



**Welcome to the 27<sup>th</sup> Annual  
AB 1058 Child Support  
Training Conference**

# Adding or Revising a Parent's Name on a California Birth Certificate

Dana E. Moore, MPH, CPH

State Registrar

California Department of Public Health

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# Adding a Parent to a Birth Certificate

## Acknowledgement of Paternity (HSC § 102750)

- Who: Anyone, except unmarried parents
- Required: Two signatures acknowledging parentage

## Voluntary Declaration of Parentage (HSC § 102766)

- Who: Only parents not married to each other\*
- Required: Filed VDOP form and signature of added parent

## Adjudication of Facts of Parentage (HSC § 102725)

- Who: Anyone who can prove parent-child relationship
- Required: Court Order

## Revising or Correcting Parent's Info & Other Amendments

- Revising or Correcting Parent's Info (*names, age, year of birth, place of birth*)
- Other typical amendments



# Adding Another Parent: Married to Each Other

## Acknowledgement of Paternity (HSC § 102750)

Birth Parent AND  
Genetic -or- Intended  
Parent

VS-22  
Seal &  
Replace

**+** *Under Penalty of Perjury:*

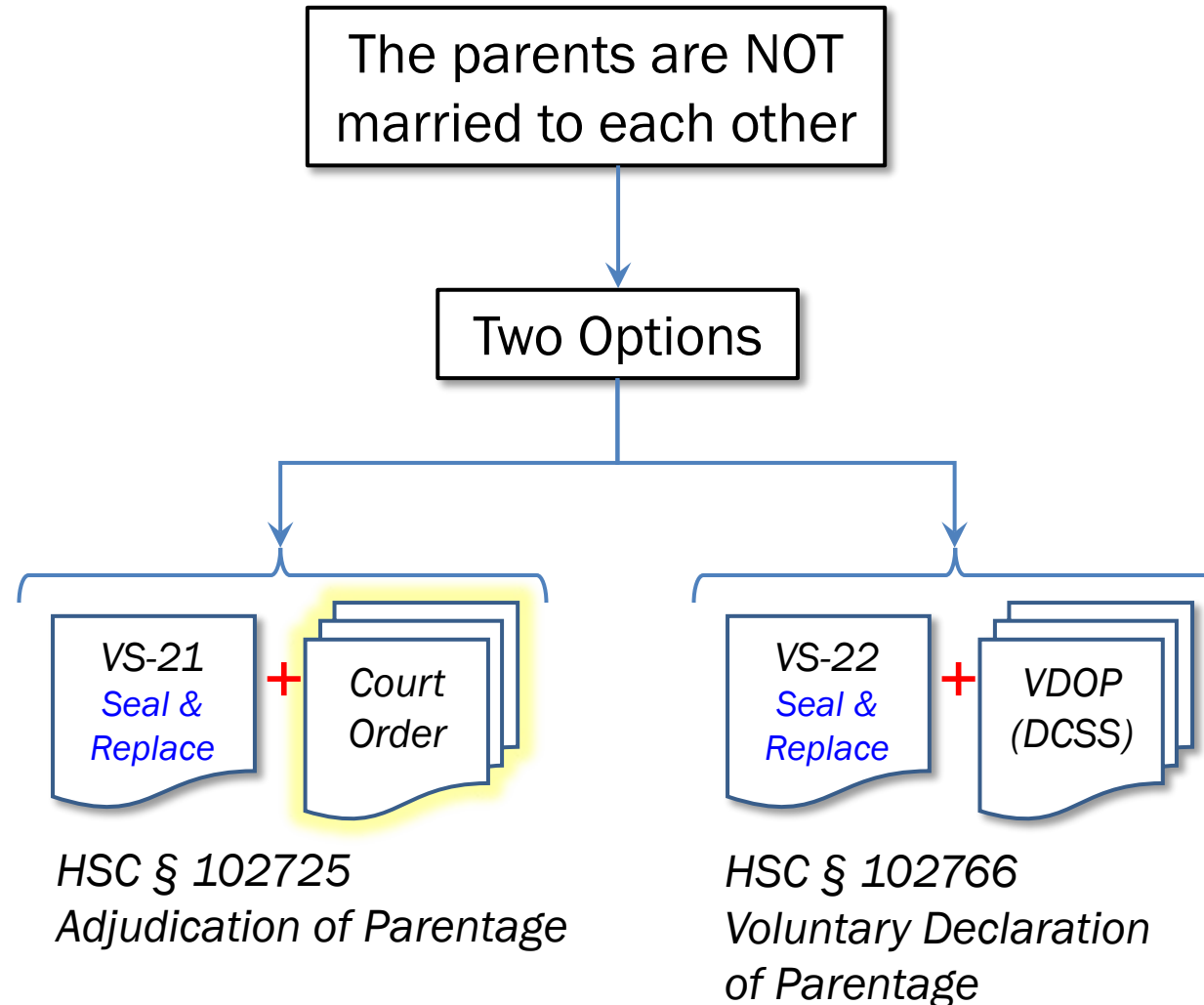
- We are married
- Acknowledge Parentage.

