

**PETITION TO ESTABLISH
DELAYED
BIRTH CERTIFICATE**

1

**FOR USE ONLY AFTER VITAL RECORDS HAS
REJECTED REQUEST**

FORMS and INSTRUCTIONS



SELF-SERVICE CENTER

PETITION FOR COURT ORDER TO ESTABLISH DELAYED BIRTH CERTIFICATE

CHECKLIST

You may use these forms if . . .

- ✓ You want the Court to issue an Order to the Office of Vital Records to establish a birth certificate for a person born in Arizona who is at least one year old, AND
- ✓ The Arizona Office of Vital Records does not have a birth record for the person for whom the certificate is requested, **AND**
- ✓ **You first applied for a delayed birth certificate to the Office of Vital Records, AND**
 1. **The request was rejected, AND**
 2. **You received a *letter of denial* from Vital Records to file with this request to the Court.**

You may NOT use these forms if . . .

- ✗ **The person was not born in Arizona, or**
- ✗ **The person's birth is registered in another state or country,**
- ✗ **You have not first:**
 1. **applied to Vital Records,**
 2. **been rejected, and**
 3. **received a letter of denial from that office to file with this Petition.**

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 FOR DELAYED BIRTH CERTIFICATE

This packet contains court forms and instructions to file a petition for a Court Order to establish a delayed birth certificate for a person more than one year old. 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!

Order	File Number	Title	# Pages
1	CVDB1k	Checklist: "You may use these forms if . . ."	1
2	CVDB1t	Table of Contents (this page)	1
3	CVDB10i	Instructions: How to Fill Out Forms to Request Delayed Birth Certificate	1
4	CV10f	"Civil Cover Sheet"	2
5	CVDB11f	"Petition for Order to Establish Delayed Birth Certificate"	1
6	CVDB15f	"Consent and Waiver of Notice" (for guardian and living parents, if applicable), (copy before filling out if more than 1 needed)	1
7	CVDB24f	"Affidavit of Service by Certified Mail" (if applicable)	1
8	CVDB81f	"Court Ordered Delayed Birth Registration Form" (and instructions)	3
9	CVDB82f	"Court Order"	1
10	CVDB10p	PROCEDURES: What to do after you have completed all forms	3

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 THE FORMS
TO REQUEST A DELAYED BIRTH CERTIFICATE**

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

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 delayed 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 **"Establish Delayed Birth Certificate"**.
Note that you do not need to make extra copies of this form.

PETITION FOR ORDER TO ESTABLISH DELAYED BIRTH CERTIFICATE

1. **In the top left corner**, write in the information requested about the person **FILING** the form. If you are a parent or a legal guardian filing on behalf of the Petitioner, the person for whom the delayed birth certificate is needed, write in this information as it applies to you.
2. **In the Matter of . . .** Write in the name of the person for whom the delayed birth certificate is needed. Leave **"Case Number"** blank. This will be stamped on the papers at time of filing.
3. **Check the appropriate box** to indicate **if** you are a parent or legal guardian filing on behalf of the person needing the delayed birth certificate (If you are filing on your own behalf, **do not** check anything).
4. **Write in the information about the person for whom the delayed birth certificate is needed.**
5. **REQUIRED STATEMENTS TO THE COURT. EACH OF THESE STATEMENTS MUST BE TRUE.** Arizona law (A.R.S. § 36-333.03) requires that each of these statements must be true for the Court to issue an Order to establish a delayed birth certificate.
6. **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 under penalty of perjury that the information you have provided is true.

COURT ORDERED DELAYED BIRTH REGISTRATION FORM

- **COMPLETE PAGE 1, PARTS 1, 2, AND 3.** Leave part 4 blank.
- **WRITE THE INFORMATION EXACTLY AS IT SHOULD APPEAR ON THE BIRTH CERTIFICATE.**
- **EVERY LETTER ON THIS FORM MUST BE ABSOLUTELY CLEAR AND LEGIBLE :**
NO CROSS-OUTS. NO WRITE-OVERS. NO ERASURES. NO CORRECTION FLUID ("White Out", etc.).
- **COMPLETE PAGE 2, SECTIONS A, B, AND C**, by circling the appropriate listings to indicate the race, Hispanic origins, and/or Tribal Community of the person needing the delayed birth certificate.

