INFORMATION ABOUT HOW TO ESTABLISH PATERNITY

NEIGHBORHOOD LEGAL SERVICES

A FAMILY LAW HANDBOOK SERIES PRODUCED BY NEIGHBORHOOD LEGAL SERVICES THROUGH THE GENEROUS SUPPORT OF THE MASSACHUSETTS BAR FOUNDATION (2010)
The information provided in this booklet does not constitute legal advice and is based on the laws of Massachusetts as of the publication date.

It is always advisable to seek legal advice from an attorney. A list of resources is available on the last page.

This booklet was produced by Neighborhood Legal Services, Inc., with assistance from the Massachusetts Law Reform Institute and with funding from the Massachusetts Bar Foundation and the Massachusetts Legal Assistance Corporation.

© Neighborhood Legal Services
December, 1999 (updated 2010)
What Will This Booklet Tell You?

This booklet is divided into seven sections. Make sure you know what information is in each section and think about how it applies to you.

Section 1: What Do You Need to Know About Voluntary Acknowledgments of Paternity? ................................. 4

Section 2: What Are Your Circumstances and What Court Papers Will You Need to File? ......................... 6

- Not Married when your child was born or conceived ................................................. 7
- Married when your child was born or conceived ..................................................... 9
- Married when your child was born or conceived then divorced ............................. 12

Section 3: How Do You Prove Paternity? ................................................................. 13

Section 4: Do You Need Child Support Immediately? ............................................ 16

Section 5: What Custody and Visitation Issues Do You Need to Be Aware Of? .............. 17

Section 6: What Do You Need to Know If You Receive TAFDC? .......................... 19

Section 7: Dictionary of Legal Terms
(All words in italics are in the dictionary) ............................................................... 20
What Does Paternity Mean?

Paternity means legally establishing who the father of a child is. In some cases, establishing paternity will be straightforward. In others, it will be more complicated. It will all depend on your situation. If you were never married to your child’s father and you want to get regular child support from him, you may need to establish paternity at the same time that you file court documents seeking child support.

Why Do You Need to Establish Paternity?

Establishing paternity is what creates a legal connection between a child’s father and the child. Establishing paternity gives the child’s father both rights and responsibilities regarding his child. Once you establish paternity you can:

- ask for child support;
- ask the court to order the father to provide medical insurance for the child;
- ask for dependent or survivor benefits for your child from the Veterans Administration or the Social Security Administration if the father gets benefits from these agencies;
- have access to the father’s medical history
- get inheritance for your child if the father dies; and/or
- ask for a court order of custody or visitation.

Did You Establish Paternity in the Hospital?

It is very likely that you and the child’s father signed an “Acknowledgment of Parentage” (paternity) in the hospital when the child was born. If this is true for you, be sure to read Section 1: What You Need to Know About Acknowledgments of Parentage (Paternity) very carefully. Once you have done this, use the box below to identify your situation and to point you to the right pages in this booklet.

- **Not married** when your child was born or conceived  ↗ pp. 6-7.
- **Married** when your child was born or conceived  ↗ pp. 8-10.
- **Married** when your child was born or conceived **then divorced**  ↗ pp. 11-12.

In this booklet, the phrase **married when the child was born or conceived** means that you were married at the time the child was born or that the child was born within 300 days after the marriage ended because of death, annulment or divorce.
Section 1

What Do You Need to Know About Voluntary Acknowledgments of Parentage (Paternity)?

A Voluntary Acknowledgment of Parentage (Paternity) is a legal form a child’s parents sign in the presence of a notary public acknowledging or admitting that they are the child’s parents. This is a very important form because signing it will, at a certain point in time, establish you as the child’s parent just as if it were an order of a court.

Initially, a signed and notarized Acknowledgment of Parentage (Paternity) form creates a presumption of paternity. This means that the person signing the form is presumed to be the parent during a certain period of time unless proven otherwise.*

After this period of time has passed, the Acknowledgment of Parentage (Paternity) form has the same effect as a judgment or court order. This is important because once this happens, the rights and remedies of the parties are very difficult to change. Pay close attention to the timelines in the chart on the next page. If you are uncertain about your status after reading this section, contact an attorney.

* Note: There are ways that a presumption of paternity can be challenged. It is important to speak with an attorney about how the laws may affect you.
## Important Timelines

### When was a Voluntary Acknowledgment of Parentage (Paternity) Signed?

<table>
<thead>
<tr>
<th>Date Signed</th>
<th>Effect of Acknowledgment</th>
<th>How Acknowledgment Might be Challenged*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to April 12, 1994</td>
<td>It creates a \textit{presumption of paternity}. Please note the files up to this date are impounded. Only parties or their attorneys have access to them.</td>
<td>Person denying paternity may file court papers** to rescind (or undo) the acknowledgment of paternity and request \textit{genetic marker testing}.</td>
</tr>
<tr>
<td>Between April 13, 1994 - March 30, 1998</td>
<td>If signed when child is less than 6 months old, form creates a \textit{presumption of paternity}, which after 1 year has the effect of a court order. If signed when child is 6 months or older, it has the same effect as a court order.</td>
<td>Between signing and 1 year, person denying paternity may file court papers** to rescind (or undo) the acknowledgment of paternity and request \textit{genetic marker testing}. After one year or if signed after child is 6 months, person denying paternity has 1 year to try to set aside a court order.**</td>
</tr>
<tr>
<td>After March 30, 1998</td>
<td>Creates a \textit{presumption of paternity} for 60 days after signing an Acknowledgment of Paternity form, then it has the effect of a court order.</td>
<td>Person denying paternity may file court papers** to rescind (or undo) the acknowledgment of paternity and request \textit{genetic marker testing} within 60 days of signing. After 60 days, acknowledgment will have the effect of a court order.***</td>
</tr>
</tbody>
</table>

* If the person trying to deny paternity is a party to a court or administrative proceeding regarding the child in question and does not challenge paternity during this proceeding, the \textit{Acknowledgment of Paternity} shall, after this proceeding, have the effect of a court order.

** In these circumstances, “court papers” refers to a petition to rescind acknowledgment of paternity, a sample of which can be found at the end of this booklet.

*** You can file court documents to set aside a \textit{judgment} for fraud, duress or material mistake of fact, but this is very difficult and tricky. You should consult an attorney immediately if you are in this situation.
Section 2

What Are Your Circumstances?
What Court Papers Will You Need to File?*

(look for the description at the top of one of the following pages that best matches your situation)

*Papers filed in court have varying filing fees. If you are unable to pay the filing fee, you can file an Affidavit of Indigency (see sample form at the end of this booklet) to ask the court to consider waiving the fee.
You were not married when the child was born or conceived + the person you say is the child's father admits he is the father

This is the easiest situation because you will not have to prove that the man you say is your child’s father really is the father.

