

# Paternity Matters

**For you... AND your child!**

## **Paternity Matters:**

**A division of  
The Office of  
Recovery  
Services/  
Child Support  
Services**

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## **Paternity Matters On the Road**

During September and October, the Office of Vital Records and Statistics invited Paternity Matters to be part of their annual Regional Conferences. What a great opportunity this was!

In this newsletter, we're constantly writing about the importance of the paternity establishment work that you do, but these conferences gave us a terrific chance to learn more about the rest of your job. Like all of you, we heard the presentations from PRAMS and from the birth defects counsel. These presentations just increased our appreciation for the large variety of information, paternity and otherwise, that birth certificate specialists are responsible to gather. The work you do on a daily basis matters in so many ways!

We loved having this chance to meet so many of the wonderful birth certificate specialists and midwives throughout the state. Finally, we got to put faces with names, and we truly enjoyed talking to all of you about paternity establishment, the questions that you have, and the unique situations that you've faced while working with VDPs. We hope that we gave you new information that will help you as you work with parents and that you'll feel more comfortable contacting us as new situations present themselves in the future (and we all know that they will). We came

out of every conference with new ideas for materials Paternity Matters can develop and people we can contact, all with the goal of educating Utah's parents about paternity and making your job a little easier.

Of course, the highlight of the conferences for us was the chance to honor your work with the annual "Golden Pen Awards" for 2005's Voluntary Declarations of Paternity from the Office of Recovery Services and Paternity Matters. 2005 was a good year, but 2006 is shaping up to be so much better!

Finally, a big "thank you" goes to OVRs for including us in their conferences (and in the activities between conferences where we got to know them so much better). We hope that this will turn into an annual event!



## **Facts and Figures**

- *Statewide, Utah submitted a 95.67% Paternity Establishment Percentage for fiscal year 2006 —a 12.17% increase over fiscal year 2005!*

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# Getting to Know You!

## Introducing: Suzi Moline, University of Utah Medical Center

Suzi Moline was born and raised in Salt Lake City, ultimately attending college at the University of Utah. She says: "If I had gone anywhere else, my dad would have killed me!"

Still a Salt Lake City resident, she currently lives in the Millcreek area with her husband and her daughter, Avery, who is 22 months old. She absolutely loves spending time with her husband and daughter. And if a 22-month old daughter doesn't keep Suzi running, she has four stepchildren ranging in age from 18 to 25. She says that her family is the greatest joy in her life. And as we go to press with this issue, Suzi is anxiously awaiting her November 3rd due date for another bundle of joy. Boy or girl? Suzi decided to be surprised this time!

Suzi likes to travel and enjoys sports. She played tennis and volleyball growing up, but now she likes to watch all sports. She loves to eat! Her favorite thing to eat is



**LAST MINUTE  
UPDATE . . .**

***Congratulations  
To Suzi  
on her  
New Baby Girl!***

sushi (when not pregnant, of course) and is always ready and willing to try a new sushi restaurant!

Suzi has worked at the University of Utah Medical Center for 17 years. For the first four years, she worked in Health Information where she did clerical work, including working with Medicaid and billing. Since then, she has been the birth certificate specialist.

*As many of you learned during the OVRS Regional Conferences, you'll soon submit your VDP forms to OVRS using a fax machine instead of mail. The birth certificate specialists at the University of Utah Medical Center have been testing the new system to make sure it is ready for use statewide.*

Suzi likes what she does, and she enjoys working with patients. In fact, the nursing staff was so impressed with how she dealt with difficult patient situations (such as the way she dealt with parents after they lost a baby) that they asked her to work on a bereavement committee at the hospital. Suzi is often asked to help with grieving parents and family members in tough situations. She jumps in and helps out where needed because she truly cares for people and what they are going through.

Suzi feels that the U of U has had success in the VDP program due to giving parents a second chance to come back to the hospital and sign the VDP after they have left. Since they have a birth certificate specialist at the hospital on weekends, the second-chance appointment allows working parents to come in on Saturday mornings to sign the VDP.

Suzi feels that paternity establishment is important because fathers need to take care of their children and every child should know who its father is and know its heritage.

