

Quick Guide to the Affidavit of Parentage (AOP)

For use by those who present the AOP to signers

Step 1: Use the chart on Page 2 of this document to determine if the parties are eligible to complete an AOP.

How to use the chart

First: Review sections 1, 2, or 3 on Page 2 based on method of conception (sexual intercourse, assisted reproduction, surrogacy).

Second: Ask the parents the questions in the relevant method of conception section, starting at subsection A to determine if AOP can be completed.

Keep in mind that the AOP allows for the acknowledging parent to be any gender when assisted reproduction is used.

Step 2: If the parents are eligible to complete the AOP, complete the form and print it.

Step 3: Review the AOP with parents. Inform them of rights, responsibilities, alternatives, and consequences. Answer any questions and offer them the opportunity to sign the AOP.

Step 4: After parents sign the AOP, the witness or notary will complete the “Notary or Qualified Witness” section in two places, one for the birth parent and one for the acknowledging parent.

Step 5: Verify that all information is completed.

Step 6: Provide a copy of the completed AOP to each parent.

Be sure to inform parents that the AOP is not fully effective until it is filed with the State Division of Vital Records.

Step 7: Submit the completed original form to the State Division of Vital Records. The mailing address is on Page 2 of the AOP. State law requires the AOP to be filed to establish parentage.

Questions to Ask Parents	Yes	No	Whether AOP Can Be Completed
1. Child Conceived by Sexual Intercourse			
A. Was the mother married to the father of the child at the time of conception or birth?	Yes		Do NOT complete the AOP. The spouse is presumed to be the child's legal parent.
		No	Continue to question 1B.
B. Was the mother married to someone other than the father of the child at the time of conception or birth?	Yes		Do NOT complete the AOP. The spouse is the legal parent unless the mother can show documentation from the court that it has been determined the child is not an issue of the marriage.
		No	Continue to question 1C.
C. Was the mother unmarried at time of conception or birth?	Yes		Parents CAN sign the AOP.
		No	Do NOT complete the AOP. The spouse is the legal parent unless the mother can show documentation from the court that it has been determined the child is not an issue of the marriage. If documentation is provided, parents CAN sign the AOP.
2. Child Conceived by Assisted Reproduction Without Surrogacy			
A. Did one of the intended parents give birth?	Yes		Continue to question 2B.
		No	Do NOT complete the AOP. If neither individual gave birth, they will need a court order, an adoption order, a surrogacy agreement, or an affidavit from another state to have parentage established.
B. Are the intended parents unmarried?	Yes		Parents CAN complete the AOP.
		No	Continue to question 2C.
C. Are the intended parents married to each other?	Yes		Parents CAN complete the AOP if they are married to each other. Encourage married parents to use the AOP for a child conceived through assisted reproduction to ensure their rights and responsibilities as parents are fully recognized under state law.
		No	If the birth parent is married to someone other than the acknowledging parent, direct parents to seek legal assistance.
3. Child Conceived by Surrogacy			
Did the intended parents use surrogacy?	Yes		Do NOT complete the AOP. Parents using surrogacy will not use the AOP to establish parentage. They must use a surrogacy agreement that is drafted prior to the birth of the child. (Ref: MCL 722.1703.)