

Presumption of Paternity Checklist

1. Select Case to Review.

- ☐ No order for child support exists. Go to 2.
- ☐ Order for child support exists. Proceed to enforcement process.

2. Determine Marital Status of BP.

- ☐ NCP was married to BP at birth of child. Go to 3.
- ☐ NCP was not married to BP at birth of child, but married her later and BP asserts NCP is father. Proceed to establishment process and file action as Married/Separated.
- ☐ Child was born within 300 days after marriage ended between NCP and BP. Proceed to establishment or modification process.
- ☐ NCP was never married to BP. Go to 4.

3. NCP is Presented as Father.

- ☐ NCP held child out as his for more than 2 years. Proceed to establishment process and file action as Married/Separated.
- ☐ NCP has not held child out as his for more than 2 years. Go to 4.

4. Multiple Respondents Exist.

- ☐ NCP is only alleged father ever named by BP.
 - Proceed with establishment action if NCP and BP are/were married or AOP completed on child.
 - Proceed with paternity action if NCP and BP are/were not married.
- ☐ NCP is not the only alleged father ever named by BP.
 - Proceed with paternity action(s) against all appropriate respondents if BP has never been married. Do not file a default order until all alleged fathers are excluded.
 - Proceed with establishment action against NCP if he is married to BP and wait to file paternity action against other NCP(s) if husband is excluded.