Welcome to the Dad Allies Provider Learning Series

Establishing Parentage in Washington State How it Really Works

January 18, 2024



Fathers and Parenting

We know that:

Child and family well-being improve when fathers are positively engaged in their children's lives.

Fathers play a unique and important role in children's development.

Fathers should have support and resources to become the fathers they aspire to be.







Establishing parentage in Washington – How it really works

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Division of Child Support Parentage and Paternity Initiatives Program

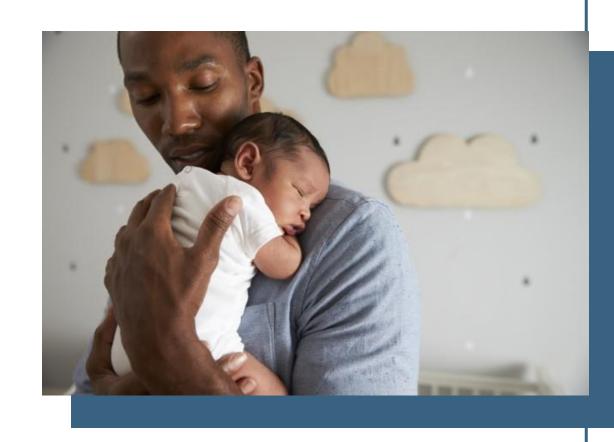




Parentage vs. paternity

Parentage is the legal relationship between a parent and child.

Paternity is the legal relationship between a **father** and child.



Ways to establish parentage



Legal Presumption of Parentage

Married to the birth parent when the child was born

Child born within 300 days of termination of marriage to the birth parent

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Acknowledgment of Parentage

Legal form to establish a parent-child relationship and add a second parent to the birth certificate

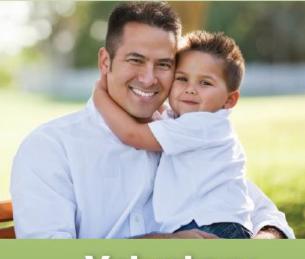
Faster than the court order process, but does not address custody, visitation, etc.

Signatures may be notarized or witnessed

Denial of Parentage

Rescission of Parentage and challenge

Washington State's Child Support Program



Voluntary Paternity Testing Program



No cost genetic testing

No DCS case needed

Helps settle the question of the biological parent early in the child's life



Partnership with hospitals, midwives, and birthing centers

Legal requirement for providers to offer the Acknowledgment of Parentage

With oral and written information

Provider Reimbursement

Time frames



Legal Parent by Court Order

- □ Genetic Parent
 - > Need genetic test results and chain of custody
- □ Holding Out Presumed Parent (HOPP)
 - Live with child from birth to at least age 4 and openly treat child as your own

- □ De Facto Parent
 - > Only alleged de facto parent can file case
 - > Court must find you meet criteria in RCW 26.26A.440

How do cases get to the Prosecutor's Office?

All Cases Come From the Division of Child Support

- □ TANF Referral
 - □ DCS refers cases when parentage is not established and child is receiving TANF
- Non-Assistance request for services
 - □ Any parent, alleged parent, or person with physical custody of the child may request DCS services
 - No income limits to be eligible for services
 - May apply for any services DCS offers: parentage establishment, child support review, and enforcement

- ☐ Dependency Cases
 - □ PAO can facilitate non-assistance request for services – provide forms, route to DCS, and monitor to make sure parentage case is referred to PAO

The Court Process

What we need to file a Parentage Petition

1. Basis for Parentage Petition

 □ Sworn statement showing "reasonable possibility" alleged parent is a biological parent – provides basis for court to order genetic testing

2. Service

- Must be personal service
- ☐ Service by publication is not permitted
- ☐ Goal is to give actual notice

Genetic Testing

□ Who?

- Schedule mother, child and alleged bio parent
- Only need alleged bio parent and child for valid results

□ Why?

 Necessary if multiple alleged parents or both an alleged and a presumed by marriage

□ What?

Results are only admissible to prove parentage if they include chain of custody

☐ When?

- Can only be scheduled after the case is filed
- Appointment scheduled by PAO. Notice mailed to parties.

□ Where?

- Currently only being done at LabCorp. Previously in office.
- Schedule at LabCorp closest to home address
- Will reschedule close to work or other convenient address.

Resolution

- Dismissal
- □ Summary Judgment (most common)
- Default
- □ Trial

Summary Judgment

Purpose: Once genetic testing confirms the biological parent, the state files a motion for summary judgment to make the biological parent a legal parent.

- ☐ GT results are mailed to the parties with a request for financial and other information.
- Prepare motion for summary judgment asking the court to:
 - Name the legal parents
 - Order child support or reserve for administrative process
 - Income calculations
 - Order back support
 - > Address other issues at request of the parties, i.e. name change



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