



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Chad Poppell
Secretary

DATE: December 2, 2019

TO: Regional Managing Directors
Community-Based Care Lead Agency CEOs
Sheriff Offices Conducting Child Protective Investigations

THROUGH: Patricia Babcock, Deputy Secretary

FROM: Patricia Medlock, Assistant Secretary for Child Welfare 

SUBJECT: CFOP 170-13, Chapter 2, Child Support and Paternity Establishment

PURPOSE: The purpose of this memorandum is to provide notification as a reminder to Community-Based Care Lead Agencies (CBCs) regarding the policy requirement of obtaining amended birth certificates when paternity is established by the Department.

BACKGROUND: The Department previously established operating procedure CFOP 170-13, Chapter 2, Child Support and Paternity Establishment, to provide guidance for diligent efforts to establish paternity for children in out-of-home care. Additionally, this operating procedure outlines the obligation for child welfare professionals to ensure children's birth records are amended timely. The request shall be submitted within 30 days of the date paternity was established.

In addition to compliance with CFOP, this activity has an impact on the state's TANF funding. Florida must meet a goal of 90% for establishing paternity for children. The number of children who have their paternity established through dependency and adoptions is enough to impact this measure.

CFOP 170-13 Chapter 2, Section 2-7

b. Amending Birth Certificates for Children Born in Florida. The CWP must ensure that the children's birth records are updated timely.

(1) In any proceeding for affirmation of parental status or determination of paternity, adoption, or dissolution of adoption, s. 382.015, F.S., requires that the Clerk of Court forward to the Bureau of Vital Statistics (BVS) a certified copy of the court order, or a report of the proceedings together with sufficient information to identify the original birth certificate and to enable the preparation of a new birth certificate.

(a) The Department of Health's form DH 673 is the form upon which the information is sent to BVS to update the child's birth certificate.

(b) Currently, BVS charges a fee of \$20 to issue an amended birth certificate. BVS has agreed the Department and CBC agencies will not be charged the fee for issuance of an amended birth certificate whenever paternity is established for a Florida born child in out-of-home care.

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(2) The Department and CBCs must seek an amended Florida Birth Certificate on at least the two following occasions:

(a) When paternity is established through a dependency action and the child's father is not listed on the child's birth certificate.

(b) As part of a termination of parental rights action when the court determines paternity for a person not listed on the child's birth certificate. (It may seem odd to amend a birth certificate only to turn around and terminate parental rights; however, the termination is a separate issue from establishing paternity.)

(3) CLS and the CBC must maintain a process that ensures the DH 673 is completed with documentation and forwarded to BVS within 30 days of the date paternity was established.

(4) The process for obtaining an amended birth certificate requires completion of sections A and B of form DH 673 form, Certified Statement of Final Judgment of Paternity (see a sample form in Attachment 3 to this chapter). When completing the DH 673, the letters "CW" must be written on the top right corner. BVS will not charge the \$20 fee when issuing an amended birth certificate for situations where the DH 673 has "CW" in the top right corner. The DH 673 form is available on the Department of Health's web site at <http://www.floridahealth.gov/certificates/certificates/publications-page.html>

Please refer to CFOP 170-13 Chapter 2, Section 2-7 for further guidance:

http://centerforchildwelfare.fmhi.usf.edu/kb/DCF_Pol/CFOP_170/CFOP170_13-Ch2.pdf

ACTION REQUIRED: Please share this memorandum and guidance with all appropriate staff in the regions, circuits, CBCs, case management organizations, and sheriff offices conducting child protective investigations.

CONTACT INFORMATION: If you have questions or need clarification regarding this guidance please contact Jennifer Perez, Statewide Revenue Maximization Specialist at Jennifer.Perez1@myflfamilies.com, or Jessica Johnson, Out-of-Home Care Specialist, Jessica.Johnson@myflfamilies.com.

cc: Regional Family and Community Services Directors
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