

AMEND/CORRECT BIRTH CERTIFICATE

1

FOR AN ADULT

FORMS and INSTRUCTIONS



SELF-SERVICE CENTER

**PETITION FOR COURT ORDER
TO CORRECT (amend) A BIRTH CERTIFICATE
for an ADULT**

CHECKLIST

You may use these forms if . . .

- ✓ You were born in the state of Arizona, you are 18 or older, and there is an error on your birth certificate.
- ✓ You want the Court to issue an Order to correct that error.
- ✓ You are prepared to present a certified copy of your 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 case may be dismissed 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.

Self-Service Center

**PETITION FOR COURT ORDER TO AMEND (CORRECT)
A BIRTH CERTIFICATE**

This packet contains court forms and instructions to file (fill in reason for forms and instructions). 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	CVAB1k	Checklist: <i>"You may use these forms if . . ."</i>	1
2	CVAB1t	Table of Contents (this page)	1
3	CVAB10i	Instructions: How to Fill Out Forms to Request Court Order to Amend a Birth Certificate	2
4	CV10f	"Civil Cover Sheet"	2
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6	CVAB81f	"Court Order to Amend Birth Certificate"	2
7	CVAB10p	PROCEDURES: What to do after you have completed all forms	2

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 that appear on your Arizona birth record and 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.

PETITION FOR ORDER TO AMEND BIRTH CERTIFICATE

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 the Petition on behalf of the person for whom the amended birth certificate is needed, write in this information as it applies to *you*.

In the Matter of . . . Write in the name of the person who needs his or her birth certificate corrected. 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 the person who needs the amended birth certificate, including his or her:

- Name as it appears on the current birth certificate,
- Name as currently used or as it appears on other document(s) or records such as Social Security, driver's license, etc.),
- Date of Birth
- Place of Birth, including the City(if applicable) and County in Arizona

2. REQUESTS TO THE COURT:

“Amend (correct) My Name: *Optional!*

Check this box and fill in this information ONLY IF your birth-name is listed INCORRECTLY on your birth certificate. Be prepared to present evidence to the Court to support your claim that it should be listed another way.

“Other Errors or Omissions:” *Optional!*

Check this box to indicate there are errors or omissions of information *other than your name* on your Arizona birth record that need to be corrected. List each incorrect item – and the correct information for each error. In the lines below, explain the reasons why you believe the information contained on your current Arizona birth records is wrong and why you need to have the information corrected or added.

3. 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 that the information you have provided is true and correct, under penalty of perjury.

COURT ORDER TO AMEND BIRTH CERTIFICATE

- Write in the name of the Petitioner and the case number as they appear on the Petition.
- Under “THE COURT FINDS”, #4 :
 - Write in the NAME of the Petitioner as it appears on the current birth certificate.
 - Write in the Date of Birth of the Petitioner.
 - Write in his or her Place of Birth.
- Under “THE COURT ORDERS” :
 1. If there is an error in the NAME of the Petitioner as listed on the current birth certificate, check this box and write-in the CORRECT NAME as it SHOULD appear on the birth certificate.

2. If there are errors or omissions on the current birth certificate OTHER THAN the name, check this box and write in what other information the court should order changed.

- 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 (No "White Out", etc.).**

3. Read part 3 (on the Order).

4. Read part 4 (on the Order).

5. Under "OTHER ORDERS": Leave blank for the Court to fill out.

WHEN YOU HAVE COMPLETED THESE FORMS, GO TO THE "PROCEDURES" PAGE
(the last document in this packet) **AND FOLLOW THE STEPS LISTED.**

**In the Superior Court of the State of Arizona
In and For the County of _____**

Case Number _____

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

Plaintiff's Attorney _____

Attorney 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: Temporary Restraining Order Provisional Remedy OSC

Election Challenge Employer Sanction Other _____
(Specify)

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.)

THIS CASE IS ELIGIBLE FOR THE COMMERCIAL COURT UNDER RULE 8.1. Rule 8.1 defines a commercial case and establishes eligibility criteria for the commercial court. Generally, a commercial case primarily involves issues arising from a business contract or business transaction. However, consumer transactions are not eligible. A consumer transaction is one that is primarily for personal, family or household purposes. **Please review Rule 8.1 for a complete list of the criteria.** See <http://www.superiorcourt.maricopa.gov/commercial-court/>. You must check this box if this is an eligible commercial case. **In addition, mark the appropriate box below in the "Nature of Action" case category.** The words "commercial court assignment requested" must appear in the caption of the original complaint.

