ACKNOWLEDGMENT OF PARENTAGE ACT

Act 305 of 1996

AN ACT to prescribe procedures for and the contents of acknowledgments of parentage; to state the effects of those acknowledgments; to provide procedures and criteria for revoking acknowledgments; and to prescribe powers and duties of certain state officers and employees.

History: 1996, Act 305, Eff. June 1, 1997

The People of the State of Michigan enact:

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722.1001 Short title.

Sec. 1.

This act shall be known and may be cited as the "acknowledgment of parentage act".

History: 1996, Act 305, Eff. June 1, 1997

722.1002 Definitions.

Sec. 2.

As used in this act:

(a) "Acknowledged parent" means an individual who has established a parent-child relationship under this act.

(b) "Acknowledgment" means an acknowledgment of parentage executed as provided in this act.

(c) "Child" means a child conceived and born to a woman who was not married at the time of conception or the date of birth of the child, a child that the circuit court determines was born or conceived during a marriage but is not the issue of that marriage, or a child that is born to an individual who gave birth to a child conceived through assisted reproduction.

(d) "Court" means the circuit court.

(e) "State registrar" means that term as defined in section 2805 of the public health code, 1978 PA 368, MCL 333.2805.

History: 1996, Act 305, Eff. June 1, 1997 ;-- Am. 2024, Act 31, Eff. Apr. 2, 2025

722.1003 Acknowledgment of parentage; form; validity; signatures; witness; copy.

Sec. 3.

(1) If a child is born out of wedlock, a man is considered to be the natural father of that child if the man joins with the mother of the child and acknowledges that child as his child by completing a form that is an acknowledgment of parentage.

(2) If a child born out of wedlock is conceived by assisted reproduction as defined in the assisted reproduction and surrogacy parentage act, an individual is considered to be the natural parent of that child if the individual joins with the individual who gave birth to the child and

acknowledges that child as their child by completing a form that is an acknowledgment of parentage.

(3) If a child is born to a married individual who gave birth to a child conceived by assisted reproduction as defined in the assisted reproduction and surrogacy parentage act, their spouse is considered to be an acknowledged parent by completing a form that is an acknowledgment of parentage.

(4) An acknowledgment of parentage form is valid and effective and establishes the parentage of a child if signed by individuals eligible to acknowledge parentage as set forth in subsections (1), (2), and (3) and those signatures are each notarized by a notary public authorized by the state in which the acknowledgment is signed or witnessed by 1 disinterested, legally competent adult. The witness must be an employee of 1 of the following: a hospital, publicly funded or licensed health clinic, pediatric office, friend of the court, prosecuting attorney, court, department of health and human services, county health agency, county records department, head start program, local social services provider, county jail, or state prison. The witness must sign and date the acknowledgment of parentage form and provide his or her printed name, address, and place of employment. An acknowledgment may be signed any time during the child's lifetime.

(5) The birth parent and the acknowledged parent must be provided a copy of the completed acknowledgment at the time of signing.

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History: 1996, Act 305, Eff. June 1, 1997 ;-- Am. 2014, Act 409, Eff. Mar. 30, 2015 ;-- Am. 2024, Act 31, Eff. Apr. 2, 2025

722.1004 Acknowledgment as basis for court ordered child support, custody, or parenting time; relationship and status of child.

Sec. 4.

An acknowledgment that complies with this act and is filed with the state registrar establishes parentage and is the equivalent to an adjudication of parentage of the child and confers on the acknowledged parent all rights and duties of a parent, and the acknowledgment may be the basis for court ordered child support, custody, or parenting time without further adjudication under the paternity act, 1956 PA 205, MCL 722.711 to 722.730, or under the assisted reproduction and surrogacy parentage act. The child who is the subject of the acknowledgment bears the same relationship to the birth parent and the acknowledged parent as a child born or conceived during a marriage and has the identical status, rights, and duties of a child born in lawful wedlock effective from birth.

History: 1996, Act 305, Eff. June 1, 1997 ;-- Am. 2024, Act 31, Eff. Apr. 2, 2025

722.1005 Acknowledgment of parentage; filing with state registrar; review; maintenance as permanent record; procedures and payment for issuance; basis for preparation of new birth certificate.

Sec. 5.

(1) A completed original acknowledgment of parentage shall be filed with the state registrar. Upon receipt of an acknowledgment, the state registrar shall review the form. If it appears to be properly completed and notarized or each signature is witnessed as provided under section 3, the state registrar shall file the acknowledgment in a parentage registry in the office of the state registrar. An acknowledgment filed with the state registrar shall be maintained as a permanent record in a manner consistent with section 2876 of the public health code, 1978 PA 368, MCL 333.2876.

