

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT S.B. 295

SENATE BILL NO. 295—SENATOR RAWSON

MARCH 7, 2001

Referred to Committee on Judiciary

SUMMARY—Provides for establishment of registry of putative fathers for purposes of facilitating termination of parental rights and adoption of certain children. (BDR 11-50)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to domestic relations; providing for the establishment of a registry of putative fathers; requiring the health division of the department of human resources to adopt regulations to administer the registry of putative fathers; revising the provisions governing the termination of parental rights and adoption of children of putative fathers; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 128 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 12, inclusive, of this act.
3 **Sec. 2.** *“Division” means the health division of the department of*
4 *human resources.*
5 **Sec. 3.** *“Registrant” means a putative father who has registered with*
6 *the registry pursuant to section 6 of this act.*
7 **Sec. 4.** *“Registry” means the registry of putative fathers established*
8 *pursuant to section 5 of this act.*
9 **Sec. 5.** 1. *The division shall establish a registry of putative fathers.*
10 2. *The registry must include, without limitation, the following*
11 *information pertaining to a registrant who has not withdrawn his*
12 *registration:*
13 (i) *The name of the registrant;*
14 (ii) *The date of birth of the registrant;*
15 (iii) *The name and date of birth of the child who is the subject of the*
16 *registration, if known;*
17 (iv) *The address at which the registrant wishes to receive notice of the*
18 *filing of a petition for termination of parental rights; and*



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1 (e) The name of the mother of the child and any known aliases used
2 by the mother.

3 3. The division shall establish and maintain a statewide campaign to
4 ensure that the public is aware of the existence and purpose of the
5 registry.

6 Sec. 6. 1. A person who is the putative father of a child may,
7 before the birth of the child or within 30 days after the birth of the child,
8 register with the registry by submitting to the division a registration form
9 in the manner prescribed in the regulations adopted by the division
10 pursuant to section 11 of this act.

11 2. A registration form shall be deemed to be filed in the registry at
12 the time of receipt that is recorded on the registration form by the
13 division.

14 3. A registrant shall notify the division of his new address not later
15 than 5 days after changing the address at which he wishes to receive
16 notice of a filing of a petition for termination of parental rights or
17 summary petition for termination of parental rights, as applicable.

18 Sec. 7. 1. Upon receipt of a written and notarized request of a
19 registrant to withdraw his registration from the registry, the division
20 shall:

21 (a) Remove from the registry and destroy all information, whether
22 tangible or intangible, pertaining to the registrant; and

23 (b) Refuse to disclose any information pertaining to the registrant or
24 pertaining to the fact that the registrant registered with the registry or
25 requested the withdrawal of his registration.

26 2. A registrant who withdraws his registration pursuant to this
27 section may not submit another registration form for the same child for
28 which he previously registered.

29 Sec. 8. 1. An agency described in NRS 127.050, a person who has
30 filed a petition for termination of parental rights pursuant to this chapter
31 or an attorney acting on behalf of a person who has filed a petition for
32 termination of parental rights pursuant to this chapter may request that
33 the division search the registry to determine whether a person who is the
34 subject of a petition for termination of parental rights filed pursuant to
35 this chapter has registered as the putative father of the child.

36 2. After conducting a search of the registry, if the division
37 determines that a person has registered as the putative father of the child,
38 the division shall:

39 (a) Provide the agency or person described in subsection 1 with a
40 certified copy of the registration form submitted by the registrant which
41 indicates the date and time of receipt of the registration form; and

42 (b) Notify the registrant by certified mail that:

43 (1) A petition or summary petition, as applicable, for the
44 termination of his parental rights has been filed;

45 (2) A search of the registry was conducted pursuant to this section;
46 and

47 (3) A copy of his registration form was provided to an agency or a
48 person described in subsection 1.