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

- 114 Property Damage
- 115 Legal Malpractice
- 115 Malpractice – Other professional
- 117 Premises Liability
- 118 Slander/Libel/Defamation
- 116 Other (Specify) _____

110 TORT NON-MOTOR VEHICLE:

- 111 Negligence
- 112 Product Liability – Asbestos
- 112 Product Liability – Tobacco
- 112 Product Liability – Toxic/Other
- 113 Intentional Tort

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 NCC-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 Person (A.R.S. §36-3704)
(Except 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:

- Administrative Review
(See lower court appeal cover sheet in Maricopa)
- 150 Tax Appeal
(All other tax matters must be filed in the AZ Tax Court)
- 155 Declaratory Judgment
- 157 Habeas Corpus
- 184 Landlord Tenant Dispute- Other
- 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)

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____



Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of:

Case Number: CV _____

**PETITION FOR COURT ORDER
TO AMEND BIRTH CERTIFICATE
of an ADULT
(A.R.S. § 36-337)**

Name of Adult whose birth record needs correction

UNDER PENALTY OF PERJURY

1. INFORMATION ABOUT THE ADULT whose birth record needs correction:

FULL NAME:

(First) (Last)

Current Legal Name (if different from above) :

(First) (Last)

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

A CERTIFIED COPY OF MY CURRENT ARIZONA BIRTH CERTIFICATE IS ATTACHED.

2. INFORMATION ON THE BIRTH RECORD

A. The birth record contains **INCORRECT** information about the above-named adult:

MY NAME appears *wrongly* as _____

DATE OF BIRTH appears *wrongly* as _____

PLACE OF BIRTH appears *wrongly* as _____

Other Information appears *wrongly* as _____

**Following is the CORRECT information about the above-named adult:
I ask that the birth record be ordered changed as indicated below:**

MY 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 *wrongly* as _____

DATE OF BIRTH appears *wrongly* as _____

PLACE OF BIRTH appears *wrongly* as _____

RACE appears *wrongly* 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 *wrongly* as _____

DATE OF BIRTH appears *wrongly* as _____

PLACE OF BIRTH appears *wrongly* as _____

RACE appears *wrongly* as _____

MARITAL STATUS appears *wrongly* as _____

RESIDENTIAL ADDRESS appears *wrongly* as _____

**Following is the CORRECT information about the MOTHER.
I ask that the birth records be ordered changed as indicated below:**

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

STATE OF _____

COUNTY OF _____

Subscribed and sworn to or affirmed before me this: _____ by
(date)

_____.

(notary seal)

Deputy Clerk or Notary Public

THE COURT ORDERS:

1. THE NAME APPEARING ON THE BIRTH CERTIFICATE IS CHANGED TO:

First	Middle	Last

2. THAT THE BIRTH CERTIFICATE RECORDS OF THE PETITIONER BE CHANGED TO CORRECT THE FOLLOWING ERRORS OR OMISSIONS:

That the birth certificate records of the Petitioner should be changed to correct the following errors or omissions - (continued)

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 new name or other corrected information as ordered above.

4. This Order does not release the Applicant 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 FOR A COURT ORDER FOR CORRECTION OF A BIRTH CERTIFICATE FOR AN ADULT

STEP 1: Fill out the *“Petition for Court Order to Amend a Birth Certificate for an Adult”* 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 can file the “Petition to Amend Birth Certificate of an Adult”?
The adult who seeks the change, or his or her attorney or guardian.

GO TO: 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 40th 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 YOUR HEARING WITH COURT ADMINISTRATION:

At least **four** business days after you filed your *Petition*, contact Court Administration to obtain the Commissioner’s Name and the date, time and place of your hearing by calling the telephone number listed below *between the hours of 9 a.m.-12 noon or 1- 4 p.m., Monday through Friday*:

If you filed the Petition at:

201 W Jefferson, Phoenix **call 602-506-3397**

222 E Javelina Avenue, Mesa, **call 602-506-2023**

14264 W Tierra Buena Lane, Surprise, **call 602-506-3397***

18380 N 40th Street (40th St. & Union Hills), Phoenix, **call 602-506-3397**

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

You must then complete the **“Notice of Hearing Regarding Petition for Court Order to Correct Birth Certificate”** form 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 in Step 3.

STEP 5: ATTEND THE HEARING

Any adult requesting a change to his or her own birth certificate **MUST** be present at the hearing.

BRING THESE DOCUMENTS TO YOUR HEARING:

- **2** copies of **“Order Amending Birth Certificate for an Adult”** 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.
- There is a court fee for each certified copy.*
- Photo identification.
- Copy of your Arizona Birth Certificate
- A Clerk stamped copy of all filed documents
- Prior Name Change orders (If applicable)
- Copy of Orders of Protection and/or Injunctions Against Harassment still in effect (If applicable)

All adults seeking a change to their birth records should bring with them their passport, driver's license, or other government-issued photo identification.

- ◆ **Adults seeking to change their birth records MUST bring a copy of their government-issued birth certificate.**
- ◆ **The Court will not change a birth certificate without first seeing a copy.**
- ◆ **Hospital-issued birth certificates are largely ceremonial and generally will not satisfy Court requirements; the Court is looking for government-issued birth certificates.**

Always make sure that you make a copy of any documents you submit to the Court, and keep those copies for your records.

NOTE: If the Court has ordered that the name on your Arizona birth records be changed, you will need to provide them with a Certified Copy of the Order. You may purchase a new birth certificate at the Office of Vital Records for a fee. *

*** To get a certified copy of your court order** you will need to present your Judge-signed copy along with payment to the Filing Counter within 48 hours. 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.

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.