

**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:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Facility
222 East Javelina Drive, 1st floor
Mesa, Arizona 85210

The Clerk of the Superior Court
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.
- Should be your “last resort.”

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.

IF LAST KNOWN ADDRESS IN ARIZONA COUNTY OTHER THAN MARICOPA COUNTY: 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 **and in the Arizona county of last known address** at least once a week for four (4) consecutive weeks before the hearing.

AFTER publication has been completed, you must:

1. Obtain and file an “***Affidavit of Publication***” from the newspaper indicating publication was completed.
2. File a “***DECLARATION SUPPORTING PUBLICATION***” explaining in detail exactly what efforts you made to locate and give actual notice **before** resorting to publication.
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)
- **Proof of Guardianship** (If applicable)

- ◆ **You MUST 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.**

Always make a copy of any document you submit to the Court and keep a copy for your records .

If you want a new, corrected birth certificate, you may purchase one for a fee after you present a CERTIFIED COPY* of the Court Order to either:

- 1. The State of Arizona's Office of Vital Records, or**
- 2. The Maricopa County Office of Vital Registration (only for children born 1997 or later).**

TO GET A CERTIFIED COPY OF YOUR COURT ORDER:

- **You will need to present your Judge-signed copy to the Filing Counter within 48 hours along with the "certification fee".**
- **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.**
- **Verify the current fee amount before writing a check or purchasing a money order.**

Information about Vital Records services and fees can be found online at:

<http://www.azdhs.gov/vitalrcd/> or you may visit their offices at 1818 W. Adams Street in Phoenix between 8:00 A.M. and 4 P.M., Monday through Friday. **Free covered parking is available one block east on 18th Avenue, between Van Buren and Adams Streets. You may also telephone Vital Records at 602-364-1300. You may experience lengthy hold times.**

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.**