**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)

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

FOR CLERK'S USE ONLY

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

(2) In the Matter of _____ Case No. _____

**PETITION FOR ORDER TO
ESTABLISH DELAYED BIRTH
CERTIFICATE A.R.S. § 36-333**

(Name of person for whom birth certificate is requested)

(3) I petition the Court on my own behalf, or as parent or legal guardian, to issue an Order to the State Registrar (Office of Vital Records) to establish a (delayed) birth certificate for the person named below,

(4) First Name: _____

Middle Name: _____

Last Name: _____

Date of Birth: Month _____ Date _____ Year _____

Place of Birth: _____, ARIZONA

City (if applicable) / County

(5) STATEMENTS TO THE COURT: ALL of the following are true statements:

- The person for whom the delayed birth certificate is requested was born in the state of Arizona.
- The person's birth is not registered in another state or country.
- No record of the person's birth can be found in this State's Vital Records.
- Despite diligent efforts, the Petitioner was unable to obtain the information and evidentiary documents required for the creation and registration of a delayed birth certificate.
- The State Registrar has refused to create and register a delayed birth certificate and the letter of denial received from the State Office of Vital Records is filed with this petition.

(6) OATH OR AFFIRMATION

I swear or affirm under penalty of perjury that the contents of this document are true and correct.

Signature _____ Date _____

Sworn to or Affirmed before me this date: _____

Seal/My Commission Expires

Deputy Clerk of Court 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

(2) In the Matter of _____

Case No. _____

Name of person needing birth certificate)

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL REGARDING PETITION FOR DELAYED BIRTH CERTIFICATE A.R.S. § 36-333

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 Establish Delayed Birth Certificate”*** and the ***“Notice of Hearing Regarding Petition to Establish Delayed Birth Certificate”*** 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 **Petition** 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.

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

Signature of Sender

Date

Sworn to or affirmed before me this date:

Seal/My Commission expires

Deputy Clerk or Notary Public

STATE OF ARIZONA
OFFICE OF VITAL RECORDS
COURT ORDERED DELAYED BIRTH REGISTRATION

FOR OFFICE USE ONLY
DATE RECEIVED BY STATE OFFICE

- **WRITE NEATLY. USE BLACK INK.**
- Do NOT use cross-outs, write-overs, erasures, correction fluid, or correction tape.
- If a mistake is made, prepare a new form.
- If you have any questions regarding this form, call (602) 364-1300 or (602) 364-2429.

PART 1: BIRTH FACTS OF REGISTRANT

NAME AT BIRTH: FIRST	MIDDLE	LAST (BEFORE MARRIAGE)	SUFFIX
RACE (SELECT FROM LIST IN SECTION A ON NEXT PAGE)		SEX	DATE OF BIRTH: MONTH DAY YEAR
PLACE OF BIRTH: TOWN OR CITY		COUNTY	STATE ARIZONA

PART 2: INFORMATION ABOUT NATURAL PARENTS OF REGISTRANT

FATHER'S NAME: FIRST	MIDDLE	LAST	SUFFIX
PLACE OF BIRTH (STATE OR COUNTRY)	DATE OF BIRTH	SOCIAL SECURITY NUMBER	RACE
IS THE FATHER OF HISPANIC ORIGIN? <input type="checkbox"/> Yes <input type="checkbox"/> No; IF YES, PLEASE SELECT ORIGIN FROM SECTION B ON NEXT PAGE AND ENTER			
MOTHER'S NAME: FIRST	MIDDLE	LAST NAME (BEFORE FIRST MARRIAGE)	
IS THE MOTHER OF HISPANIC ORIGIN? <input type="checkbox"/> Yes <input type="checkbox"/> No; IF YES, PLEASE SELECT ORIGIN FROM SECTION B ON NEXT PAGE AND ENTER HERE:		CURRENT LEGAL LAST NAME	
PLACE OF BIRTH (STATE OR COUNTRY)	DATE OF BIRTH	SOCIAL SECURITY NUMBER	RACE
MOTHER'S RESIDENCE AT THE TIME OF BIRTH (STREET ADDRESS)	CITY/TOWN	STATE	COUNTRY
WAS MOTHER'S RESIDENCE A TRIBAL COMMUNITY? <input type="checkbox"/> Yes <input type="checkbox"/> NO IF YES, PLEASE SELECT THE TRIBAL COMMUNITY FROM SECTION C ON NEXT PAGE AND ENTER YOUR SELECTION HERE:			