Parent 1: Signature  
Parent 2: Signature



# Adding Another Parent: NOT Married to Each Other

## Voluntary Declaration of Parentage (HSC § 102766)

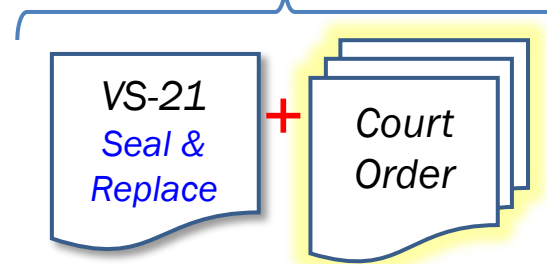


# Adding Another Parent: Other Scenarios

## Adjudication of Facts of Parentage (HSC § 102725)

Parents unable (or ineligible) to complete administrative process

(e.g., parents ineligible to complete VDOP, parent refuses to sign VS-22, etc.)

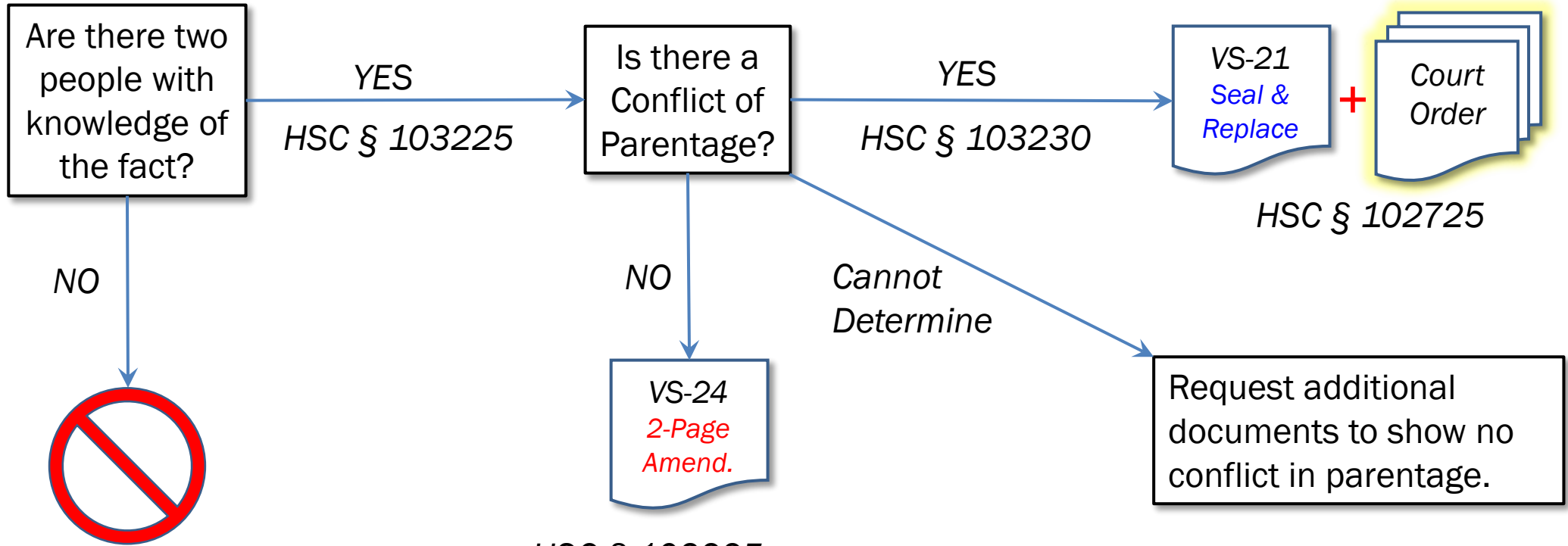


HSC § 102725  
Adjudication of Parentage