You and your child’s father must just sign a form which states that he is the father. This form is called a Voluntary Acknowledgment of Parentage (Paternity). (See sample form at the end of this booklet.)

Where Can You Sign a Voluntary Acknowledgment of Parentage (Paternity) Form?

At the Probate and Family Court.
You can go to Probate and Family Court to get an Acknowledgment of Parentage (Paternity) form from the Clerk, fill the form out, and sign it while you are in front of a notary public. (Be sure to have identification.)

At the hospital when your child is born.
If you think you and your child’s father signed an Acknowledgment of Parentage (Paternity) form at the hospital when your child was born, but you do not have a copy, call the records department at the hospital where your child was born and ask for a copy.

At the town or city hall of the town or city where your child was born.
You can go to the town or city hall, get an Acknowledgment of Parentage (Paternity) form, fill the form out, and sign it while you are in front of a notary public.

After you and the father of your child sign an Acknowledgment of Parentage (Paternity) form, you can file it at the Probate Court, along with a Complaint for Support, Custody, and Visitation Pursuant to M.G.L. 209C. (M.G.L. 209C is the name of the law that applies to cases where the child is born to unmarried parents.) You do not have to pay a fee to file a 209C Complaint. (See sample form at the end of this booklet)
You were + the person you say is the
married child's father denies
When the child was born
he is the father

If your child's father is unwilling to admit that he is the father, you may need to file a
Complaint to Establish Paternity. (See sample complaint on pages 29 and 30).
This complaint will be the document that asks the court to legally establish whether the
person you say is the father really is the father.

If your child's father signed a Voluntary Acknowledgment of Parentage (Paternity) at
any time, check the chart on page 4 to see what category you fall into. (See sample form
at the end of this booklet). If the Voluntary Acknowledgment of Parentage (Paternity)
has the effect of a judgment, you will need only to submit it to the court along with your
Complaint to Establish Paternity. If you do not have the Voluntary Acknowledgment of
Parentage (Paternity) form, the judge will likely order genetic marker testing.

When you file a Complaint to Establish Paternity you will need to prove to a court that
the person you say is the child's father is the father. To do this, a judge will most likely
require that you, the child, and the person you say is the child's father take what is called
a genetic marker test. (See page 13 for more about genetic marker tests and how to prove
paternity.)

For information about how to file a complaint, read

Information About How To File Papers in the
Essex County Probate and Family Court
You were married to a person who was not the child’s father when the child was born or conceived + your husband at the time and your child’s father both agree that the man you are seeking support from is the child’s father

If, at the time that the child was born or conceived, you were married to a person who is not your child’s father, then you will need to file a Complaint to Establish Paternity – (see sample form at the end of this booklet) even if everyone agrees on who is really the child’s father. This complaint is the document that asks the court to legally establish who the father is. On the complaint form, both the child’s real father and your husband must be named as defendants.

For information about how to file a complaint, read

Information About How To File Papers in the Essex County Probate and Family Court

In addition, your husband should file a form that states that he is not the child’s father. This form is called an Affidavit of Denial of Paternity. (See sample form at the end of this booklet)

You and the child’s father must also file a Voluntary Acknowledgment of Parentage (Paternity), which simply states that he is the father. (See page 6 to find out where you can sign a Voluntary Acknowledgment of Parentage (Paternity) and see sample form at the end of the booklet.)
the person you say is the child’s father admits that he is the father but your husband is unwilling to sign any forms

If you were married at the time that your child was born or conceived, but the man that you were married to does not want to sign anything denying that he is the father, or if you cannot locate him, then you will need to file a Complaint to Establish Paternity (see sample form on at the end of this booklet). On this complaint, you must name the child’s father and your husband as defendants.

IMPORTANT: If you do not know where your husband is, you must notify him that you have filed a complaint by a method called Service by Publication.

For information about how to file a complaint, read Information About How To File Papers in the Essex County Probate and Family Court

Both you and the man you are seeking support from must also file a Voluntary Acknowledgment of Parentage (Paternity), a form which states that he is the father. (Go to page 8 to find out where you can sign a Voluntary Acknowledgment of Parentage and see sample form at the end of this booklet.) In this situation, the judge may also require that you, the child, and the child’s father take genetic marker tests. (See page 13 for more on genetic marker tests and how to prove paternity.)

In addition, the judge may ask you and your child’s father to give sworn statements in court (referred to as testimony) describing how you know that this person is your child’s
You were married to a person who was not the child’s father when the child was born or conceived + the person you say is the child’s father denies that he is the father.

If this is your situation, you need to consult an attorney.

It is extremely unlikely that a judge would consider your claim that someone other than your husband is the child’s father unless you are now divorced from the child’s father and in the divorce the judge ruled that your husband was not the child’s father.
in the divorce the court determined that your former husband was not the father of the child you, your former husband and the person you say is the father all agree who the father is.

If, at the time that the child was born or conceived, you were married to a person who is not your child’s father, then you will need to file a Complaint to Establish Paternity (see sample form at the back of this booklet) even if the judge in your divorce case already determined that your former husband was not the child’s father and everyone agrees who is the child’s father. This complaint is the document that asks the court to legally establish who the father is. On the complaint form, both the child’s real father and your husband must be named as defendants.

For information about how to file a complaint, read Information About How To File Papers in the Essex County Probate and Family Court

With the complaint, you should also submit a copy of the divorce judgment which states that your former husband was determined by a court not to be the father of your child.

You and the child’s father must also file a form called a Voluntary Acknowledgment of Parentage (Paternity), which simply states that he is the father. (See page 6 to find out where you can sign a Voluntary Acknowledgment of Parentage and see the sample form at the end of this booklet.)
You were married to a person who was not the child's father when the child was born or conceived and you are now divorced from that husband in the divorce the court determined that your former husband was the father of the child you, your former husband and the person you say is the father all agree that he is the father

If this is your situation, you need to consult an attorney.

If a court in a divorce case has determined that your former husband was the father of the child, it is unlikely that a judge would consider your claim that someone else is the child’s father, unless the divorce was very recent and you have some new information that you did not have at the time of the divorce.
Section 3

How Do You Prove Paternity?

A scientific test called a genetic marker test is used to find out whether a person is the father of the child. There are two ways to do a genetic marker test:

- **Blood Test:** Where blood is drawn from you, your child, and the person who you say is the father.

- **Buccal Swab Test:** Where a Q-tip is wiped on the inside of the cheek of the mother, child, and the person who may be the father. This test is now being done at the Department of Revenue office in the court. It is quick and less painful than a blood test.

