

# Facts about ESTABLISHING PATERNITY



**DIVISION OF CHILD SUPPORT ENFORCEMENT**

## **What It Means to Establish Paternity**

Paternity means fatherhood. So establishing paternity means reaching a legal decision about (or *establishing*) who the father of the child is.

## **When You Do Not Need to Establish Paternity**

If a couple has a child while married, the law treats the husband as the father of the child. In this case, paternity does not need to be established. (But if they wait to get married until *after* the child is born, they do need to establish paternity.)

Similarly, both parents signing an [Acknowledgement of Paternity](#) (AOP) form under oath establishes paternity for that child. This is most often done [in the hospital](#) when the child is born. Among [other benefits for the child](#), signing an AOP ensures that the child's original birth certificate includes the father's name.

## **When You Do Need to Establish Paternity**

If you and your child's other parent did not sign an AOP form or your child was not born during marriage, you need to establish paternity for your child.

If you want custody or visitation rights for your child, you need for the law to recognize you as one of the child's legal parents. For fathers, that is done by establishing paternity.

If you want to receive or provide child support or medical support, you will need to establish paternity.

## **How You Can Establish Paternity in Virginia**

You can establish paternity in three ways in Virginia:

- You can take a DNA test through LabCorp scheduled by the Division of Child Support Enforcement (DCSE).
- You can open a child support case through DCSE. To do that, either parent can [request application information online](#) or call 1-800-468-8894.
- You can file a petition at the [Juvenile and Domestic Relations District Court](#) in your area. [Each city and county in Virginia](#) has a Juvenile and Domestic Relations District Court.

## **What Happens Once Paternity Is Established**

After paternity is established, the father's name can be put on the child's birth certificate.

Establishing paternity also gives the father certain legal rights and responsibilities related to the child.

It allows fathers to seek custody or visitation for their children through the courts.

It also makes the father responsible to provide financial and medical support to the child, just as the law requires mother to do.

## **How are DNA Testing appointments scheduled in Child Support Offices**

DNA testing is done in LabCorp offices across the state.

Medical testing professionals take the DNA samples by gently swabbing the inside of each participant's mouth. The samples are then sent to the laboratory for testing.

The process takes only a few minutes, and in most cases you get test results in less than three weeks.

## **How much does DNA Testing Costs at DCSE and Who Pays**

DCSE's DNA testing cost is \$38 per person tested, so testing for three participants (mother, father, and child) will cost \$114.

Who pays is decided in part by the results. If DCSE arranges the tests and those tests find that the man who is tested is the father, he will be required to pay for the test. If the tests show that this man was *not* the father and there is an open case with DCSE, DCSE normally pays for the tests.

If a court orders testing, the court decides who will pay.

Genetic testing not arranged by DCSE or a court are generally paid by the people involved.

## **How Establishing Paternity Helps Your Child**

Establishing paternity can benefit children in the short and long term.

Establishing paternity can allow your child to claim certain kinds of Social Security, disability, or veterans benefits if the father dies or becomes disabled. It also grants rights to inheritance from the father.

Establishing paternity gives children a chance to know the medical history of both sides of their families.

Establishing paternity has [other benefits](#) as well.