

Commonwealth of Massachusetts
AFFIDAVIT OF NON-PARENTAGE**This is a legal document. Print or type in permanent black ink.**

We acknowledge that the spouse at the time of the child's birth or within 300 days before birth (the "presumed parent") is **not** the biological or intended parent and understand that a different second parent must be added to the child's birth certificate through Voluntary Acknowledgment of Parentage or otherwise adjudicated.

CHILD *Social Security # (if assigned):* _____

Full name as it appears on the birth certificate: _____ First, Middle, Last _____

Birthplace: _____ City/Town _____ State _____ Date of Birth (Month spelled out, Day, Year) _____ Sex (M/F) _____

PARENT (DELIVERING PARENT) *Social Security #* _____

Full name to appear on the birth certificate: _____ First, Middle, Last _____ Surname at my Birth or Adoption _____

Residence: _____ No. & Street Name _____ City/Town _____ State _____ Zip Code _____

Date of Birth (Month spelled out, Day, Year) _____ Birthplace: _____ City/Town _____ State (Country if not U.S.) _____

PRESUMED PARENT *Social Security #* _____

Full name to appear on the birth certificate: _____ First, Middle, Last _____ Surname at my Birth or Adoption _____

Residence: _____ No. & Street Name _____ City/Town _____ State _____ Zip Code _____

Date of Birth (Month spelled out, Day, Year) _____ Birthplace: _____ City/Town _____ State (Country if not U.S.) _____

Check one:

- ☐ We, the delivering parent and presumed parent as listed above, are married and we were married at the time of this child's birth.
- ☐ We, the delivering parent and presumed parent as listed above, are now divorced from each other but we were legally married when the child was born or within 300 days prior to the child's birth.

We acknowledge that the presumed parent is **not** the biological, adjudicated, or intended parent of the above-named child. We understand that we may consult an attorney. We understand that by signing this affidavit we may both be giving up certain rights if the presumed parent is not named the parent of the above-named child. We do **not** want his/her name to appear on the child's birth certificate. We understand that his/her name **will** appear on the birth certificate unless (1) the delivering parent completes a Voluntary Acknowledgment of Parentage with the biological or intended parent; or (2) a court judgment is issued declaring that someone else is the second legal parent or that the presumed parent is not the legal parent.

We do not object to this affidavit being filed with the court even if one of us is not present. We understand and agree that the court, based on this affidavit, may enter a judgment declaring that another individual is the child's legal parent. The information above is true to the best of our knowledge and belief. We have read and understand the information on this form, and on the *Affidavit of Non-Parentage: Notice of Rights and Responsibilities*. I hereby swear or affirm under the penalties of perjury that the information above is true to the best of my knowledge and belief.

On this _____ day of _____, _____ before me, the undersigned notary public, personally appeared _____ who proved to me through satisfactory evidence of identification, which was or were _____ to be the person whose name is

Signature of Delivering Parent

Language form was read in

signed on this document and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief and that he/she signed this form voluntarily for its stated purpose.

Notary Public

Signature of Presumed Parent

Language form was read in

On this _____ day of _____, _____ before me, the undersigned notary public, personally appeared _____ who proved to me through satisfactory evidence of identification, which was or were _____ to be the person whose name is

signed on this document and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief and that he/she signed this form voluntarily for its stated purpose.

Notary Public

Affidavit of Non-Parentage: Notice of Rights and Responsibilities

What Does It Mean If You Sign this Form?

For people who were married at the time of a child's birth or within 300 days before the birth, the spouse or former spouse of the delivering parent (herein referred to as the "presumed parent") is presumed to be the second parent of the child. The presumed parent does not have to take any further action to establish parentage. Do **not** sign this form if the presumed parent wants his or her name on the child's birth certificate.

For purposes of this form, the "delivering parent" is a parent who gave birth to the child or a parent who was adjudicated as the parent of the child by a court before the child's birth.

By signing this *Affidavit of Non-Parentage*, both the presumed parent and delivering parent are stating that the presumed parent is not the legal parent of the child named on this form.

Since this form has legal consequences, you may want to consult an attorney before signing. The legal consequences include:

- By signing this form, the presumed parent gives up certain legal rights and responsibilities to be the parent of the child, including the right to visitation and custody and the responsibility to support the child financially;
- By signing this form, the presumed parent may not be required to support the child financially;
- By signing this form, the delivering parent may give up the right to seek financial support from the presumed parent and to have the presumed parent's name on the child's birth certificate;
- Signing this form may allow the presumed parent to keep his/her name off the child's birth certificate. Even with the signing of the form, one of the following must occur for the presumed parent's name to remain off the child's birth certificate or be removed from the child's birth certificate:
 - ✓ **The delivering parent and a second parent (other than the presumed parent) must complete a Voluntary Acknowledgment of Parentage;**
 - OR**
 - ✓ **A court determines that someone else is the legal parent of the child or that the presumed parent is not the legal parent of the child.**
- If the form is **not** signed by the delivering parent and the presumed parent, the presumed parent's name will appear on the birth certificate unless a court determines that someone else is the legal parent;
- If this form is signed by the delivering parent and the presumed parent, a different second parent may be allowed to place his/her name on the birth certificate by completing a Voluntary Acknowledgment of Parentage;
- This form may be filed with the court in a subsequent proceeding to help determine whether or not the presumed parent is the child's legal parent.
- This Affidavit is not a public record. It will be available only to the presumed parent, the delivering parent, and the child named on this form, the child's legal guardian or representative, or government officials in the conduct of their official duties.

For questions regarding establishment of parentage, paternity testing or child support, contact the Massachusetts Department of Revenue, Child Support Enforcement Division at (800) 332-2733. On the internet: www.mass.gov/cse

For questions regarding birth registration, contact the Registry of Vital Records and Statistics at (617) 740-2600. On the internet: www.mass.gov/dph/rvrs