Update 2011-11: Common Place
Paternity Referral Process

Background
In child and medical support enforcement, a paternity referral is required for a child whose parents are (or were) unmarried at the time of conception and for whom paternity has never been established by court order, or through the voluntary paternity acknowledgement process.

Effective January 1, 1997, an unmarried father must sign a “Declaration of Paternity” (CS 909) in order to have his name entered on the child’s birth certificate. Hospital staff provide the “Declaration of Paternity” (CS 909) form prior to the mother/baby being discharged from the hospital.

Changes
Birth certificates issued any time on or after January 1, 1997 that include the name of the child’s father, do not require a “Paternity Affidavit” (SCD 95) to be completed or a referral to the local child support agency to establish paternity.

Note: Paternity referral must still be made on cases where paternity has not been established and the birth certificate was issued PRIOR to January 1997.

Implementation
This change is effective immediately upon receipt of this Update.

Documentation
Workers must document the reason why the paternity referral is not being made.
Example:
“Paternity referral not made because the father of the child is listed on the birth certificate and the child was born after January 1997.”

Other Programs
The changes in this Update only affects the CalWORKs/RCA and Medi-Cal programs.

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