# Revising or Correcting Parent's Info (names, age, year of birth, place of birth)

## Revising or Correcting Parent's Info & Other Amendments



*HSC § 103225  
Amendment of a Birth,  
Death, or Marriage Record*



# Other Typical Amendments

## Revising or Correcting Parent's Info & Other Amendments

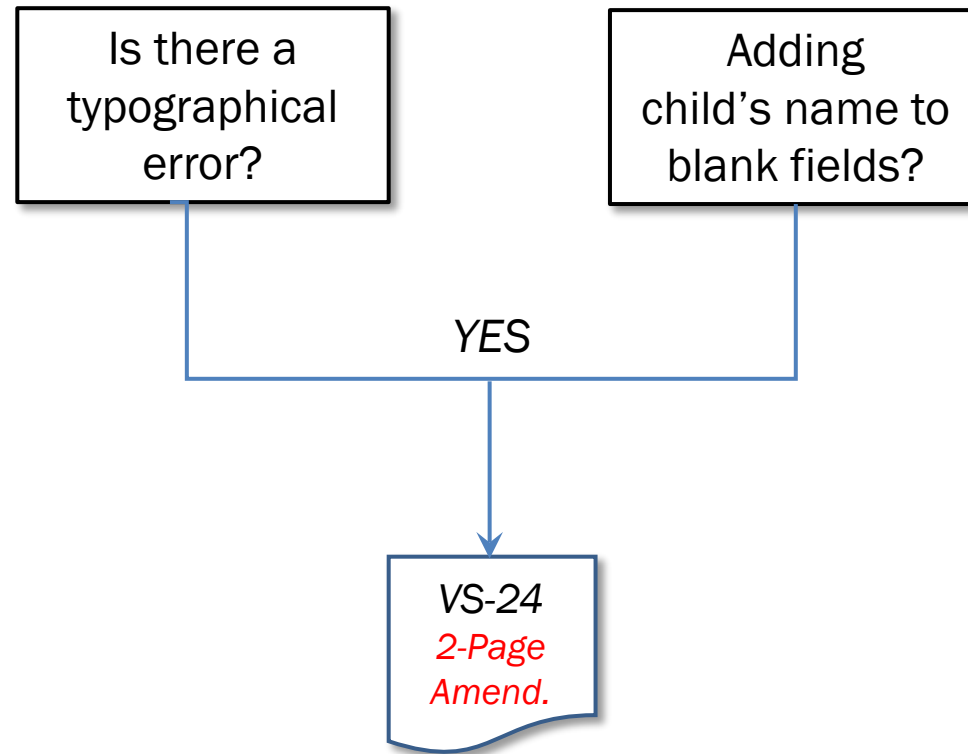
- 1) Typographical Errors in Child's information
- 2) Adding Child's Name to Blank Fields
- 3) Amending Date and Place of Birth Due to Hospital Error
- 4) Changing Gender of Registrant or Parent





