

Georgia's Responsible Fathers Act (HB 1343) in Plain Language

HB 1343 attempts to create a faster way for some unmarried fathers to become legal fathers. Rather than starting in court, the bill relies on a new administrative process through the Georgia Department of Human Services (DHS).

What HB 1343 Would Do

The bill creates an administrative pathway for legitimation. HB 1343 would allow an unmarried biological father to request an administrative legitimation order through DHS if paternity has been established through genetic testing and certain eligibility requirements are met. If granted, DHS would issue a legitimation order and file it with the superior court clerk.

It defines a window for action.

The administrative option is available for a short time after birth.

The bill establishes specific safety screens.

HB 1343 includes disqualifiers based on serious safety concerns, such as certain convictions or protective orders. It also includes circumstances where DHS must deny legitimation.

HB 1343 offers legitimation education in the hospital at birth.

Hospitals and birthing centers would be required to share educational materials before a mother and child are discharged.



Why This Matters to Families

Clear legal status early can reduce confusion, reduce conflict, and help parents build a working co-parenting plan while routines are still forming. When a system is slow or unclear, time becomes the enemy, and children experience the consequences.

Fathers Incorporated analyzes fatherhood policy and provides public-facing updates, community guidance, and recommended amendments that protect children while ensuring no responsible father is left behind.

What HB 1343 Would Not Do

The bill does not automatically grant parenting time or custody. Even if a father becomes a legal father through the pathway created by HB 1343, custody and parenting time decisions remain with the courts.

It does not establish 50-50 parenting time.

HB 1343 is not a shared parenting bill. Parenting time would still depend on court decisions and the child's best interests.

HB 1343 does not modernize child support policies.

The bill taps the child support system but does not change child support rules, calculations, enforcement, or parenting-time adjustments.



Paternity vs. Legitimation

Currently, Georgia treats **paternity** and **legitimation** as two distinct matters:

Paternity asks, "Is he the biological father?"

Legitimation asks, "Does he have legal standing to ask the court for custody and parenting time?"

Short FAQs

Does this bill give fathers automatic custody?

No. Custody remains a court decision.

Does this bill guarantee 50-50 parenting time?

No. Courts decide parenting time based on the child's best interests.

Does HB 1343 replace court legitimation?

No. It adds an administrative pathway for some fathers but does not eliminate the court pathway.

Why does this matter if both parents agree?

A clear path to legal fatherhood reduces confusion and helps families establish stable parenting plans.

Potential Strengths of HB 1343

Faster access for fathers who are ready early. Reducing delays can help fathers step into responsibility before conflict hardens relationships.

Lower barriers for families who struggle to navigate court processes. When the system is too complex, families pay in time, money, and stress.

Clear attention to safety concerns. Any reform must protect mothers and children. The bill signals that safety is a priority.

Public awareness at a critical moment. Hospital-based education that provides families with accurate information as early as possible can prevent misunderstandings from becoming years of conflict.

5 Serious Risks (Unless Amended)

RISK 1: A narrow window may create a new cliff.

If the administrative pathway is limited to a short period after birth, fathers who face obstacles—such as lack of awareness, being blocked, deployment, incarceration, or other delays—may be excluded. (Fathers who miss the window may still have to use the traditional court process.)

What to watch: Will reasonable exceptions and a longer window be added to the final bill so timing doesn't become a gatekeeper?

RISK 2: Due process is not clearly spelled out.

Legitimation is a major legal decision. Families deserve clarity on notice, dispute resolution, appeals, and error correction.

What to watch: Will the final bill state how mothers are notified, how disagreements are handled, how decisions are reviewed, and how mistakes are corrected?

RISK 3: Confusion between paternity, legitimation, and parenting time may continue.

Many parents already misunderstand these terms. HB 1343 may create additional confusion about legal rights if guidance is unclear or ambiguous.

What to watch: Will Georgia provide a statewide plain-language guide that explains what HB 1343 does and does not do?

RISK 4: The bill may increase administrative volume and lead to unequal outcomes.

If DHS acts as a gatekeeper to legitimation without consistent statewide rules and training, outcomes may vary by county and capacity.

What to watch: Will the final bill require statewide standards, training, and transparent reporting?

RISK 5: The child support entanglement may be a barrier.

If families experience or interpret the DHS pathway as “go through child support enforcement to be recognized,” distrust may rise.

What to watch: Will the final bill clearly separate fatherhood recognition from enforcement posture while still maintaining responsibility?

7 Questions Georgia Must Answer Before Moving HB 1343 Forward

1. How and when is the mother notified, and what rights does she have to respond?
2. What happens when parents disagree about facts?
3. What is the appeal process for either parent?
4. How are errors corrected, and how fast?
5. How long is the eligibility window, and what exceptions exist?
6. What statewide standards and training will DHS use to ensure its decisions are consistent?
7. What data will Georgia publish so the public can evaluate the bill's impact, fairness, and safety?

How You Can Take Action

- Share this handout with fathers, co-parents, and community partners.
- Ask legislators to modernize fatherhood policy in ways that protect families and prevent unintended harm.
- Encourage Georgia to create plain-language, statewide guidance so families understand the difference between paternity, legitimation, and parenting time.
- Support services that help parents succeed beyond the courtroom: co-parenting education, mediation, conflict resolution support, employment support, and father-inclusive family services.

Fathers Incorporated's Position

Fathers Incorporated supports efforts to modernize how Georgia recognizes legal fatherhood for unmarried fathers. Georgia should have a clear, accessible, child-centered, and fair pathway. However, unless amended, the current language in HB 1343 presents risks. A fast process without clear protections can increase confusion, litigation, and leave some fathers behind.

For more information:

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