

AMEND/CORRECT BIRTH CERTIFICATE

for a **MINOR**

1

**To Request a Court Order to Correct an
Error on the Arizona Birth Record of a
Person Currently Under the Age of 18**

FORMS and INSTRUCTIONS



SELF-SERVICE CENTER

PETITION FOR COURT ORDER TO CORRECT (amend) A BIRTH CERTIFICATE for a MINOR

CHECKLIST

You may use these forms if . . .

- ✓ You are the parent or guardian of a minor child who was born in the state of Arizona, *and there is an error on the child's birth certificate **other than** the child's name* (or there is an error in the child's name **and** some other item of information about the child, the mother, or the father).**
- ✓ The Arizona Office of Vital Records was unable to make the correction, and you want the Court to issue an Order to correct the error(s).
- ✓ You are prepared to present a certified copy of the Arizona birth certificate that contains the *incorrect* information.
- ✓ You are able to present evidence supporting what you say is the correct information, AND
- ✓ You understand that if the evidence you present with this Petition or that you bring to court with you is not enough to satisfy the Court:
 - You may be ordered to return to court with more/other supporting information, or
 - Your request may **not** be granted and you will not receive a refund of any court fees.

X *You may **NOT** use these forms to:*

X CHANGE THE *IDENTITY* OF EITHER PARENT, OR

X ESTABLISH PATERNITY OR ADD THE NAME OF A FATHER, OR

X REQUEST A LEGAL NAME CHANGE.*

* Separate packets for "name change" are available from the Self-Service Center.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website at www.superiorcourt.maricopa.gov/SSC

Self-Service Center

**PETITION FOR COURT ORDER TO AMEND (CORRECT)
A BIRTH CERTIFICATE – for a MINOR**

This packet contains court forms and instructions to file a petition for a Court Order to correct an error in information on an existing birth record for a minor who was born in Arizona *other than the minor's name* (or an error in the name *in addition to* another error). Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do **not** copy or file those pages!

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5	CVABM11f	"Petition for Court Order to Amend Birth Certificate of a Minor"	3
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* Read "INSTRUCTIONS" and "PROCEDURES" to determine if required.

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

SELF-SERVICE CENTER
INSTRUCTIONS: HOW TO FILL OUT ALL FORMS
TO REQUEST A COURT ORDER TO CORRECT (AMEND) A BIRTH CERTIFICATE

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.
- **PLAINTIFF'S NAME:** Write in the name of the person needing the corrected (amended) birth certificate.
- **ATTORNEY NAME AND BAR NUMBER:** Fill in only if an attorney represents the Petitioner.
- **AMOUNT IN CONTROVERSY:** Leave blank. Does not apply.
- **DEFENDANT'S NAME and EMERGENCY ORDER SOUGHT:** Leave blank. Does not apply.
- **REASON FEES NOT PAID:** Leave blank for Clerk to check if applicable.
- Leave rest of page 1 blank. *On page 2*, check the box beside "**195(b) Amendment of Birth Certificate**".
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**, **father**, 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	the CHILD.
Check the box for "B"		the FATHER.
Check the box for "C"		the MOTHER.

Then, in the separate (A)(B)(C) sections relating to the child, father, and mother, 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 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).
5. “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,
 (C) the Mother.
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.

Superior Court of Arizona
In Maricopa County

Case Number _____

CIVIL COVER SHEET- NEW FILING ONLY
(Please Type or Print)

Plaintiff's Attorney:

Attorney's Bar Number: _____

Is Interpreter Needed? Yes No
If yes, what language: _____
To the best of my knowledge, all information is true and correct.

Attorney/Pro Per Signature (If no attorney, YOUR signature)

Plaintiff's Name(s): (List all)

Plaintiff's Address:

(List additional plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List all.)

(List additional defendants on page two and/or attach a separate sheet).

EMERGENCY ORDER SOUGHT: (if applicable) Temporary Restraining Order Provisional Remedy
 OSC – Order to Show Cause Election Challenge
 Employer Sanction Other _____

RULE 8(i) COMPLEX LITIGATION DOES NOT APPLY. (Mark appropriate box under **Nature of Action**).
 RULE 8(i) COMPLEX LITIGATION APPLIES Rule 8(i) of the Rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties. (Mark appropriate box on page two as to complexity, **in addition** to the Nature of Action case category).

