

PATERNITY AFFIDAVIT

STATE OF [STATE])) ss. COUNTY OF [COUNTY WHERE THE AFFIDAVIT IS SIGNED])

1. Affiant

I, [AFFIANT NAME], residing at [AFFIANT ADDRESS], being first duly sworn, depose and state:

1. I am over eighteen (18), of sound mind, and competent to make this Paternity Affidavit.
2. I have personal knowledge of the facts stated herein.

2. Purpose

This Affidavit is made to acknowledge, confirm, or deny the biological paternity of the child identified below for the following purpose: [PURPOSE OF THIS AFFIDAVIT]

3. Child

1. **Name.** [CHILD S FULL LEGAL NAME].
2. **Date of birth.** .
3. **Place of birth.** [CHILD S PLACE OF BIRTH CITY].

4. Parents

1. **Biological mother.** [BIOLOGICAL MOTHER S FULL LEGAL NAME].
2. **Biological father.** [BIOLOGICAL FATHER S FULL LEGAL NAME].
3. **Marital status at birth.** The biological parents were NOT married to each other at the time of the child's birth.

5. Nature of Acknowledgment

I, the undersigned biological father, voluntarily acknowledge under oath that I am the biological father of the child named above. I understand that by signing this Affidavit I am establishing a legal parent-child relationship, which may give rise to rights of custody, visitation, and inheritance, and a concurrent duty of support. I acknowledge paternity freely and voluntarily, without coercion, duress, or undue influence.

6. Genetic Testing

No genetic testing has been performed. This Affidavit is based upon the personal knowledge and sworn statement(s) of the signatory parent(s).

7. Legal Effect

The signatories understand that an executed voluntary acknowledgment of paternity, when filed with the applicable state vital records or child-support agency, has the legal effect of establishing paternity under state law and may be used to amend the child's birth certificate. Such an acknowledgment has the same force and effect as a judgment of paternity, subject to the rescission provisions of applicable federal and state law.

***Rescission.** Under 42 U.S.C. §666(a)(5)(D) and corresponding state law, a voluntary acknowledgment of paternity may generally be rescinded by either signatory within the earlier of: (a) sixty (60) days after signing, or (b) the date of any judicial or administrative proceeding relating to the child (including a support proceeding) to which the signatory is a party. After the rescission period, the acknowledgment may be challenged only on the grounds of fraud, duress, or material mistake of fact, and only by a court proceeding.*

***State form notice.** Voluntary acknowledgments of paternity are generally filed with the state vital records bureau or child-support agency on a state-specific form. Signatories should confirm that this Affidavit satisfies the filing requirements of the applicable state and, if not, should also execute the state-mandated form.*

8. Additional Facts

[NUMBERED FACTS ONE FACT PER PARAGRAPH]

Oath and Penalty of Perjury

I certify under penalty of perjury under the laws of the State of [STATE] that I know the contents of this Affidavit signed by me and that the statements set forth above are true and correct to the best of my knowledge.

Signature of Affiant

Affiant

PRINTED NAME

SIGNATURE

DATE

Notary Jurat

State of [STATE] County of [COUNTY WHERE THE AFFIDAVIT IS SIGNED]

Subscribed and sworn to before me this _____ day of _____, 20, by [AFFIANT NAME], who is personally known to me or who produced _____ as identification.

Notary Public: _____ My commission expires: _____
[NOTARY SEAL]

***Jurat vs. acknowledgment.** This certificate is a **jurat** — the correct notarial certificate for an affidavit. A jurat (i) requires the affiant to appear before the notary, (ii) requires the affiant to sign in the notary's presence (no pre-signing), and (iii) includes administration of an oath or affirmation. An **acknowledgment** (used for deeds, powers of attorney, and contracts) does NOT include an oath and is the wrong certificate for an affidavit. Using an acknowledgment in place of a jurat may cause a court to reject the affidavit as defective.*