



Court Order Delayed Registration Of Fetal Death



Upon request, this document will be made available in Braille, large print, and audiocassette or computer disk. To obtain a copy in one of these alternate formats, please call or write:

California Office of Vital Records
M.S. 5103

P.O. Box 997410

Sacramento, CA 95899-7410

Telephone: (916) 445-2684

California Relay: 711/1-800-735-2929

<http://www.cdph.ca.gov/certlic/birthdeathmar/Pages/default.aspx>

January 2012

Court Order Delayed Registration of Fetal Death

If a fetal death was never registered, or there is no record of the death on file, what can I do?

- A Court Order Delayed Registration of Fetal Death is a way to register a California fetal death when it was not previously registered, or a certified copy is not obtainable.
 - Any beneficially interested person can petition the Superior Court to judicially establish the fact of a fetal death.
 - This must be done in the Superior Court in the California county where the fetal death was alleged to have occurred.
-

How do I petition the court?

- We suggest you contact a family law attorney for legal advice in this matter. Our staff cannot provide legal advice, nor do we have information about the legal process.
 - There are also books available at bookstores or public libraries to help you with the court process.
 - You can also access the following website for additional information about the court process: www.courtinfo.ca.gov.
-

After I get the court order, what do I submit to register the fetal death?

- At the time of the court hearing, you must present the court with a completed Order Establishing Fact of Fetal Death/Court Order Delayed Registration of Fetal Death (VS 105), along with any documents you have that support the date and place of the fetal death.
- Once the court establishes the fact of fetal death, mail the following items to our office using the address on the front of this pamphlet:
 - **Certified** copy of the Order Establishing Fact of Fetal Death (top of VS 105).
 - Completed Court Order Delayed Registration of Fetal Death (bottom of VS 105).
 - \$20 fee.
- See next section for explanation of “certified” copy.
- We do not return the court order after the fetal death certificate is prepared.

(Continued)

After I get the court order, what do I submit to register the fetal death?

- ***If any of these items are not included, your request will be returned to you for correction.***

(Continued)

What is a “certified” copy of the court order?

1. A “certified” copy of the court order must be a **copy** of the order that was originally prepared by the court. ***It cannot be an original printout.***

If the court gives you an original printout, please ask them to make a photocopy.

2. The photocopy that the court gives you must have:
 - a. An **original** court seal.
 - b. A signature (or signature stamp) of the judge.
 - c. A signature (or signature stamp) of the court clerk.

IMPORTANT:

- ✓ The “certified” copy must have an **original** court seal and a signature (or signature stamp) of the court clerk. It is the **original** seal and court clerk signature (certification) that make this is a “certified” copy.
- ✓ Do not send us a copy where the court seal has been photocopied. The court seal must be an **original** seal.
- ✓ The court seal and signature must appear on the actual certified copy (either front or back) – and not on a blank sheet of paper.
- ✓ The “FILED / ENDORSED” stamp in the top right corner of the court order **is not** the court clerk’s certification.
- ✓ You should keep a photocopy of the court order for your own file.

What is the fee for a court order delayed registration?

- \$20 – which includes one Certified Copy of the fetal death certificate.
- Additional copies are \$11 each.

(Continued)

What is the fee for a court order delayed registration?

- Fees should be paid by check or money order payable to **Office of Vital Records**. International money orders for out-of-country requests should be payable in U.S. dollars.

(Continued)

Where can I get the VS 105?

One copy is included with this pamphlet. **Photocopies are not acceptable**. If you need additional copies of the VS 105:

- Order forms electronically at: <https://apps.cdph.ca.gov/AutoForm2/default.aspx?af=1184>. Because of the volume of phone calls we receive, the Internet is usually a faster process for our customers than calling our Customer Service Unit.
- Call our Customer Service Unit at (916) 445-2684.
- You can also get the form from the County Recorder or County Health Department in any California county.

How do I complete the VS 105?

A sample of what a completed form should look like is attached.

The VS 105 is a two-part perforated form.

- The top part is the court order that will be signed by the judge.
- The bottom part becomes the official fetal death certificate that will be filed in our office (State Registrar) and provided to the County Recorder's Office in the county where the fetal death occurred.

PART ONE (Top Portion) – Order Establishing Fact of Fetal Death

- Complete all items except the judge's signature and the line at the bottom that states "Done in this court this ____ day of ____ A.D., 20____."
- Your reason for having to file the fetal death by court order **must** be included on the Order (middle of the form, on the line that begins "in that"). If the reason is not included, you will have to return to court, have the Order amended, and provide us with a certified copy of the amended Order.