NATURE OF ACTION

(Place an "X" next to the **one** case category that most accurately describes your primary case.)

100 TORT MOTOR VEHICLE:

- 101 Non-Death/Personal Injury
- 102 Property Damage
- 103 Wrongful Death

110 TORT NON-MOTOR VEHICLE:

- 111 Negligence
- 112 Product Liability – Asbestos
- 112 Product Liability – Tobacco
- 112 Product Liability – Toxic/Other
- 113 Intentional Tort
- 114 Property Damage
- 115 Legal Malpractice
- 115 Malpractice – Other professional
- 117 Premises Liability
- 118 Slander/Libel/Defamation
- 116 Other (Specify) _____

120 MEDICAL MALPRACTICE:

- 121 Physician M.D. 123 Hospital
- 122 Physician D.O. 124 Other

130 CONTRACTS:

- 131 Account (Open or Stated)
- 132 Promissory Note
- 133 Foreclosure
- 138 Buyer-Plaintiff
- 139 Fraud
- 134 Other Contract (i.e. Breach of Contract)
- 135 Excess Proceeds - Sale
- Construction Defects (Residential/Commercial)
 - 136 Six to Nineteen Structures
 - 137 Twenty or More Structures

150-199 OTHER CIVIL CASE TYPES:

- 156 Eminent Domain/Condemnation
- 151 Eviction Actions (Forcible and Special Detainers)
- 152 Change of Name
- 153 Transcript of Judgment
- 154 Foreign Judgment
- 158 Quiet Title
- 160 Forfeiture
- 175 Election Challenge
- 179 Employer Sanction Action (A.R.S. §23-212)
- 180 Injunction against Workplace Harassment
- 181 Injunction against Harassment
- 182 Civil Penalty
- 186 Water Rights (Not General Stream Adjudication)
- 187 Real Property
- Sexually Violent Persons (A.R.S. §36-3704)
(Except Maricopa County)
- Minor Abortion (See Juvenile in Maricopa County)
- Special Action Against Lower Courts
(See lower court appeal cover sheet in Maricopa)
- 194-Immigration Enforcement Challenge
(§§1-501, 1-502, 11-1051)

150-199 UNCLASSIFIED CIVIL CASE TYPES:

- Notice of Appeal pursuant to A.R.S. § 12-904
(formerly "Administrative Review")
(Use lower court appeal cover sheet in Maricopa)
- 150 Tax Appeal
(All other tax matters must be filed in the AZ Tax Court)

Case No. _____

- 155 Declaratory Judgment
- 157 Habeas Corpus
- 184 Landlord Tenant Dispute - Other
- 159 Restoration of Civil Rights (Federal)
- 159 Clearance of Records (A.R.S. §13-4051)
- 190 Declaration of Factual Innocence(A.R.S.§12-771)
- 191 Declaration of Factual Improper Party Status
- 193 Vulnerable Adult (A.R.S. §46-451)
- 165 Tribal Judgment
- 167 Structured Settlement (A.R.S. §12-2901)
- 169 Attorney Conservatorships (State Bar)
- 170 Unauthorized Practice of Law (State Bar)
- 171 Out-of-State Deposition for Foreign Jurisdiction
- 172 Secure Attendance of Prisoner
- 173 Assurance of Discontinuance
- 174 In-State Deposition for Foreign Jurisdiction
- 176 Eminent Domain—Light Rail Only
- 177 Interpleader— Automobile Only
- 178 Delayed Birth Certificate (A.R.S. §36-333.03)
- 183 Employment Dispute - Discrimination
- 185 Employment Dispute - Other
- 195(a) Amendment of Marriage License
- 195(b) Amendment of Birth Certificate
- 163 Other

(Specify)

COMPLEXITY OF THE CASE

If you marked the box on page one indicating that Complex Litigation applies, place an "X" in the box of no less than one of the following:

- Antitrust/Trade Regulation
- Construction Defect with many parties or structures
- Mass Tort
- Securities Litigation with many parties
- Environmental Toxic Tort with many parties
- Class Action Claims
- Insurance Coverage Claims arising from the above-listed case types
- A Complex Case as defined by Rule 8(i) ARCP

Additional Plaintiff(s)

Additional Defendant(s)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
 Representing Self (No Attorney), or Represented by Attorney
If Attorney, Bar Number: _____



