) The State must provide to all hospitals, State birth record agencies, and other entities designated by the State and participating in the State's voluntary paternity establishment program:
- (i) Written materials about paternity establishment,
 - (ii) Form necessary to voluntarily acknowledge paternity, and
 - (iii) Copies of a written description of the alternatives to, the legal consequences of, and the rights (including any rights, if a parent is a minor, due to minority status) and responsibilities of acknowledging paternity.
- (6) The State must provide training, guidance, and written instructions regarding voluntary acknowledgment of paternity, as necessary to operate the voluntary paternity establishment services in the hospitals, State birth record agencies, and other entities designated by the State and participating in the State's voluntary paternity establishment program.
- (7) The State must assess each hospital, State birth record agency, local birth record agency designated by the State, and other entity participating in the State's voluntary paternity establishment program that are providing voluntary paternity establishment services on at least an annual basis.
- (8) Hospitals, State birth record agencies, and other entities designated by the State and participating in the State's voluntary paternity establishment program must forward completed voluntary acknowledgments or copies to the entity designated by the State. If any entity other than the State registry of birth records is

designated by the State, a copy must be filed with the State registry of birth records, in accordance with Sec.303.5(g)(2)(iv). Under State procedures, the designated entity must be responsible for promptly recording identifying information about the acknowledgments with a state-wide database, and the IV-D agency must have timely access to whatever identifying information and documentation it needs to determine in accordance with Sec.303.5(h) if an acknowledgment has been recorded and to seek a support order on the basis of a recorded acknowledgment in accordance with Sec.303.4(f).

(h) In IV-D cases needing paternity establishment, the IV-D agency must determine if identifying information about a voluntary acknowledgment has been recorded in the statewide database in accordance with Sec.303.5(9)(8).

[40 FR 27164, June 26, 1975, as amended at 50 FR 19650, May 9, 1985; 54 FR 32310, Aug. 4, 1989; 56 FR 22354, May 15, 1991; 59 FR 66250, Dec. 23, 1994; 64 FR 6249, Feb. 9, 1999; 64 FR 11809, Mar. 10, 1999]

CODE OF VIRGINIA § 63.2-1914

- Each public and private birthing hospital in the Commonwealth shall provide unwed parents the opportunity to legally establish the paternity of a child prior to the child's discharge from the hospital following birth, by means of a voluntary acknowledgment of paternity signed by the mother and the father, under oath.
- Birthing hospitals are defined as hospitals with licensed obstetric-care units, hospitals licensed to provide obstetric services, or licensed birthing centers associated with a hospital. Birthing centers are facilities outside hospitals that provide maternity services.
- Designated staff members of such hospitals shall provide to both the mother and the alleged father, if he is present at the hospital, (i) written materials regarding paternity establishment, (ii) the forms necessary to voluntarily acknowledge paternity, (iii) a written and oral description of the rights and responsibilities of acknowledging paternity, and (iv) the opportunity, prior to the child's discharge from the hospital, to speak with staff who are trained to provide information and answer questions about paternity establishment. The provision by designated hospital staff members of the information required by this section, consistent with federal regulations, shall not constitute the unauthorized practice of law pursuant to Chapter 39 (§ 54.1-3900 et seq.) of Title 54.1.
- Hospitals shall send the original acknowledgment of paternity containing the social security numbers, if available, of both parents, with the information required by Article 2 (§ 32.1-257 et seq.) of Chapter 7 of Title 32.1, to the State Registrar of Vital Records so that the birth certificate issued includes the name of the legal father of the child.
- The Department shall (a) provide to birthing hospitals all necessary materials and forms, and a written description of the rights and responsibilities related to voluntary acknowledgment of paternity; (b) provide the necessary training, guidance and written instructions regarding voluntary acknowledgment of paternity; (c) annually assess each birthing hospital's paternity establishment program; (d) pay to each hospital an amount determined by regulation of the Board for each acknowledgment of paternity signed under oath by both parents; and (e) determine if a voluntary acknowledgment has been filed with the State Registrar of Vital Records in cases applying for paternity establishment services.

