Birth Certificates

(Revised 12/17/21)

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Forms

The forms referenced in this file are:

- 04-19 Vital Records Request (CWS/CMS Template)
- 04-272 Request for Delayed Registration of Birth
- Affidavit of Youth in Foster Care Status for Fee Exempt Certified Copy of Birth Certificate
- VS23 Amendment of Birth Record to Reflect Court Order Change of Name
- VS 01 In Person Application for a Birth Certificate
- VS 24 Affidavit to Amend a Record
- VS 108 Order Establishing Fact of Birth
- VS111 Sworn Statement Form

Purpose

A child's birth certificate can provide the SW with valuable information, especially when conducting a parent search and attempting to establish paternity. It provides information on the child's legal resident status for funding purposes, and is *required* for special proceedings. It is also a valuable tool for the child in their identification and assists them in obtaining other necessary documents such as passports, social security card, etc.

Policy

Staff is to follow all Agency Confidentiality - General when ordering, receiving and/or providing to another, a birth/death certificate to any other person.

A **certified** copy of the child's birth certificate will be ordered prior to the Jurisdictional/Disposition Hearing and will uploaded into the Electronic Record Management System (ERMS). If the child still has a hard file, file the birth certificate under the appropriate tab (do not punch holes in it). If changes and/or amendments are needed to the birth certificate, staff is to complete the appropriate paperwork prior to transferring the case. The data will be entered onto the ID and Demographics pages of the child's CWS/CMS Client Notebook.

Policy (cont.)

The birth certificate of the child must be provided to the caregiver upon placement. If the child is 16 years of age or older, the court may order that the youth receive their birth certificate instead. Staff must document in the CWS/CMS Contact Notebook that they provided the birth certificate to the caregiver and/or child.

NOTE: To request a birth certificate that is uploaded into ERMS, email with the case number and the birth certificate will be sent to you via interoffice mail.

Birth Certificate for Foster Child/Youth Born in the County of San Diego

County Recorders and Registrars are required to issue California certified birth certificates for foster children/youth **without** a fee. The SW, child/youth, or parent (if parental rights are intact) or other legal authorized guardian or caregiver, can request the child/youths birth certificate. To obtain the foster child/youth's birth certificate born in the County of San Diego, follow the steps below:

Step	Who	Action
1	SW, Parent, Youth, Caregiver/Legal Guardian	The parent (if parental rights are intact)/youth/or SW or Region/Program Vital Records Liaison can complete Section 1 of the Affidavit.
2	SW	• Complete and sign section 2 of the Affidavit. (2nd signer needed if SW signed in section 1). • Return the form to the requestor if a youth, parent, caregiver, or legal guardian. • If Agency staff is picking up the birth certificate, go to step 4.
3	Youth, Parent, Caregiver/Legal Guardian	Youth, parent, caregiver, or legal guardian return the Affidavit in person to any San Diego County Vital Records office along with proper government issued identification and a completed VS01.
4	SW or Regional/Program Vital Records Liaison	• Complete the VS01 (In person Application for Birth Records). Bring this completed form and the Affidavit to any San Diego County Vital Records office along with a county badge. **NOTE**: The VS01 must be signed by the requestor that signed section 1 of the Affidavit. • See HHSA Birth Certificates and Assessor/Recorder/County Clerk website for office hours and locations.

Birth Certificate for Foster Child/Youth Born in the County of San Diego (cont.)

Step	Who	Action
5	SW	Once birth certificate received, make a copy, provide original to the youth or place both in youth/child's file and document that this was completed in CMS/CWS.

NOTE: For questions regarding the fee waiver for youth in foster care, please see the Office of Vital Records FAQ.

Other Certificate Requests (Out of County/State, Death, Marriage, etc.)

The following table outlines the required procedure for other certificates:

Step	Who	Action
1	SW/Regional Records Liaison	• If requesting out of county (CA) birth certificate, complete the Affidavit and 04-19. • For all other requests (death, marriage, out of state birth certificates), complete the 04-19, required state/county documents and any original signed/stamped/sealed court documents as required by each state. **NOTE:** The SW will ask the parent(s) and Human Services Specialist (HSS) for these certificates prior to making a request for one.
2	SW/Regional Records Liaison	Forward the required documents to CWS Fiscal Clerk at W473.
3	CWS Fiscal Clerk	Once the application is received, the CWS Fiscal Clerk will: • Complete all the necessary paperwork for request. • Submit payment check request for the application, as needed. • Fiscal Clerk will mail the request packet to county/state. • When the certificate is returned, forward the certificate to the requestor.
4	Regional Vital Records Liaison	• Sign and date the 04-19 showing receipt. • Get SW signature and date on the 04-19. • Forward a copy to the HSS. • Give the original 04-19 and certificate to the SW.

