



Acknowledgment of Parentage (AoP)

The following persons may sign an AoP:

- An unmarried person who gave birth to the child and another person who is a genetic parent;
- A married or unmarried person who gave birth to the child and another person who is an intended parent of the child, in accordance with the Family Court Act Section 581-303, conceived through assisted reproductive technologies

The AoP is void if the following occur:

- A person other than the parties signing the Acknowledgment of Parentage is a presumed parent of the child due to marriage under New York Domestic Relations law;
- The child has a legally recognized parent other than the parties signing the Acknowledgment of Parentage due to an assisted reproduction agreement (an agreement with a gamete donor);
- A court has already entered a judgment or order determining parentage for the child;
- Another person has voluntarily acknowledged parentage for the child;
- A person signing the Acknowledgment of Parentage was a donor in an assisted reproduction, and already signed a statement that the donation was not intended to result in parental rights and responsibilities; or
- A person signing the Acknowledgment of Parentage asserts that they have parental rights due to an assisted reproduction agreement, but a court finds that the child was not conceived through assisted reproduction.

Filing:

An AoP must be submitted to either:

- the birth registrar (or representative) in the hospital where the child is born at the time of birth; or
- the local registrar in the registration district where the child was born.
- The local registrar will forward the documentation to the State Health Department where the birth certificate will be amended to reflect the information in a valid AoP.



[LDSS Acknowledgment of Parentage \(PDF\)](#)


Use this form for adding the non-birth parent's name under the above-mentioned circumstances

Gestational Surrogacy Agreements

The first step in surrogacy is for the intended parent(s) to select a surrogate. The surrogate and intended parent(s) are screened to make sure they are healthy (both physically and emotionally) and able to participate in the surrogacy process. Once a surrogate is matched with the intended parent(s), the parties work with their separate attorneys to write, review, revise and sign the surrogacy agreement. This happens before the start of any medical procedures (other than screening tests.)

The surrogacy agreement describes the rights and responsibilities of the surrogate and the intended parent(s) and the promises (agreement) the parties are making to one another. New York State law is very specific about the requirements of the agreement (see Family Court Act § 581-403). Surrogacy matching programs and attorneys for the surrogate and intended parent(s) must ensure that all requirements are met under New York State law to ensure the agreement is legally binding and enforceable, and to best protect the interests and rights of all parties to the agreement.

After the surrogacy agreement is signed, an embryo can be transferred into the surrogate through IVF. IVF is a medical procedure where an egg is fertilized with sperm in a laboratory setting. The resulting embryo is then transferred into the surrogate's uterus. IVF is a complex process that involves several steps, including hormone therapy, egg retrieval, fertilization, and embryo transfer. The success rate of IVF varies depending on the individual's circumstances, but it is generally higher than natural conception. IVF is a costly procedure, and it is important to consult with a fertility specialist to understand the risks and benefits of this procedure.

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- A child;
 - A parent;
 - A participant;
 - A person with a claim to parentage;
 - A social service official or other governmental agency authorized by other law; or
 - A legal representative for the individual who would have otherwise been entitled to bring a petition to establish parentage from a child born through assisted reproduction or pursuant to a gestational surrogacy agreement - but who is deceased, incapacitated, or a minor.

Court Clerk:

Shall submit a [notification of an order of parentage](#) to the State Health Department

Filing:

In addition to the notice from the Court Clerk, an Order of Parentage must be submitted:

- To the birth registrar in the hospital where the child is born at or prior to or at the time of birth; or
- To the local registrar in the registration district where the child is born; or
- The local registrar will forward the documentation to the State Health Department where the birth certif-3(1rl)-4(e)-3(rk)6(,)-3(a)



Documentation and Publications