

# Paternity & Support Order Establishment



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Prosecuting Attorney  
Summit County, Ohio

### Special Points of Interest:

Paternity refers to a legal relationship between a child and a father. A support order cannot be issued until paternity is established. It can be established any time before a child turns 23, even if the other parent is in jail or lives in another state or foreign country.

Anyone with legal custody of a child can ask the Child Support Enforcement Agency (CSEA) to establish a support order. Unmarried mothers have sole legal custody unless a court awards it to someone else.

The CSEA can help you establish a child support order, even if the other parent (does not live in Ohio). In all cases, the support amount is determined by the "Ohio Child Support Guidelines."

## What is paternity establishment?

Paternity Establishment is the legal determination of fatherhood. Paternity establishment is important for many reasons. For children born outside of marriage, paternity establishment is the essential first step necessary for the establishment of a child support or medical support order.

In nearly all areas of the law, establishing paternity grants children born outside of a marriage legal equality with children born during a marriage. With paternity established, medical histories of both parents will be more accessible, and a child will have the ability to obtain financial resources from the father's social security or veteran's benefits. In addition, it is the right of both the child and the father to have parental relationship established.

Two ways in which paternity can be established is through presumption or voluntary acknowledgement. Presumed paternity is when a man is presumed to be a child's legal father because the child is born while the mother is married to the man or because the child is born within 300 days after the marriage ends. There is a longstanding legal presumption that a child born in the context of a marriage is the child of the couple.

Voluntary acknowledgement is when parents acknowledge paternity by completing a notarized form or affidavit at the hospital, registrar's office, or the Child Support Enforcement Agency. CSEA personnel work with local hospitals to facilitate the completion of the acknowledgements at the hospital following birth.

Signing the form, known as an Acknowledgement of Paternity Affidavit, is voluntary. If there is uncertainty about paternity, genetic testing should be requested prior to signing the affidavit. The affidavit cannot be used as an acknowledgement of paternity if another man is legally presumed to be the father due to marriage, as described above, or if there is already an acknowledgement on file.

## How is genetic testing conducted at the CSEA?

Genetic testing is generally conducted with buccal (oral mouth or cheek) swabs. The DNA specimen is collected by gently rubbing the cheek inside of the mouth with long swabs that look like large q-tips. The DNA test utilizing buccal swab specimens is the same DNA test where blood specimens are utilized. These tests are used in courts throughout the country and are more than 99% accurate.



**SHERRI BEVAN WALSH**  
Prosecuting Attorney

**FREE PATERNITY TESTING**

Walk-Ins Welcome  
Monday - Thursday  
8:30 am - 3:00 pm

**SUMMIT COUNTY CSEA**  
175 South Main Street  
Akron, Ohio 44308

For questions please call  
**SHELLY WOODRUFF**  
(330) 643-2765

**\*\*REQUIREMENTS\*\***  
Must have photo ID and no existing child support order.  
Note: If you are under the age of 18, you must be accompanied by a parent or guardian.





## What questions will the CSEA ask during the paternity establishment process?

Either a mother or a putative father may request services from a Child Support Enforcement Agency. Specific contact and employment information about the mother and alleged father, as well as specific details about the relationship will be asked. Answers will be documented. Some questions are very personal in nature but are required in the process of determining the existence or non-existence of a parent and child relationship.



## What party does the CSEA attorney represent?

The CSEA attorney represents the state of Ohio. No attorney-client relationship exists between the CSEA attorney and any individual party. The CSEA attorneys have the responsibility to review cases for litigation, recommend appropriate legal proceedings, conduct pre-trial negotiation and collection activities, and finalize proceedings and appropriate court orders.

## Is a person receiving public assistance required to cooperate with the CSEA?

In order to avoid sanctions, a person receiving public assistance is required to cooperate with the Child Support Enforcement Agency in establishing paternity and a support order. There are exceptions for the claim of "good cause" if establishing an order would cause physical or emotional harm. Such a claim would need to be verified with evidence from a law enforcement agency, court, medical office, child protective agency, social services agency, or other credible authority.

## How might a voluntary acknowledgement be rescinded?

Either parent may rescind the acknowledgement no later than 60 days after the date of the latest signature by:

\* Requesting an administrative parentage determination from the Child Support Enforcement Agency in the county in which the child or legal custodian of the child resides, *and*

\* *Delivering* a written notice to the Ohio Department of Job and Family Services, Office of Family Services, Office of Child Support, Central Paternity Registry. The written notice should include the name of the child, the name of the County Child Support Enforcement Agency, and the date the administrative parentage request was made to the county agency.

The Child Support Enforcement Agency will work to determine whether or not there is a parent and child relationship between the alleged father and the child.

After the 60-day period, the only way for either parent to rescind the acknowledgement is to bring a private court action to rescind. This must be accomplished within one year after paternity was established. Generally speaking, a court action might be brought on the basis of fraud, duress, or material mistake of fact.



**If you need additional information about your case or services available, contact your CSEA team.**

### **Mailing / Street Address**

175 S. Main Street  
Akron, Ohio 44308

### **Walk In / Hearing / Appt.**

8:30 a.m. – 4:00 p.m.  
(Monday – Friday)

### **Genetic Testing Walk In**

8:30 am – 3:00 pm  
Monday - Thursday

### **Payment Hours**

8:00 a.m. – 3:40 p.m.  
(Monday – Friday)

### **Telephone**

(330) 643-2765  
Toll Free (800) 726-2765

### **Fax**

(330) 643-2745

### **Website**

<https://co.summitoh.net/prosecutor/index.php/divisions/child-support-enforcement>

To obtain a listing of Ohio County Child Support Agencies and phone numbers, please visit: <http://www.jfs.ohio.gov/county/cntydir.stm>

To view a listing of all States Child Support Agencies and phone numbers, please visit: <https://www.acf.hhs.gov/css/resource/state-and-tribal-child-support-agency-contacts>