**Thank you, Suzi.  
And good luck with your new arrival!**

# Getting to Know You!

## Introducing: Chris Austin, University of Utah Medical Center

*U of U is the perfect place to give the new faxing system a thorough test, if only for the thousands of births that occur there each year, by far, more births than at any other facility in the state. Emilee talked to Suzi and Chris about their success with the VDP program, particularly since they processed over 1200 out-of-wedlock births during 2005.*

Chris Austin was born and raised in Salt Lake City and has lived in the Rose Park area for about 15 years. She is a divorced, hard-working mother of three great kids who range in age from 15 to 24.

When asked about her hobbies, she responded "Who has the time?" Being a single parent, she has had to work multiple jobs over the years to support her children, and has little time for fun stuff. When she finds a little spare time, she likes camping and being outdoors. She likes to try new restaurants and tries to go out to eat once a week.

Chris has worked for the University of Utah Medical Center for 27 years! For many of those years, she worked with death certificates and release of information for the hospital. She has covered for the birth certificate specialists off and on over the years, but in February 2006, she became a birth certificate specialist full time, providing that critical weekend coverage with her Thursday through Monday shift.

Chris believes that the U of U is successful with the Voluntary

***"Paternity establishment is important because it allows children to know their fathers."***

***-Chris Austin***

Declaration of Paternity program because they have someone there seven days a week. Due to the sheer numbers of births at the U of U, they have a system of "checks and balances" to make sure to catch as many paternities as possible: the social workers, Medicaid counselors and financial counselors at the hospital will notify the birth certificate specialists anytime they become aware of a paternity situation. If one person misses the fact

that a patient has a paternity issue, chances are someone else will pick up on it and let one of the birth certificate specialists know.

For herself, Chris says that she has really had to step out of her comfort zone and ask the really tough questions; she feels that since she did that, she has been far more successful with the VDP program. She encourages the parents to sign the VDP, but makes sure they realize it is voluntary. She lets parents know it is much easier to do the VDP at the hospital than having to go to a health department later. If the parents really don't know the paternity of the child, she informs them of the genetic testing options at the Office of Recovery Services.

Chris believes that paternity establishment is important because it allows children to know their fathers and allows children to trace back medical histories on BOTH sides of the family.



**Thank you, Chris.  
You've been a great addition to the  
VDP program!**

# The Numbers Are In: The Numbers Are Up! (What Changes Helped This Happen?)

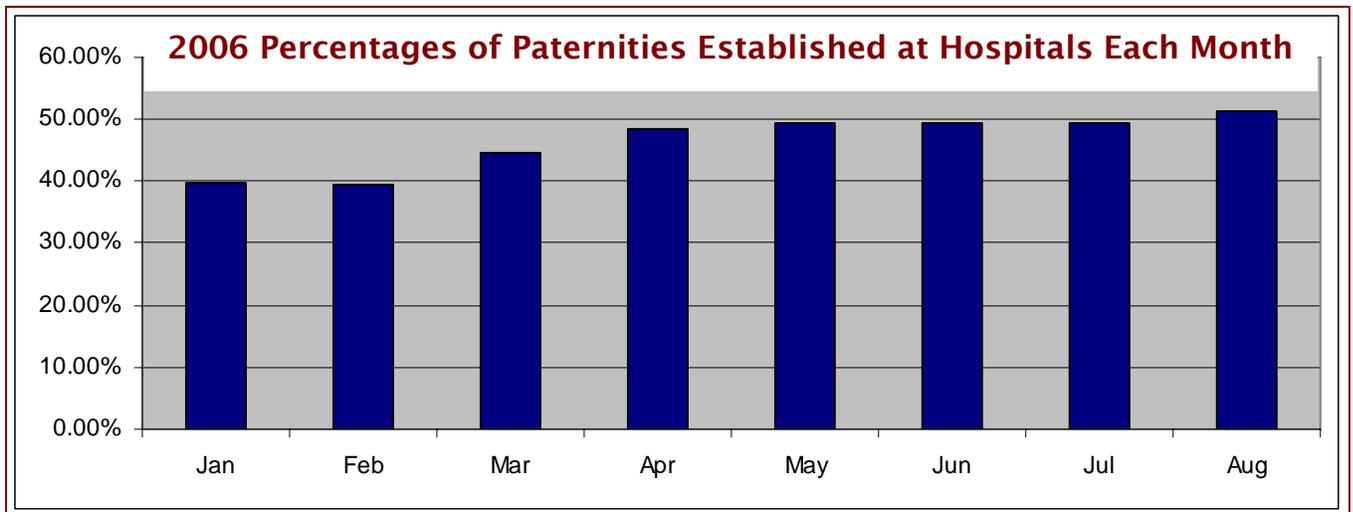
As the title says, the numbers are in for fiscal year 2006—and you really came through for Utah’s families!

