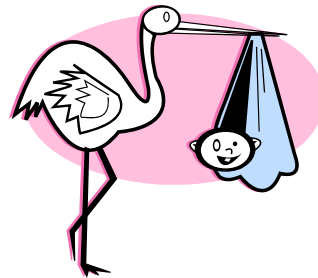




Adjudication of Facts of Parentage



Upon request, this document will be made available in Braille, large print, and audiocassette or computer disk. To obtain a copy in one of these alternate formats, please call or write:

California Office of Vital Records
M.S. 5103
P.O. Box 997410
Sacramento, CA 95899-7410
Telephone: (916) 445-2684
California Relay: 711/1-800-735-2929
www.cdph.ca.gov

Adjudication of Facts of Parentage

What is an adjudication?

This is a legal process whereby the court makes a decision as to the existence or nonexistence of the parent and child relationship.

This process should only be used if you want to **change** the father (or mother) from who was listed on the child's original birth certificate.

I did not list the father on my child's birth certificate when it was originally prepared.

You **do not** have to go to court to **add** the father. But both the mother and father will have to complete a document to "acknowledge" (establish) a paternal relationship with the child.

Please request our pamphlet entitled "Acknowledgement of Paternity." That pamphlet will provide you with all of the information you need for that process.

Now I want to add the father. How can I do that?

The Acknowledgement of Paternity form must be signed by both parents. If either parent refuses to sign the Acknowledgement of Paternity form, you will need to go to court, and the court will decide (adjudicate) the existence or nonexistence of the parent and child relationship. This pamphlet (Adjudication of Facts of Parentage) provides you with all the information you need for that process.

I listed the father on my child's birth certificate when it was originally prepared.

If you want to **change** the father from who was listed on your child's original birth certificate, that must be done through the court system. This is referred to as an "adjudication" – the court will decide (adjudicate) the existence or nonexistence of the parent and child relationship. You will have to petition the Superior Court in your county of residence (does not have to be in California).

Now I want to change the father. How can I do that?

We can not remove the existing father and add the new father on a registered certificate without the court order of adjudication.

The Adjudication of Facts of Parentage (issued by the court) must:

1. Specifically instruct us to **remove** the existing father and **add** the new father.
2. Include the child's date and place of birth as listed on his or her original birth certificate.
3. If the child's name is being changed, the full new name **must be** listed in the court order.

(Continued)

How do I get an adjudication from the court?

- We suggest you contact a family law attorney for legal advice on paternity issues. Our staff cannot provide legal advice, nor do we have information about the legal process.
 - There are also books available at bookstores or public libraries to help you with the court process.
 - You can also access the following website for additional information about the court process: www.courtinfo.ca.gov.
-

What is the fee to change my child's birth certificate after an adjudication?

- \$20 - which includes one Certified Copy of the new birth certificate.
 - Additional copies are \$14 each.
 - Fees should be paid by check or money order payable to **Office of Vital Records**. International money orders for out-of-country requests should be payable in U.S. dollars.
-

After I get the court order, what do I submit to change the father?

- You will need to complete an Application to Amend a Birth Record – Adjudication of Facts of Parentage (VS 21).

You **must** include a **certified** copy of the Order Adjudicating Parentage, issued by the court that granted the order. (See next section for explanation of “certified” copy.)

We do not return the court order after the new birth certificate is prepared.

- Although this item **is not required** it would help our staff if you could include a photocopy of the current birth certificate if you have it (this helps us identify the exact record to be amended).
- Mail the following items to our office at the address on the front of this pamphlet:
 - Completed VS 21
 - \$20 fee
 - **Certified** copy of the court order
 - Photocopy of current birth certificate (if you have it)
- **If any of the required items are not included, your request will be returned to you for correction.**

(Continued)

After I get the court order, what do I submit to change the father?

(Continued)

- For possible future transactions with the Social Security Administration or the Department of Motor Vehicles, you should **keep copies** of all documents that you submit to our office. Once your child's new birth certificate is prepared, all supporting documents are sealed by our office and are not available to the public.

What is a "certified" copy of the court order?

