

Checklist

Declaration of Paternity

The Probate Court may make a determination of paternity of an adult child over the age of 23 by the filing of a Joint Declaration. Probate Court does not have the authority to determine paternity in any other circumstance, other than that described in R.C. §2105.26. Other issues involving paternity should be addressed to the Juvenile Court, Domestic Relations Court, Vital Statistics, or the Child Support Enforcement Agency in your county of residence or county of residence of the child.

Filing Fee

\$124.00 (Includes 2 Certified Judgment Entries)

Requirements

Adult child must:

- **Have been born in Ohio**
- **Be age 23 or older at the time of filing the Joint Declaration**
- **Not have a father listed on the child's birth certificate**
- **Have had genetic testing completed that proves paternity by the alleged father**

This action is filed in the Probate Court in the county where the alleged father currently resides. If the alleged father does not reside in Ohio, the action may be filed in any Probate Court in Ohio.

**Note: All paperwork must be typed. We will not accept handwritten documents.
All filings must be single-sided. We will not accept double-sided originals.
Please do not staple original paperwork. We cannot accept filings with staples.**

Procedure

The forms below must be completed and filed with the Probate Court, along with the other documents listed. Once the Court has accepted the documents for filing, a hearing will be set. Alleged father, mother, and adult child must all appear at the hearing.

***The only exception to personal appearance is if the mother is deceased or has been adjudicated incompetent. In this case, only the alleged father and adult child are required to appear at the hearing.**

Initial filing

- Copy of the adult child's birth certificate**
- Copy of genetic testing**
- Joint Declaration**
- Judgment Entry Setting Hearing on Joint Declaration**
- Judgment Entry Regarding Joint Declaration**
- Determination of Paternity (HEA 3029 Form)**
- If mother is deceased, applicant must provide a copy of her death certificate***
- If mother has been adjudicated incompetent, applicant must provide a copy of Letters of Guardianship***

PROBATE COURT OF PIKE COUNTY, OHIO
PAUL PRICE, JUDGE

IN THE MATTER OF _____
(Name of Alleged Father)

CASE NO. _____

JOINT DECLARATION
[R.C. 2105.25]

The Declarants jointly petition the Court for an order declaring _____
to be the father of _____, his adult child over the age of 23 years.

The Declarants further state:

1. This request is made freely and voluntarily by all parties before the Court.
2. The adult child's birth certificate is attached and does not designate anyone as the father.
3. Genetic test results are attached and confirm this declaration.
4. If the adult child's mother is unable to appear because of death or incompetence, her death certificate or guardianship letters of authority are attached; and
5. It is in the best interest of the man and adult child that an order be issued accepting this Joint Declaration and determining the alleged father to be the father of the adult child.

Signature of Alleged Father

Signature of Adult Child

Printed Name of Alleged Father

Printed Name of Adult Child

Address of Alleged Father

Address of Adult Child

City State Zip

City State Zip

Telephone Number (include area code)

Telephone number (include area code)

Signature of Mother of Adult Child, if appearing

Printed Name of Mother of Adult Child, if appearing

Address of Mother of Adult Child, if appearing

City State Zip

Telephone Number (include area code)

**PROBATE COURT OF PIKE COUNTY, OHIO
PAUL PRICE, JUDGE**

IN THE MATTER OF _____
(Name of Alleged Father)

CASE NO. _____

**JUDGMENT ENTRY SETTING HEARING
ON JOINT DECLARATION**

The Joint Declaration is set for hearing on _____, 20____, at _____ o'clock, _____M., at the Pike County Probate Court. The Court is located at 230 Waverly Plaza, Suite 600, Waverly, Ohio 45690.

The alleged father, mother, and adult child are all ordered to be present at this hearing.

