



5 things you should know about nonmarital births and paternity establishment

In the United States, more than 1.5 million children are born to unmarried parents each year.¹ Many of these children will grow up in single-parent households, a backdrop that can adversely affect academic performance, emotional development, and long-term socioeconomic outcomes.² Moreover, without specific legal action on the part of unmarried parents, these children will not share the same rights as children born to married parents.

This list provides a primer on nonmarital births, highlighting some of the essential trends and legal considerations relevant to births that occur outside of marriage. For a more in-depth look at these topics, please visit the Child and Family Research Partnership's [Paternity Establishment](#) webpage.

4 out of 10 births in the United States are to unmarried mothers.³

The structure of the typical family in the United States changed dramatically over the past several decades, shaped in large part by an increase in the number of children born to unmarried mothers. From 1980 to 2012, the percentage of births to unmarried women more than doubled, increasing from 18% to 41%.⁴ Importantly, however, the prevalence of nonmarital births falls disproportionately across racial and socioeconomic subgroups. In 2018, 29% of white mothers, 52% of Hispanic mothers, and 70% of black mothers gave birth to children outside of marriage.⁵ Moreover, nonmarital birth rates are significantly higher among women who are younger, less-educated, and lower-income.⁶ Research suggests these dramatic disparities in the rates of nonmarital childbearing work to perpetuate long-term economic, racial, and gender inequalities by compounding the persistent challenges of populations already subject to societal disadvantage.⁷

A child does not have a legal father until both parents establish paternity.

In Texas, more than 70% of unmarried parents establish paternity by signing an Acknowledgement of Paternity (AOP) form in the hospital. This form legally certifies that the father is the biological parent of the child. For many parents, establishing paternity is a deeply symbolic act, affirming the connection between father and child. For others, establishing paternity may be a legal decision, carrying important benefits and protections for the family. These benefits include ensuring the child's eligibility for public and private benefits through the father such as health insurance, life insurance, social security, veteran's benefits, and inheritance. Paternity must be established before a father's name is included on a birth certificate. Paternity must also be established before a parent can file for child support or establish visitation orders.

Establishing paternity in the hospital is associated with positive child outcomes.

In general, unmarried parents who establish paternity in the hospital are more likely to have had longer, more stable, and more supportive relationships prior to the birth. Regardless of parents' relationship history, however, research shows establishing paternity in the hospital may convey its own set of long-term benefits. Fathers who establish paternity in the hospital, for example, are more likely to be involved and supportive of their children as they grow up, both of which have been linked to a host of positive child outcomes.⁸



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The most common reason unmarried parents establish paternity is to have the father's name on the birth certificate.

For most parents, and especially those in strong relationships, signing the AOP is motivated by emotional and symbolic concerns. These parents want to establish paternity to include the father's name on the birth certificate and because it feels important to them, suggesting the act of signing is more about what it means than what it does. In contrast, parents in strained relationships often cite legal reasons for signing the AOP, such as the ability to file for child support or access public assistance.⁹

The most common reason unmarried parents do not establish paternity is because the father is not present when the child is born.

In cases where paternity is not established, the father is absent from the hospital more than two-thirds of the time. In fact, when both the mother and father are present at the hospital, only 10% of parents fail to establish paternity. For this small group of fathers who are present but decline to establish paternity, doubts about being the child's biological father are common.

Sources

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