



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
600 Washington Street • Boston, MA 02111

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Governor

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Lieutenant Governor

JULIA E. KEHOE
Commissioner

Field Operations Memo 2009-47
August 21, 2009

To: Transitional Assistance Office Staff

From:  John Augeri, Assistant Commissioner for Field Operations

Re: TAFDC - Establishment of Paternity in Certain Unmarried Two-Parent Families

Overview

The Massachusetts Department of Revenue Child Support Enforcement Division (DOR/CSE) works to establish paternity for all children born in Massachusetts. DOR/CSE and DTA are currently focusing on establishing paternity for children of unmarried two-parent families receiving TAFDC, if paternity has not been established. To receive TAFDC a parent must verify relationship to the child in accordance with 106 CMR 203.585. The verifications submitted to verify relationship do not always establish paternity.

Purpose

The purpose of this memo is to provide procedures for establishing paternity for children receiving TAFDC in certain unmarried two-parent families.

Identifying Children Needing to have Paternity Established

On a quarterly basis, Central Office will identify all unmarried two-parent families with a child(ren) in common, whether or not both parents are receiving TAFDC benefits. DOR/CSE will receive this report (entitled *Unmarried Two-Parent TAFDC Families with Children in Common*) and compare families listed on the report with families in DOR's own records. Families who appear to have a child(ren) without paternity established will be identified by DOR/CSE. We began this process by sending DOR/CSE a report in June, 2009. A follow-up report listing these families and entitled *Children in Two-Parent TAFDC Families without an Established Father* will be created by DOR/CSE and forwarded to DTA's Central Office Paternity Liaison.

**Responsibilities
of the
Central Office
Paternity
Liaison**

Upon receipt of the report from DOR/CSE the Central Office Paternity Liaison will:

- complete the *Notice to Families to Establish Paternity* (Attachment A);
- mail to the head of household the *Notice to Families to Establish Paternity*, and the *Paternity Establishment Referral Form* (Attachment B) for the client to complete, and the DOR/CSE brochure entitled “Two Parents,” and
- fax a copy of the notice (Attachment A) to the TAO DOR Liaison.

Both parents must complete the *Paternity Establishment Referral Form*. They must make an appointment and take the completed form to the DOR/CSE regional office identified in the *Notice to Families to Establish Paternity* within 14 business days of the date of the notice with the completed form.

If both parents:

- go to the DOR/CSE office and cooperate, no further DTA action is necessary. DOR/CSE will work with both parents to establish paternity and will inform the Central Office Paternity Liaison; or
- go to the DOR/CSE office but one of the parents or both parents refuse to cooperate without good cause (106 CMR 203.745), DOR will send a *Notice of Noncooperation* to the client and fax a copy to the TAO director or designee. The notice explains that one of the parents or both parents have refused to cooperate. The TAO director or designee will inform the case manager to sanction the noncooperating parent or both of the parents, if appropriate. The TAO director or designee will inform the Central Office Paternity Liaison about the sanction. See Field Operations Memo 2005-52 for sanction instructions.

If the client fails to respond to the *Notice to Families to Establish Paternity*, DOR will inform the Central Office Paternity Liaison. The Central Office Paternity Liaison will send a follow-up *Second Notice to Families to Establish Paternity* (Attachment C) to the family. If both parents:

- cooperate, no further DTA action is necessary. DOR will work with the parents to establish paternity. DOR/CSE will inform the Central Office Paternity Liaison; or
-

**Responsibilities
of the
Central Office
Paternity
Liaison
(continued)**

- fail to respond to the *Second Notice to Families to Establish Paternity* within 14 business days of the date of the notice, or go to the DOR/CSE office but one or both parents refuse to cooperate without good cause (106 CMR 203.745), DOR will send a *Notice of Noncooperation* to the client and fax a copy the TAO director or designee. The notice explains that one of the parents or both parents have refused to cooperate. The TAO director or designee will inform the case manager to sanction the noncooperating parent or both of the parents, if appropriate. The TAO director or designee will inform the Central Office Paternity Liaison about the sanction. See Field Operations Memo 2005-52 for sanction instructions.

If a client calls and says that the child's paternity has already been established, the case manager should inform the client that if he or she has paternity documentation, it should be taken to the DOR/CSE office. Acceptable documentation is listed below. Absent acceptable documentation, DOR/CSE will follow its procedures to establish paternity for the child when the parents visit their DOR/CSE office.

**Appropriate
Documentation
and
Photo IDs**

Appropriate proof of paternity establishment includes the following documents:

- a birth certificate with the name of the child's father, issued on or after April 13, 1994;
- a completed Voluntary Acknowledgment of Paternity; or
- a court order.

DOR/CSE requires that each parent present a government-issued photo ID at the DOR/CSE office, in order to establish paternity. Otherwise, the parents must go to court to establish paternity. Examples of acceptable photo IDs include the following valid:

- driver's license;
- passport;
- Massachusetts ID; or
- immigration documents.

Photo IDs not issued by the state or federal government are not acceptable and without the prescribed photo ID, paternity cannot be established at the DOR/CSE office without the need to go to court.

**Heightened
Level
of Security**

If the case (in the report “*Children in Two-Parent TAFDC Families without an Established Father*”) is identified as having a heightened level of security in BEACON, the Central Office Paternity Liaison will consult the case manager, who may consult the Domestic Violence Specialist. After this consultation, the decision will be made whether to contact the family.