When you go to court on the day of your first hearing, the judge will most likely order that genetic marker tests be done. Usually, the judge orders you, your child, and the person you say is the father to come back on another day to have the tests done at the Department of Revenue office in the courthouse.

How Much Do Genetic Marker Tests Cost?

Genetic marker tests can be expensive. They range from $400 to over $1,000, depending on how complicated they get. Often a judge will require that if you are the party asking for the test, you pay for it in the beginning. After the judge reviews the results, the judge may require the other party to pay you back if the test shows that the other party is the father of the child.

If the case involves the Department of Revenue (DOR/CSE), the DOR may pay for the Genetic Marker Test.

If you do not have the money to pay for the genetic marker test or you cannot afford the test even if you were to be reimbursed, tell the judge. It is possible that the judge will require the other party to pay up front. However, be aware that if the test shows that the other party is not the child’s father, you may have to pay back the money.
If your income is low enough, you may be eligible to have the Commonwealth of Massachusetts pay for the tests. You request this by filing an *Affidavit of Indigency* (see sample form at the end of this booklet) with your *Motion for Genetic Marker Tests* (see sample form at the end of this booklet) with the court.

For information about how to file a complaint, read

*Information About How To File Papers in the Essex County Probate and Family Court*

You will be notified about the results of the genetic marker test in approximately 3-4 weeks. Once you are notified about the results (and they show that the person you say is the father is the father), you should file a *Motion for Child Support* (see sample forms at the end of this booklet), so that the judge can review the test results and decide your request for child support.
Section 4

Do You Need Child Support Immediately?

After you file your Complaint to Establish Paternity (see sample form at the end of this booklet) or the paternity documents with the court and a Complaint for Support, Custody or Visitation (see sample form at the end of this booklet), if you need child support right away, you should request a Temporary Orders hearing. You can do this by filing a Motion for Child Support (see sample forms at the end of this booklet).

A Temporary Orders hearing is a hearing where you can request temporary child support. It allows you to get a temporary child support order within a few weeks after filing your complaint instead of waiting a few months for the final hearing in your case. A sample Complaint for Support, Custody and Visitation is located at the end of this booklet. A sample motion, affidavit and proposed order are located at the end of this booklet.

For more information about how to file a complaint, read Information About How To File Papers in the Essex County Probate and Family Court and How to Get Child Support
Section 5

What Custody and Visitation Issues Do You Need to Be Aware of?

If you file a *Complaint to Establish Paternity* or a *Complaint for Support, Custody or Visitation*, there is a possibility that the person you are seeking support from will seek visitation or, in rare cases, custody of your children. You should be prepared to respond to this situation.

**Visitation**

If visitation is already taking place and is working well, the father’s request for visitation may not be a problem. If visitation is taking place and is not working well, the case will be an opportunity for both you and your child’s father to ask for orders that each of you believes will improve the visitation.

If visitation is not taking place, the fact that you filed a *Complaint to Establish Paternity* to get child support provides an opportunity for your child’s father to seek a visitation order (see sample forms at the end of this booklet). If you believe that visitation is not in your child’s best interest, or if you think that it will place you at risk of abuse, you should be aware that in most circumstances, a judge will grant visitation rights to the child’s other parent. You should be clear in your own mind about what risks visitation will pose for your child and have some ideas about how to eliminate or reduce those risks.

Some suggestions for reducing risk to your child or yourself are: supervised visitation, a limited visitation schedule, phasing in visitation, a third party who picks up and drops off the child and whom each of you can agree on and can call to make visitation arrangements.

For more detailed information on this topic, read the booklet called:

*What Is Best for Your Child? Working Through Custody and Visitation Issues*
Custody

In rare situations, a father who is asked to pay child support will seek custody of the child. If you have been the caretaker of the child since birth, it is unlikely that he would get custody unless he can show that you are an unfit parent. See sample forms at pages at the end of this booklet.

For a definition of unfit parent and more information on custody cases, read the booklet called:

What Is Best for Your Child? Working Through Custody and Visitation Issues

For additional information about how to request custody or visitation, please see the booklet:

Information about How to File Papers in the Essex Probate and Family Court.

Under Massachusetts General Laws Chapter 209C section 10, unless the father of a child born of unmarried parents has a custody order, the mother automatically has custody of the child, even without a court order.
Section 6

What You Need to Know If You Receive TAFDC.

If you are currently receiving TAFDC, in most cases you assign your right to pursue a child support order from the non custodial parent to the Department of Revenue Child Support Enforcement (DOR/CSE). This means that the DOR/CSE will file the complaint for support and motion when or if you go to court.

If you are a victim of domestic violence and you fear that pursuing any legal proceeding against your abuser will threaten the safety of you or your child, you can file a claim for good cause with evidence (such as a 209A restraining order) through the Department of Transitional Assistance (DTA). If DTA approves your claim, DOR/CSE will not pursue a child support action.

Once a temporary child support order is established for your children, DOR/CSE will collect it and send the first $100 they receive for current support directly to you each month. If the amount of support ordered is greater than your TAFDC grant plus $100, your TAFDC may be terminated and you will receive the child support instead of TAFDC.

If the Department of Revenue has filed a complaint for child support against your child’s father, your child’s father may seek custody or visitation as part of that case.

You should understand that the Department of Revenue does not represent you with respect to the custody and visitation issues; they only represent the interest of the Commonwealth in obtaining child support from your child’s father (to offset the amount that they contribute to your child’s case via TAFDC.)

If the Department of Revenue has brought a child support case against your child’s father, and your child’s father is seeking custody or visitation, please consult an attorney or call Neighborhood Legal Services’ Family Law Helpline (see back page).
Section 7

Dictionary of Legal Terms

Affidavit of Denial of Paternity: Sworn statement signed by a child’s mother and her husband at the time of her child’s birth or conception saying the husband is not the father of the child.

Affidavit of Indigency: A sworn statement that you sign that says you cannot afford to pay court fees.

Claim for Good Cause: A statement to support refusal for cooperation in child support enforcement that supports that pursuing a child support claim is not in the best interests of the child.

Clerk: A filing clerk in the Domestic Relations of the court is the person whom you bring the legal papers to. The filing clerk will stamp your original papers with the date that you filed them.

Complaint to Establish Paternity: A claim that asks the court to judicially determine that an individual is the legal father of a child.

Complaint for Support, Custody or Visitation Pursuant to M.G.L. 209C: Claim that asks the court to order a parent to pay for a child’s support, determine custody, and/or visitation rights.

Defendant: The person whom the legal action is brought against.

Divorce Judgment: A determination by a court that a marriage has legally ended.

Genetic Marker Test: Scientific test used to determine who is the father of your child.

Judgment: The court’s final decision in a case.