# Typos and Blank Names

## Revising or Correcting Parent's Info & Other Amendments

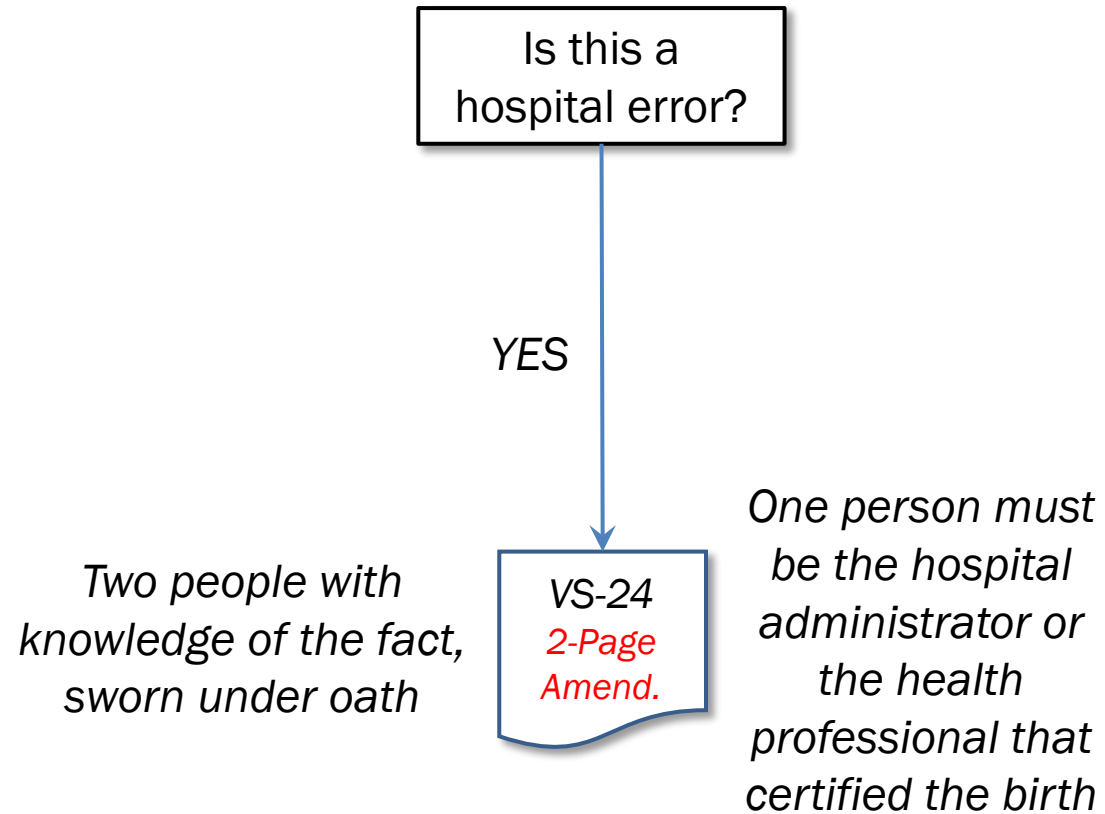


*Two people with  
knowledge of the  
facts,  
sworn under oath*



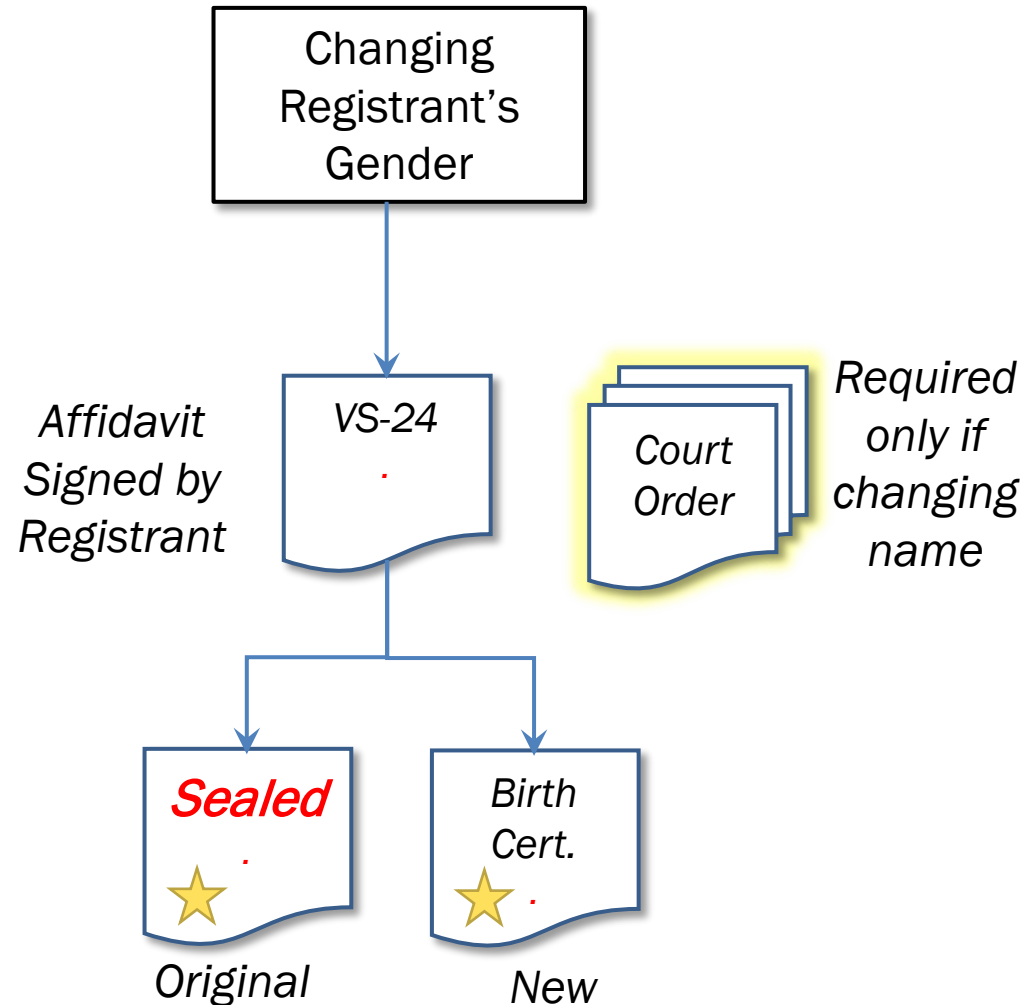
# Amending Date and Place of Birth Due to Hospital Error

