

YOUR CHILD'S LAST NAME

Tennessee Guidelines

Based on T.C.A. § 68-3-305 and T.C.A. § 36-2-304

Mother married at the time of birth OR during the 300 days prior to birth:

If you are married at the time of birth OR during the 300 days prior to birth, your husband (or ex-husband) is presumed to be the legal father of your child. Unless you have a certified copy of a court order stating that he is not the father of the child, his name and information will be entered on your child's birth certificate.

Your child must be given the legal father's surname UNLESS:

1. You maintained your maiden name (*never* used your husband's surname) and you and the legal father sign a sworn statement at the hospital saying you choose to give your child your maiden name.
2. You took on your husband's last name when you married, but later legally changed it back to your maiden name and you and the legal father sign a sworn statement at the hospital saying you choose to give your child your maiden name.
3. You and the legal father sign a sworn statement at the hospital stating that you choose to give your child a combination surname. The combination name must include your legal surname and the legal father's surname.
4. You have a certified copy of a court order specifically stating that your child's name will be something other than the father's surname.

Mother not married at the time of birth OR during the 300 days prior to birth:

If you are not married at the time of birth OR during the 300 days prior to birth, you and the father can acknowledge paternity at the hospital when your child is born. This would establish him as the child's legal father and his name and information would be entered on the birth certificate.

If the paternity form is completed, your child may be given:

1. the Father's legal surname, or
2. the Mother's legal surname, or
3. a combination of both surnames.

If the paternity form is not completed, the child must be given your current legal surname.

If you have questions about these guidelines or about acknowledging paternity, please call the Tennessee Paternity Acknowledgment Program at 1-800-457-2165.