

#### **144.12A Declaration of paternity registry.**

1. As used in this section, unless the context otherwise requires:

*a. "Child"* means a person under eighteen years of age for whom paternity has not been established.

*b. "Court"* means the juvenile court.

*c. "Father"* means the male, biological parent of a child.

*d. "Putative father"* means a man who is alleged to be or who claims to be the biological father of a child born to a woman to whom the man is not married at the time of the birth of the child.

*e. "Registrant"* means a person who has registered pursuant to this section and who claims to be the father of a child.

*f. "Registrar"* means the state registrar of vital statistics.

*g. "Registry"* means the declaration of paternity registry established in this section.

2. *a.* The registrar shall establish a declaration of paternity registry to record the name, address, social security number, and any other identifying information required by rule of the department of a putative father who wishes to register under this section prior to the birth of a child and no later than the date of the filing of the petition for termination of parental rights.

*b.* The declaration does not constitute an affidavit of paternity filed pursuant to section 252A.3 and declarations filed shall be maintained by the registrar in a registry distinct from the registry used to maintain affidavits of paternity filed pursuant to section 252A.3. A declaration of paternity filed with the registry may be used as evidence of paternity in an action to establish paternity or to determine a support obligation with respect to the putative father.

*c.* Failure or refusal to file a declaration of paternity shall not be used as evidence to avoid a legally established obligation of financial support for a child.

3. A person who files a declaration of paternity with the registrar shall include in the declaration all of the following:

*a.* The person's name, current address, social security number, and any other identifying information requested by the department. If the person filing the declaration of paternity changes the person's address, the person shall notify the registrar of the new address in a manner prescribed by the department.

*b.* The name, last known address, and social security number, if known, of the mother of the child, or any other identifying information requested by the department.

*c.* The name of the child, if known, and the date and location of the birth of the child, if known.

*d.* The registrar shall accept a declaration of paternity filed in accordance with this section.

*e.* The registrar shall forward a copy of the declaration to the mother as notification that the person has registered with the registry.

*f.* The registrar shall accept and immediately register, upon receipt, a declaration of paternity without a fee and without the signature of the biological mother. The registrar may charge a reasonable fee as established

by rule of the department for processing searches of the registry.

4. The department shall, upon request, provide the name, address, social security number, and any other identifying information of a registrant to the biological mother of the child; a court; the department of human services; the attorney of any party to an adoption, termination of parental rights, or establishment of paternity or support action; or to the child support recovery unit for an action to establish paternity or support. The information shall not be divulged to any other person and shall be considered a confidential record as to any other person, except upon order of the court for good cause shown. If the registry has not received a declaration of paternity, the department shall provide a written statement to that effect to the person making the inquiry.

5. *a.* Information provided to the registry may be revoked by the registrant by submission of a written statement signed and acknowledged by the registrant before a notary public.

*b.* The statement shall include a declaration that to the best of the registrant's knowledge, the registrant is not the father of the named child or that paternity of the true father has been established.

*c.* Revocation nullifies the registration and the information provided by the registrant shall be expunged.

*d.* Revocation is effective only following the birth of the child.

6. The department shall adopt rules necessary to implement and administer this section. The rules shall include establishment of sites throughout the state for local distribution of declaration of paternity registration forms.

94 Acts, ch 1174, §2; 95 Acts, ch 67, § 12