

What You Need to Know About Establishing Paternity in Utah

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Millions of couples cohabitate these days without getting married. In Utah, unmarried couples who have a child together should be clear on the impact on the parental rights of the father, or more accurately — the *absence* of the father's parental rights. For the best source of complete information on this important topic for unmarried parents, contact an experienced Utah paternity lawyer. Below is some essential information about why and how you should approach establishing paternity in compliance with Utah law.

Contact Wall Legal Solutions to work with an experienced child custody attorney to help you most efficiently establish paternity in Utah.

When Unmarried Parents Separate

In Utah, if parents are unmarried and separated, the mother is assumed to have a natural right to custody of her biological child. The father must establish paternity to be legally acknowledged as the child's parent. The mother has sole physical and legal custody of the child until the father takes the formal actions required to gain parental rights by establishing paternity.

How Long Does a Father Have to Establish Paternity?

If a man believes that he may be a child's father he should sign or file with the court a voluntary acknowledgment of his paternity by 30 days from the date the child was born. After that date, the mother can legally place the child for adoption with no notification to

the father. In Utah, to preserve a father's rights, he can file a paternity suit prior to the date the child is born. Talk to a [father's rights lawyer](#) about your parental rights.

Who Benefits From Establishing Paternity?

The husband is assumed to be the natural father of a child born during the marriage to the mother. But, for unmarried fathers, it is not enough to have your name on the birth certificate. The child, the father, and the mother benefit in very important ways from having paternity legally established:

- **How the Child Benefits:** Until paternity is established, a child is missing some important rights, including rights to receive various health insurance, income insurance, and other critical financial benefits:
 - Health insurance benefits
 - Veterans' benefits
 - Inheritance rights
 - Social Security benefits
- **How the Father Benefits:** Until paternity is legally established, the father has no legal rights as a parent of the child. He has no right to [visitation](#) or to be considered for any extent of custody. Having paternity legally established gives him a father the legal standing as the child's father.
- **How the Mother Benefits:** Mothers need to have paternity established so that their children will have a legal right to the father's financial benefits and so they can be eligible for [child support](#).

For more information about paternity, see the Utah Courts' PDF publication [*Establishing Court-Ordered Paternity: A Guide for Unmarried Parents*](#) regarding children of unmarried parents:

How to Establish Paternity Under Utah Law

Based on the information above, clearly, the best interests of the child, the father, and the mother are all served best by legally establishing paternity. In Utah, there are several legal approaches to establishing paternity:

- **Judicial Paternity Order:** A court order declaring paternity can be obtained. Either parent can file for it.
- **Administrative Paternity Order:** The Office of Recovery Services can legally establish paternity through their processing.
- **Voluntary Declaration of Paternity (VDP):** The mother and father will both sign an official confirmation of paternity, in addition to entering the father's name on the birth certificate, usually at the time of birth.

Paternity Testing

When the mother is unsure of who the child's father is, a man may have a test to validate the claim that he is the biological parent. Upon establishing paternity, the two parents have the same standing legally regarding child custody that the courts recognize for the parties in divorce cases. The separating parents can come to a custody agreement, and the court can approve it and thereby make it legally binding.

Resolve Your Paternity Dispute – Wall Legal Solutions

For child custody or other family law cases, we can help you determine your best options. If you need help with the process of legally establishing paternity or coming to a custody agreement or are engaged in a conflict over child support, we can help you.

For help with paternity, custody, child support, or parent-time schedules, call Wall & Wall Attorneys at Law, P.C. at (801) 441-2388 or contact us here online.
