



**DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR PUBLIC HEALTH**

Earl Ray Tomblin
Governor

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Karen L. Bowling
Cabinet Secretary

What is a Delayed Certificate of Birth?

A delayed birth certificate is any birth certificate not filed within one year of the date of birth. The State Registrar may only file the registration of birth by the using **form VS-007 "Delayed Certificate of Birth."**

Instruction for Filing a Delayed Certificate of Birth for a Person Over 1 Year Old but Less Than 7 Years Old

The top part of the form must be completed and signed by one of the registrant's parents. Complete the upper part of **the Delayed Certificate of Birth** form in PRINT (not cursive or script) in dark ink and sign it before a Notary Public. This form will be the birth certificate placed on file. The more neatly it is completed, the

better. The form must be notarized. **Do not** erase or cross out any words on the form. Return the Delayed Certificate of Birth with at least two supporting documents.

1. The Delayed Certificate of Birth must be supported by at least two (2) documents, from independent sources and only one of which may be an affidavit of personal knowledge. The facts to be established are:
 - a. The full name of the person at the time of birth, except that a delayed certificate may reflect a name established by adoption, legitimation, paternity acknowledgment, or court action when such information is submitted.
 - b. The date and place of birth;
 - c. The full maiden name of the mother and her birthplace;
 - d. The full name of the father and his birthplace. Except that if the mother was not married to the father at the time of the birth, or during the ten months preceding the birth, the name of the father shall not be entered on the delayed certificate unless the child has been adopted or legitimated or parentage has been determined by a court action or paternity acknowledgment.
 - i. Proof of the marriage must be submitted.
 - ii. if the parents were not married to each other, proof of adoption or court-ordered determination of paternity or paternity acknowledgment must be submitted. Blank Declaration of Paternity Acknowledgments are available from our office or from local Child Support Enforcement offices.
2. Only one of the documents must show the father's name and mother's maiden name and their birthplaces

Health Statistics Center
Vital Registration Office
350 Capitol Street, Room 165
Charleston, WV 25301-3701

3. The attached **Supporting Affidavit for Delayed Certificate of Birth** can be used as one of the supporting documents. The supporting affidavit must be completed by one of the parents or the legal guardian (provide proof of legal guardianship). A copy of the photo ID of the person signing the affidavit must also be provided.
4. Documents must be in the form of the original record, a duly certified copy thereof, or contain a certification statement from the custodian of the record or document. The documents must be verifiable by calling or writing the source of the document for verification of authenticity.
5. The documents must corroborate. That is, they cannot contradict each other in some manner.
6. **ALL FILINGS FOR A DELAYED CERTIFICATE OF BIRTH MUST BE ACCOMPANIED BY A NON-REFUNDABLE PROCESSING FEE OF \$15.00. THERE IS AN ADDITIONAL FEE FOR A CERTIFIED COPY OF THE BIRTH CERTIFICATE ONCE FILED. ALL SUBMISSIONS SENT WITHOUT A PROCESSING FEE WILL BE RETURNED.** The fee for certified copies of the delayed birth certificate once it has been put on file is \$12.00 per copy. These must be obtained from the State Vital Registration Office. Delayed birth certificates cannot be filed in the county clerk's office. If you have already paid for one copy, return your receipt. If you have not paid, include a check or money order payable to Vital Registration. EXAMPLE: If you submit a Delayed Certificate of Birth and want one(1) certified copy after filing, remit a check or money order for \$27.00 (\$15.00 processing fee + \$12.00 birth certificate=\$27.00 total) made out to "Vital Registration".
7. All filings or other correspondence regarding the filing should be mailed to
ATTN: Corrections Unit
Vital Registration Office
PO Box 11012
Charleston, WV 25339-1012

Instructions for Filing a Delayed Certificate of Birth for a Person Over 7 Years Old