1. A "certified" copy of the court order must be a **copy** of the order that was originally prepared by the court. **It cannot be an original printout.**

If the court gives you an original printout, please ask them to make a photocopy.

2. The photocopy that the court gives you must have:
 - a. An **original** court seal.
 - b. A signature (or signature stamp) of the judge.
 - c. A signature (or signature stamp) of the court clerk.

IMPORTANT:

- ✓ The "certified" copy must have an **original** court seal and a signature (or signature stamp) of the court clerk. It is the **original** seal and court clerk signature (certification) that make this a "certified" copy.
- ✓ Do not send us a copy where the court seal has been photocopied. The court seal must be an **original** seal.
- ✓ The court seal and signature must appear on the actual certified copy (either front or back) – and not on a blank sheet of paper.
- ✓ The "FILED / ENDORSED" stamp in the top right corner of the court order **is not** the court clerk's certification.
- ✓ You should keep a photocopy of the court order for your own file.

(Continued)

What information can I change with a VS 21?

This form can only be used to:

- Change the current parents' information to that of the court-ordered parents' information.
- Change the child's last name to that of the established father's, **if it is so ordered in the court order of adjudication**. You should make sure the child's **full name** as it appears on the original birth certificate is listed correctly in the court order.

Where can I get the VS 21?

The application must be an **original** form (our office uses a special bond paper). **Photocopies are not acceptable**. One application form is included if you receive this pamphlet by mail. If you need additional copies of the VS 21 form, or are accessing this pamphlet on our website:

- Order forms electronically at <http://www.dhs.ca.gov/hisp/chs/OVR/OVRFormsReg.asp>. Because of the volume of phone calls we receive, the Internet is usually a faster process for our customers than calling our Customer Service Unit.
- Call our Customer Service Unit at (916) 445-2684.
- You can also get the form from the County Recorder or County Health Department in any California county.

How do I complete the VS 21?

A sample of what a completed VS 21 should look like is attached.

PART I:

- **Items 1A-1C:** Complete the information **exactly** as it appears on your child's current birth certificate.

Note: If you need a copy of your child's current birth certificate to complete this section, you can get a copy by completing the Application for Certified Copy of Birth Certificate (attached) and submitting the application (and \$14 fee) to our office. The average processing time to receive a birth certificate from our office is 12 weeks. But you can get a copy much faster from the County Recorder in the county where the birth took place.

PART II: Must be completed using the information included in the court order for the child's name and father's information. Please make sure the child's **full name** is listed correctly in the court order.

(Continued)

How do I complete the VS 21?

(Continued)

The Adjudication of Facts of Parentage (issued by the court) must:

1. Specifically instruct us to **remove** the existing father and **add** the new father.
2. Include the child's date and place of birth as listed on his or her original birth certificate.
3. If the child's name is being changed, the full new name **must be** listed in the court order.

What makes a VS 21 form "acceptable"?

Important Information

Birth certificates are legal documents that must be able to hold up in any court, unchallenged as to their accuracy and reliability. To help us prepare the new birth certificate accurately:

- Every item on the amendment must be completed.
- The amendment form must be an original, not a photocopy.
- We must be able to read the information on the form. It is extremely important that the form be legible. ***Using a typewriter to complete the form ensures that the information is interpreted clearly.***
- If you are not able to type the amendment, it is extremely important that you take the extra time to print ***very clearly and legibly***. Documents that are not legible will be returned to you to complete again.
- ***Only black ink is acceptable.***
- ***There cannot be any erasures, whiteout, or alterations.***

(Continued)

How will I know if my request has been accepted?

Once your request has been received and evaluated, we will send you either:

- A postcard letting you know your request has been accepted and reminding you of our processing time.
- If your request is not accepted (e.g., due to insufficient fee, insufficient information, etc.), we will return your request to you with a letter explaining what needs to be corrected.

Please allow about 6 weeks to receive the acknowledgement postcard. Rejected requests can take up to 10 weeks to be returned.

How long will it take to get my child's new birth certificate?

Our processing time for adjudication documents is approximately 12 months. (The processing time can change based on our workload.)

What happens to my child's original birth certificate after it has been amended by an adjudication?

