

September 24, 2013 /**24-7PressRelease**/ -- Establishing paternity of a child in Kansas

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The legal question of paternity asks who the biological father of a particular child is. Establishing this connection is important for many reasons. A father and his son or daughter have certain legal obligations and rights because of their parent-child relationship. For example, the father (and the mother) is required to provide child support and the child has the right to inherit property from his or her father, to certain Social Security and insurance benefits, to bring certain lawsuits like one for wrongful death and more.

On the other hand, the father (and the mother) has the right to spend time with his minor child, with a few exceptions. A parent may also be eligible to claim a child as a dependent on a tax return.

Practically, knowing who your biological father is can be important from a medical standpoint so that genetic or family medical traits are known.

Reasons to establish paternity

A few situations commonly raise the issue of paternity:-The unmarried father of a child wants to establish paternity so he can get visitation or custody rights.-The unmarried mother of a child wants to establish paternity so that she is can pursue financial support for the son or daughter.-In or after a divorce, one of the parties may want to prove that the husband is or is not the biological father of a child born during the marriage.-And more.

Of course, paternity can nowadays be established with DNA testing. However, Kansas law states that a sperm donor will not be considered the legal father of any resulting child.

Legal presumptions

Establishing paternity of a child in Kansas

Written by Australian Business

In Kansas, state law presumes that the mother's husband is the father if the couple was married at any time from conception through birth and the husband's name goes on the birth certificate, unless there has been a court finding that another man is the father. If the mother was not married during that time, no father's name can be added to the birth certificate without the mother's written permission as well as that of the person she seeks to name, unless a court has already determined legal paternity.

There are other, more complex, situations in which paternity may be presumed under Kansas law.

If a man signs an acknowledgment of paternity, he can revoke it within 60 days as long as there has not been a paternity hearing in court yet. Otherwise, in most circumstances he can ask the court to revoke an acknowledgment based on fraud, duress or mistaken fact.

Court determination

A paternity action may be filed in Kansas state court by or for the child to establish fatherhood, or an action may be brought to revoke an acknowledgment of paternity. The court in such an action may order genetic testing to determine parentage. Paternity suits in Kansas are not heard by juries, but are decided by judges. When paternity is determined by the court, it will issue orders relating to custody, parenting time and child support that are in the child's best interest.

Legal counsel imperative

This is a brief introduction to Kansas paternity law, which contains many more details and requirements. Arguably, paternity is about as important as a legal matter gets in this life. If you face any issues related to paternity either as a mother, a child, a father or a man disputing parenthood, speak with a Kansas family lawyer with specific experience in paternity matters to ask questions related to any legal document; legal right or obligation; or court proceeding, ongoing or potential.