

**INSTRUCTIONS: HOW TO FILL OUT FORMS to REQUEST
A COURT ORDER TO CORRECT (AMEND) A BIRTH CERTIFICATE for a MINOR**

FOR ALL FORMS: TYPE OR WRITE CLEARLY. USE BLACK INK.

WARNING! These are NOT the proper papers to request a legal name change. This Petition and accompanying papers are ONLY to request correction of errors or omissions (items left "blank") that appear on an Arizona birth certificate.

IF YOUR ADDRESS OR OTHER CONTACT INFORMATION IS PROTECTED BY A COURT ORDER:

1. **INFORM** the Clerk at the filing counter that you have a protected address when you file your papers.
2. Write any protected information on a Sensitive Data Sheet supplied by the Clerk.
3. Write "Protected" in the blanks where the protected information is requested.
4. Do NOT write your address or other protected information on any other form in this packet!

CIVIL COVER SHEET

- **CASE NUMBER:** Leave blank. The case number will be stamped on the papers at the time of filing.
- **ATTORNEY NAME AND BAR NUMBER:** Fill in only if an attorney represents the Petitioner.
- **PLAINTIFF'S NAME:** Write in the name of the person needing the corrected (amended) birth certificate.
- **DEFENDANT'S NAME:** Leave blank. Does not apply.
- *On page 2*, check the box beside "**195(b) Amendment of Birth Certificate**".
- **Rule 26.2 DISCOVERY TIER, EMERGENCY ORDER SOUGHT, and COMMERCIAL COURT.**
Leave blank. Does not apply.

Note that you do not need to make extra copies of this form.

(Next Form)

PETITION FOR ORDER TO AMEND BIRTH CERTIFICATE of a MINOR (a person under 18 years old)

In the top left corner, write in the information requested about **you**, the parent or legal guardian filing the petition on behalf of the minor whose birth record needs correction.

In the Matter of . . . Write in the name of the minor whose birth record needs correction. Leave “**Case Number**” blank. This will be stamped on the papers at time of filing.

1. INFORMATION ABOUT THE PETITIONER: Write in the information requested about **you**, the parent or legal guardian filing the petition on behalf of the minor, including:

- Your full legal name.
- **IF** the address already listed at top-left is not your current or complete address, list it here. Check the box to indicate whether you are the minor’s **mother/parent, father/parent, or legal guardian.**
- Your county of residence, date and place of birth (“date and place” not required for guardian).

2. INFORMATION ABOUT THE MINOR WHOSE BIRTH RECORD NEEDS CORRECTION:

Supply all information requested. It is important that this information be absolutely clear and legible (and in BLACK ink).

3. INFORMATION ABOUT THE BIRTH RECORD AND REQUESTS TO THE COURT:

Check the box for “A”	if there is an error in birth certificate information about	<u>the CHILD.</u>
Check the box for “B”		<u>the FATHER/PARENT.</u>
Check the box for “C”		<u>the MOTHER/PARENT.</u>

Then, in the separate (A)(B)(C) sections relating to the child, father/parent, and mother/parent, respectively, write in the **incorrect** information exactly as it appears on the current birth certificate. Below the listing of incorrect information, write in the **correct** information **EXACTLY AS IT SHOULD APPEAR** on the birth record.

IT IS VITALLY IMPORTANT THIS INFORMATION BE ABSOLUTELY CLEAR AND LEGIBLE.

REQUEST TO THE COURT: This asks the Court to Order the Arizona Office of Vital Records to:

1. Remove the information you have indicated is incorrect on the minor’s birth record, and
2. Replace the incorrect information with the information you have indicated *is* correct.

SIGN THE PETITION in the presence of a Notary Public or a Deputy Clerk of Superior Court at the filing counter. By signing the Petition, you are stating to the Court that the information you have provided is true and correct under penalty of perjury.

(Next Form)

CONSENT OF (OTHER) PARENT AND WAIVER OF NOTICE:

If a parent **other than the petitioner** is living and his or her rights have not been permanently cut off (“severed”) **by court order**, have that parent (or legal guardian):

- Fill out section # 1 with his or her information,
- Read and sign the document in the presence of a Notary or Clerk of the Superior Court if he or she agrees to the requested change to the birth record and waives notice about court hearings regarding this request.

(Next (3) Forms:) **IF** you do not have the other parent’s or guardian’s signed and notarized “Consent and Waiver of Notice”, **WAIT:** the Judicial Officer (Judge or Commissioner) will let you know **if** you have to provide notice of your request to anyone else. *If you are instructed by the Court to provide notice*, read the last document in this packet (“*PROCEDURES*”), to determine whether any of these (3) affidavits are needed:

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL (A)
DECLARATION SUPPORTING PUBLICATION (B)
AFFIDAVIT OF PUBLICATION (C)

- (A) IF you provided notice by certified **mailing** of a copy of the “**Petition to Modify**” and “**Notice of Hearing**”, complete this form (A) to indicate to whom and to where and when you mailed the papers.
- (B) IF you provided notice by running a legal notice advertisement, complete form (B) to inform the court what steps you took before publication to try to locate and provide actual notice to the other party, and attach (C),
- (C) the **Affidavit of Publication** sent to you by the publisher after the ad has run the required number of times.

(Next Form)

ORDER TO AMEND BIRTH CERTIFICATE

- **Write in the case caption** (the name of the person whose birth record is to be corrected and the case number) as they appear on the Petition. Check the box to indicate if the person whose birth record is to be corrected is a MINOR.
- **Under “PRESENT NAME APPEARING ON THE SUBJECT BIRTH CERTIFICATE”:**
 - Write in the name of the person whose birth record is to be corrected **EXACTLY** as it appears on his or her current birth certificate.
 - Write in his or her date of birth.
 - Write in his or her place of birth (including city (or county, if no city), state and nation).

- “The Court finds information indicated below to be incorrect . . . “
 - Check the appropriate box(es) to indicate what and whose information on the birth certificate is INCORRECT.

“THE COURT ORDERS:”

1. Check the appropriate boxes to indicate the information that is to be corrected for:
 - (A) the Petitioner or Minor Child (or protected adult) whose birth certificate is to be corrected,
 - (B) the Father/Parent,
 - (C) the Mother/Parent.
2. If there are errors or omissions *other than* the name, date or place of birth, check the box for “Other” and write in the specific **incorrect** wording that appears on the current birth certificate.

NEXT: Write-in the correct information EXACTLY as it SHOULD appear on the birth certificate.

IT IS VITALLY IMPORTANT THIS INFORMATION BE ABSOLUTELY CLEAR AND LEGIBLE WITH NO CROSS-OUTS, NO WRITE-OVERS, NO ERASURES, NO CORRECTION FLUID (No “White Out”)!

3. Orders the State of Arizona’s **Office of Vital Records** to change the existing birth record. You may obtain a new birth certificate from Vital Records after the corrections are made. (You do not need to write anything here.)
4. **NOTICE:** Changing a person’s name (or other information) on a birth certificate does not affect that person’s legal rights, responsibilities or obligations. (You do not need to write anything here.)
5. **Other Orders.** Leave this section blank for the Court to fill out.

EVERY LETTER ON THIS FORM MUST BE ABSOLUTELY CLEAR AND LEGIBLE!

WHEN YOU HAVE COMPLETED THESE FORMS, GO TO THE “PROCEDURES” PAGE
(the last document in this packet) **AND FOLLOW THE STEPS LISTED.**