

5101:2-48-02 **Putative father registry.**

(A) The "Ohio Putative Father Registry" (OPFR) is designed to:

- (1) Facilitate the registration of putative fathers who want to be notified in the event that their child may be placed for adoption;
- (2) Facilitate interested parties' efforts to identify a putative father through submission of a request for a search to be conducted on the OPFR.

(B) A putative father may contact a public children services agency (PCSA), private child placing agency (PCPA), or the Ohio putative father registrar's office for information on how to register on the OPFR. The PCSA, PCPA or the Ohio putative father registrar's office shall provide the ~~ODHS 1694~~, JFS 01694 "Putative Father Registry Registration Form" to the putative father. A putative father shall complete the ~~ODHS 1694~~ JFS 01694 and submit it to the Ohio putative father registrar's office. The ~~ODHS 1694~~ JFS 01694 may be submitted prior to the birth of the child or within thirty days following birth of the child. Forms which are complete will result in information being entered on the OPFR. The Ohio putative father registrar's office will send the putative father confirmation that his name has been entered on the OPFR. The Ohio putative father registrar's office shall return all incomplete forms to the putative father and request further information.

(C) The mother of the child, the PCSA or PCPA involved in arranging a child's adoption, or attorneys representing any of these parties may submit a request for a search of the OPFR. To request a search, the mother, the PCSA, PCPA, or attorney arranging a child's adoption shall complete the ~~ODHS 1695~~, JFS 01695 "Application for Search of Ohio Putative Father Registry" and submit it to the Ohio putative father registrar's office.

(D) The PCSA or PCPA shall determine if there is a putative father by engaging in the following activities:

- (1) Work with the mother to identify the name of the child's father and determine if either parent is eligible for membership with an American Indian tribe; and
- (2) Contact the Ohio putative father registrar's office to request a search be conducted on the OPFR to determine if the child's father is registered on the OPFR. A request for a search of the OPFR may be made at any time but a final search of the OPFR shall be made no sooner than thirty-one days after the birth of the child.

(E) The PCSA or PCPA is not required to search the OPFR for court proceedings on

adoption of a child when:

- (1) The mother was married at the time the child was born or conceived.
 - (2) The parent placing the child previously adopted the child.
 - (3) Prior to the date the petition to adopt the child is filed, a man has been determined to have a parent and child relationship with the minor by:
 - (a) A court proceeding pursuant to sections 3111.01 to 3111.19 of the Revised Code;
 - (b) A court proceeding in another state;
 - (c) An administrative agency proceeding pursuant to sections 3111.20 to 3111.29 of the Revised Code;
 - (d) An administrative agency proceeding in another state; or
 - (e) A signed acknowledgment pursuant to section 2105.18 of the Revised Code.
 - (4) The PCSA or PCPA has permanent custody of the child through an order of the juvenile court.
- (F) If the request for search is a final search for court documentation the ~~The~~ Ohio putative father registrar's office will conduct a search by name of the father, mother and child. Within seven business days, the Ohio putative father registrar's office will send:
- (1) A copy of the completed ~~ODHS-1696~~, JFS 01696 "Response to Person(s) Requesting Search of Ohio Putative Father Registry" to the requesting party indicating no matches have been made; or
 - (2) A copy of the completed ~~ODHS-1696~~ JFS 01696 to the requesting party indicating a potential match has been made; or
 - (3) The ~~ODHS-1697~~, JFS 01697 "Ohio Putative Father Registry Certification" to the requesting party indicating the results of the final search.
- (G) If the request for a search is to be submitted to the court and is not a final search for

court documentation the OPFR will conduct a search by name of the father, mother, and child. Within twenty-one business days, the OPFR will send:

(1) A copy of the completed JFS 01696 "Response to Person(s) Requesting Search of Ohio Putative Father Registry" to the requesting party indicating no matches have been made; or

(2) A copy of the completed JFS 01696 to the requesting party indicating a potential match has been made.

~~(G)~~(H) The PCSA or PCPA arranging the adoption shall file the ~~ODHS 1697~~, JFS 01697 "Ohio Putative Father Registry Certification" with the court prior to the issuance of the final adoption decree or the interlocutory order of adoption.

~~(H)~~(I) ~~The PCSA or PCPA shall document all actions regarding a putative father in the child's case record.~~ A person claiming to be the father of a child born to a single mother who is not named on the birth certificate, and has not signed an acknowledgement of paternity pursuant to Chapter 3111. of the Revised Code or who has not been declared a parent by a court of law, does not have rights in a voluntary surrender under division (B)(2) of section 5103.15 of the Revised Code unless he is registered with the Putative Father Registry. A single mother of a child is presumed to be the sole legal custodian. Therefore, review of the father registry is sufficient to satisfy the requirements of voluntary surrender in section 5103.15 of the Revised Code.

Replaces: Replaces former rule 5101:2-42-34

Effective: 09/01/2003

R.C. 119.032 review dates: 05/01/2003 and 09/01/2008

CERTIFIED ELECTRONICALLY

Certification

07/08/2003

Date

Promulgated Under: 119.03
Statutory Authority: 5153.16, 3107.062
Rule Amplifies: 5153.16, 3107.062, 5103.15
Prior Effective Dates: 1/14/83, 6/1/85 (Emer.),
8/12/85, 9/18/96,
2/13/98(Emer.), 5/14/98