(2) The state registrar shall issue a copy of an acknowledgment filed in the parentage registry under the procedures and upon payment of the fee prescribed by section 2891 of the public health code, 1978 PA 368, MCL 333.2891.

(3) Upon filing, the completed acknowledgment form may serve as a basis for preparation of a new certificate of birth as provided in section 2831 of the public health code, 1978 PA 368, MCL 333.2831.

History: 1996, Act 305, Eff. June 1, 1997 ;-- Am. 2014, Act 409, Eff. Mar. 30, 2015

722.1006 Grant of initial custody.

Sec. 6.

After completion of an acknowledgement of parentage signed according to section 3(1) that complies with this act is filed with the state registrar, the mother has initial custody of the minor child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or otherwise agreed upon by the parties in writing and acknowledged by the court. This grant of initial custody to the mother does not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.

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History: 1996, Act 305, Eff. June 1, 1997 ;-- Am. 2006, Act 105, Imd. Eff. Apr. 7, 2006 ;-- Am. 2024, Act 31, Eff. Apr. 2, 2025

722.1007 Notices.

Sec. 7.

The acknowledgment of parentage form must include at least all of the following written notices to the parties:

(a) The acknowledgment of parentage is a legal document.

(b) Completion of the acknowledgment is voluntary.

(c) For acknowledgments of parentage signed according to section 3(1), the mother has initial custody of the child, without prejudice to the determination of either parent's custodial rights, until otherwise determined by the court or agreed by the parties in writing and acknowledged by the court. This grant of initial custody to the mother does not, by itself, affect the rights of either parent in a proceeding to seek a court order for custody or parenting time.

(d) Either parent may assert a claim in court for parenting time or custody.

(e) The parents have a right to notice and a hearing regarding the adoption of the child.

(f) Both parents have the responsibility to support the child and to comply with a court or administrative order for the child's support.

(g) Notice that signing the acknowledgment waives the following:

(i) Blood or genetic tests to determine if the man is the biological father of the child.

(ii) Any right to an attorney, including the prosecuting attorney or an attorney appointed by the court in the case of indigency, to represent either party in a court action to determine if the man is the biological father of the child.

(iii) A trial to determine if the man is the biological father of the child.

(h) That in order to revoke an acknowledgment of parentage, an individual must file a claim as provided under the revocation of parentage act.

History: 1996, Act 305, Eff. June 1, 1997 ;-- Am. 2006, Act 105, Imd. Eff. Apr. 7, 2006 ;-- Am. 2012, Act 161, Imd. Eff. June 12, 2012 ;-- Am. 2024, Act 31, Eff. Apr. 2, 2025

722.1008 Acknowledgment of parentage; preparation or approval of form; availability to public.

Sec. 8.

The state registrar shall prepare or approve the form used for acknowledgment of parentage. The form shall conform as closely as possible to section 7, federal requirements, and the needs of other appropriate state agencies. The state registrar shall make the form available to the public through the family independence agency, prosecuting attorneys, and hospitals as provided in section 21532 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.21532 of the Michigan Compiled Laws.

History: 1996, Act 305, Eff. June 1, 1997

722.1009 Appointment of next friend or guardian ad litem; effect of signing by minor parent.

Sec. 9.

In proceedings under this act, the court may appoint a next friend or guardian ad litem to represent a minor parent at the court's discretion. A minor parent may sign an acknowledgment of parentage with the same effect as if he or she were of legal age.

History: 1996, Act 305, Eff. June 1, 1997

722.1010 Consent to court jurisdiction.

Sec. 10.

Except as otherwise provided by law, a mother and father who sign an acknowledgment that is filed as prescribed by section 5 are consenting to the general, personal jurisdiction of the courts of record of this state regarding the issues of the support, custody, and parenting time of the child.

History: 1996, Act 305, Eff. June 1, 1997

722.1011 Repealed. 2012, Act 161, Imd. Eff. June 12, 2012.

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Compiler's Notes: The repealed section pertained to notices included in acknowledgment of parentage form.

722.1012 Validity of prior acknowledgment.

Sec. 12.

This act does not affect the validity of an acknowledgment signed before the effective date of this act. The procedures for determination of a claim for revocation apply to all acknowledgments, including those signed before the effective date of this act.

History: 1996, Act 305, Eff. June 1, 1997

722.1013 Effective date.

Sec. 13.

This act shall take effect June 1, 1997.

History: 1996, Act 305, Eff. June 1, 1997

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