

## Military Child Out of Wedlock?

Unfortunately we cannot provide services to the non-military parent **yet**, because your child will not have a Military ID Card until paternity is established.



**Keep in mind** - According to Army Regulation 608-99 a SOLDIER has no legal obligation to provide support to a child born to him out of wedlock if there is no **court order** or **affidavit of paternity** identifying the SOLDIER as the father of the child. Here are some options for you.



### Option 1: Court Order

Go to civilian court and file a **petition to establish paternity**. This can be done with the help of an attorney or on your own.

Documents for paternity can be found at: <http://www.chattahoocheefamilylawcenter.org/forms/>

**Pros:** You will receive the highest amount of child support based on the spouse's financial situation. Childcare costs will be considered along with other factors that can increase the amount of support.

**Cons:** After the judge hears the motion, he or she can order a paternity test. If either party objects you might need to hire an attorney, or use the services of the Child Support office.

### Option 2: Child Support Office

You can use the services of the State Child Support Office in filing **the petition to establish paternity**.

**Pros:** Once the support order is processed the amount of support you will receive will be equal to the amount of money you would have received with a court order. Childcare and other factors can increase the amount.

The applicant will have to pay \$50.00. If they are on government assistance the service is free.

**Cons:** This process can take up to 5 years.

More information can be found at: <http://dcss.dhs.georgia.gov/application-services>

### Option 3: Paternity Acknowledgment Document

This is also known as an affidavit which has the same enforcement as a court order.

**Note:** You cannot use this document if: Another father is named on the birth certificate, or birth record Mother was married 10 months prior to birth of child. **The father has 60 days to rescind the document.**

The Document can be found at: [http://www.cse.dhr.state.ga.us/manuals/agent/0328PAForm\\_2009.pdf](http://www.cse.dhr.state.ga.us/manuals/agent/0328PAForm_2009.pdf)

**Pros:** Easy and convenient.

**Cons:** The child support will be established by 608-99 in which the Soldier's BAH II will be divided by the number of dependents. There is no chance for a deviation or more money based on childcare.

For example, if a Specialist (E-4) has 3 children and a spouse, his **total** support for one child would be 1/4 of his BAH II, or only \$183.06

### Option 4: Voluntary Support

The father of the child can voluntarily agree to give support to the mother without a court order or legitimizing the child as his own.

**Pros:** There will be no court costs, attorney fees or record.

**Cons: You have no protection.** The father is not required to give you any amount of support and can stop paying you at any time. The child will not receive a military ID card or entitlement to related services.

### Now that you have established paternity

Contact the ID/DEERS office about the documents you will need to provide in order for the child to be able to receive a dependent card. The JAG office can assist you with legal questions related to the child once the child has a dependent card.



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