Kansas Department of Health and Environment
Bureau of Epidemiology and Public Health Informatics Office of Vital Statistics
1000 SW Jackson Street, Suite 120, Topeka, KS 66612-2221

Paternity Consent Form for Court Birth Registration

This completed consent form and a court order are required to amend a child's birth registration under KSA 23-2204 when no father's name appears on the child's birth certificate and the mother was not married at the time of conception, birth, or anytime in between. Otherwise, an action under the Kansas Parentage Act is required to add the father's name on the child's birth certificate. This completed form should be submitted by the court to the State Registrar along with the order required by KSA 23-2204.

Disclosures to BOTH Parents: Basic Rights and Responsibilities of Acknowledging Paternity

- ❑ An acknowledgment of paternity creates a permanent father and child relationship that can only be ended by court order. A person who wants to revoke the acknowledgment of paternity shall file the request with the court. A person under 18 years of age when the acknowledgment of paternity was signed has until one year after such person's 18th birthday to file a request, but if the child is more than one year old, the judge shall first consider the child's best interests. A person over 18 years of age when the acknowledgment was signed has until 60 days after signing the acknowledgment or prior to the date of any administrative or judicial proceeding relating to the child to establish a support order, whichever is earlier, to file a request. After these deadlines, the person will have to show that the acknowledgment was based on fraud, duress, or a material mistake of fact and the judge shall first consider the child's best interests;

- ❑ Both the father and the mother are responsible for the care and support of the child. If necessary, this duty may be enforced through legal action such as a child support order, an order to pay birth or other medical expenses of the child, or an order to repay government assistance payments for the child's care. A parent's willful failure to support the parent's child is a crime;

- ❑ Both the father and the mother have rights of custody and parenting time with the child unless a court order changes their rights. Custody, residency and parenting time may be spelled out in a court order and enforced;

- ❑ Both the father and the mother have the right to consent to medical treatment for the child unless a court order changes those rights;

- ❑ The child may inherit from the father and the father's family or from the mother and the mother's family. The child may receive public benefits, including, but not limited to, social security or private benefits, including, but not limited to, insurance or workers compensation because of the father-child or mother-child relationship;

- ❑ The father or the mother may be entitled to claim the child as a dependent for tax or other purposes. The father or the mother may inherit from the child or the child's descendants; and

- ❑ Each parent has the right to sign or not sign an acknowledgment of paternity. Each parent has the right to talk with an attorney before signing an acknowledgment of paternity. Each parent has the right to be represented by an attorney in any legal action involving paternity or their rights or duties as a parent. Usually, each person is responsible for hiring the person's own attorney.

I have read this page. _____ Father's initials _____ Mother's initials _____ Date

Modifications will invalidate this form

Please print legibly.

Father's Affidavit

I, _____, hereby swear or affirm that:
First, middle, and last name of father

❑ I have read the disclosure of basic rights and responsibilities of acknowledging paternity printed on the back of this form, and I have had and opportunity to obtain legal advice if I so desire. I desire to amend the birth certificate of this child pursuant to KSA 23-2223.

I am the father of _____, born on __ __ / __ __ / __ __ __ __, in
First, middle, and last name of child as shown on birth certificate. Date of Birth (mm/dd/yyyy)

_____ to _____.
City & State of Birth Full name of mother as shown on the birth certificate.

Additional information required:

Father's date of birth:(mm/dd/yyyy) __ __ / __ __ / __ __ __ __

Father's state/country of birth: _____

Father's Social Security Number: __ __ __ - __ __ - __ __ __ __

Father's highest education: _____

Father's daytime phone number: (__ __ __) __ __ __ - __ __ __ __

Father's race:_____

Father's address: _____
Street City State Zip code

_____
Signature of Father

Subscribed and sworn to before me at _____ on this _____ day of _____, _____.

_____
Signature of Judge or Authorized Hearing Officer

Mother's Affidavit

I, _____, hereby swear or affirm that:
First, middle, and last name of mother

❑ I have read the disclosure of basic rights and responsibilities of acknowledging paternity printed on the back of this form, and I have had and opportunity to obtain legal advice if I so desire. I desire to amend the birth certificate of this child pursuant to KSA 23-2223.

I am the mother of _____, born on __ __ / __ __ / __ __ __ __, in
First, middle, and last name of child as shown on birth certificate. Date of Birth (mm/dd/yyyy)

_____. I acknowledge _____ is the father of
City & State of Birth Full Name of Father

this child.

Mother's daytime phone number: (__ __ __) __ __ __ - __ __ __ __

Mother's Social Security Number __ __ __ - __ __ - __ __ __ __

Mother's date of birth:(mm/dd/yyyy) __ __ / __ __ / __ __ __ __

Mother's address:_____
Street City State Zip code

_____
Signature of Mother

Subscribed and sworn to before me at _____ on this _____ day of _____, _____.

_____
Signature of Judge or Authorized Hearing Officer

Modifications will invalidate this form

The District Court of _____ County, Kansas

In the Matter of the Certificate of Live Birth # _____ ,

of: _____ (name of child as shown on birth certificate)

Order to Prepare New Birth Registration

NOW on this _____ day of _____ , _____, the above captioned matter is considered.

_____ (mother's name) and _____ (father's name) request the birth certificate of the child named in the above caption be amended pursuant to KSA 23-2223.

Upon hearing the evidence presented and being fully advised in the premises, the following findings are made:

1. The court has jurisdiction pursuant to KSA 23-2223.
2. The child named in the above caption is a minor.
3. The mother and father, as above named, are the parents of the child and they desire to amend the birth registration of the child.
4. A certified copy of the birth certificate of the child has been exhibited in court.
5. The birth certificate of the child:
    a. Fails to name the father of the child and the father's name should appear thereon as it appears above.
    b. Contains an error in the name of the (father / mother / child*). The name on the original birth certificate reads

_____/_____/_____ but should read
First Middle Last

_____/_____/_____.**
First Middle Last

    c. Shows the last name of the child as _____ and should be changed to that of the (father's/mother's*) _____.
Child's New Last Name
    d. Shows the mother's last name prior to first marriage as _____ and should be corrected to _____.

IT IS THEREFORE ORDERED that the State Registrar amend the birth certificate of the child named in the above caption to reflect the change stated in finding number 5, above.

IT IS FURTHER ORDERED that the State Registrar seal this order, the affidavits accompanying this order, and the original birth certificate of the child and allow inspection of them only as provided in KSA 23-2222 and amendments thereto.

Affix Court Seal

Certified by:

_____
Judge or Authorized Hearing Officer

*Circle the appropriate item in parenthesis.

**This court order is not to be used in lieu of adoption or stepparent adoption procedures.