(Continued)

How do I Complete the VS 105?

(Continued)

Before you leave the courthouse, make sure:

- There is a file number on the Order.
- The Order has been **certified**. (See previous section for explanation of “certified” copy.)
- We do not return the court order after the fetal death certificate is prepared.

PART TWO (Bottom Portion) – Court Order Delayed Registration of Fetal Death

- Do not write on the “State File Number” line (directly below perforation) or on the bottom part of the form marked “State Registrar Use Only.”
 - Complete items 1A through 26 only.
-

What makes a VS 105 form “acceptable?”

Important Information

Fetal death certificates are legal documents that must be able to hold up in any court, unchallenged as to their accuracy and reliability.

Because the bottom part of the VS 105 becomes the actual fetal death certificate, it must adhere to strict guidelines:

- Items 1A through 26 must be completed.
 - The form must be an original, not a photocopy.
 - Because the form becomes the official record, every word and letter must be extremely clear and legible. ***Using a typewriter to complete the form ensures that the information is interpreted clearly.***
 - If you are not able to type the form, it is extremely important that you take the extra time to print ***very clearly and legibly***. Documents that are not legible will be returned to you to complete again.
 - ***Only black ink is acceptable.***
 - ***There cannot be any erasures, whiteout, or alterations.***
-

How will I know if my request has been accepted?

Once your request has been received and evaluated, we'll send you either:

- A postcard letting you know your request has been accepted, and reminding you of our processing time.
- If your request is not accepted (e.g., due to insufficient fee, insufficient information, etc.), we will return your request to you with a letter explaining what needs to be corrected.

Please allow about 6 weeks to receive the acknowledgement postcard. Rejected requests can take up to 10 weeks to be returned.

How long will it take to get the fetal death certificate?

The processing time for court order delayed fetal death registration is located on our website at:

<http://www.cdph.ca.gov/certlic/birthdeathmar/Pages/ProcessingTimes.aspx>

What if I still have questions?

If you have read this pamphlet thoroughly and still have questions that were not answered in this pamphlet, please call (916) 557-6078 and leave your name, telephone number, and question. One of our Delayed Registration staff will return your call within 48 hours.

If you have questions on the **status** of your request, please call our Customer Service Unit at (916) 445-2684 – **but only after the processing time has passed.**

ORDER ESTABLISHING FACT OF FETAL DEATH

In the Superior Court of the State of California

In and for the County of _____

In the matter of the petition of

_____ Number _____

To establish the fact of fetal death of

Department _____

(SAMPLE
TOP OF FORM)

The verified petition of _____ to establish the fact of fetal death

of _____ having been

filed herein on the _____ day of _____, A.D., 20_____, and such petition having by an order

of court been duly set for hearing on the _____ day of _____, A.D., 20_____, at the hour

of _____ o'clock _____ m. of said day; and now on said day said matter coming on regularly for hearing and it

appearing to the satisfaction of this court from the evidence introduced that the said _____

_____, petitioner herein, is beneficially interested in establishing

of record the fact of the fetal death of said _____,

in that _____

_____ ; and

it appearing that on the _____ day of _____, A.D., 20_____, the fetal

death of _____ occurred at

_____, in the County of _____, State of

_____ ; that said fetal death has not been registered in conformity with the provisions of

law in effect at the time of said fetal death or such record has been lost or destroyed after having been filed; and no one appearing

at said hearing to oppose the making of this order;

It is therefore ordered, adjudged, and decreed that on the _____ day of _____, A.D.,

20_____, the fetal death of _____

occurred at _____, County of _____,

State of _____.

Done in court this _____ day of _____, A.D., 20_____.

Judge of the Superior Court

Before filing the above order, insert in the certificate form below, as of the date of the fetal death, the personal and statistical particulars required for the records of the State Registrar. A certified copy of the above order must be filed with the State Registrar before the order shall become effective. **USE BLACK INK ONLY.**