Other certificate requests (out of county/state, death, marriage, etc.) (cont.)

Step	Who	Action
5	SW	• Enter data into the ID and Demographics pages of the child's CWS/CMS Client Notebook. • Once the birth certificate is received, submit the birth certificate to the Document Processing Center (DPC) to be uploaded into the ERMS. If the child still has a hard file, place the birth certificate under the appropriate tab.

For out of country birth certificate requests, the SW should contact the International Liaison for assistance. See the International Liaison policy for more information.

NOTE: SW's should not use their own money to get birth certificates, as they will not be reimbursed, except in rare circumstances. Please contact CWS Fiscal for questions.

Correcting or Amending Birth Certificates

Amendments are used to correct errors on the birth certificate, but may not be used to change information. It is the responsibility of the SW to submit the amendment paperwork to have the birth certificate corrected prior to the case being transferred to another unit/program.

Amendments can be used for the following:

- Correct spelling errors
- Add information to blank items (i.e. missing father)
- Correct spelling of parents' names (must provide supporting documentation for this)
- Add AKA

What to submit to amend a birth certificate:

- A VS 24 form.
- A photocopy of the current birth certificate.
- To correct names on birth certificate due to hospital error, you must provide documentation to support the correction.
- If parents are changing their information on the child's birth certificate, documentation to support this (passport, Driver License, birth certificate).

NOTE: See Paternity Opportunity Program (POP) for how to add a father to a birth certificate.

Correcting or Amending Birth Certificates (cont.)

The instructions for completing the VS 24 are listed below:

PART I:	Complete the information exactly as it appears on the current birth certificate.
PART II:	Item 8: Enter the item number from the current birth certificate that needs to be corrected. (List only 1 item per line). Item 9: Enter the incorrect information as it appears on the current birth certificate. Item 10: Enter the correct information, as it should appear on the birth certificate. Item 11: Briefly state the reason for the correction. Items 12A and 13A: Two signatures are required. If correcting information due to hospital error, a member of medical records must sign one of them. If correcting date, time or place of birth (medical information), a certified physician, nurse, etc. who attended the birth must sign one.

NOTE: If you are requesting a certified copy of the amended birth certificate, you must include a Sworn Statement Form.

There are fees associated with amending birth certificates.

If within one year of the birth…
There is no fee to amend a record within one year of the date of birth, but there is a fee to receive an updated certified copy of the birth certificate. **EXCEPTION**: Amendments to correct the sex field always require a $23 fee, which includes one certified copy.
Within the first year, the fee for each certified copy of the amended record is $25.

If the birth occurred more than one year ago…
There is a $23 fee, which includes one certified copy of the amended record.
Additional copies are $25 each.

NOTE: Please see the California Department of Public Health for additional information.

Changing a Name

To change a name on a birth certificate (other than for adoptions) you must have a copy of the **certified** court order that was originally prepared by the court **and** complete the VS23 form.

NOTE: For adoptions, the name change would be completed by using the VS 44 form rather than the VS23.

The certified court order photocopy must have the following:

- An original court seal.
- A signature/stamp of the judge.
- A signature/stamp of the court clerk.
- A VS23 form.

Instructions on completing the VS23 form are listed below:

PART I:	Complete the information exactly as it appears on the current birth certificate.
PART II:	Enter the Superior Court information **AND** the new name as changed by the court order.
PART III:	Complete items 13A-13G.

There are fees included in the birth certificate name change process. The SW will forward these requests to CWS fiscal for processing.

When a Child is Not Born in a Hospital

When a child is born in a hospital, the hospital registers the child's birth.

When a child is not born in a hospital, the birth must be registered by either the parent(s) or the attending physician within 10 days after the birth.