Motion (for Temporary Orders): A written request asking for an order from the court.

Motion for Genetic Marker Test: A request to the court for scientific paternity testing.

Motion for (Temporary) Child Support: A request to the court for an order stating the parent without custody must pay child support.
Motion for Temporary Orders: A request to the court for orders.

Notary Public: A person appointed by the Governor to make sure certain documents are signed freely and by the person indicated.

Paternity: Legally establishing the father of a child.

Presumption of Paternity: This is a legal assumption that a particular person is the child’s father. This will be binding unless proven otherwise.

Probate and Family Court: The court that handles probate and family matters such as divorce, child support, and paternity.

Rebuttable Presumption of Paternity: A legal term which means that by law, a person is considered to be the father until proven otherwise.

Service by Publication: Notice in a newspaper telling someone that a claim has been filed against him/her.

Temporary Child Support (Order): A court order for child support pending a trial and final judgment.

Temporary Orders: A written request asking that the judge make orders right away rather than waiting until the legal action is completed.

Temporary Orders Hearing: A court hearing where the judge listens to requests made by both parents and issues an order which may remain in effect until the legal action is completed.

Testimony: Statements made by a witness under oath.

Voluntary Acknowledgment of Paternity: (This is also called an Acknowledgment of Parentage.) A sworn statement signed by the biological parents of a child to establish fatherhood.
COMMONWEALTH OF MASSACHUSETTS

STIPULATION FOR VOLUNTARY ACKNOWLEDGMENT OF PARENTAGE

THIS IS A LEGAL DOCUMENT. PLEASE PRINT OR TYPE IN BLACK INK.

We are the biological parents of the following child: (Name of child as it appears on the birth certificate)

<table>
<thead>
<tr>
<th>First</th>
<th>Middle</th>
<th>Last</th>
<th>Sex (M/F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynn</td>
<td>Doe</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Lynn Hospital, Lynn, MA on April 5, 2010

The undersigned, do hereby acknowledge that the above child is their natural child and that they are the biological parents of said child. We understand that this acknowledgment is a legal document which must be filed with the court and becomes a judgment for the support of the child named above. G.L. c. 209C, Section 11. This acknowledgment also may be used by the registry agent to reflect the names of both parents of this child. G.L. c. 46, Section 13.

As it appears on the birth certificate:

MOTHER

<table>
<thead>
<tr>
<th>First</th>
<th>Middle</th>
<th>Last</th>
<th>Social Security #:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Susan</td>
<td>Doe</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Address:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lynn</td>
<td>Lynn</td>
<td>MA</td>
<td>01902</td>
</tr>
</tbody>
</table>

I, the undersigned, do hereby acknowledge that this form establishes paternity. I have been informed of my right to request blood or genetic marker tests but I have taken the same. I have read and understood the information on both sides of this form.

Signature of Mother: [Signature]

Notary: [Signature]

FORM READ IN: [English]

FATHER

<table>
<thead>
<tr>
<th>First</th>
<th>Middle</th>
<th>Last</th>
<th>Social Security #:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael</td>
<td>Smith</td>
<td>Brooks</td>
<td></td>
</tr>
</tbody>
</table>

Address:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>200 Beach St.</td>
<td>Salem</td>
<td>MA</td>
<td>01970</td>
</tr>
</tbody>
</table>

I, the undersigned, do hereby acknowledge that this form establishes paternity. I have been informed of my right to request blood or genetic marker tests but I have taken the same. I have read and understood the information on both sides of this form.

Signature of Father: [Signature]

Notary: [Signature]

FORM READ IN: [English]

9/14 - c.o.f.
WHAT DOES IT MEAN IF YOU SIGN THIS FORM?

By signing this acknowledgment of parentage, you are establishing your child's legal paternity. Paternity means fatherhood. For parents who are not married to one another, paternity may be established legally only by signing this form or by going to court. Otherwise, your child will have no legal father.

Signing this form is voluntary. Since this form has legal consequences, you may want to consult an attorney before signing.

- **Paternity is established on the date both parents sign this form.** You cannot request blood or genetic marker tests later. If you want to have a blood or genetic marker test to verify paternity, do not sign this form until you have received the results of the test. Once signed by both parents and notarized, this form will have the same binding effect as a court judgment of paternity.

This acknowledgment allows a parent to seek a child support order without further court proceedings to establish paternity. This acknowledgment may be filed in court and serve as the basis for orders of custody or visitation.

Since you did not sign this form in the hospital, the father's name will not appear on the birth certificate until the birth certificate is amended. If you want to add the father's name to the birth certificate, you must complete this Stipulation for Voluntary Acknowledgment of Parentage. You must file the completed form with the court. You must then get a certified copy of this form from the court and file it with the city or town clerk's office where the child was born to amend the child's birth certificate. The court will send this form to the Registry of Vital Records and Statistics.

This acknowledgment is not a public record. It will be available only to the parents and child named on this form, the child's legal guardian or legal representative, or government officials in the conduct of their official duties.

If another man's name is already on the birth certificate and you want to amend the birth certificate to include the father named on this form, you must file this form with the court.

WHAT ARE YOUR RIGHTS AND RESPONSIBILITIES AS PARENTS?

Both parents are required by law to support their child from birth. If your child does not live with you, you may be ordered by the court to pay child support until the child's eighteenth birthday, or beyond in some circumstances.

A parent who does not live with the child may have the right to visit and establish a relationship with the child as you both agree or as ordered by the court.

For children born of unmarried parents, the mother has custody of the child unless otherwise ordered by the court.

HOW WILL YOUR CHILD BENEFIT IF YOU SIGN THIS FORM?

Every child has the right to know his or her mother and father and benefit from a relationship with both parents.

Your child has a right to financial support from both of you until age eighteen, or beyond in some circumstances.

It will be easier for your child to learn the medical histories of both parents and to benefit from health care coverage available to you.

It will be easier for your child to receive benefits such as dependent or survivor's benefits from the Veteran's Administration or from the Social Security Administration.

It will be easier for your child to inherit through you. Mother's Initials JSD Father's Initials EMS

Questions regarding the birth registration process should be directed to the Registry of Vital Records and Statistics at 617-727-0036. Questions regarding child support should be directed to the MA Dept. of Revenue, Child Support Enforcement Division at 1-800-332-2733.
COMMONWEALTH OF MASSACHUSETTS
THE TRAIL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT

Essex, ss. Probat and Family Court Dept.

Docket No. 000000

Plaintiff

Defendant

COMPLAINT TO RESCIND PATERNITY ACKNOWLEDGMENT
PURSUANT TO CHAPTER 209C SECTION 11

1. The plaintiff resides at

2. The defendant resides at

3. The plaintiff and the defendant executed an acknowledgment of paternity on
   for the minor child: [child's complete name] born on
   at

4. The minor child resides at

5. Check all that apply:

   □ The child has not received public assistance.