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- 1 3. After conducting a search of the registry, if the division
2 determines that a person has not registered as the putative father of the
3 child, the division shall provide the agency or person described in
4 subsection 1 with a certified statement verifying that:
5 (a) A search of the registry was conducted; and
6 (b) No person has registered as the putative father of the child.
- 7 **Sec. 9.** The division shall not charge any fee for:
8 1. Registering with the registry;
9 2. Withdrawing a registration from the registry;
10 3. Conducting a search of the registry; or
11 4. Providing a certified copy of a registration form or a certified
12 statement pursuant to section 8 of this act.
- 13 **Sec. 10.** 1. Except as otherwise provided in this section, all
14 information contained in the registry is confidential and must not be
15 released to any person.
16 2. Information concerning a registrant may be released to:
17 (a) A court of competent jurisdiction.
18 (b) An agency or a person described in section 8 of this act who
19 submits a written request for a search of the registry.
20 (c) A person who submits a written request for the information
21 accompanied by a notarized statement from the registrant authorizing the
22 release of the information.
23 (d) A person authorized to receive the information pursuant to an
24 order of a court of competent jurisdiction.
25 (e) The state, any political subdivision of the state and any agency of
26 the state or of a political subdivision of the state that is responsible for
27 establishing and enforcing obligations of child support, but the
28 information released must not be used for any purpose other than
29 establishing and enforcing obligations of child support.
- 30 **Sec. 11.** The division shall adopt regulations to carry out the
31 provisions of sections 2 to 10, inclusive, of this act.
- 32 **Sec. 12.** 1. If the mother of a child relinquishes or proposes to
33 relinquish for adoption a child who does not have:
34 (a) A presumed father pursuant to subsection 1 of NRS 126.051;
35 (b) A father whose relationship to the child has been determined by a
36 court;
37 (c) A father as to whom the child is a legitimate child pursuant to
38 chapter 126 of NRS, the prior law of this state or the law of another
39 jurisdiction; or
40 (d) A father who can be identified in any other way,
41 or if a child otherwise becomes the subject of an adoption proceeding, the
42 agency or person to whom the child has been or is to be relinquished, or
43 the mother or the person having custody of the child, may file a summary
44 petition to terminate parental rights pursuant to this section.
45 2. A summary petition to terminate parental rights must be verified,
46 must be entitled "Summary Petition for Termination of Parental Rights"
47 and must:
48 (a) Allege the facts necessary for a court to grant the petition;
49 (b) Contain the information set forth in NRS 128.050; and



1 (c) *Be accompanied by an affidavit of the mother, which states:*

2 (1) *The name of each putative father of the child;*

3 (2) *The probable place or places where conception of the child is*
4 *believed to have occurred;*

5 (3) *The probable date when conception of the child is believed to*
6 *have occurred;*

7 (4) *The last known address of each putative father of the child, if*
8 *known;*

9 (5) *The name of any relative or a friend of each putative father of*
10 *the child, if known;*

11 (6) *The efforts, if any, by the mother to contact each putative father*
12 *concerning the conception or birth of the child;*

13 (7) *The substance of any communication between the mother and*
14 *each putative father concerning the conception or birth of the child;*

15 (8) *The efforts, if any, of each putative father to establish the*
16 *parentage of the child;*

17 (9) *The date of any visitation between the child and each putative*
18 *father; and*

19 (10) *The amount of any financial assistance provided by each*
20 *putative father to the mother during the pregnancy or after the birth of*
21 *the child.*

22 3. *Notice of the filing of a summary petition must be sent by certified*
23 *mail to the address of any putative father identified in the registry. The*
24 *notice must contain a statement in substantially the following form:*

25
26 *As a person who has registered with the putative father registry as*
27 *the putative father of a child, any parental rights that you may have*
28 *concerning the child will be subject to summary termination unless*
29 *you file an objection with the court identified in the summary*
30 *petition for termination of parental rights within 25 days after this*
31 *notice was personally served on you or within 25 days after the date*
32 *on which this notice was mailed to you, whichever is applicable.*
33

34 4. *The filing of a summary petition does not relieve the petitioner of*
35 *the duty to conduct a diligent search for the putative father before the*
36 *petition is decided by the court. Such a search must be based upon the*
37 *information provided in the affidavit of the mother pursuant to*
38 *subsection 1 and any other reasonably accessible information.*

39 5. *If a putative father is found, the putative father must be notified by*
40 *certified mail of the following:*

41 (a) *The name of the birth mother and date of birth or anticipated date*
42 *of birth of the child.*

43 (b) *That he may be the father of the child.*

44 (c) *That the child is being placed for adoption.*

45 (d) *That if he has any interest in establishing or asserting his parental*
46 *rights, he must register with the registry within 30 days after the birth of*
47 *the child and that the failure to register with the registry within 30 days*
48 *after the birth of the child will result in the termination of his parental*
49 *rights.*



