

# Bureau of Vital Records

## Putative Father Information and Notice of Claim of Paternity Instruction Guidance

The Putative Father Registry was established by Arizona Revised Statute §8-106.01 and is maintained by the Arizona Department of Health Services, Bureau of Vital Records.

### **Who is a Putative Father?**

A putative father is a person who claims to be the father of a child and wants to establish paternity. This person also wants to receive notices of any adoption proceedings concerning the child.

### **What is the Purpose of the Putative Father Registry?**

The registry serves two purposes:

1. Enables a putative father to notify interested parties of his claim of paternity so that he can receive notice of any proposed adoption proceedings.
2. Protects the security and stability of adoptions.

A putative father who files a Notice of Claim of Paternity before the birth of a child or within 30 days after the birth of a child is entitled to receive notice of any judicial hearing regarding the child's adoption.

### **Where to Find the Notice of Claim of Paternity Forms**

According to statute, the Department of Health Services, Bureau of Vital Records shall provide the Notice of Claim of Paternity form and issue the forms to any potential putative father. The Bureau of Vital Records is also required to disseminate these forms to the following organizations to have the form available to the public:

- Office of the Clerk of the Board of Supervisors of each county
- Hospitals
- Licensed Child Placement Agencies
- Department of Economic Security
- Department of Child Safety
- Sheriff's Offices
- Jails and Prisons
- Department of Corrections Facilities
- Department of Juvenile Corrections Facilities

## **Information Required on the Notice of Claim of Paternity Form**

The Notice of Claim of Paternity must include all of the following information:

- Child's Name (if known)
- The putative father's name
- The putative father's address (The putative father must notify the state Bureau of Vital Records of any change in address.)
- The name of the birth mother (current legal name and maiden name)
- The last known address of the birth mother
- The date of birth of the child or the probable month and year of the expected birth of the child.
- The signature of the alleged father (must be notarized).

## **How to File the Notice of Claim of Paternity Form**

1. The individual who presumes he is the father of a child shall complete the "Notice of Claim of Paternity" form and have his signature notarized. After the form has been notarized, it shall be filed with the State Bureau of Vital Records (address identified below).

**Bureau of Vital Records  
Attn: Notice of Claim of Paternity  
P.O. Box 6018  
Phoenix, Arizona 85005**

2. The putative father can file the Notice of Claim of Paternity form before the child's birth or up to 30 days after the child's birth.
3. There is no fee to file a Notice of Claim of Paternity.
4. After the Notice of Claim of Paternity form has been received by the Bureau of Vital Records, a letter will be sent to the father to confirm his name has been added to the registry.

If you have any questions, please call 602-364-1300.

# Bureau of Vital Records

## Notice of Claim of Paternity

<b>CHILD'S INFORMATION</b>	FIRST NAME (IF KNOWN)		MIDDLE NAME (IF KNOWN)		LAST NAME (IF KNOWN)	
	DATE OF BIRTH (MM/DD/YYYY)			ESTIMATED DATE OF BIRTH IF NOT BORN (MM/DD/YYYY)		
	CITY OF BIRTH		COUNTY OF BIRTH		STATE OF BIRTH	
<b>MOTHER'S INFORMATION</b>	CURRENT LEGAL FIRST NAME		CURRENT LEGAL MIDDLE NAME		CURRENT LEGAL LAST NAME	
	FIRST NAME PRIOR TO 1st MARRIAGE		MIDDLE NAME PRIOR TO 1st MARRIAGE		LAST NAME PRIOR TO 1st MARRIAGE	
	ADDRESS NUMBER & STREET (IF KNOWN)					
	CITY		STATE		ZIP CODE	
<b>FATHER'S INFORMATION</b>	FIRST NAME		MIDDLE NAME		LAST NAME	
	ADDRESS NUMBER & STREET				CITY	
	STATE		ZIP CODE		PHONE NUMBER	
	I hereby claim paternity of the child identified above. This is to signify my intention to prove paternity through further legal action and my willingness and interest to support this child to the best of my ability.					
<b>FATHER'S INFORMATION</b>	SIGNATURE				DATE (MM/DD/YYYY)	
	<b>MUST BE SIGNED IN THE PRESENCE OF NOTARY PUBLIC</b>					
<b>NOTARY AREA</b>	State of _____ County of _____				Affix Seal/Stamp Here	
	On this _____ day of _____, 20____ before me personally appeared _____ (name of signer), whose identity was proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document, and who acknowledges that he/she signed the above document. Notary Signature _____ My Commission Expires: _____					
<b>FOR OFFICE USE ONLY</b>		PROCESSED BY: _____		DATE PROCESSED: _____		