1994, c. 718, § 20-49.9; 1997, cc. 792, 896; 2002, c. 747.)

ADD THE DAD BROCHURES

TO FIND OUT MORE INFORMATION OR TO APPLY
FOR CHILD SUPPORT SERVICES:

Contact your local DCSE office
Toll-Free: 1-800-468-8894
(M-F, 7 a.m.-6 p.m.)
or visit their website at
www.dss.virginia.gov/family/dcse

The Division of Child Support Enforcement (DCSE) is not involved with the family unless one parent applies for services. If one parent is not sharing the responsibility for supporting the child, the other parent may apply to the Division of Child Support Enforcement for assistance. Applications are available on the website.

For Information About Paternity Establishment,
Contact:

Virginia Paternity Establishment Program
Local Phone: 804-285-5826
Toll-Free Phone: 1-866-398-4841
Email: vapep@veritas-hhs.com
Website: www.vapaternity.com

Mailing Address:
P.O. Box 8270
Richmond, VA 23226

Find us on

Vapaternity
 Vapaternity
 VA Paternity Establishment

Parents, we'd appreciate if you'd take a minute to share your experience. Completing the survey will enter you into a drawing for a package of diapers!

www.surveymonkey.com/r/vapaternityparentsurvey.com

VIRGINIA DEPARTMENT OF
SOCIAL SERVICES

Toll-Free: 1-800-468-8894
(M-F, 7 a.m.-6 p.m.)

www.dss.virginia.gov/family/dcse

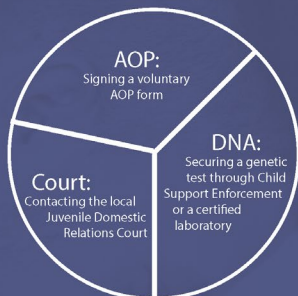
Did you know?

- In the Commonwealth of Virginia, if parents are not legally married at the time of birth, the father's name will not appear on the child's birth certificate unless paternity is established.
- If parents are not legally married at the time of birth, they can establish paternity by signing an Acknowledgment of Paternity (AOP) form as part of the birth registration process or at a later time.
- In order to be recognized as the child's legal father and have rights, the biological father must establish paternity.
- Being the legal father of your child does not mean that you will be required to pay child support, have custody or even visitation. These are separate issues and require court determinations.

Q: What is paternity establishment?

A: Paternity means legal fatherhood. Establishing paternity is the process where an unmarried biological father becomes the legal father of his child. Unmarried parents can establish paternity at the hospital after the birth of their child as part of the birth registration process.

Establish Paternity By:



Q: How do I establish paternity through a voluntary process?

A: It's simple! If you were unmarried from conception to birth, the mother and father can sign a document called an Acknowledgment of Paternity (AOP) stating the father is the biological parent. The parents must provide a photo ID and sign in the presence of a Notary.

Q: How does establishing paternity affect my child's birth certificate?

A: If you are unmarried at the time of your child's birth, the father's name will not be included on the child's birth certificate without paternity being established. The Division of Vital Records is available to answer any questions you have about the birth certificate process. Please feel free to contact them at 804-662-6200.

Q: How much does it cost?

A: It's free if you complete the AOP in the hospital after your child's birth. If you are unable to complete the AOP at the time of birth, you may return to the hospital at a later date or you may contact the Division of Vital Records (DVR), the Division of Child Support Enforcement (DCSE), or the local Department of Health (DOH) to complete an AOP. You may also mail your completed AOP directly to our office at P.O. Box 8270 Richmond, VA 23226. The Division of Vital Records will charge a \$10 fee to amend the birth certificate if the AOP is completed after the birth registration has occurred and \$12 for each copy of the birth certificate. These fees will be collected prior to issuing the birth certificate with the father's name—so be sure to save time and money by completing the form at the hospital if possible!

Q: What are my responsibilities if I establish paternity?

A: Each parent must understand the Rights and Responsibilities associated with establishing paternity. This information is specified on the AOP form. Please review the Rights and Responsibilities carefully before signing the document.

Q: What if one of the parents change their mind after signing the form?