**COURT ORDER DELAYED REGISTRATION OF FETAL DEATH
STATE OF CALIFORNIA**

NO ERASURES, WHITEOUTS, PHOTOCOPIES,
OR ALTERATIONS

STATE FILE NUMBER _____

LOCAL REGISTRATION NUMBER _____

TYPE OR PRINT CLEARLY IN BLACK INK ONLY – THIS FORM BECOMES THE OFFICIAL FETAL DEATH RECORD

THIS FETUS	1A. NAME—FIRST		1B. MIDDLE		1C. LAST	
	2. SEX	3A. THIS FETUS SINGLE, TWIN, ETC.	3B. IF MULTIPLE, THIS FETUS 1ST, 2ND, ETC.		4A. DATE OF EVENT—MM/DD/CCYY	4B. HOUR—24 HOUR CLOCK TIME
PLACE OF EVENT	5A. PLACE OF EVENT—NAME OF HOSPITAL OR FACILITY			5B. ADDRESS—STREET AND NUMBER, OR LOCATION		
	5C. CITY			5D. COUNTY		
FATHER/PARENT	6A. NAME OF FATHER/PARENT—FIRST		6B. MIDDLE		6C. LAST (BIRTH)	
					7. BIRTH STATE/ FOREIGN COUNTRY	8. DATE OF BIRTH— MM/DD/CCYY
MOTHER/PARENT	9A. NAME OF MOTHER/PARENT—FIRST		9B. MIDDLE		9C. LAST (BIRTH)	
					10. BIRTH STATE/ FOREIGN COUNTRY	11. DATE OF BIRTH— MM/DD/CCYY
FUNERAL DIRECTOR	12A. DISPOSITION(S)		12B. PLACE OF DISPOSITION			12C. DATE OF DISPOSITION—MM/DD/CCYY
	13A. SIGNATURE OF EMBALMER			13B. PRINTED NAME		13C. EMBALMER'S LICENSE NUMBER
	14A. NAME OF FUNERAL ESTABLISHMENT (OR PERSON ACTING IN LIEU OF FUNERAL DIRECTOR)					14B. LICENSE NUMBER
STATE REGISTRAR USE ONLY	OFFERED FOR FILING PURSUANT TO ORDER NUMBER _____ OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF _____, MADE THE _____ DAY OF _____, A.D., 20____, ESTABLISHING OF RECORD THE FACT OF FETAL DEATH IN THE STATE OR COUNTRY OF _____. NO FETAL DEATH CERTIFICATE HAS BEEN FOUND ON FILE IN THE OFFICE OF VITAL RECORDS FOR THE ABOVE FETUS.					
	15. OFFICE OF VITAL RECORDS					16. DATE ACCEPTED FOR REGISTRATION

CONFIDENTIAL INFORMATION FOR PUBLIC HEALTH USE ONLY

CAUSE OF FETAL DEATH	17. FETAL DEATH WAS CAUSED BY:		18. WAS DEATH REPORTED TO CORONER?		
	IMMEDIATE CAUSE (A)		<input type="checkbox"/> YES _____ <input type="checkbox"/> NO REFERRAL NUMBER		
	DUE TO (B)		19A. WAS AUTOPSY PERFORMED?		
	DUE TO (C)		<input type="checkbox"/> YES _____ <input type="checkbox"/> NO		
20. OTHER SIGNIFICANT CONDITIONS OF FETUS OR BIRTH MOTHER CONTRIBUTING TO FETAL DEATH BUT NOT RELATED TO CAUSE GIVEN IN ITEM 17.					
GENETIC FATHER	21. HISPANIC, LATINO, OR SPANISH? (IF YES, SPECIFY ORIGIN)		22. RACE—Up to 3 Races/Ethnicities May Be Listed		23. EDUCATION—Highest Level/Degree
	YES <input type="checkbox"/> _____ NO <input type="checkbox"/>				
GENETIC MOTHER	24. HISPANIC, LATINA, OR SPANISH? (IF YES, SPECIFY ORIGIN)		25. RACE—Up to 3 Races/Ethnicities May Be Listed		26. EDUCATION—Highest Level/Degree
	YES <input type="checkbox"/> _____ NO <input type="checkbox"/>				

APPLICATION FOR CERTIFIED COPY OF FETAL DEATH RECORD**INFORMATION:**

Fetal death records have been maintained in the California Department of Public Health Vital Records since July 1, 1905.

INSTRUCTIONS:

1. Complete a separate application for each fetal death record requested.
2. Complete the **Applicant Information** section and provide your signature where indicated. In the **Fetal Death Information** section, provide all the information you have available to identify the fetal death record. If the information you furnish is incomplete or inaccurate, we may not be able to locate the record.
3. Submit \$11 for **each** copy requested. If no fetal death record is found, the \$11 fee will be retained for searching the record (as required by law) and a "Certificate of No Public Record" will be issued to the applicant. Indicate the number of copies you want and include the correct fee(s) in the form of a personal check or postal or bank money order (International Money Order for out-of-country requests) made payable to **CDPH Vital Records. PLEASE SUBMIT CHECK OR MONEY ORDER – DO NOT SEND CASH** (CDPH cannot be held responsible for fees paid in cash that are lost, misdirected, or undelivered). Mail completed application with the fee(s) to the CDPH Vital Records at the address below.