- When we receive the acceptable documents (and fee), we will seal your child's original birth certificate and replace the sealed record with a new birth certificate.
- Once the original birth certificate has been sealed, it is available only through a court order (per Health and Safety Code Section 102730).

For possible future transactions with the Social Security Administration or the Department of Motor Vehicles, you should **keep copies** of all documents that you submit to our office. Once your child's new birth certificate is prepared, all supporting documents are sealed by our office and are not available to the public.

What if I still have questions?

If you have read this pamphlet thoroughly and still have questions that were not answered in this pamphlet, please call (916) 557-6075 and leave your name, telephone number, and question. One of our Amended Records staff will return your call within 48 hours.

If you have questions on the **status** of your request, please call our Customer Service Unit at (916) 445-2684 – **but only after the processing time has passed.**

APPLICATION TO AMEND A BIRTH RECORD — ADJUDICATION OF FACTS OF PARENTAGE

TYPE OR PRINT CLEARLY IN BLACK INK ONLY
 NO ERASURES, WHITEOUTS, PHOTOCOPIES, OR ALTERATIONS
 INSTRUCTIONS ON BACK

When a birth record is amended due to an adjudication of facts of parentage, the original record is sealed and a new birth record is prepared.

A fee is required for the preparation of an amended birth record. This fee includes one certified copy of the newly prepared birth record. There is a fee for each additional copy. Please contact your Local Registrar, County Recorder, or the State Registrar for the current fees, or visit our website at www.cdph.ca.gov.

Enclosed is the fee of \$ _____ for preparation of the new birth record and one certified copy.

Enclosed is the fee of \$ _____ for an additional certified copy(ies) of the newly prepared birth record.

Printed Name of Applicant _____

Mailing Address of Applicant _____

Telephone Number () _____

City, State, ZIP Code _____

ADJUDICATION OF FACTS OF PARENTAGE

NO ERASURES, WHITEOUTS, PHOTOCOPIES,
OR ALTERATIONS

STATE FILE NUMBER _____

TYPE OR PRINT CLEARLY IN BLACK INK ONLY

PART I INFORMATION TO LOCATE RECORD			
INFORMATION AS IT APPEARS ON ORIGINAL RECORD	1A. NAME OF CHILD—FIRST	1B. MIDDLE	1C. LAST (BIRTH)
	2. SEX	3. DATE OF BIRTH—MM/DD/CCYY	4. NAME OF PHYSICIAN, ATTENDANT OR CERTIFIER WHO ATTENDED THIS BIRTH
	5A. PLACE OF BIRTH—NAME OF HOSPITAL OR FACILITY	5B. CITY	5C. COUNTY
	6A. FULL NAME OF FATHER/PARENT—FIRST	6B. MIDDLE	6C. LAST (BIRTH)
	7A. FULL NAME OF MOTHER/PARENT—FIRST	7B. MIDDLE	7C. LAST (BIRTH)
PART II INFORMATION AS IT IS TO APPEAR ON NEW RECORD			
FULL NAME OF CHILD AS ORDERED BY COURT	8A. NAME OF CHILD—FIRST	8B. MIDDLE	8C. LAST
FATHER/PARENT	9A. FULL NAME OF FATHER/PARENT—FIRST	9B. MIDDLE	9C. LAST (BIRTH)
	10. STATE/FOREIGN COUNTRY OF BIRTH	11. DATE OF BIRTH—MM/DD/CCYY	
MOTHER/PARENT	12A. FULL NAME OF MOTHER/PARENT—FIRST	12B. MIDDLE	12C. LAST (BIRTH)
	13. STATE/FOREIGN COUNTRY OF BIRTH	14. DATE OF BIRTH—MM/DD/CCYY	
STATE REGISTRAR USE ONLY	15. OFFICE OF VITAL RECORDS	16. DATE ACCEPTED FOR REGISTRATION	

The "Birth" name required on Vital Records (see Items 1C, 6C, 7C, 9C, and 12C) is the name given at birth, or a name received through adoption, court-ordered name change, or naturalization. AKA's (Also Known As) and assumed names cannot be entered as the legal "Birth" name.

READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM

TYPE OR PRINT CLEARLY IN BLACK INK ONLY
NO ERASURES, WHITEOUTS, PHOTOCOPIES, OR ALTERATIONS

1. **Type or print clearly in black ink only.**
2. Enter the name of the child in Part 1, Items 1A – 1C, as shown on the original record.
3. Complete the information required to locate the record in Items 2 – 7C.
4. Enter the full name of the child as ordered by the court in Part II, Items 8A – 8C.
5. Complete the information required in Items 9A – 14.
6. Do not complete Items 15 and 16. This space is reserved for State Registrar use only.
7. For possible future transactions with the Social Security Administration or the Department of Motor Vehicles, you should keep copies of all documents that you submit to our office. Once your child's new birth certificate is prepared, all supporting documents are sealed by our office and are not available to the public. A court order is required to unseal the record.
8. Mail this form with the required fee(s) and a certified copy of the court order to:

California Department of Public Health
Office of Vital Records
MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410

Make check or money order payable to the Office of Vital Records.

APPLICATION FOR CERTIFIED COPY OF BIRTH RECORD

DO NOT Complete This Application Before Reading the Instructions on Page 2

In an attempt to stop the illegal use of vital records, and as part of statewide efforts to reduce identity theft, a new law (effective July 1, 2003) changed the way certified copies of birth certificates are issued. **Certified Copies** to establish the identity of a registrant can be issued only to authorized individuals, as indicated below. All others will be issued **Certified Informational Copies** that are not valid to establish identity.

Fee: **\$14 per copy** (payable to the Office of Vital Records).

Please indicate the type of certified copy you are requesting:

<input type="checkbox"/> I would like a Certified Copy . This copy will establish the identity of the registrant. (To receive a Certified Copy you MUST INDICATE YOUR RELATIONSHIP TO THE REGISTRANT by selecting from the list below AND COMPLETE THE ATTACHED SWORN STATEMENT declaring that you are eligible to receive the Certified Copy. The Sworn Statement MUST BE NOTARIZED if the application is submitted by mail unless you are a law enforcement or local or state governmental agency.)	<input type="checkbox"/> I would like a Certified Informational Copy . This document will be printed with a legend on the face of the document that states, "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY." (A Sworn Statement does not need to be provided.)
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NOTE: Both documents are certified copies of the original document on file with our office. With the exception of the legend, the documents contain the exact same information.

To receive a **Certified Copy** I am:

- The registrant (person listed on the certificate) or a parent or legal guardian of the registrant.
- A party entitled to receive the record as a result of a court order, or an attorney or a licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code.
- A member of a law enforcement agency or a representative of another governmental agency, as provided by law, who is conducting official business. *(Companies representing a government agency must provide authorization from the government agency.)*
- A child, grandparent, grandchild, brother or sister, spouse, or domestic partner of the registrant.
- An attorney representing the registrant or the registrant's estate, or any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or the registrant's estate. *(If you are requesting a Certified Copy under a power of attorney, please include a copy of the power of attorney with this application form.)*

APPLICANT INFORMATION (PLEASE PRINT OR TYPE)			Today's Date: _____		
Agency Name (if appropriate)	Agency Case No. (if appropriate)	Purpose of Request			
Printed Name and Signature of Applicant			Number of Copies	Amount Enclosed	
Mailing Address – Number, Street			Name of Person Receiving Copies, if Different From Applicant		
City	State / Province	ZIP Code	Mailing Address for Copies, If Different From Applicant		
Daytime Telephone (include area code) ()		Country	City	State	ZIP Code

BIRTH CERTIFICATE INFORMATION (PLEASE PRINT OR TYPE)			Adopted: <input type="checkbox"/> No <input type="checkbox"/> Yes (If Yes, see #4 on Page 2)		
BIRTH Name on Certificate (LAST)		FIRST Name on Certificate		MIDDLE Name on Certificate	
City of Birth (must be in California)				County of Birth	
Date of Birth – MM/DD/CCYY (If unknown, enter approximate date of birth)				Sex <input type="checkbox"/> Female <input type="checkbox"/> Male	
BIRTH Last Name on Certificate – Father/Parent		FIRST Name on Certificate – Father/Parent		MIDDLE Name on Certificate – Father/Parent	
BIRTH Last Name on Certificate – Mother/Parent		FIRST Name on Certificate – Mother/Parent		MIDDLE Name on Certificate – Mother/Parent	

INFORMATION: Birth records have been maintained in the Office of the State Registrar of Vital Records since July 1, 1905.