A: Parents should think carefully before establishing paternity. If you do change your mind, you have 60 days from the last notarized signature date to rescind the AOP. Either parent may cancel or "rescind" the AOP by completing a rescission form at the Division of Vital Records or a local Department of Health.

Q: How does establishing paternity help my child?

The greatest statistical indicator of whether or not an unmarried dad will be involved in his child's life is whether or not he establishes paternity. Give your child the advantage of having a father right from the start!

1 Self Esteem

Children respond better to love and support from both parents. They gain a sense of belonging and benefit from knowing that both of their parents care for them.

2 Family Identity

When children know they are part of a family, they are likely to be more secure about who they are. Establishing paternity identifies the father's side of the family and encourages relationships with his family.

3 Shared Parenting

Parenting is the responsibility of both the father and the mother. (Studies show that this results in a decrease in high-risk behavior by the child). Finally, more resources are available when both parents share the responsibility of raising their child.

4 Health History

A child is more likely to have a complete health history if paternity is established. Knowing the family's medical history is important for children and their physicians. Additionally, a health history is critically important if there are conditions that may present any special health problems (disease, genetic traits, and donor information for transplant).

5 Important Rights

When paternity is established, the child has the same rights as a child born in a marriage. When a father dies or is permanently disabled, having a legal father ensures benefits for the child (medical or insurance benefits, inheritance, Social Security, disability or veteran's benefits).

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

A: Genetic testing can help you determine whether a man is a child's biological father. Call the Virginia Paternity Establishment Program toll free at 1-866-398-4641 to receive information on a low-cost genetic test through the Division of Child Support Enforcement. You may also contact one of the following private laboratories:

LabCorp
1-800-742-3944
www.LapCorpDNA.com

DDC Diagnostic
1-800-362-2368
www.dnacenter.com

Paternity Testing Corporation
1-888-837-8323
www.ptclabs.com



If you are not sure who the father is, you should not complete the AOP form. You may also consider contacting an attorney of your choice or contact your local Juvenile Domestic and Relations court (JDR) for more information about your situation.



PARA OBTENER MÁS INFORMACIÓN O
SOLICITAR SERVICIOS DE APOYO A NIÑOS:

Comuníquese con su oficina local de DCSE
sin cargo:
1-800-468-8894
(L-V, 7 a.m.-6 p.m.)
o visite su sitio web en
www.dss.virginia.gov/family/dcse/

La División de Cumplimiento de Manutención de
Menores (DCSE) no está involucrada con la
familia a menos que uno de los padres solicite
los servicios. Si uno de los padres no comparte la
responsabilidad de apoyar al niño, el otro padre
puede solicitar asistencia a la División de
Cumplimiento de Manutención de los hijos. Las
solicitudes están disponibles en el sitio web.

Para información sobre el establecimiento de
paternidad póngase en contacto con:

Programa de Establecimiento de Paternidad de Virginia
Teléfono local: 804-285-5826
Teléfono gratuito: 1-866-398-4841
Correo electrónico: vapep@veritas-hhs.com
Sitio web: www.vapaternity.com

Dirección de envío:
P.O. Box 8270
Richmond, VA 23226

Encuétranos en:



Padres, le agradeceríamos que se tomara un minuto para
compartir su experiencia. ¡Completando la encuesta, entrarás
en un dibujo para un paquete de pañales!

www.surveymonkey.com/r/vapaternityparentsurvey.com



VIRGINIA DEPARTMENT OF
SOCIAL SERVICES

Línea gratuita: 1-800-468-8894
(L-V, 7 a.m.-6 p.m.)
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¿Sabías?

- En el estado de Virginia, si los padres no están casados legalmente al momento del nacimiento, el nombre del padre no aparecerá en el certificado de nacimiento del niño a menos que se establezca la paternidad.
- Si los padres no están casados legalmente en el momento del nacimiento, pueden establecer la paternidad firmando un formulario de Reconocimiento de Paternidad (AOP) como parte del proceso de registro de nacimiento o posteriormente.
- Para ser reconocido como el padre legal del niño y tener derechos, el padre biológico debe establecer la paternidad.
- Ser el padre legal de su hijo no significa que deba pagar la manutención de los hijos, tener la custodia o incluso las visitas. Estos son temas separados y requieren determinaciones judiciales.