**Number of
Children
Needing the
Establishment
of Paternity
will Decline**

Parents of children born in Massachusetts hospitals on or after April 13, 1994 were strongly encouraged to establish paternity at birth, which includes the father signing the voluntary acknowledgment of paternity form. Therefore, the number of families contacted should greatly diminish over time, as all children receiving TAFDC will eventually have a birth date on or after April 13, 1994.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.

Attachment A

**NOTICE
SAMPLE**

600 Washington Street
Boston, MA 02111

**Massachusetts Department of Transitional Assistance
Notice to Families to Establish Paternity**

Name	SSN
Name	MM/DD/YYYY
Address	
City/Town, State, Zip	

Dear Grantee:

The Massachusetts Department of Transitional Assistance (DTA) and Department of Revenue, Child Support Enforcement (DOR/CSE) encourage all families to establish paternity for all of their children. Establishing paternity helps children gain a sense of identity and provides important legal rights for the rest of their lives.

A recent review has determined that paternity has not been established for at least one child in your family. In order to establish paternity for your child(ren), both parents must complete the enclosed referral form. This form and notice, along with a state- or federally-issued photo IDs for each parent (if they have one of these IDs) must be taken to the Department of Revenue regional office at the address below within 14 business days from the date of this notice. Please schedule an appointment by calling the number below.

123 Main St.
Anytown, MA 01010
xxx-xxx-xxxx

If you believe paternity has already been established for your child(ren), take with you a legal document supporting your claim. For each child, this must include a birth certificate with the name of the father; or, a court order that establishes paternity; or a completed Voluntary Acknowledgment of Paternity.

If you believe you have a good reason for not meeting this requirement, or if you have any other questions, please call your case manager (name) at (xxx-xxx-xxxx). If you do not respond to this notice, your benefits may be lowered. You will receive another notice if your benefits are lowered.

cc: DOR Liaison
Case Manager

Attachment B



Commonwealth of Massachusetts

Department of Revenue - Child Support Enforcement
Division (DOR/CSE)

Department of Transitional Assistance (DTA)
Paternity Establishment Referral Form

Please complete after reading directions on the back of this form.

SECTION 1 – INFORMATION ABOUT CHILDREN’S MOTHER

Name (Last)	(First)	(Middle)
Social Security Number	Date of Birth	E-Mail Address
Home Phone Number	Cell Phone Number	Work Phone Number

SECTION 2 - INFORMATION ABOUT CHILDREN’S FATHER

Name (Last)	(First)	(Middle)
Social Security Number	Date of Birth	E-Mail Address
Home Phone Number	Cell Phone Number	Work Phone Number

SECTION 3 - INFORMATION ABOUT THE CHILDREN

➤ List only the children in common of the parents named in this form (if there are more than three children, continue on back).

	Child 1	Child 2	Child 3
Name (First, Last, & Middle)			
Date of Birth			
Place of Birth (City & State or City & Country, if outside US)			
Social Security Number			
Sex	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female

SECTION 4 – PATERNITY ESTABLISHMENT INFORMATION

Were the mother and father of the child(ren) ever married to each other? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there a father listed on the birth certificate of the child(ren)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Mother's Signature:	Father's Signature:
Date:	Date:

Directions for Completing Paternity Establishment Referral Form

Section 1 – Information about the Children's Mother

Provide complete name, date of birth and Social Security number. If available, provide home phone number, cell phone number, work number and e-mail address so that DOR may contact you.

Section 2 – Information about the Children's Father

Provide complete name, date of birth and Social Security number. If available, provide home phone number, cell phone number, work number and e-mail address so that DOR may contact you.

Section 3 – Information about the Children

For each child, provide complete name, date of birth, place of birth, sex, and if one has been issued, a Social Security number. If there are more than three children, add names below.

Section 4 – Paternity Establishment Information

Answer both questions. Both parents must sign and date the form in order to begin the process of establishing paternity for the children listed.

INFORMATION ABOUT THE CHILDREN, if more than three children are having paternity established.

	Child 4	Child 5	Child 6
Name (First, Last, & Middle)			
Date of Birth			
Place of Birth (City & State or City & Country, if outside US)			
Social Security Number			
Sex	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female

Attachment C

**NOTICE
SAMPLE**

600 Washington Street
Boston, MA 02111

**Massachusetts Department of Transitional Assistance
Second Notice to Families to Establish Paternity**

SECOND NOTICE

Name	SSN
Name	MM/DD/YYYY
Address	
City/Town, State, Zip	

Dear Grantee:

The Massachusetts Department of Transitional Assistance (DTA) and Department of Revenue, Child Support Enforcement (DOR/CSE) encourage all families to establish paternity for all of their children. Establishing paternity helps children gain a sense of identity and provides important legal rights for the rest of their lives.

On MM/DD/YYYY, DTA mailed you a notice stating that a recent review has determined paternity has not been established for at least one child in your family. To date, you have not responded to this notice. In order to establish paternity for your child(ren), both parents must complete the enclosed referral form. This form and notice and a state- or federally-issued photo IDs for each parent (if they have one of these IDs) must be taken to the Department of Revenue regional office at the address below within 14 business days from the date of this notice. Please schedule an appointment by calling the number below.

123 Main St.
Anytown, MA 01010
xxx-xxx-xxxx

If you believe paternity has already been established for your child(ren), take with you a legal document supporting your claim. For each child, this must include a birth certificate with the name of the father; or, a court order; or a completed Voluntary Acknowledgment of Paternity.

If you believe you have a good reason for not meeting this requirement, or if you have any other questions, please call your case manager (name) at (xxx-xxx-xxxx). If you do not respond to this notice, your benefits may be lowered. You will receive another notice if your benefits are lowered.

cc: DOR Liaison
Case Manager