

# Child Custody Attorney For Unmarried Couples in Salt Lake City, Utah

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For parents who never married, dealing with a separation can be confusing. Without the process of a divorce guiding you through the resolution of questions on child custody, child support, and other issues, how do you settle those matters?

First, today's cohabitating couples need to know how their individual parental rights and their child's rights are affected when a baby is born outside marriage. For thorough information on this critical topic, speak to an experienced child custody lawyer in Salt Lake City, UT. In the meantime, here is some important information about the fundamental rights of parents and children under Utah law when the parents are unmarried.

Contents on this page:

[Child Custody Automatically Goes to the Mother](#)

[Why a Father Needs to Establish Paternity](#)

[How to Establish Paternity Under Utah Law](#)

[Child Custody For Unmarried Couples](#)

[Top Child Custody Attorney For Unmarried Couples](#)

**Without the process of a divorce guiding you through settling child custody, be sure to speak with an experienced Salt Lake City, UT, Child Custody lawyer.**

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## **Child Custody Automatically Goes to the Mother**

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In Utah, a mother possesses an intrinsic natural right to custody of a child to whom she gives birth. This means that the law finds the mother's parental rights to have an inherently stronger claim than the father's or any other person's to primary custody of the child.

When unmarried parents separate, the father faces the additional challenge of being required to establish paternity to be recognized as the child's parent. If the father does not take the necessary action to establish paternity rights, the mother automatically has full legal and physical custody of the couple's child(ren).

## **Why a Father Needs to Establish Paternity**

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Establishing paternity determines a father's *legal* status as the father of his child(ren). A *husband* is automatically assumed to be the biological father of any children born during his marriage in Utah. *Unmarried* fathers are often unaware that simply being named a child's father on the birth certificate is insufficient to establish paternity in Utah.

Without paternity established, a father does not have any legal rights regarding the child. This means he does not have any right to be considered for custody or visitation. Further, his child does not have any of these essential rights to receive benefits of legal recognition as their father's child:

- Health insurance benefits
- Social Security insurance benefits
- Inheritance rights
- Veterans' benefits

Mothers have important reasons to establish paternity. First, their child(ren) will have a legal right to the above-listed financial benefits after paternity is established. Second, paternity must be established in order for the mother to be legally entitled to receive child support from a man in Utah.

## **How to Establish Paternity Under Utah Law**

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As you can see, the best interests of the father, mother, and child are all at stake in having paternity legally established. In the state of Utah, there are three ways that paternity can be established:

1. *Voluntary Declaration of Paternity (VDP)* — Both parents sign a legal acknowledgment of the father's paternity along with the birth certificate, usually at the hospital, when the child is born.
2. *Administrative Paternity Order* — The Office of Recovery Services can establish paternity through their administrative process if a parent has applied for child support and paternity has been proven.
3. *Judicial paternity* — Obtain a judge's order declaring paternity. Either parent or both may petition the court for an order establishing paternity.

If a mother is uncertain who the father of her child is, a man can take a paternity test to establish that he is the child's biological father. After paternity is established, the two unmarried parents then have the same legal position with respect to child custody rights that divorcing couples have. Then, the separating couple can form a meaningful child custody agreement for unmarried parents.

## **Experienced Family Law Representation Dedicated To Protecting Your Rights And Best Interests**

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At the Law Office of David Pedrazas, PLLC, attorney David Pedrazas can help you resolve all child-related family law issues you are currently facing. With over 20 years of experience, David knows how to help his clients achieve the resolutions they need through strategic, thoughtful, and cost-effective means. David Pedrazas has helped people through more than 1,000 divorce and family law cases. That experience can be invaluable to his clients. Let David help you settle these critical questions.

## **Contact the Top Child Custody Lawyer for Unmarried Couples in Salt Lake City, Utah**

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If you are unmarried and facing child custody issues, having an experienced attorney as your guide can be the best step you can take toward making sure that you can effectively pursue the resolution you need. Turn to the Law Office of David Pedrazas, PLLC, for the skill and experience you need. To schedule a Legal Case Review, call 801-263-7078 or [contact us online](#).