

Procedures: What to do after completing papers to request a court order for a delayed birth certificate

WARNING!

Do not file this application until or unless you have first:

- a) applied to the Bureau of Vital Records for a delayed birth certificate,
- b) been rejected, AND
- c) received a letter of denial, which you must file with this Petition.

Have you applied for a delayed birth certificate with the Bureau of Vital Records?

- If the answer is yes, did you receive a denial letter?
- If the answer is “No”: You do not qualify to receive a Court order for a delayed birth certificate from the Court.

- Step 1: Complete the forms in the packet. These forms are the “Original Set.”
- Civil Coversheet. Check box #178 for “Delayed Birth Certificate.”
 - Petition for Order to Establish Delayed Birth Certificate.
 - Court Ordered Delayed Birth Registration Form (State of Arizona Vital Records form).
 - Order Regarding Petition to Establish Delayed Birth Certificate. Complete the proposed Order with the information from your Petition. Order must be typed. Do not date or sign the Order. The signature line is for the Judicial Officer to sign when the Order is complete. Do not file the order – you will submit it before your Court hearing.
- Step 2: Copy:
- Petition and all other required documents, including Letter of Denial from Bureau of Vital Records (required), all documents originally submitted to Vital Records in support of your request, and any additional supporting documents (One (1) Original and one (2) copies). Make an additional copy for each additional interested party involved.

Step 3: File the papers.

In person:

Go to the Clerk of Superior Court to file your papers: The Court is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. You should go to the Court at least two hours before it closes. You may file your court papers at one of the following Superior Court locations:

Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

Southeast Court Facility
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

Northwest Court Facility
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

Hand the original and all copies to the Clerk, along with the filing fee. Do not file the Order.

eFiling (online):

For information on eFiling, see the Clerk of Superior Court's website at <https://www.clerkofcourt.maricopa.gov/services/efiling-information>.

A list of current fees is available on the Clerk of Superior Court's website. If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of Superior Court. Deferral Applications are available at no charge from the Law Library Resource Center.

Step 4: Immediately take one set to Civil Court Administration (ask "where" when you file).

- Keep one set for your records.

Step 5: Wait for notice of when your hearing will be held.

All hearings will occur virtually unless otherwise ordered by the Court.

The Court will set a date for a hearing on the Petition and provide notice by email of the date, time, and instructions for how to appear for the hearing to you and to the State Registrar (Bureau of Vital Records) at least twenty days before the hearing. The State Registrar may appear and testify at the hearing. If you have not received a Notice of Hearing within 30 days after filing, you may contact Civil Court Administration at 602-506-1497 to inquire about the status of your hearing.

Step 6: Notify any interested party.

- If you are a parent filing the Petition to Establish a Delayed Birth Certificate for your minor child, you must notify the other Parent (and any Legal Guardian) of the minor child (or both parents if you are the child's Legal Guardian) about your request and the scheduled hearing.
- If you are an adult filing for a delayed birth certificate for yourself, you must notify any living person whom you have listed as your parent on the Petition.

How to notify:

- Send a Clerk-stamped copy of your Petition and the Notice of Hearing showing the date, time, and virtual hearing link information by certified mail/restricted delivery (return receipt requested). This must be done at least 30 days before the hearing. Proof of notice for this step is the card returned to you from the post office showing delivery. Bring the card and a completed Affidavit of Notice by Certified Mail to the hearing or email it to civilhearings@jbazmc.maricopa.gov. The person who should receive notice of the hearing must sign the return receipt.
- If the Court orders another form of service, refer to the Civil "Service" packet available at the Law Library Resource Center or on the Court's website.

Step 7: Prepare for your hearing.

At least one (1) week before your hearing, provide the Court your documents. You have two options:

1) Email your documents in PDF format to civilhearings@jbazmc.maricopa.gov
OR

2) Drop off your documents in person. There is a bin or file folder titled Civil Court Administration at each of the locations below.

Central Court Building
201 West Jefferson
Phoenix, AZ 85003
(3rd floor, East Court Building)

Southeast Court Facility
222 East Javelina Avenue
Mesa, AZ 85210
(1st floor, Suite 1350)

Northwest Court Facility
14264 West Tierra Buena Lane
Surprise, AZ 85374
(Window 8, Clerk of Court)

Northeast Regional Court Center
18380 North 40th Street
Phoenix, AZ 85032
(Main Information Desk)

Failure to provide the required documents may result in your hearing being vacated.
The Court will NOT accept the documents on the date of the hearing.

- A. Complete and attach the Order. Complete the name(s) of the Petitioner and your case number. Do not date or sign the Order. The signature line is for the Judicial Officer to sign when the Order is complete.

B. Attach copies of the following:

- Photo identification for the person who filed the Petition.
- A Clerk-stamped copy of all filed documents.
- Proof of Notice as described above in Step 6.
- Court Ordered Delayed Birth Registration Form. The Clerk will certify the original document and mail it to the State Bureau of Vital Records.
- Any additional supporting documents.

C. Keep a copy of any documents you submit to the Court for your records.

Step 8: Attend the hearing. Who should attend the hearing?

- The Petitioner must be present at the hearing.
- If applicable, a minor who is part of the case, and who is age 14 or over, may attend the Court hearing. They do not have to attend unless required by the Judicial Officer.
- An adult (over the age of 18 or emancipated) requesting their own delayed birth registration.
- A Parent or Legal Guardian requesting the delayed birth registration on behalf of a person under the age of 18.
- A Legal Guardian requesting the delayed birth registration on behalf of a disabled adult.