1 6. *If a putative father cannot be found or a putative father who*
2 *received notification of the filing of a summary petition pursuant to this*
3 *section does not register with the registry within 30 days after the birth of*
4 *the child, the petitioner may, in accordance with the provisions of*
5 *subsection 7, submit a request for submission of the petition, together*
6 *with a proposed order, to the court for decision.*
7 7. *If notice of a summary petition has been served or mailed to one*
8 *or more putative fathers, the petitioner may submit a request for*
9 *submission of the petition, together with a proposed order, to the court*
10 *for decision 25 days after service of the notice or 25 days after notice is*
11 *mailed to the putative fathers if each putative father who has been served*
12 *or sent notice fails to:*
13 (a) *Enter an appearance; or*
14 (b) *Otherwise notify the court of any attempt to establish parentage.*
15 8. *A putative father who fails to register with the registry pursuant to*
16 *section 6 of this act shall be deemed to have waived his right and*
17 *opportunity to receive further notice, other than the notice provided in*
18 *this section, of proceedings for the summary termination of his parental*
19 *rights.*
20 9. *A summary petition filed pursuant to this section must not be*
21 *granted or denied sooner than 35 days after the birth of the child.*
22 10. *A court may grant a summary petition filed pursuant to this*
23 *section if the court finds that:*
24 (a) *The petitioner has satisfied the provisions of this section; and*
25 (b) *Granting of the petition is in the best interests of the child.*
26 **Sec. 13.** NRS 128.010 is hereby amended to read as follows:
27 128.010 As used in this chapter, unless the context otherwise requires,
28 the words and terms defined in NRS 128.011 to 128.018, inclusive, *and*
29 *sections 2, 3 and 4 of this act* have the meanings ascribed to them in those
30 sections.
31 **Sec. 14.** NRS 128.016 is hereby amended to read as follows:
32 128.016 "Putative father" means a person who ~~is or is~~ :
33 1. *Is alleged or reputed to be the father of an illegitimate child* ~~H~~ ;
34 2. *Is not the presumed father of a child pursuant to NRS 126.051;*
35 3. *Has not acknowledged paternity of the child pursuant to NRS*
36 *126.053; and*
37 4. *Has not been determined to have a parent and child relationship*
38 *with the child by:*
39 (a) *A court of competent jurisdiction pursuant to the laws of this state;*
40 (b) *A court of competent jurisdiction in another state;*
41 (c) *An administrative agency or quasi-judicial entity pursuant to NRS*
42 *425.382 to 425.3852, inclusive; or*
43 (d) *An administrative agency or quasi-judicial entity in another state*
44 *that is authorized to establish or to determine parentage or the existence*
45 *of a parent and child relationship.*
46 **Sec. 15.** NRS 128.050 is hereby amended to read as follows:
47 128.050 1. ~~The~~ *Except as otherwise provided in section 12 of this*
48 *act*, proceedings must be entitled, "In the matter of the parental rights as to
49 a minor."



- 1 2. A petition must be verified and may be upon information and belief.
2 It must set forth plainly:
3 (a) The facts which bring the child within the purview of this chapter.
4 (b) The name, age and residence of the child.
5 (c) The names and residences of his parents.
6 (d) The name and residence of the person or persons having physical
7 custody or control of the child.
8 (e) The name and residence of his legal guardian, if there is one.
9 (f) The name and residence of the child's nearest known relative
10 residing within the state, if no parent or guardian can be found.
11 (g) Whether the child is known to be an Indian child.
12 3. If any of the facts required by subsection 2 are not known by the
13 petitioner, the petition must so state.
14 4. If the petitioner is a mother filing with respect to her unborn child,
15 the petition must so state and must contain the name and residence of the
16 father or putative father, if known.
17 5. If the petitioner or the child is receiving public assistance, the
18 petition must so state.
19 **Sec. 16.** NRS 128.060 is hereby amended to read as follows:
20 128.060 1. ~~{After}~~ *Except as otherwise provided in section 12 of*
21 *this act, after* a petition has been filed, unless the party or parties to be
22 served voluntarily appear and consent to the hearing, the court shall direct
23 the clerk to issue a notice, reciting briefly the substance of the petition and
24 stating the date set for the hearing thereof, and requiring the person served
25 therewith to appear before the court at the time and place if that person
26 desires to oppose the petition.
27 2. The following persons must be personally served with the notice:
28 (a) The father or mother of the minor person, if residing within this
29 state, and if his or her place of residence is known to the petitioner, or, if
30 there is no parent so residing, or if the place of residence of the father or
31 mother is not known to the petitioner, then the nearest known relative of
32 that person, if there is any residing within the state, and if his residence and
33 relationship are known to the petitioner; and
34 (b) The minor's legal custodian or guardian, if residing within this state
35 and if his place of residence is known to the petitioner.
36 3. If the petitioner or the child is receiving public assistance, the
37 petitioner shall mail a copy of the notice of hearing and a copy of the
38 petition to the chief of the child enforcement program of the welfare
39 division of the department of human resources by registered or certified
40 mail, return receipt requested, at least 45 days before the hearing.
41 **Sec. 17.** NRS 128.070 is hereby amended to read as follows:
42 128.070 1. ~~{When}~~ *Except as otherwise provided in subsection 6,*
43 *when* the father or mother of a minor child or the child's legal custodian or
44 guardian resides out of the state, has departed from the state, or cannot,
45 after due diligence, be found within the state, or conceals himself or herself
46 to avoid the service of the notice of hearing, and the fact appears, by
47 affidavit, to the satisfaction of the court thereof, and it appears, either by
48 affidavit or by a verified petition on file, that the named father or mother or
49 custodian or guardian is a necessary or proper party to the proceedings, the