For Clerk's Use Only

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of

Case Number: CV _____

Name of Minor whose birth record needs correction

PETITION TO AMEND BIRTH CERTIFICATE OF A MINOR (A.R.S. § 36-337)

UNDER PENALTY OF PERJURY

1. INFORMATION ABOUT THE PETITIONER (the person filing this request):

MY FULL NAME IS:

(First)

(Last)

Address is as listed at top left
above, or *if not*, my address is:

I am the Minor's: Mother Father Legal Guardian

County of Residence:

Date of Birth*:

(Month / Day/ Year)

Place of Birth*:

(City or County, State, Nation)

* "Date" and "Place" of birth information not required for legal guardian.

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

MINOR'S NAME as it appears on the birth certificate:

_____	_____	_____
-------	-------	-------

(First)

(Last)

Address is same as Petitioner's, or
if not, minor's complete address is:

County of Residence:

Date of Birth:

Place of Birth:

ARIZONA

(City, County)

A CERTIFIED COPY OF THE MINOR'S CURRENT ARIZONA BIRTH CERTIFICATE IS ATTACHED.

3. INFORMATION ABOUT THE BIRTH RECORD:

A. The birth record contains INCORRECT information about *the MINOR CHILD*:

CHILD'S NAME	appears <i>wrongly</i> as	_____
DATE OF BIRTH	appears <i>wrongly</i> as	_____
PLACE OF BIRTH	appears <i>wrongly</i> as	_____
Other Information	appears <i>wrongly</i> as	_____ _____
Following is the CORRECT information about the MINOR CHILD. I ask that the birth record be ordered changed as indicated below:		
CHILD'S NAME	should appear as	_____
DATE OF BIRTH	should appear as	_____
PLACE OF BIRTH	should appear as	_____
Other Information	should appear as	_____ _____

B. The birth record contains INCORRECT information about *the FATHER*:

FATHER'S NAME*	appears <i>wrongly</i> as	_____
DATE OF BIRTH	appears <i>wrongly</i> as	_____
PLACE OF BIRTH	appears <i>wrongly</i> as	_____
RACE	appears <i>wrongly</i> as	_____
Following is the CORRECT information about the FATHER. I ask that the birth records be ordered changed as indicated below:		
FATHER'S NAME*	should appear as	_____
DATE OF BIRTH	should appear as	_____
PLACE OF BIRTH	should appear as	_____
RACE	should appear as	_____

* to correct error in name of the father – not to change identity / paternity.

C. The birth record contains INCORRECT information about *the MOTHER*:

MOTHER'S NAME*	appears <i>wrongly</i> as	_____
DATE OF BIRTH	appears <i>wrongly</i> as	_____
PLACE OF BIRTH	appears <i>wrongly</i> as	_____
RACE	appears <i>wrongly</i> as	_____
MARITAL STATUS	appears <i>wrongly</i> as	_____
RESIDENTIAL ADDRESS	appears <i>wrongly</i> as	_____
<p>Following is the CORRECT information about the MOTHER. I ask that the birth records be ordered changed as indicated below:</p>		
MOTHER'S NAME*	should appear as	_____
DATE OF BIRTH	should appear as	_____
PLACE OF BIRTH	should appear as	_____
RACE	should appear as	_____
MARITAL STATUS	should appear as	_____
RESIDENTIAL ADDRESS	should appear as	_____

* to correct error in name of the mother – not to change identity / maternity.

REQUEST TO THE COURT:

I request the Arizona Office of Vital Records be ordered to remove and replace the incorrect information on the subject birth record with the correct information as indicated above.

OATH OR AFFIRMATION OF APPLICANT

I affirm under penalty of perjury the information provided on this document is true and correct.

Date: _____

Petitioner's Signature

Printed Name of Petitioner

Signed or Affirmed before me this date: _____

Seal/My Commission Expires:

Deputy Clerk or Notary Public

Person Filing: _____
Mailing Address: _____
City, State, Zip: _____
Day/Evening Phone: _____ / _____
Person Filing is: SELF (No Attorney) OR Attorney
If Attorney, Bar No.: _____ Atty. Phone: _____

FOR CLERK USE ONLY

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Case Number: CV _____

In the Matter of

**CONSENT OF (OTHER) PARENT* TO
AMENDMENT OF BIRTH CERTIFICATE
OF A MINOR and WAIVER OF NOTICE
*or LEGAL GUARDIAN**

Minor whose birth certificate needs correction

UNDER OATH OR BY AFFIRMATION

1. **REQUIRED INFORMATION ABOUT THE PARENT* or LEGAL GUARDIAN *other than***
the one filing the "*Petition to Amend Birth Certificate*" of the minor.