## Revising or Correcting Parent's Info & Other Amendments



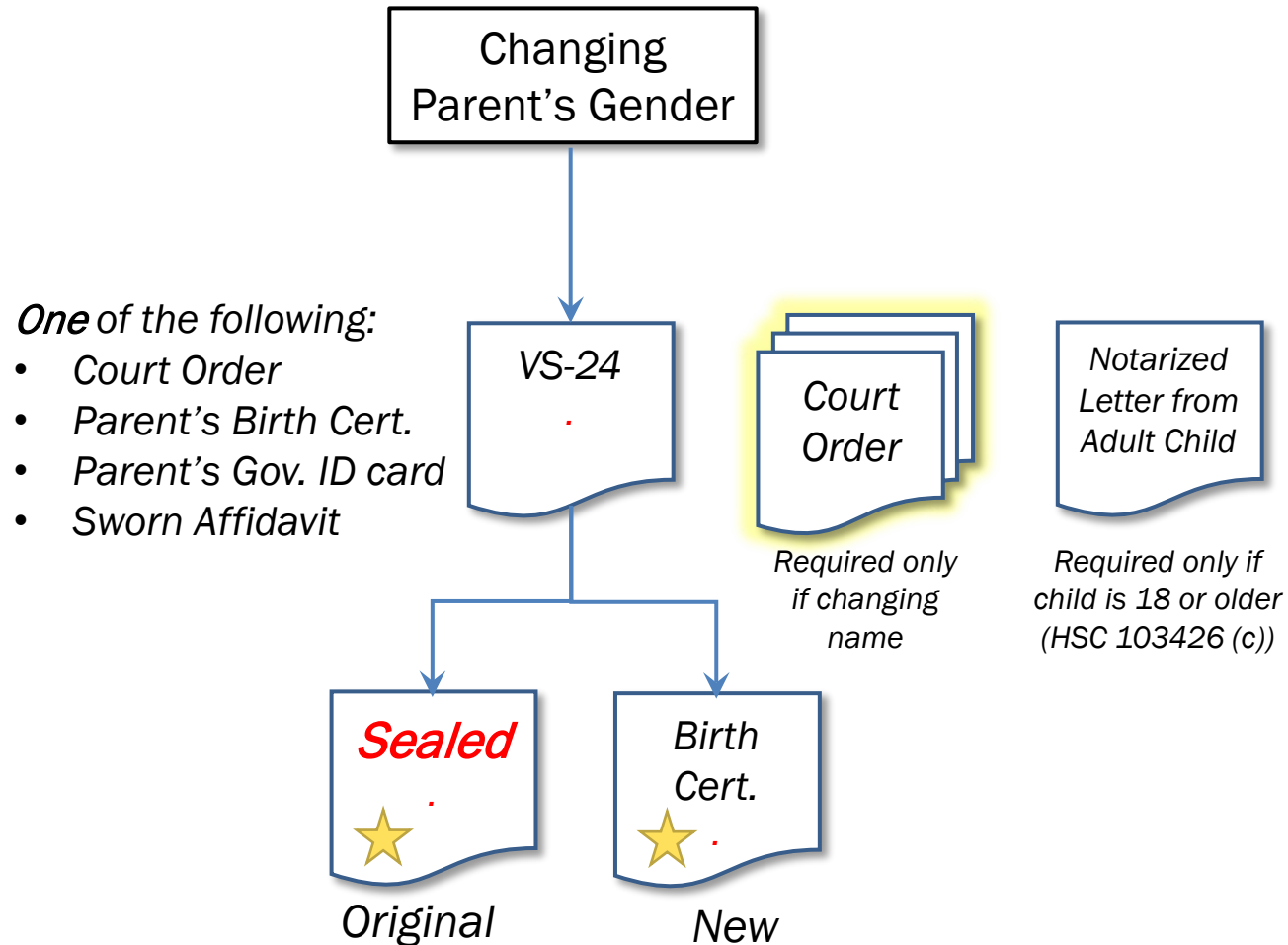
# Changing Gender of *Registrant*

Revising or Correcting Parent's Info & Other Amendments



# Changing Gender of *Parent*

## Revising or Correcting Parent's Info & Other Amendments



# Q&A



# References



**HSC § 102425(a) (4)(C):** If the parents are **not married to each other**, the name of the person identified by the woman giving birth as either the only possible genetic parent other than the woman giving birth or the intended parent of a child conceived through assisted reproduction shall not be listed on the birth certificate unless the woman who gave birth to the child and either the only possible genetic parent other than the woman who gave birth or the intended parent of a child conceived through assisted reproduction sign a voluntary declaration of parentage at the hospital before the birth certificate is submitted for registration. The birth certificate **may be amended to add another parent's name** at a later date **only if** parentage for the child has been established **by a judgment of a court** of competent jurisdiction **or by the filing of a voluntary declaration of parentage.**



**HSC § 102725:** Whenever the existence or nonexistence of the parent and child relationship has been **determined by a court** of this state or a court of another state, and upon receipt of a certified copy of the court order, application, and payment of the required fee, the State Registrar shall establish a new birth certificate for the child in the manner prescribed in Article 1 (commencing with Section 102625), if the original record of birth is on file in the office of the State Registrar.

**HSC § 102766:** (a) When a **voluntary declaration of parentage is filed** with the Department of Child Support Services pursuant to subdivision (d) of Section 7571 of the Family Code, an application may be submitted to the State Registrar requesting that the signatory's name be added to the child's birth certificate.





