

STATEMENT TO
SENATE, No. 818

with Senate Floor Amendments
(Proposed By Senator EWING)

ADOPTED: MAY 16, 1996

These floor amendments amend section 9 of P.L.1977, c.367 (C.9:3-45) by providing that if, within six months of the birth of a child, the individual who is presumed to be the natural father of the child subject to an adoption proceeding has not acknowledged paternity by amending the original birth certificate filed with the local registrar's office, service of the notice of an adoption proceeding on that parent is waived by the court. Under the provisions of the floor amendments, service of the notice would also be waived if an individual, named as a parent on the original birth certificate of a child who is the subject of an adoption proceeding, has not executed a voluntarily signed Certificate of Parentage or has not amended the original birth certificate within six months of the child's birth.

The floor amendments also amend section 6 of P.L.1983, c.17 (C.9:17-43) to add the presumption that if an individual places his name on the original birth certificate of a child filed with the local registrar or executes a signed Certificate of Parentage acknowledging paternity, which may be included as part of the child's original birth record, within six months of the birth of the child, he is presumed to be the child's natural father.

The floor amendments also amend section 7 of P.L.1994, c.164 (C.26:28.1) to require that a Certificate of Parentage include instructions for filing the certificate with the local registrar's office as part of a child's original birth record.

The amendments would also require that if a father has been named as a parent on a Certificate of Parentage at the time of the child's birth or on a Certificate of Parentage filed as part of a child's original birth record and the named father did not execute the Certificate of Parentage himself, the local registrar would be required to provide the father, through the mail if the custodial parent can supply the local registrar with the father's address, with information concerning the voluntary acknowledgment of paternity and the father's right to execute such an acknowledgment as part of his child's original birth record. The local registrar would also be required to note the date the father was contacted by mail and to attempt to contact the father again six months following the original mailing. If the father fails to acknowledge paternity as part of the original birth record within that six month time period, the local registrar would make a notation of the failure on the birth record.

Finally, the floor amendments would require the State IV-D agency to provide parent locator services to a custodial parent who needs help in locating the address of a father named in a Certificate of Parentage.