1 court may grant an order that the service be made by the publication of the
2 notice of hearing. When the affidavit is based on the fact that the father or
3 mother or custodian or guardian resides out of the state, and his or her
4 present address is unknown, it is a sufficient showing of that fact if the
5 affiant states generally in the affidavit that:

6 (a) At a previous time the person resided out of this state in a certain
7 place (naming the place and stating the latest date known to the affiant
8 when the person so resided there);

9 (b) That place is the last place in which the person resided to the
10 knowledge of the affiant;

11 (c) The person no longer resides at that place;

12 (d) The affiant does not know the present place of residence of the
13 person or where the person can be found; and

14 (e) The affiant does not know and has never been informed and has no
15 reason to believe that the person now resides in this state.

16 In such case, it ~~shall be~~ *is* presumed that the person still resides and
17 remains out of the state, and the affidavit shall be deemed to be a sufficient
18 showing of due diligence to find the father or mother or custodian or
19 guardian.

20 2. The order must direct the publication to be made in a newspaper, to
21 be designated by the court, for a period of 4 weeks, and at least once a
22 week during that time. In case of publication, where the residence of a
23 nonresident or absent father or mother or custodian or guardian is known,
24 the court shall also direct a copy of the notice of hearing and petition to be
25 deposited in the post office, directed to the person to be served at his place
26 of residence. When publication is ordered, personal service of a copy of the
27 notice of hearing and petition, out of the state, is equivalent to completed
28 service by publication and deposit in the post office, and the person so
29 served has 20 days after the service to appear and answer or otherwise
30 plead. The service of the notice of hearing shall be deemed complete in
31 cases of publication at the expiration of 4 weeks from the first publication,
32 and in cases when a deposit of a copy of the notice of hearing and petition
33 in the post office is also required, at the expiration of 4 weeks from the
34 deposit.

35 3. Personal service outside the state upon a father or mother over the
36 age of 18 years or upon the minor's legal custodian or guardian may be
37 made in any action where the person served is a resident of this state.
38 When the facts appear, by affidavit, to the satisfaction of the court, and it
39 appears, either by affidavit or by a verified petition on file, that the person
40 in respect to whom the service is to be made is a necessary or proper party
41 to the proceedings, the court may grant an order that the service be made
42 by personal service outside the state. The service must be made by
43 delivering a copy of the notice of hearing together with a copy of the
44 petition in person to the person served. The methods of service are
45 cumulative, and may be utilized with, after or independently of other
46 methods of service.

47 4. Whenever personal service cannot be made, the court may require,
48 before ordering service by publication or by publication and mailing, such
49 further and additional search to determine the whereabouts of the person to



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1 be served as may be warranted by the facts stated in the affidavit of the
2 petitioner to the end that actual notice be given whenever possible.

3 5. If one or both of the parents of the minor is unknown, or if the name
4 of either or both of his parents is uncertain, then those facts must be set
5 forth in the affidavit and the court shall order the notice to be directed and
6 addressed to either the father or the mother of the person, and to all persons
7 claiming to be the father or mother of the person. The notice, after the
8 caption, must be addressed substantially as follows: "To the father and
9 mother of the above-named person, and to all persons claiming to be the
10 father or mother of that person."

11 *6. The provisions of this section do not apply to a summary petition*
12 *for termination of parental rights pursuant to section 12 of this act.*

13 **Sec. 18.** NRS 128.080 is hereby amended to read as follows:
14 128.080 The notice *required pursuant to NRS 128.060 and 128.070*
15 must be in substantially the following form:

16
17 In the Judicial District Court of the State of Nevada,
18 in and for the County of

19
20 In the matter of parental rights
21 as to, a minor.

