

CHAPTER 105
DECLARATION OF PATERNITY REGISTRY

641—105.1(144) Definitions.

“*Child*” means a person under 18 years of age for whom paternity has not been established.

“*Court*” means the juvenile court.

“*Father*” means the male, biological parent of a child.

“*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.

“*Registrant*” means a person who has registered and who claims to be the father of a child.

“*Registrar*” means the state registrar of vital statistics.

“*Registry*” means the declaration of paternity registry.

641—105.2(144) Registry established. There is established in the Bureau of Vital Records a registry for the declaration of paternity to be kept separately from paternity. The declaration may be filed prior to the birth of a child and no later than the date of the filing of a petition for termination of parental rights. 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.

641—105.3(144) Information to be provided. A person who files a declaration of paternity with the state registrar shall complete the correct form and provide all of the following:

1. Registrant’s name, current address, social security number, notarized signature and date.
2. The name, last known address, and social security number, if known, of the mother of the child.
3. The name of the child, if known, and the date and location of the birth of the child, if known.

A copy of the declaration of paternity shall be forwarded by the state registrar to the mother as notification that the person has registered if the mother’s name and address are known.

641—105.4(144) Change of address. The person who files the declaration will be responsible to notify the state registrar in writing of any change in address.

641—105.5(144) Fees. There shall be no fee required to file the declaration.

There shall be a fee charged for searches of the registry and the fee shall be the same as the fee charged for searches of other vital records as established by IAC 641—96.4(144). After a search is completed and no declaration of paternity is on file, a written statement to that effect shall be provided to the person making the inquiry. The fee shall be retained for the search.

641—105.6(144) Access to registry information. 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.

The department shall, upon request, provide the name, address, and social security number of a registrant to the following:

1. The biological mother of the child;
2. A court;
3. The department of human services, child support recovery unit, for an action to establish paternity or support.
4. The attorney of any party to an adoption, termination of parental rights, or establishment of paternity or support action.

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.

641—105.7(144) Revocation. Information provided to the registry may be revoked by the registrant by submission of a written statement provided by the department, signed and acknowledged by the registrant before a notary public. 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. Revocation shall be deemed a nullity and the information provided by the registrant shall be expunged. Revocation is effective only following the birth of the child.

641—105.8(144) Forms. All forms for the declaration of paternity shall be available from the state registrar of vital records and the county registrar which is the clerk of the district court located in each county.

These rules are intended to implement 1994 Iowa Acts, chapter 1174.

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