   □ The child has received public assistance. (A copy of this Complaint must be sent
to the Department of Revenue if the child currently or previously received
public assistance).

6. The plaintiff/defendant represents that not more than 60 days have passed since the
   parties executed the acknowledgment of paternity and hereby, rescinds the
   acknowledgment of paternity.
COMMONWEALTH OF MASSACHUSETTS

AFFIDAVIT OF DENIAL OF PATERNITY

THIS IS A LEGAL DOCUMENT. PLEASE PRINT OR TYPE IN BLACK INK

We affirm that the husband at the time of the child's birth or conception is not the father of the following child:

(Child's name as it appears on the birth certificate)

__________________________________________  
Given Name  Middle Name  Last Name  Sex (M/F)

__________________________________________  
Address  City/Town/State  Date of Birth Month - spelled out  Day  Year

Affidavit of Presumed Father (husband at time of child's birth or conception):

I, John Doe, hereby declare that I am not the father of the above-named child. I understand that I may consult an attorney. I understand that by signing this affidavit I may lose certain rights to be the father of the above-named child. I do not want my name to appear on the child's birth certificate.

I do not oppose to this affidavit being filed with the court even if I am not present. I understand and agree that, based on this affidavit, the court may enter a judgment declaring that I am not the father of the above-named child and that another man is the child's father. The information above is true to the best of my knowledge and belief. I have read and understand the information on both sides of this form.

Signature: John Doe  Date: 10/10/2010

Residence: 100 Main St. #2  City/Town/State MA 01970

These facts appeared before me the above-named John Doe and being duly sworn under penalty of perjury acknowledged the foregoing to be his free act and deed this 10th day of October 2010.

FORM READ IN English LANGUAGE

Affidavit of Mother:

I, Lisa Doe, hereby declare that I am not the father of the above-named child. I understand that I may consult an attorney. I understand that by signing this affidavit I may lose certain rights to be the father of the above-named child. I do not want my name to appear on the child's birth certificate.

I do not oppose to this affidavit being filed with the court even if I am not present. I understand and agree that, based on this affidavit, the court may enter a judgment declaring that I am not the father of the above-named child and that another man is the child's father. The information above is true to the best of my knowledge and belief. I have read and understand the information on both sides of this form.

Signature: Lisa Doe  Date: 10/10/2010

Residence: 37 Friend St  City/Town/State MA 01902

These facts appeared before me the above-named Jane Lisa Doe and being duly sworn under penalty of perjury acknowledged the foregoing to be his free act and deed this 10th day of October 2010.

FORM READ IN English LANGUAGE

*Note: This affidavit must be filed with the child's birth certificate at the office of the city or town clerk located in the city or town where the child was born.*
WHAT DOES IT MEAN IF YOU SIGN THIS FORM?

Paternity means fatherhood. For married people, the husband at the time of birth or conception is presumed to be the father of a child born to his wife, and he does not have to take any further action to establish his paternity. This form should not be signed if the husband at the time of birth or conception (presumed father) wants his name on the child’s birth certificate.

By signing this Affidavit of Denial of Paternity, both the husband (presumed father) and wife are stating that the presumed father is not the legal father of the child named on the form.

Since this form has legal consequences, you may want to consult with an attorney before signing. The legal consequences include:

➢ By signing this form, the presumed father gives up certain legal rights and responsibilities to be the father of the child, including the right to visitation and custody and the responsibility to support the child financially;

➢ By signing this form, the presumed father may not be required to support the child financially;

➢ By signing this form, the mother may give up the right to seek financial support from the presumed father and to have the presumed father’s name on the child’s birth certificate;

➢ Signing this form allows the presumed father to keep his name off the child’s birth certificate. If the form is not signed by the mother and the presumed father, the presumed father’s name will appear on the birth certificate;

➢ If this form is signed by the mother and the presumed father, the biological father may be allowed to place his name on the birth certificate.

➢ This form may be filed with the court in a subsequent legal proceeding to help determine whether or not the presumed father is the child’s legal father.

This Affidavit is not a public record. It will be available only to the presumed father, the parents, and the child named on this form, the child’s legal guardian or representative, or government officials in the conduct of their official duties.

Mother’s Initials JLD

Presumed Father’s Initials JJD

Questions regarding the birth registration process should be directed to the Registry of Vital Statistics at 617-727-0036. Questions regarding child support should be directed to the Massachusetts Department of Revenue, Child Support Enforcement Division at 1-800-332-2733.
COMPLAINT TO ESTABLISH PATERNITY

Date: Doe
Plaintiff

V.

Date: Doe
Defendant

Docket No.

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court

Essex Division
36 Federal Street
Salem, MA 01970
(978) 744-1020

1. Plaintiff, who resides at 37 Friend Street, is the mother of a child born out of wedlock.
   
2. The child who is the subject of this complaint is:
   
3. Defendant, who resides at 200 Noplace St., is the mother of a child born out of wedlock.
   
4. The plaintiff and defendant are not married.
   
5. The mother of the child was not married at the time of the child's birth and was not married within three hundred days before the birth of the child.

Therefore, the plaintiff requests that the Court:

- order the plaintiff to be the father of the child.
- order a suitable amount of support for the child.
- order the defendant to maintain health insurance for the benefit of the child.
- prohibit the defendant from imposing any restraint on the personal liberty of the plaintiff and/or the child.
- grant the defendant custody of the child.
- grant the defendant parenting time with the child.
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Docket No. ____________

COMPLAINT FOR SUPPORT-CUSTODY-VISITATION
PURSUANT TO G.L. c. 209 C

Plaintiff V. Defendant

1. Plaintiff, who resides at 200 South St, Salem, Essex, MA is 01970, is the O mother O father of a child born out of wedlock.

2. The child who is the subject of this complaint is: Name: Jesse Smith Doe Date of Birth: May 5, 2007

3. Defendant, who resides at 125 Main St #2, Lynn, Essex, MA is 01902, is the O mother O father of the above-named child who was born out of wedlock.

4. The plaintiff and defendant are not married.

5. The mother of the child was not married at the time of the child’s birth and was not married within three hundred days before the birth of the child.

6. The O plaintiff O defendant O signed a voluntary acknowledgement of paternity O was adjudicated the father on ________________, a copy of which is attached to this complaint.

7. Therefore, plaintiff requests that the Court:
   I. order a suitable amount of support for the child.
   II. order the O plaintiff O defendant to O maintain O provide health insurance for the benefit of the child.
   III. prohibit the defendant from imposing any restraint on the personal liberty of the O plaintiff and/or O the child.
   IV. grant the O plaintiff O defendant custody of the child.
   V. grant the O plaintiff O defendant visitation rights with the child.
   VI. any other relief as this court may deem appropriate.