1. The top part of the **Delayed Certificate of Birth** must be completed and signed. If the person whose birth is to be registered (the registrant) is 16 years of age or older and is competent to sign and swear to the accuracy of the fact of birth, he may do so on his own. If not, the delayed certificate of birth may be signed by one of the parents, a legal guardian (submit guardianship papers) or other next of kin or person at least 10 years older than the registrant who has personal knowledge of the facts of birth. Complete the upper part of the **Delayed Certificate of Birth** form in PRINT (not cursive or script) in dark ink and sign it before a Notary Public. This form will be the birth certificate placed on file. The more neatly it is completed, the better. The form must be notarized. **Do not** erase or cross out any words on the form. Return the Delayed Certificate of Birth with at least two supporting documents.
2. The facts to be established on the **Delayed Certificate of Birth** must be supported by **at least three (3)** documents, from independent sources and only one of which may be an affidavit of personal knowledge. The facts to be established are:
 - a. The full name of the person at the time of birth, except that a delayed certificate may reflect a name established by adoption, legitimation, paternity acknowledgment, or court action when such information is submitted;
 - b. The date and place of birth;
 - c. The full maiden name of the mother and her birthplace;
 - d. The full name of the father and his birthplace. Except that if the mother was not married to the father at the time of the birth, or during the ten months preceding the birth, the name of the father shall not be entered on the delayed certificate unless the child has been adopted or legitimated or parentage has been determined by a court action or paternity acknowledgment.
 - i. Proof of the marriage must be submitted.
 - ii. If the parents were not married to each other, proof of adoption or court-ordered determination of paternity or a paternity acknowledgment must be submitted.

3. Supporting Documentation for the Facts to be Established:
 - a. The date of birth must be supported by at least **3** (three) pieces of documentary evidence.
 - b. The place of birth must be supported by at least **2** (two) pieces of documentary evidence.
 - c. Only one of the documents must show the father's name and mother's maiden name and their birthplaces.
4. The attached **Supporting Affidavit for Delayed Certificate of Birth** can be used as one of the supporting documents. The supporting affidavit must be completed by one of the parents, a legal guardian (submit guardianship papers), or other next of kin or person at least 10 years older than the registrant who has personal knowledge of the facts of birth. IF THE REGISTRANT WAS BORN FROM 1960 FORWARD, THE PERSONAL AFFIDAVIT MUST BE SIGNED BY ONE OF THE PARENTS. A legible photocopy of the photo ID of the person signing the supporting affidavit must be submitted along with the supporting affidavit.
5. Documents must be in the form of the original record, a duly certified copy thereof, or contain a certification statement from the custodian of the record or document. The documents must be verifiable by calling or writing the source of the document for verification of authenticity.
6. All documents submitted in evidence, other than the supporting affidavit must have been executed at least five years prior to the date of application or have been established prior to the applicant's seventh birthday. IF THE REGISTRANT WAS BORN FROM 1960 FORWARD, AT LEAST ONE OF THE DOCUMENTS MUST HAVE BEEN ESTABLISHED PRIOR TO THEIR SEVENTH BIRTHDAY.
7. The documents must corroborate. That is, they cannot contradict each other in some manner.
8. **ALL FILINGS FOR A DELAYED CERTIFICATE OF BIRTH MUST BE ACCOMPANIED BY A NON-REFUNDABLE PROCESSING FEE OF \$15.00. THERE IS A SEPARATE FEE FOR A CERTIFIED COPY OF THE BIRTH CERTIFICATE ONCE FILED. ALL SUBMISSIONS SENT WITHOUT A PROCESSING FEE WILL BE RETURNED.** The fee for certified copies of the delayed birth certificate once it has been put on file is \$12.00 per copy. These must be obtained from the State Vital Registration Office. Delayed birth certificate cannot be filed in the county clerk's office. If you have already paid for one copy, return your receipt. If you have not paid, include a check or money order payable to Vital Registration. EXAMPLE: If you submit a Delayed Certificate of Birth and want one(1) certified copy after filing, remit a check or money order for \$27.00 (\$15.00 processing fee + \$12.00 birth certificate= \$27.00 total) made out to "Vital Registration".
9. All filings or other correspondence regarding the filing should be mailed to
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Charleston, WV 25339-1012

ALL SUPPORTING DOCUMENTS OTHER THAN "SUPPORTING AFFIDAVITS FOR DELAYED CERTIFICATE OF BIRTH" WILL BE RETURNED TO YOU AFTER THE DELAYED BIRTH CERTIFICATE HAS BEEN FILED.

See the opposite side of this page for examples of supporting documentation.

THE FOLLOWING ARE EXAMPLES OF SUPPORTING DOCUMENTS THAT CAN BE USED AS DOCUMENTARY EVIDENCE.

