



Summary of Voluntary In-Hospital Paternity Laws

Voluntary Legitimation of Child

O.C.G.A. §19-7-22(2)

In any voluntary acknowledgment of paternity which has been made and has not been rescinded ... , when both the mother and father freely agree and consent, the child may be legitimated by the inclusion of a statement indicating a voluntary acknowledgment of legitimation.

Hospital Program for establishing paternity

O.C.G.A. §19-7-27

Upon the birth of a child to an **unmarried mother** in a public or private hospital, the hospital shall provide the child's mother and alleged father the opportunity to acknowledge paternity consistent with the requirements of Code Section 19-7-46.1; and provide to the mother and alleged father:

- a. written materials about paternity establishment;
- b. forms necessary to voluntarily acknowledge paternity;
- c. written description of the rights and responsibilities of acknowledging paternity; and
- d. opportunity, prior to discharge from the hospital, to speak with staff, either by telephone or in person, who are trained to clarify information and answer questions about paternity establishment.

Voluntary acknowledgement of paternity

O.C.G.A. §19-7-46.1(b)

When both the mother and father have signed a voluntary acknowledgment of paternity and the acknowledgment is recorded in the putative father registry ... the acknowledgment shall constitute a legal determination of paternity, subject to the right of any signatory to rescind the acknowledgment prior to the date of the support order, any other order adjudicating paternity, or 60 days from the signing of the agreement, whichever is earlier.

Registration of Births

O.C.G.A. §31-10-9(a)

A certificate of birth for each live birth ... shall be filed with the State Office of Vital Records within five days after such birth

O.C.G.A. §31-10-9(e)

The name of the natural father or putative father shall be entered on the certificate of live birth as follows:

- (1) If the **mother was married either at the time of conception or at the time of birth**, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court having jurisdiction, in which case the name of the father as determined by the court shall be entered;
- (2) If the mother is not married at either the time of conception or at the time of the birth, the name of the putative father shall not be entered on the certificate without the written consent of the mother and the person to be named as father;
- (3) In any case in which paternity of a child is determined by a court ... , the name of the father and the surname of the child shall be entered on the certificate of birth in accordance with the finding and order of the court;
- (4) If the father is not named on the certificate of birth, no other information about the father shall be entered on the certificate; or
- (5) Except as provided in paragraph (3) of this subsection, in all other cases, the **surname of the child shall be the legal surname of the mother at the time of the birth** entered on the certificate as designated by the mother. **When a paternity acknowledgment is completed, the surname of the child shall be entered as designated by both parents.**

O.C.G.A. §31-10-9(f)

The birth certificate of a child born to a married woman as a result of artificial insemination, with the consent of her husband, shall be completed in accordance with the provisions of subsection (e) of this Code section.

O.C.G.A. §31-10-9(g)

Either of the parents of the child, or other informant, shall verify the accuracy of the personal data entered on the certificate in time to permit the filing of the certificate within the time period prescribed in subsection (a) of this Code section.

O.C.G.A. §31-10-9(h)

All birth certificates filed and registered must identify the recorded person by name and the name of each legal parent of such person and the name of all other persons required by this Code section or by regulation. No obscenities, numbers, symbols, or other such nonidentifying name information will be accepted. If a legal parent has not decided upon a first or middle name for the child before the time limits established by this Code section, the birth record shall be registered without the child's first or middle name, or both, unless a court order provides otherwise.

Removal of father's name from birth certificate

O.C.G.A. §31-10-23(c)(2)

If paternity was shown on the original certificate, the record can be changed only by an order from a court of competent jurisdiction or the Office of State Administrative Hearings to remove the name of the person shown on the certificate as the father and to add the name of the natural father and to show the child as the legitimate child of the person so named. The order must specify the name to be removed and the name to be added.

