

# How Do I Establish Parentage?

Parentage is the legal relationship between a parent and a child and includes both maternity (between a mother and a child) and paternity (between a father and a child). If a person was married to the child's mother when she became pregnant or when the child was born, that person is legally assumed to be the child's parent. Otherwise, parentage will have to be established through one of the means listed below in order for a person to have certain rights and responsibilities afforded to parents, such as parenting time and child support.

## Three Ways to Establish Parentage:

- **Voluntary Acknowledgement of Parentage (VAP)** – If you and the mother of the child are not married and both agree that you are a parent to the child, then you and the mother can sign a VAP and mail it to the [Department of Healthcare and Family Services \(DHFS\)](#). DHFS will then add your name to the child's birth certificate.
  - This process only establishes the legal relationship between you and your child. This will not resolve any issues involving parental responsibilities (custody), parenting time (visitation), or child support.
  - For more information on a VAP or to download the form, please visit [Illinois Legal Aid Online \(ILAO\)'s help page for VAPs](#).
- **Department of Healthcare and Family Services (DHFS)** – Parentage can also be established at a hearing with DHFS, instead of a judge. To start the process, contact the DHFS Division of Child Support Services (DCSS) at 1-800-447-4278 (TTY: 1-800-526-5812) or visit [www.illinois.gov/hfs/ChildSupport](http://www.illinois.gov/hfs/ChildSupport)
  - This process only establishes the legal relationship between you and your child and can resolve issues involving child support. This will not resolve any issues involving parental responsibilities (custody) or parenting time (visitation).
- **Going to Court** – Either parent can ask the court to establish parentage. A Judge will first determine whether a legal relationship between the parent and the child exists and may order DNA testing. Once the legal relationship is established, the Judge can then make a decision on parental responsibilities and decision-making power (custody), parenting time (visitation), and child support

## To Start a Court Case:

1. **Gather information.** You will need to know the following in order to notify the other party of the case:
  - The address, age, and occupation of the other parent or anyone that claims to have rights to make important decisions for the child.
2. **Compile your Documents**
  - You will need to fill out a [Complaint](#), which formally requests that the court take action in your case (establishing parentage, child support, and/or allocation of parental responsibilities), a [Summons](#) to tell the other parent how to get involved in the case, and a [Domestic Relations Division Cover Sheet](#) for administrative purposes.
    - Please note that the other parent must be adequately notified of the court case (“served”) in order for the court to resolve any issues relating to parental responsibilities and decision-making power (custody), parenting time (visitation), and child support. For more information about service, please see the “How Do I Serve The Other Party?” handout.
  - For more information about starting a parentage case in court, please visit [ILAO's help page for parentage cases](#).
3. **File your documents.**
  - Your case does not begin until your paperwork is properly filed with the Clerk's Office.
  - You can file your documents online electronically (e-filing), or in person if you qualify for the e-filing exemption. For more information on the e-filing process, filing fees, and fee waivers, please visit [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org).

**What comes next?** – Once you have filed your documents, you will need to serve the other parent, as discussed above, or the other parent will need to voluntarily file an [Appearance](#). Please see accompanying handouts for self-represented litigants on the Domestic Relations Division section of [www.cookcountycourt.org](http://www.cookcountycourt.org) for more information.

**DISCLAIMER:** This guide serves as a court-process navigation tool. It does not contain legal advice. Litigants are encouraged to consult an attorney if possible and the Illinois Marriage and Dissolution of Marriage Act (IMDMA) at 750 ILCS 5/ *et seq.* for more information. Note that the IMDMA and all accompanying statutes have been interpreted and explained by the Illinois Appellate Court and the Supreme Court of Illinois; and their decisions are equally as binding on the trial court as the statute itself. To research and review those cases via a legal research database commonly used by judges and attorneys, please visit any of the Circuit Court of Cook County's Law Libraries (e.g. 29<sup>th</sup> floor of the Daley Center).