



California Department of Public Health Logo

# Affidavit To Amend A Birth Record

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## *Amending a Birth Certificate*

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### **Center for Health Statistics and Informatics – Vital Records**

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 Department of Public Health

Vital Records - M.S. 5103

P.O. Box 997410

Sacramento, CA 95899-7410

Telephone: (916) 445-2684

California Relay: 711/1-800-735-2929

[Website address](http://www.CDPH.CA.GOV) ( [www.CDPH.CA.GOV](http://www.CDPH.CA.GOV) )

# Amending a Birth Certificate

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## What information can be changed with an amendment?

Amendments are used to correct **errors** on the birth certificate. Amendments may not be used to **change** information on the certificate that requires a court order. Documentation supporting the correction may be requested and not returned. Keep copies of documents submitted.

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## Amendments can be used to:

- Correct spelling errors.
- Add information to blank items.
- Correct the spelling of the parents' names or their statistical information – please provide a copy of their birth certificate (or other supporting documentation, such as passport or driver's license) to support the change.

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## Amendments cannot be used to:

- Completely change first, middle, or last name of registrant (person listed on the certificate).
- Transpose first and middle name of registrant.
- Add to or delete first, middle, or last name of registrant.
- Translate registrant's name into another language (e.g., Juan to John).

These items can only be changed through a court order. For more information on this process, you can print the informational pamphlet (***Court Order Name Change***) from the California Department of Public Health – Vital Records (CDPH-VR) [website](#) (address on front page of this pamphlet), or you can call the Customer Service Unit at (916) 445-2684 to request a copy.

To change the parents' names on the child's birth certificate, you must go to court for an adjudication (decision). For more information on this process, you can print the informational pamphlet (***Adjudication of Facts of Parentage***) from the CDPH-VR [website](#) (address on front page of this pamphlet), or you can call the Customer Service Unit at (916) 445-2684 to request a copy.

The following items **cannot** be changed or removed on registered certificates:

- Signatures.
- Informant or certifiers.

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**I want to change or add a parent on my child's birth certificate. Can I do this with an amendment?**

No. To change or add a parent on your child's birth certificate, you will have to complete one of the following forms:

- **Acknowledgement of Paternity/Parentage:** To add a parent if they were not included on the child's original birth certificate. This form must be signed by both parents (if either parent refuses to sign the Acknowledgement form, you will need to go to court using the adjudication process).
- **Adjudication of Facts of Parentage** (this will require you to petition the Superior Court to make the change):
  - To **change** a parent identified on the child's original birth certificate.
  - To **add** a parent by court order if either parent refuses or is unavailable to sign the Acknowledgement of Paternity form.

For more information on these processes, you can print those informational pamphlets from the CDPH-VR website (address on front page of this pamphlet) or call the Customer Service Unit at (916) 445-2684 to request a copy.

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**What is the fee to amend a birth certificate?**

## **Within One Year of the Birth:**

- There is no fee to amend a record within one year of the date of the birth (**but you do not get a copy of the amended record**).
- **Exception:** Amendments to correct gender errors **always** require a \$23 fee, which includes one Certified Copy.
- If you want a Certified Copy of the amended record, there is a \$25 fee for each copy.

## **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.
- Fees should be paid by check or money order payable to **CDPH Vital Records**. International money orders for out-of-country requests should be payable in U.S. dollars.

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## Please Note

***If you are not paying a fee to process the amendment (it is within the first year and you are not paying to get a Certified Copy of the amended record), you will not receive any contact from the CDPH-VR office. CDPH-VR will just amend the record and close the file.***

Once CDPH-VR completes the amendment, CDPH-VR will send a copy of the amended record to the local county recorder so they can update their records

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## What do I submit to amend a birth certificate?

- You will need to complete an Affidavit to Amend a Record, VS 24 form. Please see the next page for information on obtaining a form.
- Although this item is ***not required***, it would help CDPH-VR staff if you could include a photocopy of the current birth certificate if you have it (this helps CDPH-VR identify the exact record to be amended).
- To correct names listed on the birth certificate that are the result of a ***hospital error***, you ***must*** provide documentation from the hospital to support the correction.
- If parents are changing ***their*** information on their ***child's*** birth certificate, include a copy of ***their*** birth certificates (or other supporting documentation, such as passport or driver's license) to support the change.
- If you are requesting a Certified Copy of the amended record, you ***must*** include a notarized Sworn Statement (see next section for more information).

Mail the following items to the CDPH-VR office using the address on the front of this pamphlet:

- Completed VS 24 form (including back side for copy requests).
- Appropriate fee.
- ***Notarized*** Sworn Statement (if copy of amended record is being issued).
- Hospital documentation (if due to hospital error). Photocopy of parent's birth certificate (if appropriate).
- 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.

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## Why do I need a Sworn Statement?