Date: September 21, 2009

(Signature of attorney or plaintiff, if pro se)

John Doe, Pro Se
(Print name)

200 South Street
Salem
(Street address)

MA 01970
(Sate) (Zip)

Tel. No. +1 (978) 744-1234
B.B.O. # C.G.F
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Division Essex

MOTION FOR

Temporary Custody Order

Jane Doe
Plaintiff/Petitioner

V.

John Doe
Defendant/Respondent

Now comes Jane Doe, (name of moving party)
in this action who requests:

To issue an order awarding Plaintiff sole physical and joint/sole legal custody of the minor children.
As grounds for this request, Plaintiff states that she is the mother of the children and that this custody arrangement would be in the best interest of the children.
Wherefore, Plaintiff requests a custody order.

Date September 21, 2010

NOTICE OF HEARING
This motion will be heard at the Probate and Family Court

In ____________________________ (city)
on ____________________________ (month/day/year)
at ____________________________ (time of hearing)

The within motion is hereby ○ ALLOWED ○ DENIED

____________________________

Date

____________________________

JUSTICE OF PROBATE AND FAMILY COURT
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

MOTION FOR

Temporary Custody Order

Dated: September 21, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have delivered a copy of this motion to:

John Doe
(name of party or attorney of record)

200 Noplace St.
Street address

Salem
City/Town

MA
State

01970
Zip

By ☐ delivery in hand
(date of delivery)

at ☐ AM ☐ PM

☐ mailing (postage paid on)
(date of mailing)

September 21, 2010

[Signature]

(Add address, phone number, etc.)

C.G.F.
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Division Essex

Docket No.

Jane Doe
Plaintiff/Petitioner

V.

John Doe
Defendant/Respondent

AFFIDAVIT IN SUPPORT OF
Motion for Temporary Order of
Custody

In support of Motion for Temporary Order of Custody states as follows:

Plaintiff (plaintiff/defendant)

1) (Explain what type of custody arrangement you would like and why it would be in the best interest of the children.)

2) (State if you have been the primary caretaker of the children and for how long).

3) (Explain the extent of your involvement with your children, including daily activities such as feeding, bathing, dressing, attending school meetings, medical appointments, etc.)

4) (If appropriate, explain why it may not be in the children's best interest for the other parent to have custody.)

Signed under the pains and penalties of perjury.

Date September 21, 2010

Signature of attorney or plaintiff, if pro se

C.G.F.
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT

Division

, Plaintiff

vs.

, Defendant

Upon the Motion for Temporary Order of Custody

and filed with this court on September 21, 2010

After hearing and pending further order or judgment of this Court, IT IS ORDERED THAT
(Describe in detail the relief order you seek.)

1. Plaintiff shall have legal custody of:

James and Janet Doe

the minor child/ren of the parties, plaintiff shall have physical custody of said child/ren.

2. shall have the following visitation rights:

3. shall pay, as child support, the sum of $ each and every hereafter, beginning 20 to the

4. shall obtain insurance coverage for said child/ren and for the

5. shall pay to the % of the uninsured medical, dental, hospital and optical expenses of the child/ren.

6. Other - Please specify

TEMPORARY ORDER

Court hereby adopts this proposed order, and parties shall comply with the terms and dates thereof.

Justice of the Probate Court

Jane Doe, Pro Se

123 Ocean St.

Lynn MA 01902

Tel. No. (781) 599-1234
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Division Essex

MOTION FOR
Temporary Order of Visitation

Jane Doe
Plaintiff/Petitioner

V.

John Doe
Defendant/Respondent

Now comes Jane Doe, (name of moving party), (name of moving party)
in this action who requests:
To issue an order providing for reasonable visitation with the minor children of the marriage.
As grounds for this request, Plaintiff states that she is the mother of the children and that it is in the best interest of the children to visit regularly with their mother.
Wherefore, Plaintiff requests reasonable visitation.

Date September 21, 2010

NOTICE OF HEARING
This motion will be heard at the Probate and Family Court

In __________________

(city)

on __________________

(month/day/year)

at __________________

(time of hearing)

The within motion is hereby ○ ALLOWED ○ DENIED

________________________________________

Date

________________________________________

JUSTICE OF PROBATE AND FAMILY COURT
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

MOTION FOR

Temporary Order of Visitation

Dated: September 21, 2010

CERTIFICATE OF SERVICE

I certify that I have delivered a copy of this motion to:

John Doe
(name of party or attorney of record)

200 Noplace St.  Salem  MA  01970
(Straet address)  (City/Town)  (State)  (Zip)

delivery in hand (date of delivery) at (time) O AM O PM

Mailing (postage paid on) September 21, 2010 (date of mailing)

Jane Doe
(signature)
Division: Essex

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Docket No.

Jane Doe
Plaintiff/Petitioner
V.

John Doe
Defendant/Respondent

AFFIDAVIT IN SUPPORT OF
Motion for Temporary Order of
Visitation

In support of Motion for Temporary Order of Visitation plaintiff (plaintiff/defendant) states as follows:

1) The children of the marriage are presently residing with the Defendant

2) I would like to have regular visits with my children. (Explain here the type of visitation schedule you would like).

3) (Explain why you need this visitation order and why visitation would be in the best interest of the children.)

4) (You may add any other relevant information here.)

Signed under the pains and penalties of perjury.

Date: September 21, 2010

Signature of attorney or plaintiff, if pro se: Jane Doe
PROPOSED ORDER

Upon the Motion for Temporary Order of Visitation

September 21, 2010

September 21, 2010

After hearing and pending further order or judgment of this Court, IT IS ORDERED THAT

(Describe in detail the relief order you seek.)

1) ____________________________ shall have ____________________ custody of:

2) the minor child/ren of the parties, ____________________________ shall have physical custody of said child/ren.

3) Plaintiff ______________________ shall have the following visitation rights:

   reasonable visitation including (state visitation schedule you requested).

4) ________________________ shall pay, as child support, the sum of $ ____________________ each and every
   hereafter, beginning ____________________ 20 ________ to the
   ________________________________ by ________________________________

5) ________________________ shall obtain ________________________________ insurance coverage
   for said child/ren and for the

6) ________________________ shall pay to the ____________________________ % of the uninsured
   medical, dental, hospital and optical expenses of the child/ren.

7) Other - Please specify ________________________________

TEMPORARY ORDER

The Court hereby adopts this proposed order, and the parties shall comply with the terms and provisions thereof.