22
23 Notice

24
25 To, the father or, the mother of the
26 above-named person; or, to the father and mother of the above-named
27 person, and to all persons claiming to be the father or mother of this
28 person; or, to, related to the above-named minor as
29; and, to, the legal custodian or guardian of
30 the above-named minor:

31 You are hereby notified that there has been filed in the above-entitled
32 court a petition praying for the termination of parental rights over the
33 above-named minor person, and that the petition has been set for hearing
34 before this court, at the courtroom thereof, at, in the County
35 of, on the day of the month of of the year
36 at..... o'clockm., at which time and place you are required to be
37 present if you desire to oppose the petition.

38
39 Dated (month) (day) (year)

40
41
42 Clerk of court.

43
44 (SEAL)

45
46 By.....
47 Deputy.



1 **Sec. 19.** NRS 128.085 is hereby amended to read as follows:
2 128.085 ~~{When}~~ *Except as otherwise provided in section 12 of this*
3 *act:*

4 1. *If* the mother of an unborn child files a petition for termination of
5 the father's parental rights, the father or putative father, if known, ~~{shall}~~
6 *must* be served with notice of the hearing in the manner provided for in
7 NRS 128.060, 128.070 and 128.080.

8 2. The hearing ~~{shall}~~ *must* not be held until the birth of the child or 6
9 months after the filing of the petition, whichever is later.

10 **Sec. 20.** NRS 128.090 is hereby amended to read as follows:
11 128.090 1. ~~{At}~~ *Except in the case of a summary petition filed*
12 *pursuant to section 12 of this act, at* the time stated in the notice, or at the
13 earliest time thereafter to which the hearing may be postponed, the court
14 shall proceed to hear the petition.

15 2. The proceedings are civil in nature and are governed by the Nevada
16 Rules of Civil Procedure. The court shall in all cases require the petitioner
17 to establish the facts by clear and convincing evidence and shall give full
18 and careful consideration to all of the evidence presented, with regard to
19 the rights and claims of the parent of the child and to any and all ties of
20 blood or affection, but with a dominant purpose of serving the best
21 interests of the child.

22 3. Information contained in a report filed pursuant to NRS 432.100 to
23 432.130, inclusive, or chapter 432B of NRS may not be excluded from the
24 proceeding by the invoking of any privilege.

25 4. In the event of postponement, all persons served, who are not
26 present or represented in court at the time of the postponement, must be
27 notified thereof in the manner provided by the Nevada Rules of Civil
28 Procedure.

29 5. Any hearing held pursuant to this section must be held in closed
30 court without admittance of any person other than those necessary to the
31 action or proceeding, unless the court determines that holding such a
32 hearing in open court will not be detrimental to the child.

33 **Sec. 21.** NRS 128.110 is hereby amended to read as follows:

34 128.110 1. Whenever the ~~{procedure}~~ *procedures* described in this
35 chapter ~~{has}~~ *have* been followed, and upon finding grounds for the
36 termination of parental rights pursuant to NRS 128.105 at a hearing upon
37 the petition ~~{or}~~ *or without a hearing in the case of a summary petition*
38 *filed pursuant to section 12 of this act,* the court shall make a written
39 order, signed by the judge presiding in the court, judicially depriving the
40 parent or parents of the custody and control of, and terminating the parental
41 rights of the parent or parents with respect to the child, and declaring the
42 child to be free from such custody or control, and placing the custody and
43 control of the child in some person or agency qualified by the laws of this
44 state to provide services and care to children, or to receive any children for
45 placement.

46 2. If the child is placed in the custody and control of a person or
47 agency qualified by the laws of this state to receive children for placement,
48 the person or agency, in seeking to place the child:



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1 (a) May give preference to the placement of the child with any person
2 related within the third degree of consanguinity to the child whom the
3 person or agency finds suitable and able to provide proper care and
4 guidance for the child, regardless of whether the relative resides within this
5 state.

6 (b) Shall, if practicable, give preference to the placement of the child
7 together with his siblings.

8 Any search for a relative with whom to place a child pursuant to this
9 subsection must be completed within 1 year after the initial placement of
10 the child outside of his home.