My Full Name is: _____

Address: _____

Telephone: _____ Email: _____

I am the Minor's MOTHER FATHER Legal Guardian.

(Information below for parent only. Not required for legal guardian.)

Date of Birth: _____ Place of Birth: _____
Month / Date / Year City or County, State, Nation

2. I have read the **Petition to Amend a Birth Certificate for a Minor** and consent to the
corrections specified in the **Petition** concerning the minor child named above

3. I waive notice of all further proceedings in this matter.

UNDER PENALTY OF PERJURY

I swear or affirm the contents of this document are true and correct.

Date

Signature of **Non-Petitioner** Parent or Guardian

Sworn to or affirmed before me this date:

Printed Name

My Commission expires/Seal:

Deputy Clerk or Notary Public

Person Filing: _____
Mailing Address: _____
City, State, Zip: _____
Day/Evening Phone: _____ / _____
Person Filing is: SELF (No Attorney) OR Attorney
If Attorney, Bar No.: _____ Atty. Phone: _____

For Clerk's Use Only

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

In the Matter of _____

Case Number: _____

Name of Minor whose birth record needs correction

**NOTICE OF HEARING REGARDING
PETITION for CORRECTION/AMENDMENT
of BIRTH CERTIFICATE of A MINOR**

READ THIS NOTICE CAREFULLY. An important court proceeding that affects your rights has been scheduled. If you do **not** understand this Notice or the other court papers, contact an attorney for legal advice.

- 1. **NOTICE:** A **Petition to Amend a Birth Certificate** of the Minor named above has been filed with the Court. A hearing has been scheduled where the Court will consider whether to grant or deny the requested change. If you wish to be heard on this issue, you must appear at the hearing at the date and time indicated below.
- 2. **COURT HEARING.** A court hearing has been scheduled to consider the Application as follows:

DATE: _____ **TIME:** _____

BEFORE:

- Commissioner _____
125 W. Washington Street
Courtroom _____
Phoenix, AZ 85003
- Commissioner _____
14264 W. Tierra Buena Lane
Courtroom _____
Surprise, AZ 85374
- Commissioner _____
101 W. Jefferson , ____ floor
Courtroom _____
Phoenix, AZ 85003

- Commissioner _____
18380 North 40th Street
Courtroom _____
Phoenix, AZ 85032
- Commissioner _____
222 E. Javelina Drive
Courtroom _____
Mesa, AZ 85210
- Commissioner _____
201 W. Jefferson , ____ floor
Courtroom _____
Phoenix, AZ 85032

DATED: _____
(Month/Day/Year)

Petitioner's Signature

Person Filing: _____
Mailing Address: _____
City, State, Zip: _____
Day/Evening Phone: _____ / _____
Person Filing is: SELF (No Attorney) OR Attorney
If Attorney, Bar No.: _____ Atty. Phone: _____



For Clerk's Use Only

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the matter of

Name of Minor whose birth certificate needs correction

Case Number: CV _____

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

1. I am familiar with the facts stated in this Affidavit, and I make this Affidavit to show that I have served copies of the ***“Petition to Amend Birth Certificate for a Minor”*** and the ***“Notice of Hearing Regarding Petition to Amend Birth Certificate for a Minor”*** on the person named below by certified mail/restricted delivery, return receipt requested.

Person served (name of other party): _____

Address where other party was served: _____

Date of receipt by the other party: _____

2. The **Application** and **Notice** listed above were received by the other party as shown by the receipt, the original of which is attached to this Affidavit on a separate piece of paper.

UNDER PENALTY OF PERJURY

The contents of this document are true and correct to the best of my knowledge and belief.

