

Utah Statutes and Rules Related to Court Ordered Paternity

This information is being provided in an effort to ensure that every Court Ordered Paternity submitted to the Office of Vital Records may be accepted.

The Office of Vital Records and Statistics requires the following in order to accept a court order to add or remove a father from a birth certificate:

- The court order **MUST** be certified with an embossed or colored seal.
 - Vital Records will keep the certified court order.
- The court order **MUST** contain the child's **full** name as it currently is listed on the birth certificate.
- The court order **MUST** contain the child's date of birth.
- The court order **MUST** state the mother's full maiden name.
- The court order **MUST** state the full name of the father being added or removed.
- The court order **MUST** specifically order the Office of Vital Records to add or remove the father from the birth certificate of the child in question.
- In cases where the child's name is also **ordered** to be changed, then the order **MUST** state the child's full new name.

Utah Judicial Code 78B-15-622. Order adjudicating parentage.

<https://le.utah.gov/xcode/Title78B/Chapter15/78B-15-S622.html>

- (1) The tribunal shall issue an order adjudicating whether a man alleged or claiming to be the father is the parent of the child.
- (2) **An order adjudicating parentage must identify the child by name and date of birth.**
- (3) Except as otherwise provided in Subsection (4), the tribunal may assess filing fees, reasonable attorney fees, fees for genetic testing, other costs, necessary travel, and other reasonable expenses incurred in a proceeding under this part. The tribunal may award attorney fees, which may be paid directly to the attorney, who may enforce the order in the attorney's own name.
- (4) The tribunal may not assess fees, costs, or expenses against the support-enforcement agency of this state or another state, except as provided by law.
- (5) **On request of a party and for good cause shown, the tribunal may order that the name of the child be changed.**
- (6) **If the order of the tribunal is at variance with the child's birth certificate, the tribunal shall order the Office of Vital Records to issue an amended birth registration.**

Utah Administrative Code R436-5-4. Court Determination of Paternity.

<https://rules.utah.gov/publicat/code/r436/r436-005.htm#T4>

(1) A person whose parentage has been determined by court order, or his legal representative, may obtain a new birth certificate by presenting a certified copy of the court order to the State Registrar along with the required fee. The Registrar shall prepare the new birth certificate with the full name of the person as specified in the court order. If the court order does not specify the name to be placed on the birth certificate, the State Registrar shall prepare the new birth certificate with the name as listed on the original birth certificate.

(2) If the court order does not specify the name to be placed on the birth certificate and if the original birth certificate does not list the name of the person, the State Registrar shall prepare the new birth certificate without a name. A person whose parentage has been determined by court order and whose new birth certificate does not list his name, or his legal representative, may seek amendment of the new birth certificate pursuant to the provisions of R436-3-2.