

### **Proposed Change in Title**

Current Title: 1.24 Pregnancy Disclosure

Proposed Title: 1.24 Pregnancy Disclosure and Disputed Parentage

### **Proposed Rule Language Change**

#### **Current Rule: 1.24 Pregnancy Disclosure**

In all actions for divorce, dissolution of marriage, annulment, and legal separation where wife is pregnant, the initial pleading shall set forth the pregnancy and husband's paternity status in relation to the unborn child. If either party denies husband's paternity, the Court shall proceed, pursuant to ORC Chapter 3111, to determine if the parent and child relationship exists between husband and the child, and then shall proceed to hear and determine all aspects of the case.

In actions for divorce, dissolution of marriage, annulment and legal separation, if a pregnancy has not been disclosed in the initial pleadings, an amended pleading shall be filed setting forth the pregnancy and husband's paternity status in relation to the unborn child. Again, if either party denies husband's paternity, the Court shall proceed, pursuant to ORC Chapter 3111, to determine if the parent and child relationship exists between husband and the child, and then shall proceed to hear and determine all aspects of the case.

#### **Proposed Rule: 1.24 Pregnancy Disclosure and Disputed Parentage**

In actions for divorce, dissolution of marriage, annulment and legal separation:

- (1) where wife is pregnant, the initial pleading shall set forth the pregnancy and husband's paternity status in relation to the unborn child;
- (2) if a pregnancy has not been disclosed in the initial pleadings, an amended pleading shall be filed setting forth the pregnancy and husband's paternity status in relation to the unborn child;
- (3) if either party asserts that a child born during the marriage is not husband's child, wife must present proof of paternity of such child, including but not limited to, in-court testimony of the father of the child or DNA testing which establishes the paternity of the child.

If either party denies husband's paternity, the Court shall proceed, pursuant to ORC Chapter 3111, to determine if the parent and child relationship exists between husband and the child, and then shall proceed to hear and determine all aspects of the case.