Effective July 1, 2003, the law requires that only an authorized person (as defined by Health and Safety Code 103526 (c)) may receive a Certified Copy of a birth or death record. To help protect against identity theft, you must complete and submit a signed, notarized Sworn Statement declaring under penalty of perjury that you are authorized by law to receive an authorized Certified Copy. [Download a Sworn Statement form](#) – page 3 of 3 (<https://www.cdph.ca.gov/Programs/CHSI/Pages/Sworn-Statement.aspx>).

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## When do I need to submit a Sworn Statement?

If you are requesting an authorized Certified Copy of the amended record, you must complete and submit a notarized sworn statement.

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## Where can I get the VS 24 form?

One VS 24 form is included if you receive this pamphlet by mail. If you need additional copies of the VS 24 form, or are accessing this pamphlet on the CDPH-VR website:

- [Download a fillable form](#) (<https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx>).
- Because of the volume of phone calls CDPH-VR receives, the internet is usually a faster process for customers than calling the Customer Service Unit.
- Call the 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.

# Amending a Birth Certificate

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## How do I complete the VS 24 form?

A sample of what a completed form should look like is attached if you ordered a printed copy of this pamphlet.

### **PART I:**

Complete the information **exactly** as it appears on the current birth certificate.

**Note:** If you need a copy of your child's current birth certificate to complete this section, you can download a fillable application form for a certified copy at our website or you may obtain a paper form in the same manner as noted in the section above. Complete and submit the application, notarized Sworn Statement, and \$25 fee to the CDPH-VR office.

### **PART II:**

**Item 8:** Enter the item number from the current birth certificate that needs to be corrected. List only one 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.

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## Who may sign supporting affidavits?

Items 12A and 13A on the VS 24 form:

- Two persons having knowledge of the facts must complete the supporting affidavits. See next section for additional information. The signed affidavits must be included on the bottom of the VS 24 form – and not as a separate document.
- **Two signatures are required.**

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Are there situations where specific persons must sign the affidavits?

Yes.

- **When correcting information that was the result of hospital error:** A member of the medical records staff must sign one of the affidavits.
- **When correcting the date, time, or place of birth, or when correcting medical and health information:** The certifying physician, certified nurse midwife, physician's assistant, or certified nurse who attended the birth must sign one of the affidavits. If the physician is not available, the affidavit may be signed by the hospital administrator or the administrator's designated representative of the hospital where the birth occurred. If the hospital administrator or designee is not available, a court order must be obtained to correct the medical information, including date of birth.

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What makes a VS 24 form "acceptable?"

## Important Information

Birth certificates are legal documents that must hold up in any court, unchallenged as to their accuracy and reliability.

Because the amendment you submit becomes an actual part of this legal document, it must adhere to strict guidelines:

- Every item on the amendment must be completed.
- The form must be completed using the 26 alphabetical characters of the English language.
- Appropriate punctuation includes: a hyphen such as in "Smith-Jones," an apostrophe as in "O'Hare," a period as used with "Jr.," and a comma as with "Smith, Jr."
- Unacceptable entries include: drawings, pictures, or symbols, and accents or marks added to a letter to indicate pronunciation or to distinguish it in some way, such as with è, ñ, ē, or ç
- Because the amendment form becomes part of the official record, every word and letter must be extremely clear and legible. **Typing entries on the form ensures that the information is interpreted clearly.**
- If you are completing the downloadable amendment form, print on standard 8½" x 11" letter size, plain white paper, using black ink only, at 100% scale.

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## Continued...

- If you are not able to type the amendment form, 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** (per Health and Safety Code Section 102125).
- There cannot be any erasures, whiteout, or alterations.

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## How long will it take to process the amendment?

The [processing time](https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx) for birth amendments can be located on the CDPH-VR website (<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>).

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## Once I file the amendment, what happens to the original record?

- The original record remains unchanged, and the amendment becomes page 2 of the birth certificate – making it a two-page document (per Health and Safety Code Sections 102140 and 103255).
- Anyone receiving a copy after the amendment is applied will receive a copy of both documents.

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## What if I still have questions?

If you have read this pamphlet thoroughly and still have questions that were not answered, please call the Customer Service Unit at (916) 445-2684. If you are checking the status of your request, please wait until after the processing time has passed before contacting CDPH-VR.



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## **In Summary, What Links to Forms and References May Be Required?**

[California Department of Public Health home page](https://www.cdph.ca.gov/)  
(<https://www.cdph.ca.gov/>)

[Sworn Statement](https://www.cdph.ca.gov/Programs/CHSI/Pages/Sworn-Statement.aspx) – Application and Sworn Statement:  
Certified Copy of Birth Record – VS 111 form – *page 3 of 3*  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Sworn-Statement.aspx>)

[Vital Record Applications \(forms\)](https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx) – VS 24 – Affidavit to  
Amend a Record  
(<https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx>)

[Processing Times](https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx)  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>)

[Directory of County Vital Records Offices](https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx)  
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx>)