

Name _____

Law Firm (if applicable) _____

Mailing Address _____

City, State, Zip Code _____

Telephone and Fax Number (if any) _____

Email Address _____

Self-Represented Party

Attorney for
Attorney# _____

STATE OF HAWAI'I, FAMILY COURT

CASE NO.: _____

Petitioner(s),

vs,

AFFIDAVIT OF PRESUMED PARENT
FOR UNCONTESTED PARENTAGE
ACTION

and CHILD SUPPORT ENFORCEMENT
AGENCY, STATE OF HAWAI'I,

Respondent(s).

AFFIDAVIT OF PRESUMED PARENT FOR UNCONTESTED PARENTAGE ACTION

STATE OF HAWAI'I, _____ (COUNTY)
AFFIDAVIT OF PRESUMED PARENT FOR UNCONTESTED PARENTAGE ACTION

I, [Print your Name] _____

being first duly sworn under oath, deposes and says as follows:

I am filing this Affidavit as the Petitioner Respondent in the above-entitled action, and as a Presumed Parent.

[Complete this section only if you are filing the uncontested parentage action as the Petitioner]

_____ *[Initial if applicable]* As the Petitioner in this matter, I elect to have this case decided as an uncontested parentage action. I request the Court enter the proposed judgment and orders without requiring my appearance at a hearing. I certify the proposed judgments and orders reflect agreements between myself and the Respondent(s).

1. My current address is: _____

2. Legal Representation: I am a self-represented litigant.
 I am represented by the legal counsel named above.

3. Jurisdiction: (check all that apply)

3a. I was domiciled on the Island of _____, State of Hawai'i, at the commencement of this action.

3b. The Child(ren) was/were conceived by sexual relations or by assisted reproduction that occurred in the State of Hawai'i.

3c. The Child(ren) was/were born on the Island of _____, State of Hawai'i.

3d. I currently reside in _____ (county) in Hawai'i.

4. The Child(ren) who are the subject of this parentage action are as follows:

4a. Name: _____

Sex _____ Birth Date: _____

4b. Name: _____

Sex _____ Birth Date: _____

4c. Name: _____

Sex _____ Birth Date: _____

[ADD SEPARATE SHEET IF NEEDED]

5. As a Presumed Parent I acknowledge the following facts in support of my claim: (check all that apply)

- 5a. I was married to the Birth Parent at the time of the Child(ren)'s birth.
- 5b. I was married to the Birth Parent and the Child(ren) was/were born within 300 days after our marriage was terminated by divorce, annulment or death, or after a decree of separation.
- 5c. I married the Birth Parent after the Child(ren)'s birth and I asserted parentage of the Child(ren) as acknowledged in a signed Voluntary Establishment of Parentage filed with the Department of Health, State of Hawai'i.
- 5d. I married the Birth Parent after the Child(ren)'s birth and I asserted parentage of the Child(ren) by agreeing to be named a parent on the birth certificates.
- 5e. I resided in the same home with the Child(ren) while they were minors and openly held out the child(ren) as my own.
- 5f. I submitted to court-ordered DNA Genetics testing done by an accredited laboratory and the results conclude:
 - a. I am excluded as the genetic parent of the Subject Child.
 - b. I am NOT excluded as the genetic parent of the Subject Child pursuant to HRS § 584A-303(3).
 - c. A true and correct copy of the DNA Genetics test is attached and submitted as part of this parentage action.

6. Language Comprehension:

- 6a. I fully understand the English Language.
- 6b. Although I do not fully understand written English, this document has been explained to me by _____

and based on that explanation, I understand this document.

7a. I have carefully reviewed the proposed Stipulated Judgment of Parentage and agree with the Judgment. I agree with the terms regarding parentage and awarding custody, visitation, and support. I therefore request that the Court adjudicate me as a parent of the Child(ren).

7b. I have carefully reviewed the proposed Stipulated Order for Custody, Visitation, and Support. I agree with the terms regarding parentage and awarding custody, visitation, and support. I therefore request the Court grant the orders for custody, visitation, and support as stated in the submitted proposed Stipulated Order for Custody, Visitation, and Support.

7c. I have carefully reviewed the proposed Judgment. I request that the Court find the presumption of parentage has been rebutted by clear and convincing evidence disestablishing me as a Presumed Parent as parent as proven by:

- (1) three affidavits establishing the existence or non-existence of sexual relations between myself the Birth Parent, and the other alleged parent; or
- (2) DNA Genetics testing that concludes that the Alleged Genetic Parent or other alleged parent is the biological parent of the Child(ren).
- (3) I certify that true and correct copies of the three affidavits, or the DNA Genetics test of the Alleged Genetic Parent or the Other Parent are submitted as part of this parentage action.

Prior or Pending Custody/Support Proceedings:

8a. I have not participated in any capacity in any lawsuit or proceeding in any state concerning the custody or support of the minor child(ren) in this action. I have no knowledge of any pending custody or support proceeding or of any person not a party to this proceeding who has physical custody or claims to have custody or visitation rights concerning any minor child(ren) of this action.

8b. Pending/prior custody or support case involving the Child(ren)

Case Name: _____

Case Number: _____

Location (City, State) of Court: _____

Date Filed: _____ Date Concluded: _____

Type of Case: _____

8c. Other pending/prior custody or support case involving the Child(ren)

Case Name: _____

Case Number: _____

Location (City, State) of Court: _____

Date Filed: _____ Date Concluded: _____

Type of Case: _____

9. I declare that I have read this Affidavit and am signing it voluntarily without coercion or duress and not because I was told to do so.

10. I understand that my signature under oath before a notary public is my solemn statement that I read this Affidavit and that these statements are true, correct, and completed to the best of my knowledge and belief.

DATE:	SIGNATURE (MUST BE SIGNED BEFORE A NOTARY PUBLIC):	
<p>Document : Document Date: _____ Number of pages: _____ was subscribed and sworn to before me in the _____ Circuit, State of Hawai'i by: _____</p> <p>Notary Public's Signature: _____</p> <p>Date: _____ in the _____ Circuit, State of Hawai'i</p> <p>Print Notary Public's Name: _____</p> <p>My commission expires on: _____</p> <p style="text-align: right;">(Notary Seal)</p>		