

*Commonwealth of Massachusetts*

Bristol County Probate & Family Court



**Gina L. DeRossi**

*Register of Probate*

## COMPLAINT TO ESTABLISH PATERNITY

Use these instructions if:

- ✓ You are filing a Complaint to Establish Paternity.
- ✓ You are NOT married to the other parent of the child.
- ✓ The father has NOT signed an "Acknowledgment of Parentage".
- ✓ The father's name is NOT on the child's birth certificate.
- ✓ Neither party is presently paying or receiving child support ordered by the Court.

**STEP 1:**     **COMPLETE THE FORMS:** Fill out all forms completely using permanent black ink. You may also complete and type the forms on line at [www.bristolcountyprobate.com](http://www.bristolcountyprobate.com).

- ✓ **COMPLAINT FOR PATERNITY.** You, as the plaintiff, must indicate the particular action you are requesting the court to take.
- ✓ **FINANCIAL STATEMENT FORM.** You must complete a Financial Statement form on an original pink court form. This form along with separate Instructions are available at the Registry or on line at [www.bristolcountyprobate.com](http://www.bristolcountyprobate.com).
- ✓ **AFFIDAVIT DISCLOSING CARE AND CUSTODY.** This form along with separate Instructions are available at the Registry or on line at [www.bristolcountyprobate.com](http://www.bristolcountyprobate.com).

**STEP 2:**     **MAKE COPIES:**     Make a copy of all completed forms prior to filing them. Assemble the copies so that you have 2 COMPLETE PACKETS OF THE FORMS – the originals and the copies. Keep the copies for yourself. You may have to make additional copies in the future.

**STEP 3:**     **FILING FEE:** At the time of filing/ mailing the above documents to the court, you must include a **\$120.00** filing fee.

The fee may be payable by money order or personal check to the Registry of Probate. If the documents are filed in person at the Probate & Family Court Registry at 40

Broadway, Suite 240, Taunton, MA you may also pay by cash or major credit card.

**STEP 4:** FILE THE PAPERS: Take the original forms listed above and your filing fee and deliver or mail the original documents to the Registry of Probate for processing at 40 Broadway, Suite 240, Taunton, MA 02780.

**IMPORTANT:** **With the above documents, you MUST file a BIRTH CERTIFICATE. This can be obtained from the City or Town where the birth was recorded. If, however, the plaintiff is the alleged father and he cannot obtain the birth certificate, he MUST file an affidavit stating that he is not named on the birth certificate and, therefore, cannot obtain the birth certificate.**

**ALSO, you MUST file a separate Complaint for EACH child in question.**

**STEP 5:** RECEIVE A SUMMONS FROM THE COURT: Once you have filed the appropriate papers with the Registry you will receive a copy of your *Complaint, original Summons* and *Track Notice* from the court. **YOU** must arrange for the *Summons* and other forms to be served upon the other party to the case by a Constable or a Sheriff. **YOU MAY NOT** serve them yourself. Separate Instructions on How to Serve a Domestic Relations Summons are available at the Registry or on line at [www.bristolcountyprobate.com](http://www.bristolcountyprobate.com).

**STEP 6:** RETURN THE SUMMONS: After the other party has been served all the necessary papers, **YOU** must return the *original Summons* with *Proof of Service* to the Registry so that a Case Management Conference can be assigned. (Note: If you do not know the current whereabouts of the other party, you can request notice of the above action by publication in the newspaper. Separate Instructions on How to Serve by Publication are available at the Registry.)

**Please be advised that the information in this pamphlet is provided as a service of the Bristol County Probate & Family Court Registry and does not constitute legal advice which can only be given to you by an attorney.**

Bristol County Probate & Family Court Registry  
40 Broadway, Suite 240  
Taunton, MA 02780  
(508) 977-6040  
[www.BristolCountyProbate.com](http://www.BristolCountyProbate.com)