



MISSOURI SENATE

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Senator Jeff Smith Seeks to Improve Paternity Law

JEFFERSON CITY — A Senate panel is considering a bill ([Senate Bill 141](#)) proposed by Senator Jeff Smith, D-St. Louis, that supports a non-custodial father's right to challenge paternity judgments in instances where new DNA evidence reveals the petitioner is not the child's father. The bill is under consideration by the General Laws Committee.

Under the proposed legislation, a father excluded as a child's biological father through DNA testing could be relieved of child support payments and have criminal non-support records expunged.

"This is about restoring justice for men who, often for reasons beyond their control, have found themselves legally obligated to support children who are not theirs," Smith said.

Smith's proposal also reforms the notification process for contacting men who have had a paternity judgment entered against them, and it increases the time a defendant has to challenge paternity.

"Given St. Louis's large transient population — nearly one-third of St. Louis public school students are homeless at some point during the school year, for instance — one can imagine how difficult is it to notify fathers of paternity under the current law that allows only 60 days for fathers to contest judgments," Smith said. "Often, these defendants are low-income men who are not easily reached, or unfamiliar with the process or their rights, and a judgment of paternity is issued before they have a chance to respond or question paternity."

During a public hearing on Tuesday (2/3), several St. Louis presumed fathers who were cleared of paternity, along with representatives from the Fathers' Support Center in St. Louis, testified in support of Smith's proposed legislation. "The FSC does an excellent job protecting fathers' rights and helping them get their lives back on track," said Smith.

Smith also recently filed a related bill. [Senate Bill 140](#) would provide Missouri parents who have been financially unable to pay child support more options for improving their life situation and providing financial support for their children, including court-supervised access to educational, vocational or employment training, substance abuse treatment or work programs.

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