The “Birth” name required on Vital Records (see Items 1C, 6C, 7C, 9C, and 12C) is the name given at birth, or a name received through adoption, court-ordered name change, or Naturalization. AKA’s (Also Known As) and assumed names cannot be entered as the legal “Birth” name.

INSTRUCTIONS:

1. As of July 1, 2003, **ONLY** individuals who are authorized by Health and Safety Code Section 103526 can obtain a Certified Copy of a Birth Record to establish identity of the registrant (person listed on the certificate). (Page 1 identifies the individuals who are authorized to make the request.) All others may receive a Certified Informational Copy which will be marked, “Informational, Not a Valid Document to Establish Identity.”

Confidential Information on Birth Record: Some individuals have special needs for a birth certificate that contains the confidential information provided at the time the birth record was prepared. This confidential information may be used to establish ethnicity, to provide health background, or for other personal reasons. For information on how to obtain a birth certificate containing the confidential information, please refer to the Birth Certificate section of our website: www.cdph.ca.gov (then select “Services”). Only specific individuals may obtain confidential copies.

2. Complete a separate application for each birth record requested.
3. Complete the **Applicant Information** section on Page 1 and provide your signature where indicated. In the **Birth Certificate Information** section, provide all the information you have available to identify the birth record. If the information you furnish is incomplete or inaccurate, we may not be able to locate the record.
4. **If the registrant has been adopted**, make the request in the **adopted** name. (If you’re requesting a copy of the **original** birth certificate, you **must** provide a court order releasing the original sealed record.)

5. **SWORN STATEMENT:**

- The authorized individual requesting the certified copy must sign the attached Sworn Statement, declaring under penalty of perjury that they are eligible to receive the certified copy of the birth record, and identify their relationship to the registrant – the relationship must be one of those identified on Page 1.
- If the application is being submitted by mail, the Sworn Statement **must be** notarized by a Notary Public. (To find a Notary Public, see your local yellow pages or call your banking institution.) **Law enforcement and local and state governmental agencies are exempt from the notary requirement.**
- You do not have to provide a Sworn Statement if you are requesting a Certified Informational Copy of the birth record.

6. Submit \$14 for **each** copy requested. If no birth record is found, the \$14 fee will be retained for searching the record (as required by law) and a Certificate of No Public Record will be issued to the applicant. Indicate the number of copies you want and include the correct fee(s) in the form of a personal check or postal or bank money order (International Money Order for out-of-country requests) made payable to the **Office of Vital Records**. Mail this application with the fee(s) to the Office of Vital Records at the address below.
7. **Returning Completed Certificates:** Completed certificates are returned using the U.S. Postal Service.

Office of Vital Records - MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410
(916) 445-2684

SWORN STATEMENT

I, _____, declare under penalty of perjury under the laws of the State of California,
 (Applicant's Printed Name)

that I am an authorized person, as defined in California Health and Safety Code Section 103526 (c), and am eligible to receive a certified copy of the birth or death record of the following individual(s):

Name of Person Listed on Certificate	Applicant's Relationship to Person Listed on Certificate (Must Be a Relationship Listed on Page 1 of Application)

(The remaining information must be completed in the presence of a Notary Public or Office of Vital Records staff.)

Subscribed to this _____ day of _____, 20____, at _____, _____.
 (Day) (Month) (City) (State)

 (Applicant's Signature)

Note: If submitting your order by mail, you must have your Sworn Statement notarized using the Certificate of Acknowledgment below. The Certificate of Acknowledgment must be completed by a Notary Public. (Law enforcement and local and state governmental agencies are exempt from the notary requirement.)

CERTIFICATE OF ACKNOWLEDGMENT

State of California)

County of _____)

On _____ before me, _____, personally appeared _____,
 (here insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
 (SEAL)

 SIGNATURE