Signature of Sender

Date

Printed Name of Sender

Sworn to or affirmed before me this date: _____

My Commission expires/Seal below

Deputy Clerk or Notary Public

Name of Person Filing Document: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 Attorney Bar Number (if applicable): _____
 Representing Self (Without a Lawyer) OR
 Attorney for _____



SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of _____

Case Number: CV _____

DECLARATION SUPPORTING PUBLICATION Regarding Amendment of Birth Certificate of a Minor

A Minor _____

1. I am the Petitioner and I make this Affidavit to show the circumstances why notice by publication was used, and to show how service by publication was done.

2. Notice of this matter was given by publication to:

Name: _____

Last Known Address: _____

Relation to the Minor: _____

3. Service by publication is the best way of providing notice because the person named above is:

Avoiding service of process, so I mailed a copy of the "*Petition to Amend*" and the "*Notice of Hearing*" to the last known mailing address (listed above), **or to:**

Which is the address of: _____

OR

The other party's residence is unknown and I have not mailed copies of the "*Petition*" and "*Notice*" to any address because: _____.

4. I made a diligent search to find out the residence and location of all persons entitled to notice, but the search has failed to reveal any information concerning the residence or location of the person named above. Actions I have taken include:

Searching the phone book Checking voter registration records

Searching the Internet Checking jails and the prisons

Contacting last known employer: _____

Contacting friends or relatives listed below: (List name and relation to person entitled to notice.)

Name	Relation

5. The other party is not in the military service of the United States.

6. ABOUT THE PUBLICATION:

NOTICE OF HEARING was published on the following dates.

A. ____ / ____ / ____, B. ____ / ____ / ____, C. ____ / ____ / ____, D. ____ / ____ / ____.

PROOF OF PUBLICATION is attached. (Attach an **Affidavit of Publication** supplied by the newspaper that published the notice.)

By signing this document, I state to the Court that the information presented is true and correct to the best of my knowledge and belief, under penalty of perjury.

Date Signed

Petitioner's Signature

Attach the original **Affidavit of Publication** supplied to you by the newspaper that published notice after the required number of publications.

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**



For Clerk's Use Only

In the Matter of

Case Number CV _____

Person whose birth certificate is to be corrected
(as listed on the Petition to Amend)

**ORDER AMENDING BIRTH
CERTIFICATE OF A MINOR
A.R.S. § 36-337**

THE COURT FINDS:

1. This case has come before this Court to correct errors or omissions on the birth certificate of the person named above.
2. Pursuant to A.R.S. §36-337, this Court has jurisdiction to order that the birth record be amended.
3. Good cause exists to grant the petition to amend the birth certificate as requested.
4. The name, date and place of birth of the person whose birth record is to be corrected appears on his or her Arizona birth certificate as follows:

THE PRESENT NAME APPEARING ON THE SUBJECT BIRTH CERTIFICATE:

--	--	--

First

Last

Date of Birth: _____
Month Day Year

Place of Birth: _____
City State Nation

5. The Court finds information indicated below to be incorrect on the present birth certificate:

PETITIONER / MINOR CHILD's

MOTHER's

FATHER's

- NAME
- DATE of BIRTH
- PLACE of BIRTH
- OTHER: _____

- NAME
- DATE of BIRTH
- PLACE of BIRTH
- OTHER: _____

- NAME
- DATE of BIRTH
- PLACE of BIRTH
- OTHER: _____

THE COURT ORDERS:

1. THE INFORMATION ON THE SUBJECT BIRTH CERTIFICATE SHALL BE CHANGED REGARDING:

A. Petitioner or Minor Child's (or protected or incapacitated adult's)

NAME, which shall be corrected to read EXACTLY as written below:

--	--	--

DATE of BIRTH shall be corrected to: _____

PLACE of BIRTH shall be corrected to: _____

OTHER: _____ shall be corrected to: _____

OTHER: _____ shall be corrected to: _____

B. FATHER'S: NAME, which shall be corrected to read EXACTLY as written below:

--	--	--

DATE of BIRTH shall be corrected to: _____

PLACE of BIRTH shall be corrected to: _____

OTHER: _____ shall be corrected to: _____

OTHER: _____ shall be corrected to: _____

C. MOTHER'S: NAME, which shall be corrected to read EXACTLY as written below:

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DATE of BIRTH shall be corrected to: _____

PLACE of BIRTH shall be corrected to: _____

OTHER: _____ shall be corrected to: _____

OTHER: _____ shall be corrected to: _____

2. THAT THE SUBJECT BIRTH RECORDS BE CHANGED TO CORRECT THE FOLLOWING ERRORS OR OMISSIONS:

Case No. _____

3. For a person born in the State of Arizona, the Office of Vital Records is ordered to amend the birth record to reflect the corrected information as ordered above.

