

**Take Home Assignment #3**  
**(25 points)**

**Civil Law of Persons**

**Professor Monica Hof Wallace**

Jeff and Krissy met in Baton Rouge, Louisiana and lived together for 3 years from 2009 to 2012. While Krissy and Jeff were living together, Krissy was also romantically involved with another man named Bob. Krissy became pregnant and gave birth to a son named Carl on July 1, 2012. Krissy believed that Bob was Carl's father but listed neither man on the birth certificate. A few days later on July 5, 2012, Jeff and Krissy signed an authentic act acknowledging Jeff's paternity. Even though she believed that Bob was the father, she signed the act with Jeff as to not upset Jeff because he believed the child was his. Krissy never told Jeff that she believed Bob was Carl's biological father.

In November of 2012, Jeff and Krissy's relationship began to deteriorate. With their situation growing progressively worse, on December 1, 2012, Krissy left Jeff and moved in with Bob, taking Carl with her. Krissy and Bob were married on March 1, 2013.

Jeff learned of Krissy's marriage and has consulted you concerning his parental rights to Carl. In advising Jeff, answer the following questions giving full and complete reasons for your answers:

1. What is the legal effect of the authentic act that Jeff and Krissy signed concerning Jeff's paternity? (5 points)
2. Is Jeff entitled to revoke the authentic act? (5 points)
3. Assume that Krissy secretly had a paternity test performed and Bob is Carl's father. Can she take any action to establish that Jeff is not Carl's father? (5 points)
4. Assume that Jeff revokes the authentic act of acknowledgment. What action, if any, can Bob take to establish paternity with respect to Carl? (5 points)

For purposes of question five, assume the facts from above except that Jeff is Carl's biological father and did acknowledge his paternity. Carl is now twenty-five years old and married to Kelly. Bob and Carl have consulted you about Bob adopting Carl. Advise Bob by answering the following question.

5. Under the Civil Code, can Bob adopt Carl? (5 points)



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