8-106.01. Putative fathers registry; claim of paternity; adoptive interest

A. A person who is seeking paternity, who wants to receive notice of adoption proceedings and who is the father or claims to be the father of a child shall file notice of a claim of paternity and of his willingness and intent to support the child to the best of his ability with the state registrar of vital statistics in the department of health services. The department of health services shall provide forms for the purpose of filing the notice of a claim of paternity. Forms shall be made available in the department of health services, the office of the clerk of the board of supervisors in each county, every hospital, every licensed child placement agency, the department of economic security, sheriff's offices, jails, prisons, state department of corrections facilities and department of juvenile corrections facilities.

B. The notice of a claim of paternity may be filed before the birth of the child but shall be filed within thirty days after the birth of the child. The notice of a claim of paternity shall be signed by the putative father and shall include his name and address, the name and last known address of the birth mother and either the birth date of the child or the probable month and year of the expected birth of the child. The putative father who files a notice of a claim of paternity under this section shall notify the registrar of vital statistics of any change of his address. The department of health services shall maintain a confidential registry for this purpose. The department shall only respond to written inquiries of the confidential registry that are received from the court, the division, a licensed adoption agency or a licensed attorney participating or assisting in a direct placement adoption. The department shall provide a certificate signed by the state registrar of vital statistics stating that a diligent search has been made of the registry of notices of claims of paternity from putative fathers listing all filings found or stating that no filing has been found pertaining to the father of the child in question.

C. If the court determines the claimant is not the child's father it shall notify the department of health services and shall order the department to remove that person's name from the putative fathers registry.

D. If the mother denies that the putative father filing the notice of a claim of paternity is the father, the department of health services shall notify the putative father of his responsibility to establish paternity.

E. A putative father who does not file a notice of a claim of paternity as required under this section waives his right to be notified of any judicial hearing regarding the child's adoption and his consent to the adoption is not required, unless he proves, by clear and convincing evidence, both of the following:

1. It was not possible for him to file a notice of a claim of paternity within the period of time specified in subsection B of this section.
2. He filed a notice of a claim of paternity within thirty days after it became possible for him to file.

F. Lack of knowledge of the pregnancy is not an acceptable reason for failure to file. The fact that the putative father had sexual intercourse with the mother is deemed to be notice to the putative father of the pregnancy.

G. When a certificate provided pursuant to subsection B of this section is received by the court, the division, a licensed adoption agency or a licensed attorney participating or assisting in a direct placement adoption from the department that lists filings of a putative father or fathers, the putative father or fathers who filed timely notices of claims of paternity and who have not previously been served shall be served with the notice prescribed in section 8-106, subsection G. A putative father who fails to file a paternity action pursuant to title 25, chapter 6, article 1 within thirty days of completion of service of the notice prescribed in section 8-106 is barred from bringing or maintaining any action to assert any interest in the child.

H. If in any adoption proceeding there is not a showing that a putative father has consented to the adoption or has waived his rights regarding the proposed adoption, the petitioner shall file with the court, before the court enters a final decree of adoption, a certificate from the department of health services signed by the state registrar of vital statistics stating that a diligent search has been made of the registry of notices of claims of paternity from putative fathers and that no filing has been found pertaining to the father of the child in question.