P: ¿Qué es el establecimiento de paternidad?

R: Paternidad significa paternidad legal. El establecimiento de la paternidad es el proceso por el cual un padre biológico soltero se convierte en el padre legal de su hijo. Los padres solteros pueden establecer la paternidad en el hospital después del nacimiento de su hijo como parte del proceso de registro de nacimiento.

Establecer la paternidad por:



P: ¿Cómo establezco la paternidad a través de un proceso voluntario?

R: ¡Es simple! Si no estuvo casado desde la concepción hasta el nacimiento, la madre y el padre pueden firmar un documento llamado Reconocimiento de paternidad (AOP) que indica que el padre es el padre biológico. Los padres deben proporcionar una identificación con foto y firmar en presencia de un notario.

P: ¿Cómo afecta el establecimiento de paternidad a mi certificado de nacimiento del niño?

R: Si no está casado al momento del nacimiento de su hijo, el nombre del padre no se incluirá en el certificado de nacimiento del niño sin que se haya establecido la paternidad. La División de Registros Vitales está disponible para responder cualquier pregunta que tenga sobre el proceso del certificado de nacimiento. Por favor no dude en contactarlos al 804-662-6200.

P: ¿Cuánto cuesta?

R: Es gratis si completa el AOP en el hospital después del nacimiento de su hijo. Si no puede completar el AOP en el momento del nacimiento, puede regresar al hospital en una fecha posterior o puede comunicarse con la División de Registros Vitales (DVR), la División de Cumplimiento de Manutención de los Hijos (DCSE) o la oficina local Departamento de Salud (DOH) para completar un AOP. También puede enviar su AOP completo directamente a nuestra oficina en el P.O. Box 8270 Richmond, VA 23226. La División de Registros Vitales cobrará una tarifa de \$ 10 para enmendar el certificado de nacimiento si se completa el AOP después de que se haya registrado el registro de nacimiento y \$12 por cada copia del certificado de nacimiento. Estas tarifas se cobrarán antes de emitir el certificado de nacimiento con el nombre del padre, así que asegúrese de ahorrar tiempo y dinero al completar el formulario en el hospital si es posible!

P: ¿Cuáles son mis responsabilidades si establezco la paternidad?

R: Cada padre debe entender los derechos y responsabilidades asociados con el establecimiento de la paternidad. Esta información se especifica en el formulario AOP. Por favor revise los derechos y responsabilidades cuidadosamente antes de firmar el documento.

P: ¿Qué pasa si uno de los padres cambia de opinión después de firmar el formulario?

R: Los padres deben pensar cuidadosamente antes de establecer la paternidad. Si cambia de opinión, tiene 60 días a partir de la última fecha de firma notariada para rescindir el AOP. Cualquiera de los padres puede cancelar o "rescindir" el AOP completando un formulario de rescisión en la División de Registros Vitales o un Departamento de Salud local.

P: ¿Cómo ayuda el establecimiento de la paternidad a mi hijo?

R: El mayor indicador estadístico de si un padre soltero participará o no en la vida de su hijo es si establece o no la paternidad. ¡Dale a tu hijo la ventaja de tener un padre desde el principio!

1 Autoestima

Los niños responden mejor al amor y apoyo de ambos padres. Adquieren un sentido de pertenencia y se benefician al saber que ambos padres se preocupan por ellos.

2 Identidad Familiar

Cuando los niños saben que son parte de una familia, es probable que estén más seguros de quiénes son. El establecimiento de la paternidad identifica el lado de la familia del padre y fomenta las relaciones con su familia.

3 Padres Compartidos

La crianza es responsabilidad tanto del padre como de la madre. (Los estudios muestran que esto resulta en una disminución en el comportamiento de alto riesgo por parte del niño). Finalmente, hay más recursos disponibles cuando ambos padres comparten la responsabilidad de criar a sus hijos.

