



Did you have a baby and are currently married, separated or recently divorced from someone other than the biological father?

- According to Virginia law, the husband of the mother is presumed to be the legal father of the child. If the mother is married or was married up to 10 months prior to the birth of the child to someone other than the biological father of the child, paternity must be established in court.
- If the biological father is not the husband, the birth registrar will be unable to add his name to the certificate using the AOP.
- The mother and her husband's name will appear on the child's birth certificate unless the mother refuses to give the name of husband to the registrar.
- You must contact your local Circuit Court and/or Juvenile & Domestic Relations Court to legally establish paternity for the biological father.

Please call the Division of Vital records at 804-664-6200 or visit these websites for more information:

www.courts.state.va.us

www.leg1.state.va.us and refer to section 32.1-257., Section D