

SSRS-30636: Child support case files

SSRS-30642: Paternity establishment records

For submission to the Records Management Committee, October 2023

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SSRS-30636: Child support case files [view online](#)

This is a new retention schedule which is a consolidation of 6 existing schedules. The following existing schedules will be closed after this schedule is approved:

- [22578 - Recovery Services client case files \(Layton Office\)](#)
- [22580 - Recovery Services client case files \(Ogden Office\)](#)
- [22581 - Recovery Services client case files \(Provo Office\)](#)
- [22582 - Recovery Services client case files \(Richfield Office\)](#)
- [22583 - Recovery Services client case files \(St. George Office\)](#)
- [81288 - Child support case files \(Salt Lake Office\)](#)

Retention is 22 years after the birth of the youngest child (i.e. four years after the youngest child turns 18), or four years after the case is closed, whichever is greater.

Questions from Archives' internal Appraisal Committee

When would you use the "4 years after case is closed" retention?

An example would be if a parent owes past due child support and the case is paid off when the youngest child turns 22 and the case is then closed. ORS would wait an additional four years before the records are deleted.

How does ORS' system manage the records with two retention periods?

It will take an enhancement to be able to delete records once the retention period is met. This enhancement would involve creating a query that would identify cases in ORS' case management system; specifically, those that are closed for 4 years and the children on those cases are 22 years of age.

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There are multiple ways to legally "establish paternity" in the state of Utah:

1. A man and woman who are married at the time of the child's birth establish paternity automatically.
2. A Voluntary Declaration of Paternity is a form signed by both parents, in the presence of two witnesses who are unrelated to the parents.
3. An Administrative Order via ORS.
4. A Court Order via the courts.

An administrative order and a court order may both establish the paternity for a child. ORS has the authority to issue administrative orders establishing paternity (when appropriate), child support, and medical support. An order issued through the courts may include these provisions in addition to a determination of custody and visitation.

These records include the supporting documentation (e.g. genetic test results, paternity affidavit and questionnaire, etc.) that is used for ORS to establish the administrative paternity and child support order, which legally establishes paternity for the child.

ORS administrative orders are kept for 40 years after a case is closed (see [SSRS-30215: Administrative orders](#)). ORS seeks the same retention for these paternity establishment records.

Further Reading

Office of Recovery Services' webpage about establishing paternity
<https://ors.utah.gov/child-support/establish-paternity/>

ORS paternity FAQs
<https://ors.utah.gov/child-support/establish-paternity/paternity-frequently-asked-questions/>

Utah State Courts' webpage about paternity
<https://www.utcourts.gov/en/self-help/case-categories/family/paternity.html>

Utah Courts: Establishing Court-Ordered Paternity Unmarried Parents Guide - 3/23/16
https://www.utcourts.gov/content/dam/mediation/cpm/docs/CMP-Paternity-Unmarried_Parents_Guide.pdf