4 Historial de Salud

Es más probable que un niño tenga un historial médico completo si se establece la paternidad. Conocer el historial médico de la familia es importante para los niños y sus médicos. Además, un historial de salud es sumamente importante si existen condiciones que pueden presentar algún problema de salud especial (enfermedad, rasgos genéticos e información del donante para el trasplante).

5 Derechos Importantes

Cuando se establece la paternidad, el niño tiene los mismos derechos que un niño nacido en un matrimonio. Cuando un padre muere o está incapacitado permanentemente, tener un padre legal garantiza los beneficios para el niño (beneficios médicos o de seguro, herencia, seguro social, discapacidad o beneficios de veteranos).

P: ¿Qué pasa si no estamos seguros de quién es el padre?

R: Las pruebas genéticas pueden ayudarlo a determinar si un hombre es el padre biológico de un niño. Llame gratis al Programa de Establecimiento de Paternidad de Virginia al 1-866-398-4841 para recibir información sobre una prueba genética de bajo costo a través de la División de Cumplimiento de Manutención de Menores. También puede ponerse en contacto con uno de los siguientes laboratorios privados:

LabCorp
1-800-742-3944
www.LapCorpDNA.com

DDC Diagnostic
1-800-362-2368
www.dnacenter.com

Paternity Testing Corporation
1-888-837-2323
www.ptclabs.com



Si no está seguro de quién es el padre, no debe completar el formulario AOP. También puede considerar ponerse en contacto con un abogado de su elección o ponerse en contacto con su tribunal local de relaciones con menores (JDR) para obtener más información sobre su situación.

ADD THE DAD POSTERS



Unmarried Parents: Make A Positive Choice for Your Child **Add the Dad**



Unmarried parents can easily establish paternity for their child by signing an Acknowledgement of Paternity (AOP) form at the time of birth or after.

A few things to know:

- Both parents will need a valid government issued ID as the form must be notarized.
- In order to be recognized as the child's legal father, the biological father must establish paternity.
- If completed at the hospital as part of birth registration, it's free!
- Give your child the same benefits as children born to married parents.

Virginia Paternity Establishment Program

Local Phone: 804-285-5826

Toll Free Phone: 1-866-398-4841

Email: vapep@veritas-hhs.com

Website: www.vapaternity.com

Find us on:

 Vapaternity

 Vapaternity

 VA Paternity Establishment



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Toll-Free: 1-800-468-8894
(M-F, 7 a.m. - 6 p.m.)

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Padres solteros: Haga una elección positiva para su hijo **Agrega el Papa**



Los padres que no están casados pueden establecer fácilmente la paternidad para su hijo firmando un formulario de Reconocimiento de Paternidad (AOP) en el momento del nacimiento o después.

Algunas cosas para saber:

- Ambos padres necesitarán una identificación válida emitida por el gobierno ya que el formulario debe ser notariado.
- Para ser reconocido como el padre legal del niño, el padre biológico debe establecer la paternidad.
- Si se completa en el hospital como parte de la inscripción de nacimiento, es gratis!
- Dale a tu hijo los mismos beneficios que a los niños nacidos de padres casados.

Programa de Establecimiento de Paternidad de Virginia

Teléfono local: 804-285-5826

Teléfono gratuito: 1-866-398-4841

Correo electrónico: vapep@veritas-hhs.com

Sitio web: www.vapaternity.com

Encuétranos en:



Vapaternity



Vapaternity



VA Paternity Establishment



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Línea gratuita: 1-800-468-8894

(L-V, 7 a.m.- 6 p.m.)

www.dss.virginia.gov/family/dcse

ADD THE DAD DOCTORS' CARDS



Unmarried Parents:
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Add the Dad



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Call or visit our website below
for more information.

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Email: vapep@veritas-hhs.com
Website: www.vapaternity.com



VIRGINIA DEPARTMENT OF
SOCIAL SERVICES



Padres solteros:
Haga una elección positiva para su hijo

Agrega el Papa



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- Dale a tu hijo los mismos beneficios que a los niños nacidos de padres casados.

Llame o visite nuestro sitio web a continuación para obtener más información.

Línea gratuito: 1-866-398-4841

Correo electrónico: : vapep@veritas-hhs.com

Sitio web: www.vapaternity.com



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