Application to Amend a Birth Record After a Court Order Name Change

Introduction

Use the Application to Amend a Record After a Court Order Name Change (VS 23 Birth) form to:

- **Amend a California birth record to reflect a name change as granted by:**
  (See checklist on page 3)
  - A court within California, another state, the District of Columbia, or any territory of the United States, or any foreign court
  - Hawaii's Office of the Lieutenant Governor

- Please see page 6 for a list of frequently asked questions and answers.
- For other amendment types, please visit the CDPH-VR website at www.cdph.ca.gov.

Mailing Address

Mail completed application and appropriate fee(s) to the address below:

CDPH – Vital Records
MS 5105
P.O. Box 997410
Sacramento, CA 95899-7410

- Amended certificates are mailed via USPS First Class and do not contain a tracking number.
- You may provide a self-addressed prepaid envelope that utilizes tracking with your request.

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Amend a Birth Record After a Court Order Name Change Checklist

☐ Properly Completed VS 23 Birth Form

- ☐ Applicant name and mailing address are completely filled out.
- ☐ Part 1 matches the current birth certificate.
- ☐ Part 2 provides the court order information.
    - *The "Date of Court Order" is the date the judge signed the order, not the file date*.
    - List the new name, as changed by the court order.
- ☐ Part 3 is completely filled out and signed by the applicant.
    - *The applicant does not have to be the person listed on the birth certificate.*

☐ Certified Copy of the Court Order Name Change

The certified copy of the court order must:

- ☐ Identify the name listed on the current birth certificate.
- ☐ Contain an original court certification stamp and court seal, not a photocopy, on the front or back and not on a blank sheet of paper. *The appearance of the court seal will vary depending on the court or issuance*.
- ☐ Have signature or signature stamp of the judge's signature.
- ☐ Include certified, English translation of a foreign court order (if applicable).
- ☐ Name Change Order from Hawaii's Office of Lieutenant Governor (if applicable):
    - Identifies the name listed on the current birth certificate.
    - Contains both the certification stamp and the Lieutenant Governor's embossed signature.

☐ Payment

Check or money order in US dollars, made payable to CDPH Vital Records. **Do not send cash.**

- ☐ The fee is $26 to amend a birth record after a court order name change, which includes one certified copy of the newly amended record.
- ☐ Additional certified copies of the amended certificate are $31 each.

☐ Completed Notarized Sworn Statement

Form Instructions: Amend a Birth Record After a Court Order Name Change

Part 1

Must match the current certificate:

- It should show any incorrect **information as it appears** on the current record.
- If any of the information in Part 1 was **previously amended**, the changes must be reflected in Part 1 of the VS 23 Birth form.

Example:

Part 1: Provide the following information so that CDPH-Vital Records can identify the original birth record. This should reflect how it appears now - before the correction. Please provide as much information as possible.		
First Name Joe	Middle Name	Last Name Smith
Date of Birth 05/12/2005	City of Birth (if known) Sacramento	County of Birth Sacramento
Full Name of First Parent Mary Jane Roth	Full Name of Second Parent (if applicable) Michael Smith	

Part 2: Court Order Information

The court order information must be completely filled out. The "Date of Court Order" is the date the judge signed the order, not the filed date.

If the name change order is from Hawaii's Office of Lieutenant Governor:

- Name of Court must list, "Office of Lieutenant Governor"
- Court Case Number and County fields must list, "Not Applicable" or contain a dash (-).
- Date of Court Order must list the order's effective date.

Example:

Part 2: Court Order Information		
Name of Court ♦ Superior Court of California		Court Case Number ♦ 123456
County ♦ Sacramento	State ♦ CA	Date of Court Order - MM/DD/YYYY ♦ 04/05/2020

Form Instructions: Amend a Birth Record After a Court Order Name Change (Continued)

Part 2: New Name as Changed by Court Order

- Separate the new name into first, middle, and last.
- If any of the fields are meant to be left blank, enter a dash (-).

Example:

New Name as Changed by Court Order		
First Name ♦ John	Middle Name ♦ James	Last Name ♦ Smith

Part 3: Signature

The applicant must sign under penalty of perjury in the Signature section.

- The applicant does not have to be the person listed on the birth certificate.

Example:

Part 3: Signature	
I hereby certify under penalty of perjury that the name of the individual identified in Part 1 was changed by court order as stated in Part 2.	
Signature of Applicant ♦ *Mary Jane Roth*	Printed Name ♦ Mary Jane Roth
Date Signed ♦ 05/05/2020	Address (Street and Number, City, State, and Zip) ♦ 1234 Main St, Sacramento, CA 95834

End of "Form Instructions: Amend a Birth Record After a Court Order Name Change."

Frequently Asked Questions

Q: Where can I find application forms and informational pamphlets?

A: Application forms, including informational pamphlets for all amendment types, are located on the CDPH-VR Forms: Birth Death Marriage Certificates webpage. (www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx).

Q: What is the current processing time?

