

	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 5: Department of Child Services (DCS) Child Welfare Cases	Effective Date: 07/29/2020
	Section 3: Paternity Establishment	Version: 2.1 Revision Date: 07/29/2020

BACKGROUND

Many of the tasks associated with establishing paternity may be undertaken by either the Department of Child Services (DCS) attorney or the Title IV-D Prosecutor, if it is a Title IV-D case.¹ The DCS Child Welfare agency and the Child Support Bureau (CSB) have the same genetic testing contract.² It is not as important *who* petitions the court to establish paternity as it is that the DCS attorney and Title IV-D Prosecutor coordinate their efforts in establishing paternity. The Title IV-D Prosecutor is strongly encouraged to become familiar with the local rules and practice in his or her county relating to the division of responsibilities between the Title IV-D Prosecutor and DCS attorney.

POLICY

When a child who is the subject of a Child in Need of Services (CHINS) action was born out of wedlock, the DCS Child Welfare agency may refer the case to the Title IV-D Prosecutor to file a paternity action.³ When a case is referred to the Title IV-D Prosecutor from the DCS Child Welfare agency for the purpose of paternity establishment, the Title IV-D Prosecutor shall file the paternity action.⁴ Pursuant to local rule or custom, paternity may be established either as part of the JP cause or as part of the JC cause. The determination of paternity in the JC court survives the termination of the JC cause.⁵

REFERENCES

- [IC 31-14-4-1](#): Persons permitted to file action
- [IC 31-30-1-13](#): Jurisdiction of child custody proceeding in paternity proceeding; paternity of child; survival of order
- [IC 31-34-15-6](#): Filing of paternity action by local prosecuting attorney's office
- [42 U.S.C. § 654](#): State plan for child and spousal support

PROCEDURE

Upon determining that paternity needs to be established in a case, the Title IV-D Prosecutor should obtain as much information as necessary and available from DCS Child Welfare to

¹ IC 31-14-4-1

² Genetic Testing DCS 12-01

³ IC 31-34-15-6; Chapter 3: Case Initiation, Section 5: Department of Child Services (DCS) Child Welfare Cases

⁴ 42 U.S.C. § 654(4)(A)(i); IC 31-34-15-6

⁵ IC 31-30-1-13(c)(2)

locate the mother and alleged father of the child. Some sources available to assist in identifying and locating the mother and alleged father of the child include:

1. Panoptic;
2. Putative father registry; and
3. Other cases in the statewide child support system in which the custodial party is a case participant.

Once sufficient information has been received about the mother and alleged father, the Title IV-D Prosecutor shall proceed in the steps to establish paternity as in any other Title IV-D case.⁶

FORMS AND TOOLS

N/A

FREQUENTLY ASKED QUESTIONS

N/A

RELATED INFORMATION

1. Chapter 3: Case Initiation, Section 5: Department of Child Services (DCS) Child Welfare Cases
2. Chapter 9: Paternity Establishment
3. [DCS Child Welfare Policy: 5.5 Genetic Testing for Alleged Fathers](#)
4. [Genetic Testing DCS-12-01](#)

REVISION HISTORY

Version	Date	Description of Revision
Version 1	12/08/2015	Final approved version
Version 2	09/17/2019	Revised Policy
Version 2.1	07/29/2020	Updated hyperlinks; Reviewed for accuracy

⁶ See Chapter 9: Paternity Establishment for more information.