

**PROCEDURE FOR FILING A
COURT ORDER TO AMEND A WISCONSIN DEATH CERTIFICATE
(F-05092)**

(Except Medical Certification of Cause and Manner of Death)

1. When do I need a court order to change information on a death certificate?
You need to obtain a court order to correct information on a death certificate if either
 - a. The death occurred over 1 year (365 days) ago, **OR**
 - b. A correction has already been made to that same item on the certificate. For legal purposes, a name (first, middle, and surname) constitutes one item. Therefore, if one part of a name is corrected, another part of the name cannot be corrected without a court order.
2. How do I get a court-ordered amendment for a death certificate?
 - a. Call the State Vital Records Office at (608) 267-7821 and ask for a Court Order to Amend a Wisconsin Death Certificate form (F-05092).
 - b. Make arrangements to petition the Clerk of Court in the county where the death occurred.
 - c. Make sure you have a certified copy of the death certificate showing how it now reads (with the incorrect information). You must present this document to the court in order to process your case.
 - d. Assemble the proof for the correction to be made.
Examples of proof:
 - 1) A certified copy of a vital record verifying the correct name of the decedent or his or her parents or spouse
 - 2) Notarized affidavit from the funeral director explaining the error made
 - 3) Notarized statement from a health care facility staff person or the county coroner/medical examiner verifying the correct date of death
3. Complete the front and the pertinent sections of the back of the F-05092 form.
4. Take the following items to court.
 - a. Petition
 - b. Certified copy of the death certificate
 - c. Evidence that you have assembled which verifies the corrected information
 - d. F-05092 form (with the pertinent portions completed)
5. If the judge is satisfied with the evidence, he or she will sign the form and have the court seal put on it.
6. Send the following to the State Vital Records Office (address at the bottom of this sheet).
 - a. **The form (F-05092) signed and sealed by the court (It must contain the original signature of the judge, a court case number, and the court seal.)**
 - b. **\$10.00 amendment filing fee**
 - c. If you want certified copies from the State Vital Records Office, **you must also send the fees for those copies** (\$20.00 for the first copy, \$3.00 for each additional copy ordered at the same time as the first).
 - d. Do not send the certified copy of the record or the evidence used to change the record.
7. After our office processes the amendment, we will send a copy of the amended death certificate to the Register of Deeds in the county where the death occurred. If you choose, you may wait and obtain your copies from that office. However, if you do not order the copies from the State Vital Records Office, our office will not notify you when the amendment has been completed.
8. **IMPORTANT.** The amendment will NOT BE PROCESSED if
 - The F-05092 form contains correction fluid, correction tape, cross-outs, write-overs, or erasures
 - The F-05092 form is not signed by the judge, does not have a court case number, or does not have the court seal
 - The \$10.00 fee is not included

SEND TO: **STATE VITAL RECORDS OFFICE
ATTN: SPECIAL RECORDS
P O BOX 309
MADISON WI 53701-0309**