

Uniform Parentage Act (2017)

AN ERICSA RESOLUTION

WHEREAS, the establishment of parentage is a critical component of the child support program;

WHEREAS, the Eastern Regional Interstate Child Support Association (ERICSA) is an association dedicated, from its inception 55 years ago, to improving the establishment of parentage and the establishment and enforcement of child support obligations across state lines;

WHEREAS, The Uniform Parentage Act (UPA) provides states with a uniform legal framework for establishing parent-child relationships and the Uniform Law Commission (ULC) established a drafting committee to revise the UPA to improve and expand the Act, last revised in 2002;

WHEREAS, the ULC approved UPA (2017) at its annual conference on July 14, 2017, in San Diego, California, and recommended that all States adopt it;

WHEREAS, the UPA (2017) recognizes the changing composition of families with same sex couple marriages now legalized by the United States Supreme Court decision, *Obergefell v. Hodges*, 135 S. Ct. 2584 (2015), and responds to the need for equal treatment for children born to same sex couples, similar to the groundbreaking 1973 version of the UPA which sought equal treatment of children born out of wedlock as to children born of marriages;

WHEREAS, the UPA (2017) addresses varied methods of establishing a parent-child relationship, provides definitive judicial guidance for resolving complex parentage issues, and allows States discretion on issues of surrogacy and recognition of more than two legal parents;

WHEREAS, because the Uniform Interstate Family Support Act (UIFSA) 2008 does not address the substantive law for litigating interstate parentage cases, adoption of UPA (2017) by all States would

ensure uniform treatment of children in interstate cases, regardless of family configurations;

WHEREAS, case law on such issues as the disestablishment of paternity and the status of presumptive parenthood varies greatly from state to state, and ERICSA recognizes the need for a more consistent approach in an era where a significant number of family support cases crosses state lines;

WHEREAS, the American Bar Association endorsed UPA (2017) on February 5, 2018;

WHEREAS, the ULC requested that ERICSA endorse and recommend to the States adoption of UPA (2017);

WHEREAS, members of the ERICSA Policy & Legislation Committee reviewed the UPA (2017) and recommended that the ERICSA Board of Directors endorse the Act; then

NOW, THEREFORE, BE IT RESOLVED this 19th day of April 2018, that the Eastern Regional Interstate Child Support Association, its President and its Board of Directors, endorses the final version of the Uniform Parentage Act 2017 and encourages States to legislatively adopt it.

Pam Sala, President