A: Current processing times are listed on the CDPH-VR Processing Times webpage (www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx) .

Q: How do I obtain a court order name change?

A: CDPH-VR staff cannot provide legal advice, nor does CDPH-VR have information about the legal process. CDPH-VR suggests contacting a family law attorney for legal advice regarding the name change process. You may find helpful court process information by visiting the California Courts webpage (https://www.courts.ca.gov/). For questions regarding Name Change Orders issued by the State of Hawaii, please contact the Office of the Lieutenant Governor at (808) 586-0255 or visit the Office of the Lieutenant Governor webpage (https://ltgov.hawaii.gov/.)

Q: Once the amendment is registered, what happens to the birth certificate?

A: Amendments become part of the original certificate, resulting in a multi-page certificate. You must keep the birth certificate with all amendments attached for the birth certificate to be valid.

Q: Will my name change court order be returned?

A: Documents submitted, including certified copies of name change orders, will not be returned once the amendment is registered. Please keep copies of all documents submitted.

Q: What if I still have questions?

A: Please contact our Customer Service Unit by email at CHSIVitalRecords@cdph.ca.gov or telephone at (916) 445-2684.

Application to Amend a Birth Record
After a Court Order Name Change (VS 23 Birth)

Applicant Name and Mailing Address

Name: _____ Street: _____

City: _____ State: _____ Zip Code: _____

Email: _____ Phone: _____

Calculate the Fee:

Court Order Name Change	
Amendment Fee (1 amended copy included)	$26
Fee for Additional Copies ($31 each)	
Total Fee	

Please Read the Instructions Carefully

Step 1: Complete page 2 of this form and include information for all required fields.

Step 2: Complete and include a Notarized Sworn Statement (form VS 20) if you are requesting a copy of the amended record (this applies to most requests). A copy of this form is downloadable from: www.cdph.ca.gov (type VS 20 in the Search Field).

Step 3: Include a certified copy of the Court Order.

Step 4: Include a check or money order for fee calculated above. Make the check or money order payable to CDPH - Vital Records. **Do not send cash.**

Step 5: If you have any questions on how to complete these forms, please email your questions to CHSIVitalRecords@cdph.ca.gov before submitting your package.

Step 6: Mail all of the items above to:

CDPH - Vital Records
MS 5105
P.O. Box 997410
Sacramento, CA 95899-7410

Items Marked with a Diamond (♦) are Required

Part 1: Provide the following information so that CDPH-Vital Records can identify the original birth record. This should reflect how it appears now - before the correction. Please provide as much information as possible.		
First Name	Middle Name	Last Name
Date of Birth	City of Birth (if known)	County of Birth
Full Name of First Parent	Full Name of Second Parent (if applicable)	

Part 2: Court Order Information		
Name of Court ♦		Court Case Number ♦
County ♦	State ♦	Date of Court Order - MM/DD/YYYY ♦
New Name as Changed by Court Order		
First Name ♦	Middle Name ♦	Last Name ♦

Part 3: Signature	
I hereby certify under penalty of perjury that the name of the individual identified in Part 1 was changed by court order as stated in Part 2.	
Signature of Applicant ♦	Printed Name ♦
Date Signed ♦	Address (Street and Number, City, State, and Zip) ♦



Sworn Statement Instructions

- Only one sworn statement is required for multiple records.
- Sworn statements are not required for informational copy requests.
- Authorized individuals must complete the top portion of the sworn statement by signing and identifying their relationship to person listed on certificate.
- Sworn statements must be notarized for authorized copy requests. **Law enforcement, governmental agencies, and funeral establishments (death records only) are exempt from the notary requirement, but must complete the top portion of the sworn statement page.**
- A sworn statement notarized by a foreign notary must have an apostille attached. Foreign notarizations obtained by an Ambassador, Minister, Consul, Vice Consul or Consular Agent of the United States, or from a Judge of Court of record having a seal in a foreign county do not require an apostille.

Relationship to Registrant

List of Authorized Persons:

- The registrant or a parent, legal guardian, child, grandparent, grandchild, sibling, spouse, or domestic partner of the registrant.
- A party entitled to receive the record as a result of court order or an attorney or licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code. (Please include a copy of the court order.)
- 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.)
- Any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or the registrant's estate (Include a copy of the power of attorney or documentation identifying you as executor.)
- An attorney representing the registrant or the registrant's estate.
- Any agent or employee of a funeral establishment who acts within the course and scope of employment and on behalf of persons specified in HSC § 7100 (a) (1)-(8).
- Surviving next of kin (As specified in HSC § 7100).

Sworn Statement

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

State of California, 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, death, or marriage certificate of the following individual(s):

Registrant (Name of person whose certificate you are requesting)	**Applicant's Relationship to Registrant (Must be an authorized person)**

(*The remaining information must be completed in the presence of a Notary Public.)*

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

_____
(**Applicant's** Signature)

Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of _____

County of _____

On _____before me, _____, personally appeared _____,
(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 of Notary Public)