

Paternity Testing

(Revised 07/20/18)

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Forms

This file references the following form:

- 04-550 LabCorp Scheduling Notification (*CWS/CMS County Specific Template*)

General information

An early determination of paternity is important for all children, especially in child dependency cases. Establishing paternity determines who is (or is not) entitled to reunification services, and what steps must be taken to free a child for adoption if that permanent plan is selected. If paternity is not already determined due to marriage, the father's name on the birth certificate, or a signed declaration of paternity, then a paternity test can be ordered. DNA tests are done to make the determination.

Children of any age may be tested.

Declaration of paternity

When a baby is born in a United States hospital, the hospital offers the parents an opportunity to sign a Declaration of Paternity. SWs should ask the parents if they ever signed, or think they signed, a paternity declaration. Refer to the Paternity Opportunity Program (POP) file for procedures to request a copy of the paternity declaration from California, if one exists.

If the parents are interested in voluntarily signing a paternity declaration, request the POP packet from the Policy Analyst listed at the end of this file and follow the procedure in the POP file.

Paternity testing procedures

The court may request that a paternity test be performed at court for the alleged father, mother and/or child, especially when:

- The child or parent(s) is here from outside San Diego County
- The parent is incarcerated
- The parent is a flight risk.

NOTE: CWS staff are not permitted to perform paternity testing. However, CWS staff will assist the bailiff with paperwork.

When a paternity test is done at court, the SW will still need to complete the 04-550 and arrange for the testing for any party who was not tested at court (e.g., the child or the mother) per the table below.

If a paternity test was ordered but none of the parties were present at court to be tested there, the SW will complete the 04-550 per the table below.

Step	Who	Action
1	SW	Complete the 04-550, making sure to: <ul style="list-style-type: none">• select a Draw Site Location, time and date based on the client's preference• include the Court Case # and DSS #• if it will be a motherless test, check that box• provide the name, SS#, city and county of each person to be tested.
2	SW	<ul style="list-style-type: none">• FAX the 04-550 and a copy of the paternity testing court order to the applicable Draw Site Location.• Inform client of arrangements and of the need for them to provide the following ID at the site:<ul style="list-style-type: none">○ for adults: a photo ID (Driver's License or State-issued ID card)○ for children: a birth certificate or insurance card/medical record with their name.
3	LabCorp	<ul style="list-style-type: none">• Enter above data into LabCorp computer system.• Complete test on client.• Send packet by FedEx next day service to LabCorp main office for processing.• Send results to Juvenile Court.

Court Officer responsibilities for paternity testing at court

Court Officers are not permitted to perform paternity testing; however, assisting the bailiff at court with the paperwork is encouraged. The Court Officer will ensure that:

- the paperwork is signed and dated
 - a copy of the Court Order is included in the packet
- NOTE:** If a person to be tested is incarcerated, the copy of the Court Order must be certified and must include the inmate's name, facility name and address, and facility ID number.
- the "motherless" box is checked (if a motherless test was ordered)
 - the client's photo was taken and is properly labeled
 - the sample is packaged correctly for shipping.

The Court Unit will compile the documents in the paternity packets and ensure that the Dependency Courtrooms are stocked as necessary.

The Court Unit PSS will order the paternity packet supplies from LabCorp as needed.

Drawing locations in San Diego County

All of the LabCorp drawing site locations are listed on the 04-550.

Incarcerated parents

If a parent is incarcerated and not present at court, the SW is responsible for setting up the paternity testing directly through LabCorp, who will then coordinate with appropriate entities to ensure that the test is properly conducted.

Step	Who	Action
1	Court	<ul style="list-style-type: none">• Make paternity inquiry.• Order test(s).• Ensure that the court order authorizes LabCorp to enter facility to obtain swab sample.• Include the name and address of the facility, and the inmates ID number on the Court Order. <p>NOTE: If the court does not make such an entry order, request ex parte.</p>

**Incarcerated
parents (cont.)**

Step	Who	Action
2	SW	<ul style="list-style-type: none">• Complete the LabCorp Scheduling Notification form (04-550) with the following information:<ul style="list-style-type: none">○ All parties' names, social security numbers, dates of birth, race, city, telephone, state and county of residence.○ Full name of inmate, social security number and date of birth.○ Inmate correctional number.○ Name, address and telephone number of facility where individual is incarcerated.○ Contact person at the facility.• Fax a certified copy of the paternity testing minute order and LabCorp Scheduling Notification at (800) 821-9102.
3	LabCorp	<ul style="list-style-type: none">• Enter Paternity Testing information into the computer system.• Obtain swab sample.• Complete DNA testing.• Forward results to the Juvenile Court who generated the court order.
4	Juvenile Court Administration	Forward results to court file, CC, attorney(s) of record and the SW.
5	SW	When the results are received, contact CC to discuss them and whether or not to provide services to the client tested.
6	Court	Set a Special Hearing, if appropriate, and make applicable paternity findings(s) based on results.

Parent(s) living out-of-county

If the parent(s) lives outside San Diego County, then the SW is responsible for setting up the paternity test directly through LabCorp, who will then coordinate with appropriate entities to ensure that the test is properly conducted.

Step	Who	Action
1	Court	<ul style="list-style-type: none">• Make paternity inquiry.• Order test(s).
2	SW	<ul style="list-style-type: none">• Complete the LabCorp Scheduling Notification (04-550) with the following information:<ul style="list-style-type: none">○ All parties' name, social security numbers and dates of birth.○ Full name, social security number and date of birth of parent(s) who reside out-of-county.○ Out-of-county address and contact telephone number(s).• Fax a copy of the 04-550 and court order to LabCorp at (800) 821-9102.
3	LabCorp	<ul style="list-style-type: none">• Provide drawing site location for out-of-county parents, with date and time of appointment.• Fax the updated LabCorp Scheduling Notification to the SW.
4	Juvenile Court Administration	Forward results to court file, CC, attorney(s) of record and the SW.
5	SW	<ul style="list-style-type: none">• Inform parent(s) of location, date and time of test.• Inform the parent(s) that they will be photographed and fingerprinted and they must bring their Photo ID to their appointment.• Follow up to ensure that the testing was completed and to resolve any barriers that may exist.

**Paternity testing
outside of the
United States**

If the court orders paternity testing for a parent living outside the US, the SW will immediately contact the Policy Analyst listed at the end of this file for assistance.

**Paternity
compliance**

When one or more of the parties fails to comply with the court order, LabCorp will fax a notification to the SW. The notification will list the name(s) of the non-compliant parties. Paternity cannot be established until samples have been provided by the alleged father and the child. Testing the mother is not necessary.

Alignment with SET

This policy supports SET [Value 1](#): **Relationships with Children, Youth, and Families Are the Foundation** by partnering with families to establish paternity to foster long-term safety, ongoing permanency and well-being.
