

# Documentation Requirements for Changes, Amendments or Corrections to Vital Records

Note: Items previously amended on a record cannot be amended again unless it is documented that the previous amendment was made in error or the request is accompanied by an order of a court of competent jurisdiction.  
(R 325.3259)

## BIRTHS

A change or correction to a birth record can be requested by:

- Parent(s) named on the record
- Parent not named on record who can establish that he or she should be added
- Legal guardian of child named on record
- The child named on record, if over 18 years old
- Heir, if child named on record and parents are deceased
- Facility administrator responsible for filing the original certificate
- Legal representative of any individual listed above  
(R 325.3266(1))

### Child's First and Middle Names

- Under 1 Year (applies for a spelling change or a name change)
  - ❖ Completed application signed by the parent(s) named on the certificate indicating the name(s) to be added or corrected.  
(R 325.6263(1)(b))
- Age 1 to 5
  - ❖ Spelling Change: Completed application with signatures of parent(s) named on record.
  - ❖ Name Change: Completed application with signatures of parent(s) named on record, and documents needed to establish the given name(s) to be added or corrected.
    - Baptism Records
    - Insurance Forms
    - Medical Records
    - Immunization Records  
(R 325.3263(1)(c), R 325.3267(1))
- Age 6 & Up
  - ❖ Spelling Change: Completed application and one document dated at least five years prior to the date of application reflecting the correct spelling.
    - Baptism Records
    - Insurance Forms
    - Medical Records
    - Immunization Records
  - ❖ Name Change: Completed application and one document prior to the 7th birthday and one document dated prior to twenty years ago or ½ the registrant's age at the time of application.
    - Any of the documents listed above
    - Military Records
    - School Records
    - Birth Records of Children
    - Marriage License
    - Life Insurance Policy  
(R 325.3267(4))

### Legal Name Change

- Completed changes application
- Court order specifying the legal change of name
  - ❖ If court order is granted before the registrant's 18<sup>th</sup> birthday, a new certificate of birth is created that shows only the new name (new record).
  - ❖ If court order is dated after the 18<sup>th</sup> birthday, but contains an order requiring that a new certificate be created, a certificate is created reflecting only the name awarded by the court (new record).
  - ❖ If court order is dated after the registrant's 18<sup>th</sup> birthday and in the absence of an order to create a new certificate, an addendum is added to the bottom of the certificate reflecting the new name, while retaining the information from the original certificate (addended record).  
(MCL 333.2872(2), R 325.3263(2))

### ***Changing the Sex of Registrant***

- Incorrect recordation of sex:
    - ❖ Completed change application
    - ❖ One document verifying the correct sex
  - Sex Determination:
    - ❖ Completed change application
    - ❖ Notarized medical documentation from physician with determination
  - Sex Reassignment:
    - ❖ Completed change Application
    - ❖ Physician's Medical Affidavit
      - Supplied by the State Registrar's office
      - Must be notarized, attesting all necessary reassignment surgeries have been completed
- (MCL 333.2831(c))**

### ***Administrative Error from Hospital***

- Completed change application
  - A letter from the hospital, stating that an error was made with the correction noted
  - Hospital worksheet
- (R 325.3262(1)(f))**

### ***Parental Information***

- Completed application and birth record of parent showing the correct information  
-OR-
- Completed application and two documents dated at least five years ago that reflects parents birth date and birth place
  - ❖ Baptism Record of Parent
  - ❖ Insurance Forms
  - ❖ Medical Records
  - ❖ Immunization Records
  - ❖ Military Records
  - ❖ School Records
  - ❖ Birth Records of Children
  - ❖ Marriage License
  - ❖ Life Insurance Policy

## **BIRTHS - CHANGE IN PARENTAL INFORMATION**

\*\*\* If a man's name is recorded on a birth record as the father, that name must be removed before adding another man's name to that record. **(R 325.3267(2))**

### ***Removing the Father***

- Completed changes application
  - Court order specifically stating the man listed on the birth record is not the biological father of the child named on the record.
- (R 325.3267(2))**

### ***Affidavit of Parentage***

- Properly signed and notarized Affidavit of Parentage completed by both parents
  - Each signature must be individually notarized before submission to the state vital record office
- (R325.3263)**

