



## PARENTAGE INFORMATION YOU SHOULD KNOW

### What Parents Need to Know About Establishing Parentage in Illinois

#### Key Terms

1. **Birth Parent** - The person who physically gave birth to the child.
2. **Parent** - The genetic parent (not the Birth Parent) or an intended parent of a child born through assisted reproduction (other than surrogacy).
3. **Spouse/Former Spouse (Spouse)** - A person married to or in a civil union with the Birth Parent when the child was born or within 300 days before the birth.

If the Birth Parent and Parent (genetic or intended) of a child are not married or in a civil union when the child is born, the Parent is not considered the legal parent of the child, even if the parents live together and plan to be married. The Parent's name cannot be added to the birth certificate **until** parentage is established.

If the Birth Parent of a child is or was married or in a civil union when the child was born or within 300 days before the child was born, the Spouse of the Birth Parent during that time is legally presumed to be the parent of the child.

#### What is parentage?

Parentage is a legal relationship between a parent and their child.

#### Why is establishing parentage important?

- ✓ Ensure a child's right to a legal relationship with both parents.
- ✓ Add the Parent's name to the birth certificate.
- ✓ Protect the Parent's rights.
- ✓ Enable access to family medical information.
- ✓ Secure the child's benefits such as financial and medical support, social security, veteran's benefits, and inheritance.

#### How is parentage established?

There are three ways to establish parentage:

- Both parents complete, sign, and have a Voluntary Acknowledgment of Parentage, [HFS 3416 B](#), (VAP) form witnessed and filed with the Department of Healthcare and Family Services (HFS);
- An Administrative Parentage Order is established and entered by HFS Child Support Services; or
- An Order of Parentage is established and entered in court judicially.

An easy way for parents to establish parentage is to complete a [VAP](#) form at the hospital when the child is born. Parents can ask hospital staff for a VAP when providing information for the child's birth certificate. Hospital staff can help parents complete this form.

#### What is the Voluntary Acknowledgment of Parentage (VAP)?

The VAP is a legal document that is used to establish parentage for unwed parents. Once the VAP is completed and filed with HFS, it will be used to have the Parent's (genetic or intended) name, along with the Birth Parent's name, added to the child's birth certificate.

If parents choose to take the VAP home to complete, both parents must read the instructions and parents' rights and responsibilities on the back of the form or call 1-844-215-6576 to hear the oral explanation. Parents must then complete, sign, date have the VAP witnessed by a person 18 years or older who is not a person named on the form, and mail to HFS-Administrative Coordination Unit where it will be verified and filed.

A VAP can be completed, signed, witnessed, and filed at any time for any child as long as the child doesn't already have an acknowledged or court ordered parent.

#### Where can parents get a VAP or related form?

A VAP may be obtained from any of the following locations:

- Hospital;
- Child Support Office;
- HFS/CSS website – [Illinois Child Support](#);
- Any Department of Human Services Office;
- Any County Clerk's Office; or
- Any state or local Registrar's Office.

#### Who can sign the VAP?

Any Birth Parent and Parent (genetic or intended parent) may sign the VAP, including:

- Parents who are not legally married or in a civil union,
- Minors without the consent of a parent or guardian, and
- Non-US citizens if the child was born in the U.S.

**If a person signs the VAP, will they be required to pay child support?**

Both parents have the responsibility to support their child. Either parent may be ordered to provide child support and/or medical coverage. However, only one parent will be ordered to pay child support to the other parent.

**How do parents make the VAP official?**

Make sure all items are answered completely. Sign, date, have witnessed, and submit the VAP to HFS, by following the instructions on the back of the form. The VAP is considered valid when it is accepted and filed with HFS.

**What if the Birth Parent was married or in a civil union when the child was born or within 300 days before the child was born to someone that is not the Parent?**

The Birth Parent and Spouse must complete a Denial of Parentage, [HFS 3416 D](#), (Denial), and the Birth Parent and Parent (genetic or intended) must complete a Voluntary Acknowledgment of Parentage ([VAP](#)). The VAP and [Denial](#) must be filed together.

**What if a parent changes their mind after the VAP or Denial is signed?**

Either parent named on the VAP can cancel the VAP, or either parent named on the Denial can cancel the Denial, by properly completing a Rescission of Illinois Voluntary Acknowledgment of Parentage or Rescission of Illinois Denial of Parentage, [HFS 3416E](#) (Rescission). The [Rescission](#) must be signed, witnessed, and filed with the Department within 60-days from the effective date of either the VAP and/or the Denial of Parentage, (Denial) or the date of a proceeding relating to the child, whichever occurs first. After the 60-day period, a Rescission may no longer be filed.

**What if parents are not sure who the other genetic parent is?**

If parents are not sure who the other genetic parent of the child is, **do not sign** the VAP. Establishing parentage by genetic testing is a better option.

**What is a parentage test?**

A parentage test compares the DNA of the child, Birth Parent, and alleged genetic parent to determine whether the person is, or is not, the genetic Parent of a child. Parentage tests are simple and accurate. A DNA sample is obtained by swabbing the inside of a person's cheek. Child Support Services will assist in completing the appropriate forms, and schedule parentage tests.

**How are custody and visitation determined?**

All custody and visitation issues must be determined by the courts and are not addressed by HFS.

For more information go to [Illinois Child Support](#) or call the Child Support Customer Service Call Center at 1-800-447-4278. Persons using a teletypewriter (TTY) device may call 1-800-526-5812.