**HSC § 103225:** Whenever the facts are not correctly stated in any certificate of birth, death, fetal death, or marriage already registered, the person asserting that the error exists may make an affidavit under oath stating the changes necessary to make the record correct, that shall be supported by the affidavit of one other credible person having knowledge of the facts, and file it with the state or local registrar.

**HSC § 103230:** Section 103225 shall be applicable to certificates of birth only in the absence of conflicting information relative to parentage on the originally registered certificate of birth.

**HSC § 102155:** “Absence of conflicting information relative to parentage” as used in Chapter 5 (commencing with Section 102625) or Chapter 11 (commencing with Section 103225) includes entries such as “unknown,” “not given,” “refused to state,” or “obviously fictitious names.”

**Case Law:** “The amendment procedure is available to (1) add information not included in the original birth certificate, (2) correct typographical or spelling errors, and (3) correct statistical information about the parents, such as their age or state of birth.” *Wynn v. Superior Court*, 176 (2009) Cal. App. 4th 346, 353. (Case regarding amending the name of registrant’s parents on a sealed birth certificate).



## HSC § 103426 (b)

...

(B) A copy of at least one of the following documents:

- (i) A certified copy of the court-ordered change of gender, including a certified English translation, if applicable.
- (ii) The parent's new birth certificate reflecting a change of gender and sex identifier.
- (iii) A government-issued identity document reflecting the parent's change of gender and sex identifier.
- (iv) An affidavit attesting under penalty of perjury that the request for a change of the designation of the petitioner as mother, father, or parent is to conform to the person's gender identity and is not made for any fraudulent purpose.

...

(D) If applicable, a certified copy of the court-ordered change of name.

## HSC § 103426 (c) (1)

...

(C) A notarized letter from the adult child stipulating to the change to the adult child's birth certificate.





# Thank You

Contact

[CHSIAmend@cdph.ca.gov](mailto:CHSIAmend@cdph.ca.gov)