PART 3: DOCUMENTARY EVIDENCE AND INFORMATION ACCEPTED BY THE COURT

DATE ESTABLISHED	TYPE OF DOCUMENT/EVIDENCE
OTHER INFORMATION	DESCRIBE:

SIGNATURE OF REGISTRANT/OTHER (REGISTRANT MUST BE 18 YEARS OF AGE OR OLDER OR EMANCIPATED TO SIGN)

By signing this document, you are verifying the information provided on this form is true and accurate.

SIGNATURE OF (CHECK ONE) REGISTRANT OTHER

DATE SIGNED

CONTINUES ON NEXT PAGE

PRINTED NAME

PART 4: CERTIFICATION OF CLERK OF THE COURT

CERTIFICATION OF CLERK OF THE COURT	A FINAL ORDER TO ESTABLISH A DELAYED BIRTH CERTIFICATE WAS GRANTED IN THE SUPERIOR COURT OF THIS STATE ON _____ 20 _____ IN CASE NO. _____ JUDGE _____ PRESIDING		
	DATE SIGNED _____	BY _____	CASE NO. _____ CLERK FOR COUNTY OF _____
	CLERK OF COURT (IMPRESS COURT SEAL HERE)		UPON COMPLETION, MAIL BOTH PAGE 1 AND 2 OF THIS DOCUMENT TO: OFFICE OF VITAL RECORDS P.O. BOX 3887 PHOENIX, AZ 85030

N:Groups/Admin/Birth Registry/Forms/court ordered delayed birth registration 07-19-07 - MS Word, Revised: 7/19/07

STATE OF ARIZONA
 OFFICE OF VITAL RECORDS
COURT ORDERED DELAYED BIRTH REGISTRATION FORM

SECTION A - RACE		
White	Chinese	Native Hawaiian
Black or African American	Filipino	Guamanian or Chamorro
American Indian or Alaska Native	Japanese	Samoan
Asian	Korean	Other Pacific Islander-(specify)
Asian Indian	Vietnamese	Other-(Specify)
	Other Asian-(specify)	
SECTION B - HISPANIC ORIGIN		
Puerto Rican	Mexican, Mexican American, Chicano	Cuban
Other Spanish/Hispanic/Latino (specify)		
SECTION C - TRIBAL COMMUNITY		
Ak-Chin Indian Community	Hualapai Tribe	San Carlos Apache Tribe
Cocopah Indian Tribe	Kaibab-Paiute Tribe	San Juan Southern Paiute Tribe
Colorado River Indian Tribe	Navajo Nation	Tohono O'Odham Tribe (Papago)
Fort McDowell Yavapai Nation	Pascua Yaqui Tribe	Tonto Apache Tribe
Fort Mojave Indian Tribe	Yavapai Apache Nation	White Mountain Apache Tribe
Gila River Indian Community	Yavapai-Prescott Indian Tribe	Other Non-Arizona Tribe (specify)
Havasupai Tribe	Quechan Tribe	
Hopi Tribe	Salt River Pima-Maricopa Indian Community	

Court Ordered Delayed Birth Registration Instruction Guide

Who Can Petition the Court For a Court Ordered Delayed Registration?

1. Pursuant to Arizona Revised Statute 36-333.02 and 36-333.03, an individual who has applied for a delayed birth registration with the Office of Vital Records and has received a letter of denial may petition the court for a court order.

What Information Should be Presented to the Court?

1. The denial letter issued by the State Office of Vital Records, the information and evidentiary documents submitted to the Office of Vital Records must be submitted to the court.