4. **Mailing Completed Certificates:** completed certificates are mailed using the U.S. Postal Service.

California Department of Public Health
Vital Records – MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410
(916) 445-2684

Fee: \$11 per copy (payable to CDPH Vital Records). PLEASE SUBMIT CHECK OR MONEY ORDER – DO NOT SEND CASH (CDPH cannot be held responsible for fees paid in cash that are lost, misdirected, or undelivered).				
APPLICANT INFORMATION (PLEASE PRINT OR TYPE)			Today's Date:	
Agency Name (if appropriate)		Agency Case No.	Purpose of Request	
Print Name of Applicant		Signature of Applicant		
Mailing Address – Number, Street		Amount Enclosed – DO NOT SEND CASH \$ _____ Check \$ _____ Money Order		Number of Copies
City		Name of Person Receiving Copies, if Different from Applicant		
State/Province	ZIP Code	Mailing Address for Copies, if Different from Applicant		
Daytime Telephone (include area code) ()	Country	City	State	ZIP Code
FETAL DEATH INFORMATION (PLEASE PRINT OR TYPE)				
FETAL DEATH FIRST Name		MIDDLE Name		LAST Name
City of Fetal Death (must be in California)			County of Fetal Death	
Date of Fetal Death – MM/DD/CCYY (If unknown, enter approximate date of fetal death)			Sex ____ Female ____ Male	
Father/Parent FIRST Name		MIDDLE Name		BIRTH LAST Name
Mother/Parent FIRST Name		MIDDLE Name		BIRTH LAST Name