4. This Order does not release the Petitioner or protected or incapacitated person or minor child on whose behalf the underlying petition was filed from any obligations incurred or harm any rights of property or action in any previous name.

5. Other orders: _____

DONE IN OPEN COURT: _____
Date

Judicial Officer

SELF-SERVICE CENTER
PROCEDURES: HOW TO FILE TO CORRECT/AMEND A BIRTH CERTIFICATE
OF A MINOR

STEP 1: Fill out the “*Petition to Amend/Correct Birth Certificate*” and make 2 copies.

STEP 2: Fill out the top portion of page 1 of the “*Civil Cover Sheet*”. Write in **your** name as “Plaintiff”.
On page 2, check box **195(b)** for “**Amendment of Birth Certificate.**”

STEP 3: FILE THE PAPERS AT THE COURT:

WHO: Who may file the Petition to Amend a Birth Certificate of a Minor?

A parent or legal guardian of the minor or an attorney for a parent or legal guardian of the minor, **or** an emancipated minor or an attorney for an emancipated minor. An emancipated minor is a person under the age of 18 who has been declared legally “an adult” by court order or according to law.

GO TO: THE CLERK OF COURT TO FILE YOUR PAPERS: The Court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before it closes.** You may file your court papers at the following Superior Court locations:

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Mesa, Arizona 85210

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

The Clerk of the Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, AZ 85032

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, VISA/MasterCard/AMEX debit or credit cards, money order, or personal in-state check made payable to the “**Clerk of Superior Court**” are acceptable forms of payment.

Go online to <http://clerkofcourt.maricopa.gov/fees.asp> or the Self-Service Center for a list of current fees.

If you cannot afford the filing fee you may apply for a **deferral** (delayed payment or payment plan) when you file your papers with the Clerk of the Court. **Deferral Applications** are available at **no charge** from the Self-Service Center.

PAPERS: Give 1 Civil Cover Sheet and 1 original plus 2 copies of the **Petition** to the Clerk along with the filing fee or Fee Deferral Application. **Make sure the filing clerk stamps both copies and returns them to you.**

STEP 4: SCHEDULE A JUDICIAL REVIEW OF YOUR REQUEST:

At least **four** business days after you filed your *Petition*, contact Civil Court Administration to obtain the Commissioner’s Name and the date, time and place of your appointment for judicial review by calling the telephone number listed below *between the hours of 9am-12 noon or 1-4pm, Monday through Friday.*

If you filed the Petition in: **Mesa** at 222 E Javelina Drive, call: **602-506-2023**
Surprise at 14264 W Tierra Buena Lane, call **602-372-9402**
Phoenix at 18380 N 40th Street (40th St. & Union Hills) **602-506-3397**
or **Phoenix** at 201 W Jefferson, call:

STEP 5: CONSENT OR NOTICE:

A. IF THE OTHER PARENT AGREES WITH THE CHANGE: GET A SIGNED CONSENT

1. Give him/her a court-stamped copy of the *Petition* and a **“Consent and Waiver of Notice”**.
2. **Have the parent complete the “Consent (of Parent) and Waiver of Notice” form and**
3. **Have it notarized.**
4. **Bring the signed and notarized “Consent and Waiver of Notice” to the review** (and to any hearing that might be scheduled later).

IF THE OTHER PARENT WILL NOT (or is not available to) SIGN A CONSENT, go to your appointment for review and wait for instruction from the Court. IF the court decides the other parent (or legal guardian) must be notified before the Court makes a decision, a hearing will be scheduled, and you will need to:

1. Contact Civil Court Administration to obtain the Commissioner’s Name and the date, time and place of your hearing by calling the appropriate telephone number listed in Step 4 above to ask to schedule a hearing.
2. Complete the **“Notice of Hearing”** form included in this packet with the information received from Court Administration. The completed **“Notice of Hearing”** form *must then be filed* with the Clerk of the Court at one of the locations listed above.