Statewide, our paternity establishment percentage rose from last year’s 83.5% to a whopping 95.67%! That is an incredible increase for one year, and it was enough to bring Utah out of the Federal financial penalties imposed on states that drop below a 90% establishment rate.

The birth certificate specialists played a huge role in this increase. For example, during 2005, 42% of the children born out-of-wedlock in Utah had paternity established at the hospital with the birth certificate. So far, in 2006, that number has risen to 47% overall. But 47% doesn’t tell the full story: it doesn’t show that we started this year at only 39%, but the percentages have increased each month this year. In fact, for the first time, over 51% of the out-of-wedlock births in Utah during August had paternity established before they left the hospital!

In our travels, we’ve been able to ask some of Utah’s largest hospitals about changes they’ve made over the past year that have contributed to overall increase in paternity numbers from the hospitals. Here are just a few samples of the answers we’ve received. We’ll keep asking the question and provide more ideas in future issues.

You are doing fantastic and important work for Utah’s children. We cannot thank you enough for your response as we’ve explained the need to emphasize paternity establishment at the time of birth. Keep up the great work!



### St. Mark’s Hospital

St. Mark’s Hospital took the most direct approach: they hired an additional staff member to help with VDPs and birth certificates.

Increased employees means they’ll be able to meet with more parents. In such a large hospital with so many births, this will help make sure that no one slips through the cracks!

This is a fairly recent change for St. Mark’s, so we’ll be anxious to see how this helps their VDP process over the next months and years!

### LDS Hospital

When Tiva Rickers decided to go to school, her job at LDS Hospital was flexible enough to work around her classes each semester.

What she didn’t expect was that the various hours had a surprisingly positive effect on paternity establishments.

Since her schedule often keeps her at the hospital until later in the day, she has a better chance of meeting with the fathers about the VDP process when they stop by the hospital after work.

### University of Utah Medical Center

When the U of U hired their latest birth certificate specialist, they were able to achieve consistent and reliable coverage to help with birth certificates and the VDP process seven days a week.

In a hospital with thousands of births, this coverage allows the birth certificate specialists to catch all of the weekend and holiday births, and it allows parents to have second-chance appointments to sign the VDP even after they have checked out!

# VDP Supporting Documents: What is Legally Required?

## VOLUNTARY DECLARATION OF PATERNITY

IN  
UTAH

**"STEPS YOU CAN TAKE  
FOR YOUR CHILD'S SAKE"**



In February 2006, Paternity Matters, the Office of Recovery Services, and the Office of Vital Records and Statistics released an updated version of the "Voluntary Declaration of Paternity in Utah" pamphlet. We went to the drawing board wanting to update this pamphlet with eye-catching colors, fun photos, and a more casual approach to explain the Voluntary Declaration of Paternity program.

The attorneys who helped with the revisions recommended that the written legal notice should look

pamphlet and the new flier. Remember, Paternity Matters is always happy to get you any supplies that you need!

You may use the pamphlet in any way that works for you as you talk to parents about the VDP program. Just remember that it is now the flier titled "Voluntary Declaration of Paternity: What You Should Know" that the parents must receive as their written legal notice before they can sign the VDP.

*The pamphlet  
"Voluntary Declaration  
of Paternity in Utah"  
no longer qualifies as the required  
written notice.  
Use this pamphlet as an  
introduction to the VDP.*

more official. They pointed out that fun colors and cute children's shoes did not really portray the importance of the written notification of legal rights required by law.