FETAL DEATH

CALIFORNIA COUNTY RECORDERS

Alameda.....	1106 Madison Street, 1 st Floor, Oakland, CA 94607, (510) 272-6363
Alpine.....	P.O. Box 217, Markleeville, CA 96120-0217, (530) 694-2286
Amador.....	810 Court Street, Jackson, CA 95642 Attn: Tico, (209) 223-6468
Butte.....	25 County Center Drive, Administration Building., Oroville, CA 95965, (530) 538-7691
Calaveras.....	Government Center, 891 Mountain Ranch Road, San Andreas, CA 95249, (209) 754-6372
Colusa.....	546 Jay Street, Colusa, CA 95932, (530) 458-0500
Contra Costa.....	555 Escobar Street, Martinez, CA 94553, (925) 335-7900
Del Norte.....	981 H Street, Suite 160, Crescent City, CA 95531, (707) 464-7216
El Dorado.....	360 Fair Lane, Placerville, CA 95667, (530) 621-5490
Fresno.....	2281 Tulare Street, Room 303, or P.O. Box 766, Fresno, CA 93712, (559) 488-3476
Glenn.....	526 West Sycamore Street, Courthouse, Willows, CA 95988, (530) 934-6412
Humboldt.....	825 5th Street, Fifth Floor, Eureka, CA 95501, (707) 445-7382
Imperial.....	940 West Main Street, Room 206, El Centro, CA 92243, (760) 482-4272
Inyo.....	Courthouse, 168 N. Edwards Street, Independence, CA 93526, (760) 878-0222
Kern.....	1655 Chester Avenue, Bakersfield, CA 93301, (661) 868-6449
Kings.....	Government Center, 1400 W. Lacey Blvd., Hanford, CA 93230, (559) 582-3211, X 2470
Lake.....	Courthouse, 255 North Forbes Street, Lakeport, CA 95453, (707) 263-2293
Lassen.....	Courthouse, 220 S. Lassen Street, Suite 5, Susanville, CA 96130, (530) 251-8234
Los Angeles.....	12400 Imperial Highway, Room 1002, Norwalk, CA 90650, (562) 462-2137 or 2101 or 2102
Madera.....	200 West 4 th Street, Madera, CA 93637, (559) 675-7724
Marin.....	3501 Civic Center Drive, Courthouse, Room 232, San Rafael, CA 94903, (415) 499-6092
Mariposa.....	4982 10th Street, P.O. Box 35, Mariposa, CA 95338, (209) 966-5719
Mendocino.....	501 Low Gap Road, #1020, Ukiah, CA 95482, (707) 463-4376
Merced.....	2222 M Street, Merced, CA 95340, (209) 385-7627
Modoc.....	204 S. Court Street, Room 107, Alturas, CA 96101-4020, (530) 233-6205
Mono.....	74 School Street, Annex I, P.O. Box 237, Bridgeport, CA 93517-0237, (760) 932-5535
Monterey.....	168 West Alisal Street, First Floor, P.O. Box 29, Salinas, CA 93902-0029, (831) 755-5041
Napa.....	900 Coombs Street, Room 116, P.O. Box 298, Napa, CA 94559-0298, (707) 253-4246
Nevada.....	950 Maidu Avenue, Nevada City, CA 95959, (530) 265-1221
Orange.....	12 Civic Center Plaza, Room 101 or P.O. Box 238, Santa Ana, CA 92702-0238, (714) 834-2500
Placer.....	2954 Richardson Drive, Auburn, CA 95603, (530) 886-5600
Plumas.....	520 Main Street, Room 102, Quincy, CA 95971, (530) 283-6218
Riverside.....	2724 Gateway Drive, or P.O. Box 751, Riverside, CA 92502-0751, (951) 486-7000
Sacramento.....	600 8th Street, or P.O. Box 839, Sacramento, CA 95812-0839, (916) 874-6334
San Benito.....	County Courthouse, 440 5th Street, Room 206, Hollister, CA 95023-3896, (831) 636-4029
San Bernardino.....	222 W. Hospitality Lane, First Floor, San Bernardino, CA 92415-0022, (909) 387-9095
San Diego.....	1600 Pacific Highway, Room 260, or P.O. Box 12150, San Diego, CA 92112-4750, (619) 531-5572
San Francisco.....	One Dr. Carlton B. Goodlett Place, City Hall Room 190, San Francisco, CA 94102, (415) 554-5916*
San Francisco Health Dept.	101 Grove Street, Room 105, San Francisco, CA 94102, (415) 701-2311**, (415) 701-2311***
San Joaquin.....	44 N. San Joaquin St., Ste 260, or P.O. Box 1968, Stockton, CA 95201-1968, (209) 468-8075
San Luis Obispo.....	1055 Monterey Street, D120, San Luis Obispo, CA 93408, (805) 781-5080
San Mateo.....	Vital Records, 1st Floor, 555 County Center Dr., Redwood City, CA 94063-1665, (650) 363-4713
Santa Barbara.....	1101 Anacapa Street, P.O. Box 159, Santa Barbara, CA 93102-0159, (805) 568-2250
Santa Clara.....	County Government Center, East Wing, 1st Flr, 70 W. Hedding St., San Jose, CA 95110, (408) 299-5669
Santa Cruz.....	701 Ocean Street, Room 230, Santa Cruz, CA 95060, (831) 454-3222
Shasta.....	1450 Court Street, Suite 208, Redding, CA 96001, (530) 225-5678
Sierra.....	P.O. Drawer D., Downieville, CA 95936, (530) 289-3295
Siskiyou.....	311 4th Street, Room 108, Yreka, CA 96098, (530) 842-8065
Solano.....	675 Texas Street, Suite 2700, Fairfield, CA 94533, (707) 784-6294
Sonoma.....	585 Fiscal Drive, Room 103F, or P.O. Box 1709, Santa Rosa, CA 95402, (707) 565-2645
Stanislaus.....	1021 I Street, Suite 101, or P.O. Box 1670, Modesto, CA 95353, (209) 525-5251
Sutter.....	433 Second Street, Yuba City, CA 95991, (530) 822-7134
Tehama.....	633 Washington Street, Room 11 or P.O. Box 250, Red Bluff, CA 96080, (530) 527-3350
Trinity.....	11 Court Street, P.O. Box 1215, Weaverville, CA 96093, (530) 623-1215
Tulare.....	County Civic Center, 221 S. Mooney Blvd., Room 103, Visalia, CA 93291-4593, (559) 636-5050
Tuolumne.....	2 South Green Street, Sonora, CA 95370, (209) 533-5531
Ventura.....	800 South Victoria Avenue, LN 1260, Ventura, CA 93009, (805) 654-2295 or (805) 654-3666
Yolo.....	625 Court Street, Room B01, or P.O. Box 1130, Woodland, CA 95776-1130, (530) 666-8130
Yuba.....	915 8th Street, Suite 107, Marysville, CA 95901, (530) 749-7851

* Marriages

** Births

*** Deaths