Justice of the Probate Court

Jane Doe, Pro Se

123 Ocean St.

Lynn MA 01902

Tel. No. (781) 599-1234
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Division Essex
Docket No.

MOTION FOR

Temporary Order for Child Support

Jane Doe
Plaintiff/Petitioner

V.

John Doe
Defendant/Respondent

Now comes Jane Doe, ☐ Plaintiff ☐ Defendant ☐ Petitioner ☐ Respondent, (name of moving party) in this action who requests:

To order Defendant to provide health insurance for our two minor children and to pay child support to me by income assignment in accordance with the Child Support Guidelines.

As grounds for this request, Plaintiff states that Defendant is the father of Jimmy and Jessica Doe and, as such, has the obligation to support them.

Wherefore, plaintiff requests an order of support.

Date September 21, 2010

NOTICE OF HEARING
This motion will be heard at the Probate and Family Court

In ____________________________

(city)

on ____________________________

(month/day/year)

at ____________________________

(time of hearing)

The within motion is hereby ☐ ALLOWED ☐ DENIED

______________________________

(Date)

______________________________

(Judge's signature)

Jan Doe, Pro Se
(Print name)

123 Ocean St.

(City/Town) Lynn

(State) MA

(Zip) 01902

Tel. No. +1 (781) 599-1234

B.B.O. # ________________________

CJ-D 400 (4/07)

Page 1 of 2

C.G.F.
MOTION FOR

Temporary Order of Child Support

Dated: September 21, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have delivered a copy of this motion to:

John Doe
(name of party or attorney of record)

200 No-place St.
(City/Town)

Salem
(State) 01970
(zip)

at
(time) O AM O PM

(date of delivery)

(date of mailing)

JANE DOE
(signature)
Commonwealth of Massachusetts  
The Trial Court  
Probate and Family Court Department  

Division: Essex  

Docket No.  

Jane Doe  
Plaintiff/Petitioner  

V.  

John Doe  
Defendant/Respondent  

In support of Motion for Order of Child Support  

Plaintiff states as follows:  

(plaintiff/defendant)  

1) I am the mother of two minor children, Jimmy and Jessica Doe, who reside with me full time.  

2) Defendant is the father of Jimmy and Jessica Doe.  

3) Defendant is employed as a mechanic by Joe’s Auto Body Shop in Lynn, MA and has the means to provide health insurance and financial support for his two children.  

Signed under the pains and penalties of perjury.  

Date September 21, 2010  

[Signature]  

(Enclosure of attorney or plaintiff, if pro se)  

General Affidavit  

C.G.F.
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT

Jane Doe
Plaintiff

vs.

John Doe
Defendant

Upon the Motion for Temporary Order of Child Support

Dated: September 21, 2010

and filed with this court on September 21, 2010

After hearing and pending further order or judgment of this Court, IT IS ORDERED THAT

(Describe in detail the relief order you seek.)

1) ________________ shall have ________________ custody of:

__________________________

the minor child/ren of the parties, ________________ shall have physical custody of said children.

2) ________________ shall have the following visitation rights:

3) Defendant ________________ shall pay, as child support, the sum of $50 each and every week hereafter, beginning September 30, 2010 to the

Plaintiff ________________ by implemented wage assignment

4) Defendant ________________ shall obtain medical, dental and optical insurance coverage for said children and for the plaintiff

5) ________________ shall pay to the ________________% of the uninsured medical, dental, hospital and optical expenses of the child/ren.

6) Other - Please specify

TEMPORARY ORDER

The Court hereby adopts this proposed order, the parties shall comply with the terms and provisions thereof.

Justice of the Probate Court

Jane Doe, Pro Se
(Print Name)
123 Ocean St.
(Street Address)
Lynn MA 01902
(City or Town) (State) (Zip Code)
Tel. No. (781) 599-1234 c.g.f.
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Division__Essex______ Docket No.______________

MOTION FOR

Jane Doe
Plaintiff/Petitioner

V.

John Doe
Defendant/Respondent

Genetic Marker Testing

Now comes ______ Jane Doe ______, Ø Plaintiff Ø Defendant Ø Petitioner Ø Respondent ,
in this action who requests:

To order that the plaintiff, defendant, and minor child submit to genetic marker testing, with results expressed as a probability of paternity. Plaintiff also asks the Court to order the parties to submit to the testing within 30 days of this order.

As grounds for this request, please refer to Plaintiff's Affidavit.

Date__September 21, 2010_____

NOTICE OF HEARING

This motion will be heard at the Probate and Family Court

In ________ (city) ________
on ________ (month/day/year) ________
at ________ (time of hearing) ________

The within motion is hereby Ø ALLOWED Ø DENIED

__________________________
Signed (Signature of attorney or plaintiff, if pro se)

__________________________
Jane Doe, Pro Se
(Print name)

__________________________
123 Ocean St.
(Sheet address)

__________________________
Lynn MA 01902
(City/Town) (State) (Zip)

__________________________
Tel. No. +1 (781) 599-1234

__________________________
B.B.O. #

__________________________
Date

__________________________
JUSTICE OF PROBATE AND FAMILY COURT

CJ-D 400 (4/07)
Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Docket No. __________________

MOTION FOR

Genetic Marker Testing

Dated: September 21, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have delivered a copy of this motion to:


John Doe
(name of party or attorney of record)

200 NoPlace St.
(Straet address)

Salem
(City/Town)

MA
(State)

01970
(City/Town)

September 21, 2010
(date of mailing)

O AM O PM
(time)

delivery in hand
(date of delivery)

Certified mailing (postage paid on)

To:

Jane Doe

(signature)
AFFIDAVIT IN SUPPORT OF
Motion for Genetic Marker Testing

In support of Motion for Genetic Marker Testing, Plaintiff (plaintiff/defendant) states as follows:

1) I am the mother of Jimmy Doe, born on June 10, 2005.

2) I have never been married.

3) I know the Defendant, John Doe, and had sexual intercourse with him during the probable period of conception for Jimmy Doe.

Signed under the pains and penalties of perjury.

Date September 21, 2010

Signature of attorney or plaintiff, if pro se
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT

 vs.

PROPOSED ORDER

Upon the Motion for Genetic Marker Testing

and filed with this court on September 21, 2010

After hearing and pending further order or judgment of this Court, IT IS ORDERED THAT

(Describe in detail the relief order you seek.)

1. shall have custody of:

2. the minor children of the parties, shall have physical custody of said child/ren.

3. shall have the following visitation rights:

4. shall pay, as child support, the sum of $ each and every year, hereafter, beginning 20 to the

5. by

6. shall obtain insurance coverage

7. (and for the

8. shall pay to the % of the uninsured medical, dental, hospital and optical expenses of the child/ren.