Paul Price, Probate Judge

PROBATE COURT OF PIKE COUNTY, OHIO
PAUL PRICE, JUDGE

IN THE MATTER OF _____

(Name of Alleged Father)

CASE NO. _____

JUDGMENT ENTRY REGARDING
JOINT DECLARATION
[R.C. 2105.26]

Upon the appearance of the Joint Declarants, and after hearing this matter, the Court makes the following findings and orders:

1. There is no person designated as the father on the birth certificate of the adult child;
2. Genetic test results show that the man is the father of the adult child;
3. The joint declaration was freely and voluntarily requested; and
4. It is in the best interests of the alleged father and the adult child that this order be issued.

Therefore, the Court accepts the Joint Declaration, with all supporting documentation and testimony, and orders that the birth certificate of _____, be changed to designate _____, as the adult child's father. This order excludes child support, as set forth in R.C. §2105.26.

It is so ordered.

Paul Price, Probate Judge

DETERMINATION OF PATERNITY

THE INFORMATION ON THIS FORM IS USED TO CREATE A NEW BIRTH CERTIFICATE

Section 3705.09 of the Ohio Revised Code states that when a man is presumed or found to be the father of a child according to Chapter 3111 of the Revised Code or the father has acknowledged the child as his in accordance with former Section 2105.18 and current section 5101.314 of the Revised Code, and documentary evidence of such fact is submitted to the Ohio Department of Health in such form that may be required, a new birth record shall be established.

CHILD'S PERSONAL DATA		
Name of Child from Original Birth Record (First, Middle and Last)		Name of Child after Determination of Paternity (First, Middle and Last)
Place of Birth (City, County, State)	Date of Birth (Month, Day, Year)	Sex
Mother's Maiden Name	SSN:	Mother's Name at Time of the Child's Birth (First, Middle and Last)
FATHER'S PERSONAL DATA		
ALL INFORMATION IS TO BE GIVEN AS OF THE TIME OF THE CHILD'S BIRTH		
Full Name of Father	SSN:	Place of Birth (State or Foreign Country)
Date of Birth (Month, Day, Year)	Race (American Indian, Black, White, etc.)	
Origin or Descent (Italian, Mexican, German, English, etc.)	Of Hispanic Origin? Yes or No (If yes, specify)	
Usual Occupation	Kind of Business or industry	Education (Highest Grade Completed) Grades 1-12 or college 1-4 or 5+
CERTIFICATION		
State of _____ County of _____		
I hereby certify that _____ was determined to be the father of the above named		
(Father's Name)		
child on _____, Case No. _____ and order the Ohio Department of Health to create		
(Date)		
a new birth record for this child.		
CHILD SUPPORT ENFORCEMENT AGENCY	COURT OF _____	
COUNTY OF _____	DIVISION OF _____	
_____ Administrative Hearing Officer of the Agency	_____ Judge, Magistrate or Deputy Clerk	

INSTRUCTIONS FOR DETERMINATION OF PATERNITY

NAME OF CHILD FROM ORIGINAL BIRTH RECORD: Enter exact spelling of Child's first, middle and last name from original birth certificate.

NAME OF CHILD AFTER DETERMINATION OF PATERNITY: Enter exact spelling of Child's first, middle and last name including suffix (if any e.g. Jr., 11) to be put on the new birth certificate.

PLACE OF BIRTH (CITY, COUNTY, STATE): Enter City, County or State of the Child's birth.

DATE OF BIRTH (MONTH, DAY, YEAR): Enter the Month, Day and Year of the Child's birth.

SEX: Enter the sex of the Child at birth.

MOTHER'S MAIDEN NAME: Enter the Mother's first, middle and Maiden last name.

MOTHER'S PRESENT NAME: Enter the Mother's present name including her first, middle and last name.

FULL NAME OF FATHER: Enter the Father's first, middle and last name including suffix (if any).

PLACE OF BIRTH (STATE OR FOREIGN COUNTRY): Enter Father's place of birth. Include only the State of Foreign Country of birth.

DATE OF BIRTH: Enter the Father's full date of birth including Month, Day and Year.

RACE (AMERICAN INDIAN, BLACK, WHITE, ETC.): Enter the Father's race.

ORIGIN OR DESCENT (ITALIAN, MEXICAN, GERMAN, ENGLISH, CUBAN, PUERTO RICAN, ETC.): List Father's origin or descent, if unknown, enter unknown.

