

PATERNITY

Male Soldiers faced with allegations of fathering children and owing child support can be taken to court by the child(ren)'s mother. When a Soldier is taken to court, he normally receives a notice to appear in court to set an amount for child support. At this point, he can either admit or deny paternity of the child(ren).

If he admits paternity, the court will use state support guidelines to set an appropriate amount of child support, and the Soldier will be obligated to pay whatever amount the court decides is reasonable for the upbringing of the child. If a court order is issued, the Soldier may have his military pay garnished or collected through an involuntary allotment.

If he denies paternity, the Soldier has the right in most states to request that paternity be established through blood tests (the issue of who pays for tests will vary from state to state, and possibly from case to case).

Family Support

Army Regulation 608-99, *Family support, Child Custody, and Paternity*, governs family support issues in the absence of a court order or agreement. This regulation requires that Soldiers provide family members with adequate and continuous support, mandating minimum requirements for support of a Soldier's family that equal some or all of his Basic Allowance for Housing (even if the Soldier is not entitled to receive BAH). If a Soldier fails to comply with AR 608-99, he is in violation of army regulations and his commander may take administrative action against him.

Technically, AR 608-99 does not count illegitimate children as "family members." However, Soldiers who want to acknowledge paternity (which is important for enrollment in DEERS, TRICARE, etc.) may do so in a number of ways. The best and simplest way is to fill out an Acknowledgment of Paternity Form (each state has its own version). A Soldier can also get a blood test, a court order, or a Dependency Statement (DD Form 137-7) to prove paternity.