11 **Sec. 22.** NRS 128.120 is hereby amended to read as follows:

12 128.120 Any order made and entered by the court ~~under~~ *pursuant to*
13 the provisions of NRS 128.110 *or section 12 of this act* is conclusive and
14 binding upon the person declared to be free from the custody and control of
15 his parent or parents, and upon all other persons who have been served
16 with notice by publication or otherwise, as provided by this chapter. After
17 the making of the order, the court has no power to set aside, change or
18 modify it, but nothing in this chapter impairs the right of appeal.

19 **Sec. 23.** NRS 128.150 is hereby amended to read as follows:

20 128.150 1. If a mother relinquishes or proposes to relinquish for
21 adoption a child who has:

22 (a) A presumed father ~~under~~ *pursuant to* subsection 1 of NRS
23 126.051;

24 (b) A father whose relationship to the child has been determined by a
25 court; or

26 (c) A father as to whom the child is a legitimate child ~~under~~ *pursuant*
27 *to* chapter 126 of NRS, ~~under~~ *pursuant to* prior law of this state or
28 ~~under~~ *pursuant to* the law of another jurisdiction,
29 and the father has not consented to the adoption of the child or relinquished
30 the child for adoption, a proceeding must be brought pursuant to this
31 chapter and a determination made of whether a parent and child
32 relationship exists and if so, if it should be terminated.

33 2. If a mother relinquishes or proposes to relinquish for adoption a
34 child who does not have:

35 (a) A presumed father ~~under~~ *pursuant to* subsection 1 of NRS
36 126.051;

37 (b) A father whose relationship to the child has been determined by a
38 court;

39 (c) A father as to whom the child is a legitimate child ~~under~~ *pursuant*
40 *to* chapter 126 of NRS, ~~under~~ *the* prior law of this state or ~~under~~ the law
41 of another jurisdiction; or

42 (d) A father who can be identified in any other way,
43 or if a child otherwise becomes the subject of an adoption proceeding, the
44 agency or person to whom the child has been or is to be relinquished, or the
45 mother or the person having custody of the child, shall file a petition in the
46 district court to terminate the parental rights of the father, unless *a*
47 *summary petition is filed pursuant to section 12 of this act or unless* the
48 father's relationship to the child has been previously terminated or
49 determined not to exist by a court.



1 3. ~~Has~~ *Except in the case of a summary petition filed pursuant to*
2 *section 12 of this act, in* an effort to identify and protect the interests of the
3 natural father, the court which is conducting a proceeding pursuant to this
4 chapter shall cause inquiry to be made of the mother and any other
5 appropriate person. The inquiry must include the following:
6 (a) Whether the mother was married at the time of conception of the
7 child or at any time thereafter.
8 (b) Whether the mother was cohabiting with a man at the time of
9 conception or birth of the child.
10 (c) Whether the mother has received support payments or promises of
11 support with respect to the child or in connection with her pregnancy.
12 (d) Whether any man has formally or informally acknowledged or
13 declared his possible paternity of the child.
14 4. If, after the inquiry ~~is~~ *pursuant to subsection 3*, the natural father is
15 identified to the satisfaction of the court, or if more than one man is
16 identified as a possible father, each must be given notice of the proceeding
17 in accordance with subsection 6 of this section or with this chapter, as
18 applicable. If any of them fails to appear or, if appearing, fails to claim
19 custodial rights, such failure constitutes abandonment of the child. If the
20 natural father or a man representing himself to be the natural father, claims
21 custodial rights, the court shall proceed to determine custodial rights.
22 5. If, after the inquiry ~~is~~ *pursuant to subsection 3*, the court is unable
23 to identify the natural father or any possible natural father and no person
24 has appeared claiming to be the natural father and claiming custodial
25 rights, the court shall enter an order terminating the unknown natural
26 father's parental rights with reference to the child. Subject to the
27 disposition of any appeal, upon the expiration of 6 months after an order
28 terminating parental rights is issued under this subsection, or this chapter,
29 the order cannot be questioned by any person in any manner or upon any
30 ground, including fraud, misrepresentation, failure to give any required
31 notice or lack of jurisdiction of the parties or of the subject matter.
32 6. ~~Notice~~ *Except in the case of a summary petition filed pursuant to*
33 *section 12 of this act, notice* of the proceeding must be given to every
34 person identified as the natural father or a ~~possible~~ *person presumed to*
35 *be the* natural father in the manner provided by law and the Nevada Rules
36 of Civil Procedure for the service of process in a civil action, or in any
37 manner the court directs. Proof of giving the notice must be filed with the
38 court before the petition is heard.
39 **Sec. 24.** The amendatory provisions of this act apply with respect to
40 any child who is born on or after October 1, 2001.

