



PATERNITY

How to establish paternity and get child support

WHAT IS A PATERNITY JUDGMENT?

A paternity judgment is a court order signed by a judge declaring a man to be the legal father of a child.

WHY SHOULD I GET A PATERNITY JUDGMENT?

Getting a paternity judgment allows a man to claim legal rights to his child. The paternity judgment can also set forth a parenting plan, timesharing schedule, and order child support.

WHEN CAN I GET A PATERNITY JUDGMENT?

Any parent can file for paternity after a child has been born. Remember, you do not need a paternity judgment if you are married to the other parent when the child is born or you marry the other parent after the child is born.

HOW DO I GET A PATERNITY JUDGMENT?

Generally, it is best if you can talk to an attorney. You may call Lawyer Referral Service at 399-5780 to obtain a 30-minute consultation with a lawyer. The consultation will cost \$50. Additional costs for any further services are subject to arrangement with the lawyer. You may also call the Child Support Enforcement Agency at 359-6700.

If you do not wish to hire an attorney, you may file a paternity action yourself. The Florida Supreme Court provides free family law forms and instructions on their website at www.flcourts.org. The forms include the documents needed to file a paternity action. If you do not have internet access at home, your local public library may provide free internet access.

Once you fill out all of the necessary paperwork, take them to the courthouse to file your paternity action. The other parent will receive notice of the paternity action by the delivery of legal documents, called service of process, and have a specific time limit to file a written response. If the other parent is served the court papers and does not respond, the court may enter an order establishing paternity and awarding other relief you may have requested such as a timesharing schedule and child support.

If the other parent responds, they may seek primary timesharing with the child and a parenting plan that orders both parents to make joint decisions concerning the child's wellbeing.

WHO CAN REQUEST A DNA TEST?

Either party may deny paternity and request a DNA test to conclusively prove who is the child's biological father. The judge will usually postpone a hearing until the blood test can be completed.

After the tests are completed, You will be notified of the time and place of the final hearing. At the hearing, the judge will consider the results of the tests and any other evidence that the parties present. The judge will make their decision based on all of the evidence.

WHAT HAPPENS IF I GET A PATERNITY JUDGMENT?

If the judge finds that the purported father is in fact the legal father of the child, the judge may establish a parenting plan, timesharing schedule and may order one party to pay child support to the parent the child primarily lives with.

HOW MUCH CHILD SUPPORT CAN I RECEIVE?

The Florida Legislature has enacted child support guidelines which help a judge determine how much child support should be ordered. The Court will also take into consideration the medical and dental insurance and day care provided for the child. The judge may order the payment of medical and hospital bills from the pregnancy. Generally, the parent with the majority timesharing will receive child support until the child reaches the age of 18 or until the child is no longer dependent.

HOW WILL I GET MY MONEY?

The paying parent will pay the child support money to the State of Florida Disbursement Unit by mailing child support payments to PO Box 8500, Tallahassee, Florida 32314-8500, (1-877-769-0251). The disbursement unit is the payment processing center for child support and related payments for the State of Florida. It keeps track of all child support payments made. You can still obtain a printout of the payments made from the (local) Domestic Relations Depository, in Room 402, Duval County Courthouse, 330 E. Bay Street in downtown Jacksonville. All checks will be mailed to you from the Depository in Jacksonville.

The FLSDU pays you all of the child support paid by the father unless you are currently receiving welfare. You will have the right to decide whether you want to continue receiving welfare, or receive the future child support. If you continue to receive welfare, the State may keep all or a portion of the child support as repayment for the welfare. When you no longer receive welfare, you can receive the full amount of the child support being paid.

WHAT IF THE OTHER PARTY REFUSES TO PAY CHILD SUPPORT?

If the other party refuses to pay, or if they pay late, the Court can enter a contempt order against them and have them jailed. The judge can order that the child support be deducted from their salary. It can also be ordered that a lien be placed on their property. The property may be sold in order to pay you your money.

WHAT IF I HAVE ANY OTHER QUESTIONS ABOUT CHILD SUPPORT?

If you have any other questions, you should call the Child Support Enforcement Agency at 359-6700 or 1-800-622-5437.

RESOURCES

Jacksonville Bar Association

Lawyer Referral Service
(904) 399-5780

Child Support Enforcement Program

921 North Davis Street, Bldg. A,
Suite 350 (Duval)
Suite 250 (Nassau)
Jacksonville, FL 32209
(800) 622-5437

3540 Highway 17 N, Suite 123 (Clay)
Green Cove Springs, FL 32043
(800) 622-5437

75 King Street, Room 241 (St. John's)
St. Augustine, FL 32084
(800) 622-5437

Jacksonville Area Legal Aid, Inc.

126 West Adams Street, Jacksonville, FL 32202
(904) 356-8371

3540 Highway 17, Suite 101
Green Cove Springs, FL 32043
(904) 284-8410

222 San Marco Avenue, St. Augustine, FL 32084
(877) 827-9921

Jacksonville Area Legal Aid, Inc. is supported in part by:

The City of Jacksonville
NE Florida Area Agency on Aging
Florida Department of Elder Affairs
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Services

Office of Attorney General
Baker, Clay, Duval, Nassau County Filing Fees
Victims of Crimes Act/Violence Against Women Act
The Florida Bar Foundation - with funds provided by Florida's Interest on Trust Accounts Program

Family Court Services

Room 413, Duval County Courthouse
330 East Bay Street, Jacksonville, FL 32202
(904) 630-2111

Room 309, Clay County Courthouse
825 North Orange Avenue
Green Cove Springs, FL 32043
(904) 278-3636

Nassau County Annex
76347 Veterans Way, Yulee, FL 32034
(904) 491-2028

St. John's County Self-Help Coordinator
(904) 827-5631

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The laws described here may change without notice.

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