OF HISPANIC ORIGIN? YES OR NO (IF YES, SPECIFY CUBAN, MEXICAN, PUERTO RICAN, ETC.): Enter either NO or YES, if YES specify which origin, if unknown, enter unknown.

USUAL OCCUPATION: Enter Father's usual occupation at the time of the Child's birth, if unknown, enter unknown.

KIND OF BUSINESS OR INDUSTRY: Enter Father's type of business or industry, if unknown, enter unknown.

EDUCATION (HIGHEST GRADE COMPLETED) ELEMENTARY OR SECONDARY COLLEGE 1-4 OR 5+: Enter Father's highest grade completed. If high school graduate or GED, enter 12. For college, enter the number of years in college, if 5 years or more enter 5+.

Joint Declaration of Paternity

What is a Joint Declaration of Paternity?

Ohio law provides that the Probate Court has authority to establish paternity between an adult child over the age of twenty-three (23), born in Ohio, and the father of the adult child.

If the alleged father is a resident of Ohio, the declaration must be filed in the county where he resides. If the alleged father is not a resident of Ohio, the parties may file in any county of Ohio.

The man alleging himself to be the father of the adult child, the child's mother, and the adult child may appear together at Court and jointly file a declaration of paternity requesting that the court issue an order declaring that the man is the adult child's father.

For more information, please consult the *Ohio Revised Code 2105.25* and *2105.26*.

What procedures are involved in filing at Probate Court?

APPLICATION

Declarants must submit a signed application, including the signatures of the adult child, the alleged father of the adult child, and the mother.

The application must include all required supporting documents (See list below.)

Note: The alleged father and adult child may petition and appear before the court without the adult child's mother, if the mother is deceased or has been adjudicated incompetent.

HEARING

The Court may set a date for a hearing on the application.

Notice of the hearing will be sent to the joint declarants. In some instances, the Court may require additional hearings on the application.

Upon satisfaction of proper notice, and that the declaration is in the best interest of the adult child and father, the Court will issue a certified order declaring the alleged father's paternity to the adult child.

AFTER YOUR HEARING

Declarants must transmit to the Ohio Department of Health a certified copy of the order of the Court. The Department of Health will record the order and prepare the new birth certificate, usually within 3-4 weeks. To order your corrected copy of your birth certificate, contact your local office of Vital Statistics. You may order a certified copy of your Probate Court order from the Court.

For additional assistance with the filing process, please consult an Ohio licensed attorney.

For more information about birth records, contact the Ohio Department of Health at (614) 466-2531.

What documents are needed to file a Joint Declaration of Paternity?

- **Petition for Joint Declaration of Paternity. (must be typed)**
- **Certified copy of an Ohio birth record or Birth Certificate (showing that no father is designated on the record)**
- **Genetic test results confirming the alleged father's paternity**
- **Death Certificate or Letter of Guardianship, if the mother is deceased or has been adjudicated incompetent**

Frequently Asked Questions⁹

How do I add the father's name to a minor's birth certificate, when the minor is under the age of twenty-three?

For minors under the age of twenty-three, a father's name cannot be added or deleted from the birth record through proceedings at the Probate Court.

Contact your local Child Support Enforcement Agency or the Ohio Department of Health, Vital Statistics, at (614) 466-2531.

I'm an adult and have genetic test results which determine a deceased man was my father; may I still file through this process?

No. A Joint Declaration of Paternity must be filed by joint declarants including the alleged father, the adult child, and the adult child's mother.

Will the adult child's name be changed after a joint declaration of paternity is issued by the Court?

No, the application to declare paternity of an adult child may not be used to change an adult's name. For more information, see the Name Change topic page and consult an Ohio licensed attorney for legal processes available for a change of name.

For additional questions about filing for a Joint Declaration of Paternity, please consult an Ohio licensed attorney BEFORE you submit filings to the Pike County Probate Court.

For general questions about the filing process, please contact the Pike County Probate Court at (740) 947-2560.