About this time, the Texas Attorney General's Office shared copies of their voluntary acknowledgement documents in a national conference. They had developed a one-page, informative legal notice for use in their hospitals. We decided to follow their lead and developed the new "Voluntary Declaration of Paternity: What You Should Know" flier. The attorneys were happy that parents would get the proper written notification of their rights, and we were happy because we could continue our plans to revise the "Voluntary Declaration of Paternity in Utah" pamphlet so that it served as a more user-friendly introduction to the VDP.

What does this mean for you? Mainly, it means that you'll want to keep your facility stocked with both the

El estado de Utah, Departamento de Salud  
**Declaración Voluntaria de Paternidad: Lo Que Usted debe Saber**  
Vea el Código Anotado de Utah, secciones 7045g-301 al 313

La Declaración Voluntaria de Paternidad (VDP) les permite a los padres solteros declarar legalmente la paternidad (ser el padre, con todas las implicaciones) de su niño sin obtener una orden de corte. Cuando se envía al Oficina de Registros Vitales y Estadísticos, el VDP crea una relación legal de padre-niño entre el padre biológico y el niño.

State of Utah, Department of Health  
**Voluntary Declaration of Paternity: What You Should Know**  
See Utah Code Annotated, sections 78-45g-301 to 313

The Voluntary Declaration of Paternity (VDP) allows unmarried parents to legally declare the paternity (fatherhood) of their child without obtaining a court order. When filed with the Department of Health, Vital Records and Statistics, the VDP creates a legal parent-child relationship between the biological father and the child.

The Voluntary Declaration of Paternity is a legal document. Signing the legal document gives you certain rights and responsibilities under Utah law. **Signing the document is voluntary.** If you are not sure that the man named on the VDP is the biological father of the child, you should not sign this form. You may want to have genetic tests. **Genetic tests are FREE through the Office of Recovery Services if you apply for child support services,** or you may obtain genetic tests through private companies at your own expense.

Any person who knowingly signs the VDP and falsely affirms biological parentage of the child or furnishes false or fraudulent information on this form, does so under penalty of perjury and may be subject to criminal prosecution.

**RIGHTS AND RESPONSIBILITIES OF PATERNITY ESTABLISHMENT**

For the child: Paternity establishment makes it easier for a child to receive benefits such as: financial support from both parents, health care coverage, life insurance, Social Security, military and veteran's benefits, inheritance, and citizenship rights in the father's country of origin if the father was not born in the United States.

For the parents: Paternity establishment gives both parents specific duties under Utah law such as financial and medical support of the child. In addition, both parents have rights to maintain a relationship with the child, to enjoy parent time (visitation) with the child, seek custody of the child, and to be involved in decisions regarding the child. Parental responsibilities and rights exist either as the parents agree or as ordered by a court. **Child support services can be obtained through the Office of Recovery Services, or you may hire an attorney to establish child support and other legal rights and responsibilities at your own expense.**

**PARENTS UNDER AGE 18**

If the biological father or the mother is under the age of 18, the Voluntary Declaration of Paternity must also be signed by his or her parent or guardian.

**PRESUMED FATHER, DENIAL OF PATERNITY**

If the mother was married to any man at any time during the 300 days before the child's birth or when the child was born (even if that marriage had been terminated by divorce, annulment, or otherwise declared invalid), that man is "presumed" to be the father of the child. If the mother married a man after the birth of the child who claimed to be the father of the child or promised in a record to support the child as his own, he is also "presumed" to be the father of the child. The (ex) husband (presumed father) must sign the Denial of Paternity on the VDP agreeing that he is not the biological father of the child. If there is a presumed father, but the Denial of Paternity section is not signed, the VDP is void. See Utah Code Annotated 78-45g-204 for a complete definition of "presumed father."

A VDP is void if there is already a declarant father (another man previously signed a VDP that has not been rescinded) or an adjudicated father (another man has been named in an order as the father of the child) or if the parties falsely deny the existence of a presumed, declarant, or adjudicated father of the child.

**CHANGE OF MIND**

Any party may rescind (revoke) a VDP or Denial of Paternity by signing the rescission section of the VDP before the earlier of 60 days after the effective date of the VDP or the date of notice of a legal proceeding relating to the child, including a proceeding that establishes support. After the period for rescission, a VDP can be challenged only on the basis of fraud, duress, or material mistake of fact. A challenge due to material mistake of fact (such as genetic test results) may only be commenced within four years after the effective date of the VDP. If the VDP is successfully challenged, the declarant father may not recover child support he paid prior to the entry of an order of rescission.