How to Complete the Court Ordered Delayed Birth Registration Form

This form and instruction guide will be posted on the Vital Records Manual website: <http://pub.hs.state.az.us/ovrmanuals/> under "Quick Links", "Forms".

1. The registrant's birth facts must be entered in Part 1. Please complete the information on the form as it is to appear on the delayed birth record. Information entered should be supported by evidence. All fields on the form must be completed.
2. WRITE NEATLY. USE BLACK INK. Do not use cross-outs, write-overs, erasures, correction fluid, or correction tape. If a mistake is made a new form must be prepared.
3. Use Sections A-C on the reverse side of the form to complete information concerning Race, Hispanic Origin and Tribal Community.
4. The natural parents' information must be entered in Part 2.
5. Part 3 must contain the information regarding the documentary evidence and other information used to support the court order. Documentary evidence means written information established by an independent source which is used to prove the fact for which it is presented. Please use the documentary evidence and information section to capture this information.
6. In Part 3, "registrant" means an individual who is 18 years of age or an individual emancipated by marriage or by a court order and has applied for the delayed birth registration with the Office of Vital Records. "Other" means an individual other than the registrant such as a parent, or legal guardian, who applied for a delayed birth registration on behalf of the registrant because the registrant was less than 18 years of age.
7. The form must be reviewed for accuracy by the petitioner and court personnel. The petitioner must print and sign their name as indicated in Part 3. After the information contained on the form has been verified to be accurate, the form is ready for the final stage, certification.
8. Certification of Clerk of Court – this section must be completed by the clerk of the court where the legal proceeding was finalized. The clerk must sign where designated and the court's seal/certification must be placed on the form where indicated.
9. Pursuant to A.R.S. 36-333.03.E, by the tenth day of each month, the Clerk of the Court must submit all finalized Court Ordered Delayed Registrations for the preceding month. The Court Ordered Delayed Registrations shall be mailed to:

**Office of Vital Records
P.O. Box 3887
Phoenix, Arizona 85030**

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

FOR CLERK'S USE ONLY

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

(2) In the Matter of _____

Case No. _____

(Name of person for whom birth certificate is requested)

**ORDER REGARDING PETITION TO
ESTABLISH DELAYED BIRTH
CERTIFICATE A.R.S. § 36-333**

(3) THE COURT FINDS

- As required by A.R.S. § 36-333.02(E), the petitioner first applied to the Department of Vital Records for a delayed birth certificate, was rejected, and the "letter of denial" issued by that department was presented to this court.
- The evidence presented for the petitioner supports the creation and registration of a delayed birth certificate.
- The evidence presented for the petitioner does not sufficiently support the creation and registration of a delayed birth certificate.

(4) IT IS ORDERED

- DENYING PETITION
- GRANTING PETITION and ordering the Office of Vital Records to issue a delayed birth registration for:

(5) First Name: _____
Middle Name: _____
Last Name: _____
Date of Birth: Month _____ Date _____ Year _____

Date

Judicial Officer

**SELF-SERVICE CENTER
PROCEDURES: WHAT TO DO AFTER COMPLETING THE 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 for a delayed birth certificate to the Office of Vital Records,
- 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 Office 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: MAKE 2 COPIES OF THE:

- **“Petition for Order to Establish Delayed Birth Certificate”.**
- All Other Required Documents, including:
 - **“LETTER OF DENIAL”** from Office of Vital Records - ***REQUIRED!***
 - **All Documents originally submitted to Vital Records** in support of your request.
 - **Any additional supporting documents.**

STEP 2: GO TO THE CLERK OF COURT TO FILE YOUR PAPERS and pay your filing fee.

The Court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before closing.** 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

PAPERS: Give the original ***Civil Court Cover Sheet***, the ***Petition***, the “Letter of Denial” from Vital Records, *and all supporting documents* to the Clerk.

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, VISA/MasterCard 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 current fees.

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.

The filing clerk will stamp each set of papers and return the 2 stamped copies to you.

STEP 3: Immediately take one set to Civil Court Administration (ask “where” when you file).
• Keep one set for your records.