9. Other - Please specify

Plaintiff, Defendant, and the minor child submit to Genetic Marker Testing within

30 days of this order.

(Signature)

Jane Doe
(Print Name)

123 Ocean St.
(Street Address)

Lynn MA 01902
(City or Town) (State) (Zip Code)

Tel. No. (781) 599-1234 c.g.f.

TEMPORARY ORDER

hereby adopts this proposed order, and the parties shall comply with the terms and conditions thereof.

Justice of the Probate Court
Commonwealth of Massachusetts

AFFIDAVIT OF INDIGENCY
AND REQUEST FOR WAIVER, SUBSTITUTION
OR STATE PAYMENT OF FEES & COSTS

(Note: If you are currently confined in a prison or jail and are not seeking immediate release under G.L. c. 248 §1, but you are suing correctional staff and wish to request court payment of "normal" fees (for initial filing and service), do not use this form. Obtain separate forms from the clerk.)

__________________________
Court

__________________________
Name of applicant

__________________________
Address

__________________________
City or town

__________________________
State and Zip

SECTION 1: Under the provisions of General Laws, Chapter 261, Sections 27A-27G, I swear (or affirm) as follows:

I AM INDIGENT in that (check only one):

• (A) I receive public assistance under Transitional Aid to Families with Dependent Children (TAFDC), Emergency Aid to Elderly, Disabled or Children (EAEDC), Supplemental Security Income (SSI), Medicaid (MassHealth) or Massachusetts Veterans Benefits Programs; (circle form of public assistance received), or

• (B) My income, less taxes deducted from my pay, is $ ____________ per week/month/year (circle period that applies), for a household of ___ persons, consisting of myself and ____ dependents; which income is at or below the court system's poverty level, (Note: The court system's poverty levels for households of various sizes must be posted in this courthouse. If you cannot find it, ask the clerk. The court system's poverty level is updated each year.) [List any other available household income for the circled period on this line: ____________] or

• (C) I am unable to pay the fees and costs of this proceeding, or I am unable to do so without depriving myself or my dependents of the necessities of life, including food, shelter and clothing.

IF YOU CHECKED (C), YOU MUST ALSO COMPLETE THE SUPPLEMENT TO THE AFFIDAVIT OF INDIGENCY

SECTION 2: (Note: In completing this form, please be as specific as possible as to fees and costs known at the time of filing this request. A supplementary request may be filed at a later time, if necessary.)

I request that the following NORMAL FEES AND COSTS be waived (not charged) by the court, or paid by the state, or that the court order that a document, service or object be substituted at no cost (or a lower cost, paid for by the state): (Check all that apply and, in any "$____" blank, indicate your best guess as to the cost, if known.)

• Filing fee and any surcharge. $ _________

• Filing fee and any surcharge for appeal. $ _________

• Fees or costs for serving court summons, witness subpoenas or other court papers. $ _________
Case fees or costs of $_____ for (specify):

Substitution (specify):

I request that the following EXTRA FEES AND COSTS either be waived (not charged), substituted or paid for by the state:

Cost $_____ of expert services for testing, examination, testimony or other assistance (specify):

Cost $_____ of taking and/or transcribing a deposition of (specify name of person):

Cost $_____ of preparing written transcript of trial or other proceeding

Other fees and costs, $_____ for (specify)

Substitution (specify)

I swear:

Signed under the penalties of perjury

I hereby confirm that all information in this affidavit is CONFIDENTIAL. Except by special court order, it shall not be disclosed to anyone other than authorized court personnel, the applicant, or counsel or anyone authorized in writing by the applicant.
Helpful Resources

Many Probate and Family Court Forms Can Be Found at:
http://www.mass.gov/courts/courtsandjudges/courts/probateandfamilycourt/forms.html

General Information on family law issues can be found at: www.masslegalhelp.org

Lawyer-for-the-Day
Provides free assistance at the Courthouse in preparing forms and documents for those who are income eligible.

Probate and Family Court-Salem Division
36 Federal Street, Salem, MA 01970
Call the court at (978) 744-1020

Probate and Family Court-Lawrence Division
Fenton Judicial Center, 2nd Floor
2 Appleton Street, Lawrence, MA 01840
Call the clerk’s office at (978) 686-9692

Legal Services
Provides free legal services to those who are eligible.

Neighborhood Legal Services, Inc.
37 Friend St, Suite 300 Lynn, MA 01902
170 Common St, Suite 300 Lawrence, MA 01852
(781) 599-7730 and (978) 686-6900
www.neighborhoodlaw.org

Merrimack Valley North Shore Legal Services, Inc.
35 John Street, Suite 302
Lowell, MA 01852
(978) 458-1465
www.mvlegal.org

Provides direct representation, Pro Se Divorce Clinic, and Helpline advice to Southern Essex County

Provides family law services to Essex and Northern Middlesex Counties

Reduced Fee Lawyer Referral Programs
Provides referrals to lawyers who may charge reduced fees. Call for eligibility requirements:

Boston Bar Association (Greater Boston)
16 Beacon St., Boston, MA 02108
(617) 742-0625
www.bostonbar.org/lrs/index.htm

Mass. Bar Association (statewide)
20 West St., Boston, MA 02111
(617) 542-9103, (866)-627-7577
www.massbar.org/lawhelp/need_lawyer/

National Lawyer’s Guild
14 Beacon Street, Suite 407
Boston, MA 02108
(617) 227-7008
www.nlmgass.org/lrs

Essex County Bar Association
Shetland Office Park
45 Congress St, Ste. 4100
Salem, MA 01970
(978) 741-7888
www.essexcountybar.org

The Child Support Enforcement Division (CSE) of the Department of Revenue (DOR)
Provides assistance in establishing paternity and establishing, enforcing, and collecting child support.

Probate and Family Court-Salem Division
36 Federal Street
Salem, MA 01970
(978) 744-1020

Probate and Family Court-Lawrence Division
Fenton Judicial Center, 2nd Fl.
2 Appleton St., Lawrence, MA 01840
(978) 686-9692 (open only Mon. & Wed. 8-1)
The Family Law How-to Series includes:

Copies of these booklets are available at the Lawyer for the Day Office and Legal Services programs listed inside this booklet.

- How to Fill Out a Financial Statement (Short Form)
- Divorce and the Alternatives
- The Department of Children and Families: Seeking Services, the 51A Investigation and Consumer Rights During an Investigation
- Name Changes
- Grandparent Visitation
- How to Get Child Support
- What Is Best for Your Child: Working Through Child Custody and Visitation Issues
- Information about How to File Papers in Essex Probate and Family Court
- Obtaining Child Support when Getting a Restraining Order: What You Need to Know
- Information About How to Establish Paternity