**ALTERNATIVES TO THE VDP**

The VDP may be completed at the time of birth (at the hospital or birth facility) or anytime after the birth of the child (at the local health department). While the VDP is the easiest, fastest, and least expensive way to establish paternity, Utah law also allows paternity to be established by administrative orders (through an informal process at the Office of Recovery Services) or by judicial support orders (through a formal court process).

**IMPORTANT:** Before signing a VDP, you must receive verbal and written notice of the legal consequences of signing the VDP, the rights and responsibilities that arise from signing the VDP, and the alternatives to signing a VDP. To listen to the verbal presentation, DIAL 1-800-662-8525. Select options 2, then 6. Press 1 for English or 2 for Spanish.

*The new flier  
"Voluntary Declaration  
of Paternity in Utah:  
What You Should Know"  
contains the legal information  
that parents are required to receive  
in a written notice  
before they can sign the VDP.*

Contact Your  
Paternity Matters Staff

Phone:  
Emilee Beers: 801-536-8177  
Liesa Corbridge: 801-536-8986

Fax: 801-536-8833

E-mail: [orspaternitymatters@utah.gov](mailto:orspaternitymatters@utah.gov)

NEW WEBSITE COMING SOON!  
WATCH FOR DETAILS



Office of Recovery Services  
Attn: Policy Analyst Unit  
PO Box 45033  
Salt Lake City, UT 84145-0033

*"Paternity Matters" was formed by the Office of Recovery Services in 2005 to provide education about the paternity establishment process in Utah. Paternity Matters focuses on three main objectives:*

- *Provide training, supplies and support to individuals who work with unwed parents on the Voluntary Declaration of Paternity process in the hospitals.*
- *Educate unwed parents about paternity establishment, methods of establishment, and benefits to the parents and children.*
- *Provide training and educational materials to community groups who work with unwed parents.*

*Paternity establishment is important to our communities, to unwed parents, and most of all, to the children!*



### *2006 Paternity Matters Survey*

*Who?*

*Hospital Birth Certificate Specialists*

*When?*

*November 1 - November 13, 2006*

*Where?*

*An internet link was e-mailed on  
October 31st.*

*Contact Paternity Matters if you did not receive the link!*

*Let us know how we did in our first year!*

## Questions and Answers

**Q.** What custody and visitation rights do fathers get when they sign the Voluntary Declaration of Paternity?

**A.** Since the VDP gives a man the same legal rights that married parents have, of course custody and visitation are part of that "package" of rights; however, they are given in an indirect way. Signing a VDP does not instantly give a father a specific set of custody and visitation rights (such as joint custody or "Wednesday nights and every other weekend"). Instead, a VDP allows the parents to work out these issues for themselves and find the arrangement that is right for them. If the parents cannot agree on these issues, they may need to go for mediation or to court to work out a more formal arrangement. The VDP gives a father the right to pursue custody or visitation through formal legal channels if the parents are unable to agree on an arrangement.

**Q.** We had a situation where the Office of Recovery Services added the father's name to the birth certificate after establishing paternity with an administrative order. Why does ORS add names to the birth certificate, and are parents notified that this will happen?

**A.** The reason that ORS adds names to the birth certifi-

cate is because it is required by Utah law found in Utah Code Annotated 26-2-5(8):

"(8) Voluntary declarations of paternity, adjudications of paternity by judicial or administrative agencies, and voluntary rescissions of paternity shall be filed with and maintained by the state registrar for the purpose of comparing information with the state case registry maintained by the Office of Recovery Services pursuant to Section 62A-11-104."

The Office of Vital Records and Statistics is the "State Registrar" for Utah; therefore, all paternity establishments are reported to their office and the paternity information is added to the birth record for the child, which means it will appear on the birth certificate the next time one is issued.

*Do you have questions for us?*

*E-mail your questions to:  
[orspaternitymatters@utah.gov](mailto:orspaternitymatters@utah.gov)*