STEP 4: WAIT FOR NOTICE OF WHEN YOUR HEARING WILL BE HELD:
The court will set a date for a hearing on the petition and shall provide notice of the date, time and place of the hearing to you and to the State Registrar (Office 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.

IMPORTANT: IF YOU MUST SERVE NOTICE ON ANY PARTY BY CERTIFIED MAIL OR BY PUBLICATION (as described in STEP 7, below), **NOTIFY CIVIL COURT ADMINISTRATION SO ENOUGH TIME IS ALLOWED FOR YOU TO MAIL NOTICE AT LEAST 30 DAYS BEFORE THE HEARING OR TO PUBLISH NOTICE ONCE A WEEK FOR FOUR (4) WEEKS BEFORE THE HEARING.**

STEP 5: NOTIFY ANY INTERESTED PARTY

WHO: 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 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:

1. If you know where the person to be notified lives, and that person agrees with the *Petition* and will cooperate, give him/her a stamped copy of your *Petition* and the *“Notice of Hearing Regarding Delayed Birth Certificate”* that shows the date, time, and place of your hearing. Then, have the parent (or Legal Guardian) complete the form entitled *“Consent to Delayed Birth Certificate and Waiver of Notice”* and have it notarized. That document serves as your proof of notice. **Bring it to the hearing.**
2. **IF THE PARENT (or Legal Guardian) DOES NOT AGREE WITH YOUR REQUEST**, or at least *will not sign* the *“Consent and Waiver of Notice”*, give him/her a stamped copy of your application and the *“Notice of Hearing Regarding Delayed Birth Certificate”* that shows the date, time, and place of your hearing. Then, have the person sign and have notarized an *“Acceptance of Service”* form (available through the Self-Service Center) that simply states he/she has received the paper(s) listed on the **Acceptance** form. That notarized form serves as the proof of notice. Bring the signed and notarized *“Acceptance of Service”* to the hearing; **OR,**
3. Send a clerk-stamped copy of your application and the *“Notice of Hearing Regarding Delayed Birth Certificate”* showing the date, time, and place of hearing 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 Service by Certified Mail”* to the hearing. The person who should receive notice of the hearing must sign the return receipt.
4. **IF YOU DO NOT KNOW WHERE A PARENT LIVES: NOTICE BY PUBLICATION***
IF LAST KNOWN ADDRESS IN MARICOPA COUNTY OR STATE 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.**

*** IMPORTANT: IF YOU MUST SERVE NOTICE ON ANY PARTY BY CERTIFIED MAIL OR BY PUBLICATION, NOTIFY CIVIL COURT ADMINISTRATION SO ENOUGH TIME IS ALLOWED FOR YOU TO MAIL NOTICE AT LEAST 30 DAYS BEFORE THE HEARING OR TO PUBLISH NOTICE ONCE A WEEK FOR FOUR (4) WEEKS BEFORE THE HEARING.**

AFTER publication has been completed, you must obtain and file an **“Affidavit of Publication”** from the newspaper indicating publication was completed.

In addition to the Affidavit from the newspaper, you also must complete a **“Declaration Supporting Publication”**, a notarized statement explaining in detail what efforts you made to locate the person(s). Bring that statement with you to the hearing. **The Court will not accept notification by publication unless diligent efforts have been made to locate the person for whom notification is required.** For more information regarding service by publication, please see the Self-Service Center packet on **“Service of Court Papers When You Cannot Find the Other Party”**.

STEP 6: ATTEND THE HEARING. WHO SHOULD ATTEND THE HEARING:

- An adult (over the age of 18 or emancipated) requesting his or her own delayed birth registration;
- A parent or legal guardian requesting the delayed birth registration on behalf of a person under the age of 18, or
- A legal guardian requesting the delayed birth registration on behalf of a disabled adult.

BRING THE ORIGINAL AND ONE COPY OF THE FOLLOWING TO THE HEARING:

- **ANY ADDITIONAL SUPPORTING DOCUMENTS, AND**
- **“THE COURT ORDER”.**

BRING THE ORIGINAL AND TWO COPIES OF THE FOLLOWING TO THE HEARING:

- **THE “COURT ORDERED DELAYED BIRTH REGISTRATION FORM.”**