1. **Baptismal Record:** Either the original certificate given to the parents or a statement signed by the present custodian of the church record. Record must show name and address of church, name, and signature of custodian, and date record was established.
2. **School Record:** Write to the County Board of Education-*not the school*- where the applicant attended grade school to obtain a certified copy of the school record or a signed statement from the school official showing name, date of birth or age, place of birth and parents. The record should be based on the earliest attendance record
3. **Certified Copy of Marriage Application:** If a marriage license was issued in West Virginia from 1964 forward, send names of both parties, and the county in which the license was issued. If before 1964, obtain copy of marriage application (or certificate) from the county clerk's office. If the marriage license was issued in another state, contact the local or state office in the state where the marriage took place. Obtain certified copy of the marriage application form or marriage certificate (not the marriage license).
4. **Birth certificate of Applicant's child:** For a child born in West Virginia, send in the name of the child, date, and place of birth, and full name of parents. For a child born outside of West Virginia, send a certified copy of his or her birth certificate.
5. **Attending Physician or Midwife:** Statement must be based on office record made at the time of birth and be on signed letterhead stationery. If not on letterhead, statement must be notarized.
6. **Hospital Record at Birth or Later Hospitalization:** A record from a hospital medical records unit and a signed statement by the custodian of the records.
7. **Physician's Office Record:** Must be on physician's letterhead, and show name, date of birth, and date first treated.
8. **Census Record:** The fee for having a census search performed is \$65.00. For information from census records, obtain an "Application for Search of Census Records" from Bureau of the Census by writing them at: PO Box 1545, Jeffersonville, IN 47131 or by printing the PDF form from the following website:
<http://www.census.gov/genealogy/www/agesearch.html>
9. **Military Discharge Record:** (DD-214) A copy of official discharge papers of the Army, Navy, Air Force, Marine Corps, Coast Guard, etc
10. **Insurance Policy Application or Statement:** An original copy or an application for an insurance policy showing the date and place of birth. If a photocopy of the application is not attached to the policy, one may usually be obtained from the company issuing the policy. Be sure to request information containing the date and place of birth, policy number, and the date the policy was issued.
11. **Expired Driver's License:** Must be at least 5 years old.
12. **Employment Record:** Obtain signed statement on company letterhead showing date employed.
13. **Voter Registration Record:** Card is not acceptable. Obtain letter from voter's registration office or the county clerk's office.
14. **U.S. Passport:** Submit original.
15. **U. S. Naturalization Certificate:** Submit original.
16. **Other documents:** Other documents that show birth facts, date document was made and signature of record custodian MAY be acceptable and will be evaluated on a case-by-case basis.



West Virginia Department of Health and Human Resources
Bureau for Public Health
Vital Registration Office



SUPPORTING AFFIDAVIT FOR DELAYED CERTIFICATE OF BIRTH

(Note: This form will not be returned with the other supporting documentation submitted)

THE FOLLOWING INFORMATION RELATES TO THE FACTS OF BIRTH OF THE APPLICANT:

Full name at birth: _____

Date of Birth: _____ Sex: _____

Place of Birth: (city or town) _____ (county) _____ (state) _____

Father's full name _____ Birthplace (state) _____

Mother's MAIDEN name _____ Birthplace (state) _____

If person named above is less than eighteen (18) years old, provide:

Mother's SSN _____, Father's SSN _____

Person swearing to the above facts (must be at least ten years older than the applicant):

I, _____, being duly sworn, state that my date of birth
(Please print name)

is _____, and that I am:

(1) related to the applicant as _____, **OR**

(2) someone who has personal knowledge of the facts of birth of the applicant, **AND**
that the above are the true facts of birth of the applicant. (Person swearing to the above facts signs below)

NOTARY STAMP OR SEAL

Signature: _____
Signatory **MUST** also submit photocopy of picture ID

Address: _____

Phone #: _____

Subscribed in my presence and sworn to before me this _____ day of _____, 20____

Notary public _____ My commission expires _____

Notary address (must be completed) _____

Mail with a photocopy of picture ID of signatory to:
Attn: Corrections Unit, Vital Registration Office, PO Box 11012, Charleston, WV 25339-1012

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