



STATUTORY MINOR CORRECTION

DOJ 14-2020
CHAPTER 137
DEPARTMENT OF JUSTICE

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 137-055-3060

RULE TITLE: Establishing Paternity in Multiple Alleged Father Cases

RULE SUMMARY: 2019 ORS chapter 416 renumbering

RULE TEXT:

- (1) In any action to establish paternity initiated under ORS 25.501 to 25.556, when the mother of the child for whom paternity is being established states that the father of the child could be more than one man, the administrator may initiate action against those men who are named by the mother as possible fathers as provided in this rule.
- (2)(a) If mother is able to name one of the possible fathers as the most likely father based upon the date of conception, the physical characteristics the child shares with that man, or other factors, the administrator may initiate action against that man only.
- (b) If the administrator is unable to locate the man identified by mother as the most likely father, the administrator will not proceed with establishment of paternity until the man is located.
- (3) If mother cannot identify one of the men who may be the father as the most likely father, the administrator may gather additional information, including information from the mother and from any physician or other licensed health care provider of obstetrical care to mother, which may assist the mother in identifying the most likely father.
- (4) If mother remains unable to identify one of the possible fathers as the most likely father, the administrator may initiate legal action against any one or more possible fathers, as named by the mother, upon whom the administrator can apparently effect personal service based on the information it has available.
- (5) The administrator will provide notice to any possible father described in this rule and served in an action to establish paternity that the mother of the child for whom the administrator seeks to establish paternity has named another man or men as a possible father unless that other man (or men) has been excluded by parentage tests.
- (6) The administrator will enter no order establishing paternity with respect to a man who has not been named by mother as the most likely father unless the provisions of either subsection (a) or (b) of this section apply.
 - (a) The man has been subjected to parentage tests which have not excluded him as a possible father of the child in question; or,
 - (b) All other men named by mother as possible fathers have been excluded as possible fathers by parentage tests.
- (7) Notwithstanding any other provision of this rule, its requirements do not apply when one of the possible fathers is

entitled to reasonable notice under ORS 109.096.

STATUTORY/OTHER AUTHORITY: ORS 180.345

STATUTES/OTHER IMPLEMENTED: ORS 25.501 to 25.556