In San Diego County, the parent(s) or attending physician must call the Office of Vital Records at (619) 692-5733 to get a packet and to set up an appointment to process that packet.

NOTE: The baby must be present at that appointment. If the baby is in custody, the SW must coordinate the baby's transportation to that appointment.

Delayed Registrations of Birth

A delayed registration of birth is a process that is used to register a California birth when the birth was not registered within the first year. After an unregistered child is a year old, registration must be done through the State Office of Vital Records as a Delayed Registration of Birth. Call (916) 445-2684 for forms and procedures. A form letter (04-272) has been created for SW staff to use.

NOTE: If the child is under one year old, register the birth through the local registrar of births through the County Registrar's Office.

When a Child has no Birth Certificate and there are no Parents or Witnesses Available

If a child does not have a birth certificate and there are no available parents or witness(es) to their birth, the SW must contact the County Counsel (CC) secretary. This is called a Court Order Delayed Registration of Birth and the following table explains the process:

Step	Who	Action
1	SW	Email the CC general secretary with the department number in the subject line.
2	CC Secretary	E-mail the SW instructions, documents, and samples needed to establish fact of birth.
3	SW	1. Complete the following documents sent by CC: • Petition to Establish Fact of Birth • Declaration of Protective Services Worker in Support of Petition to Establish Fact of Birth • VS 108 form: Court Order Delayed Registration of Birth 2. Provide the following information: • Date and time of birth • Mother and father's names, date of birth, and place of birth (VS 108) • Where the child was born, including the street address • Name of hospital where this child was taken after birth 3. Provide the following supporting documents for the child: • Hospital medical records that show the date and time of the birth and other pertinent information • Was child transported to hospital by ambulance? Is there a report from the ambulance? • Juvenile Dependency Petition • Detention Report • Court minute orders from: (1) Detention hearing; (2) child declared a dependent; and (3) the Court made a finding of father. 4. Send completed documents with supporting documents to Mail Stop: O-207, County Counsel, Attn: (name of applicable secretary listed in Step 1).

When a Child has no Birth Certificate and there are no Parents or Witnesses Available (cont.)

Step	Who	Action
4	CC Secretary	• Type information, prepare exhibits and give to CC Deputy to review and sign document(s). • Upon approval and signature from deputy, secretary will email the Petition to Establish Fact of Birth and Declaration of Protective Services Worker in Support of Petition to Establish Fact of Birth for SW's signature with instructions.
5	SW	Print, review and sign the attachments where indicated and return the originals back to the CC Secretary.
6	CC Secretary	Send original document and conformed copy to court.
7	Court	A hearing will be set by Court and attorneys will be noticed by secretary.
8	SW	After the hearing, the SW will submit an Ex-Parte or go to the Court Business Office in person to get a stamped/certified copy of the VS-108 form (top portion is certified but you should get the bottom portion as well which is not certified) from court. Keep these forms until the remaining forms below are prepared. VS111 needs to be filled out and the 3rd page notarized. This 3-page form is in the Information packet that can obtained through the State's website. • Go to https://www.cdph.ca.gov/ • Click on "Birth, death and Marriage certificate" on left • Click on "Correcting and Amending Vital Records" • Click on "Court Ordered Delayed Registration of Birth (under Type of Request) • Fill out page 10 of 13 (Application of Certified Copy of Birth Record) and 12 of 13 (Sworn Statement). • Print pages 10 thru 12 after filling out. (This is the VS111). • Have page 3 notarized. This can be completed at the County Recorder Office.

When a Child has no Birth Certificate and there are no Parents or Witnesses Available (cont.)

Step	Who	Action

8 (cont.)	SW	• Complete the 04-19 form .
		• Fill out Priority cover letter for State that lets them know they need to work request ahead of others.
		• Request a check from fiscal for the fee.
		• Mail these documents:
		  ○ VS108(top and bottom)
		  ○ Notarized VS111
		  ○ 04-19 and/or priority letter
		  ○ check from fiscal
		
		TO:
		CA Department of Public Health
		Office of Vital Statistics
		1501 Capitol Avenue
		MS 5103
		Sacramento, CA 95899-7410

Alignment with SET

This policy aligns with SET Value 1: Partner with the family to create ongoing permanency and Value 3: Preserving connections with family and seeking permanency and continual focus on the child's well-being while they are in our care.