### ***Add a Dad***

- Completed changes application
  - No father on birth record (any one of the following):
    - ❖ Properly filed and registered Affidavit of Parentage
    - ❖ Court certified Acknowledgement of Paternity filed in a Michigan Probate Court, signed prior to 1997
    - ❖ Court determination of paternity
    - ❖ Court determination of heirs
- (R325.3258)**

## **Adoptions: Foreign and Domestic**

- Court Order (including out-of-state courts) copy of photo id and payment for a change
  - ❖ Permits changes to virtually all information on a registrant except the date and place of birth  
**(MCL 333-3832(1), R325.3265)**
  - ❖ Once an adoption record is created, any subsequent changes to that record requires an amended notice from the court  
**(R325.3259)**
  - ❖ The adopting parents can designate that no changes be made to the child's birth certificate  
**(MCL 333.2831)**

## **Order of Filiation**

- An Order of Filiation is specifically defined as a circuit court order that addresses the issue of paternity and support.
- This order is sufficient to insert the father's information on the birth record in the absence of any conflict with the recorded information.
  - ❖ If another man has already been named on the child's birth record, the order of filiation should specify the removal of that name, or, if this was not addressed, an additional court order is required to remove the name from the birth certificate
  - ❖ Per statute, the child's birth record will not be changed to add the father's name until the fee is paid in full and all information is obtained in the state vital records office  
**(R325.3259)**

## **Legitimation**

- Completed and signed application by both parents
- Copy of a marriage record dated after the birth of the child. Must include:
  - ❖ Name of mother named on the birth record
  - ❖ Name of father listed on the birth record**(R325.3263)**

## **MARRIAGE**

- This office does not change marriage records
- All corrections will be completed by the local registrar in the county where the license was obtained
  - ❖ Requires evidence to establish the need to amend
  - ❖ Evidence approved by the circuit court's ex-parte order
- Local registrar forwards a copy of the replacement record to the state
- The state vital records office issues replacement copies  
**(MCL 551.109 thru 551.111)**

## **DIVORCE**

- This office does not change divorce records
- Contact the court where the divorce was issued
- Local registrar forwards a copy of the replacement record to the state
- The state vital records office issues replacement copies  
**(MCL 551.109 thru 551.111)**

## **DEATHS**

### **A Change or Correction to Death Records can requested by:**

- Next of Kin
- Funeral Service Licensee
- Certifying Physician
- Medical Examiner

### **Documentation Requirements/Suggestions for Death Items:**

#### **Next of Kin:** can only correct personal information

- Completed Changes Application
- Two dated documents that verify the correction requested.  
Examples below apply for all but marriage status:
  - ❖ Birth Certificate
  - ❖ Social Security Numident
  - ❖ Marriage License (to correct the spelling of name)

- ❖ Military Records

**(R325.3267(3))**

Marital Status can be changed two ways

- ❖ Court Determination of Legal Heirs
- ❖ Residential Searches for Marriage and Divorce Records

#### ***Funeral Service Licensee***

- Administrative error by funeral home:
  - ❖ Completed Changes Application
  - ❖ Funeral home records
- No error by funeral home:
  - ❖ Completed Changes Application
  - ❖ Two dated documents furnished by next of kin
- Can file a correction on behalf of the next-of-kin with the same requirements of two types of documentation  
**(R325.3267(3))**

#### ***Certifying Physician***

- Completed Changes Application
- Items in the medical portion of the death certificate can be corrected by the certifying physician with no documentation required.
  - ❖ Date of Death
  - ❖ Place of Death
  - ❖ Medical Facts of Death**(R325.3266(2)(i))**

#### ***Medical Examiner***

- Completed Change application
- Requests to amend the cause or manner of death on the death record may be made by any of the following:
  - ❖ Chief medical examiner
  - ❖ Deputy medical examiner
- No documentation is required for the medical examiner who certified the death to change items in the medical portion of the death certificate
- If the certifying physician changes the cause of death in such a way that may influence a change in the manner of death, the medical examiner must be consulted  
**(R325.3266(2)(ii))**