B. GIVE NOTICE TO THE OTHER PARENT (or Guardian) (IF required by the Court):

1. Provide him or her a stamped copy of the *Petition* and the completed **“Notice of Hearing”**.
2. **Have the parent sign an “Acceptance of Service” in front of a notary public or a Clerk of the Superior Court.** Signing the “Acceptance” does not indicate agreement – it only serves as proof of receipt of notice.
3. **Bring the signed and notarized “Acceptance of Service” to the hearing;**
OR
1. Send by Certified Mail, return-receipt requested - with restricted delivery, a clerk-stamped copy of the *Petition* and the completed **“Notice of Hearing”**, **to the other parent.**
2. Delivery should be restricted so that **only the person entitled to receive notice** is allowed to sign the receipt.
3. This must be done at least **30** days before the hearing.
4. **Bring the return receipt card and a completed “Affidavit of Service by Certified Mail” to the hearing.**

C. IF YOU CANNOT DELIVER NOTICE: GIVE NOTICE BY PUBLICATION

- **May be used only if you do not have a current address for the other party, and the court is satisfied that you have taken every reasonable step to find the other party and have the court papers delivered to them directly, but have been unable to do so.**

- Requires you to pay the cost of publishing unless you may apply and qualify for a *deferral* or *waiver* (to pay later or not pay at all) *and* publish in the paper that has contracted with the court to handle fee-deferred matters.
- Can be expensive and may delay your court case.
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IF LAST KNOWN ADDRESS IN MARICOPA COUNTY OR IN U.S. OTHER THAN ARIZONA: A Notice of Hearing (a legal notice classified advertisement) that shows the date, time, and place of your hearing must be published in a newspaper of general circulation in **Maricopa County** at least **once a week for four (4) consecutive weeks** before the hearing.

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1. Obtain and file an “***Affidavit of Publication***” from the newspaper indicating publication was completed.
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3. Bring the “***DECLARATION SUPPORTING PUBLICATION***” with you to the hearing.

STEP 6: ATTEND THE HEARING. Who should attend?

- **The petitioner.** The adult requesting to amend the birth certificate for the minor child **MUST** be present at the hearing.
- **If the minor whose birth certificate is to be corrected is 14 or over**, he or she **MAY** attend the court hearing, but does **not** have to attend unless required by the Judge.

BRING THESE DOCUMENTS TO THE HEARING:

- **2 copies of “*Order Amending Birth Certificate*”** for the Judge to sign. One copy will go in the Court file and the other will be prepared for certification and returned to you.
- **Photo identification for the person who filed the *Petition to Amend*.**
- **A Clerk-stamped copy of all filed documents**
- **Proof of Notice** as described above in Step 5.
- **Notarized consent from the *other parent*** or proof that the other parent was served with notice of the Petition and the Hearing, **OR** a copy of a Court Order terminating parental rights of the other parent (If applicable).
- **Any previous Name Change orders** (if applicable)
- **A (preferably “certified”) copy of the child’s official, government-issued birth certificate. A HOSPITAL BIRTH CERTIFICATE IS NOT SUFFICIENT.**
- **Adoption decree** (If applicable)
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| <ul style="list-style-type: none"> ◆ You <u>MUST</u> bring a copy of the child’s GOVERNMENT-ISSUED birth certificate. ◆ The Court will not change a birth certificate without first seeing a copy. ◆ Hospital-issued birth certificates generally will not satisfy Court requirements. ◆ The Court requires GOVERNMENT-ISSUED birth certificates. |
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Always make a copy of any document you submit to the Court and keep a copy for your records .

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TO GET A CERTIFIED COPY OF YOUR COURT ORDER:

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- **If you need additional copies after that time, you will need to go to the Court's Customer Service Center at 601 W. Jackson Street in Phoenix.**
- **As of May 12, 2010, the certification fee is \$26.00 for each certified copy. Payment may be made in cash, by personal in-state check or money order payable to "Clerk of Superior Court", or by AMEX/ VISA/ Mastercard.**
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The Maricopa County Office of Vital Registration is located at 3221 N. 16th Street, 1st Floor, Phoenix, AZ 85016 for birth certificate corrections/amendments *for birth years from 1997 to the present*. Hours of operation are 8:00 A.M. to 4:30 P.M., Monday through Friday. **Free parking and the main entrance are located at the rear of building. You may also telephone Maricopa County Vital Registration at 602-506-6805.**

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