

§1611. Refusal of alleged father to submit to blood or tissue-typing tests

1. Filing of record in court. If the alleged father denies paternity and subsequently fails to submit to blood or tissue-typing testing, the record may be filed in court as a paternity action and the department may seek an adjudication of paternity pursuant to section 1914. The alleged father's refusal to submit to a blood or tissue-typing test constitutes a refusal to submit under section 1914. The filing of the record, along with proof of service pursuant to section 1604, constitutes compliance with the Maine Rules of Civil Procedure, Rule 3(1).

[PL 2015, c. 296, Pt. C, §14 (AMD); PL 2015, c. 296, Pt. D, §1 (AFF).]

2. Notice of filing. The department shall send to the alleged father by ordinary mail notice of the filing of the paternity proceeding and a request under section 1911. Within 20 days of the mailing of this notice, the alleged father may assert any defense, in law or fact.

[PL 2015, c. 296, Pt. C, §14 (AMD); PL 2015, c. 296, Pt. D, §1 (AFF).]

3. Request for default judgment or order. The department shall forward to the alleged father by ordinary mail a copy of any request for a default judgment or an order pursuant to section 1911 or 1914. If the alleged father does not notify the court in writing within 20 days of the date the department's request was mailed that he opposes the relief requested by the department, the court may grant the relief requested without a hearing. Any notice mailed must contain the substance of this section.

[PL 2015, c. 296, Pt. C, §14 (AMD); PL 2015, c. 296, Pt. D, §1 (AFF).]

SECTION HISTORY

PL 1995, c. 694, §B2 (NEW). PL 1995, c. 694, §E2 (AFF). PL 2015, c. 296, Pt. C, §14 (AMD). PL 2015, c. 296, Pt. D, §1 (AFF).

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