

## 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 8:00 a.m.-5:00 p.m., 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 Avenue, 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 40<sup>th</sup> Street  
Phoenix, AZ 85032

**FEES:** A list of current fees is available from the Self Service Center and from the Clerk of 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 the Court. Deferral Applications are available at no charge from the Self-Service Center.

**PAPERS:** Hand all three (3) sets of your court papers to the Clerk along with the filing fee.

#### **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:*

**9:00 a.m. - 12:00 noon or 1:00 – 4:00 p.m., Monday through Friday.**

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

\*Applications may be filed at Northwest Court Facility, but the hearings will be held at one of the other locations.

**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.
- A list of current fees is available from the Self Service Center and from the Clerk of Court’s website.

**The State Vital Records Office at 1818 W. Adams, Phoenix, AZ. 85007, is only available for mail-in service. Vital Records general telephone number is 602-364-1300. Please call for another walk-in location. A fee is required for a change to any birth certificate.**

**The Maricopa County Office of Vital Registration is located at 3221 N. 16<sup>th</sup> Street, 1<sup>st</sup> 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**.**