



California Department of Public Health Logo

Adjudication of Facts of Parentage

Change or Remove Parents Name on Birth Certificate

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Center for Health Statistics and Informatics – Vital Records

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 Department of Public Health
Vital Records - M.S. 5103
P.O. Box 997410
Sacramento, CA 95899-7410
Telephone: (916) 445-2684
California Relay: 711/1-800-735-2929

Website address www.CDPH.CA.GOV

Adjudication of Facts of Parentage

What is Adjudication?

This is a legal process whereby the court makes a decision as to the existence or nonexistence of the parent and child relationship.

This process should only be used if you want to **change or remove** a parent who is listed on the child's original birth certificate.

I did not list a parent on my child's birth certificate when it was originally prepared.

Now I want to add a parent. How can I do that?

You **do not** have to go to court to **add** a parent. But both parents will have to complete a document to "acknowledge" (establish) the relationship with the child.

Please request the California Department of Public Health – Vital Records (CDPH-VR) pamphlet entitled "Acknowledgement of Paternity." That pamphlet will provide you with all of the information you need for that process.

The Acknowledgement of Paternity form must be signed by both parents. If a parent is unavailable, refuses to sign the Acknowledgement of Paternity form, or is deceased, you will need to go to court, and the court will decide (adjudicate) the existence or nonexistence of the parent and child relationship. This pamphlet (Adjudication of Facts of Parentage) provides you with all the information you need for that process.

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I want to change a parent on my child's birth certificate.

How can I do that?

If you want to change a parent who was listed on the child's original birth certificate, that must be done through the court system. This is referred to as an "adjudication" – the court will decide (adjudicate) the existence or nonexistence of the parent and child relationship. You will have to petition the Superior Court in your county of residence (does not have to be in California).

CDPH-VR cannot remove an existing parent and add a new parent on a registered certificate without the court order of adjudication.

The Adjudication of Facts of Parentage (issued by the court) must:

1. Specifically instruct CDPH-VR to remove an existing parent on the birth certificate.
2. Add the new parent to the birth certificate.
3. Include the child's full name and date and place of birth as listed on his or her original birth certificate.
4. If the child's name is being changed, the full new name must be listed in the court order.

How do I get an adjudication from the court?

CDPH-VR suggests you contact a family law attorney for legal advice on paternity issues. CDPH-VR's staff cannot provide legal advice, nor does CDPH-VR's staff 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](http://www.courts.ca.gov/) (<http://www.courts.ca.gov/>).

You may petition the court for an Adjudication of Facts of Parentage at any time after birth.

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What is the fee to change my child's birth certificate after an adjudication?

\$23 - which includes one Certified Copy of the new birth certificate.

Additional copies are \$25 each.

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

After I get the court order, what do I submit to change a parent?

You will need to complete an Adjudication of Facts of Parentage, VS 21 form. Please see page 4 for information on obtaining a form.

You **must** include a **certified** copy of the Order Adjudicating Parentage, issued by the court that granted the order. (See next section for explanation of "certified" copy.)

CDPH-VR does not return the court order after the new birth certificate is prepared.

- Although this item **is not required** it would help CDPH-VR's staff if you could include a photocopy of the current birth certificate if you have it (this helps CDPH-VR identify the exact record to be amended).
- Mail the following items to the CDPH-VR office at the address on the front of this pamphlet:
 - Completed VS 21 form.
 - \$23 fee.
 - Certified copy of the court order.
 - Photocopy of current birth certificate (if you have it).
- **If any of the required items are not included, your request will be returned to you for correction.**
- For possible future transactions with the Social Security Administration or the Department of Motor Vehicles, you should **keep copies** of all documents that you submit to the CDPH-VR office. Once your child's new birth certificate is prepared, all supporting documents are sealed by the CDPH-VR office and are not available to the public.

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

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.

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 a “certified” copy.
- Do not send CDPH-VR 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 information can I change with a VS 21 form?

This form can only be used to:

- Change the current parents’ information to that of the court-ordered parents’ information.
- Change the child’s last name to that of an established parent’s last name, ***if it is so ordered in the court order of adjudication.*** You should make sure the child’s **full name** as it appears on the original birth certificate is listed correctly in the court order.

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Where can I get the VS 21 form?

One Adjudication of Facts of Parentage form is included if you receive this pamphlet by mail. If you need additional copies of the VS 21 form, or are accessing this pamphlet on the CDPH-VR website:

- [Download a fillable form](https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx) (https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx).
- Because of the volume of phone calls CDPH-VR receives, the internet is usually a faster process for customers than calling the Customer Service Unit.
- Call the 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 21 form?

A sample of what a completed VS 21 form should look like is attached.

PART I:

Items 1A-1C: Complete the information **exactly** as it appears on your child's current birth certificate.

Note: If you need a copy of your child's current birth certificate to complete this section, you can download a fillable application form for a certified copy at our website or you may obtain a paper form in the same manner as noted in the previous section. Complete and submit the application, notarized Sworn Statement, and \$25 fee to the CDPH-VR office.

PART II:

Must be completed using the information included in the court order for the child's name and the parent's information.

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How do I complete the VS 21 form? (Continued)

Please make sure the child's **full name** is listed correctly in the court order.

The Adjudication of Facts of Parentage (issued by the court) must:

1. Specifically instruct CDPH-VR to remove an existing parent on the birth certificate.
2. Add the new parent to the birth certificate.
3. Include the child's full name and date and place of birth as listed on his or her original birth certificate.
4. If the child's name is being changed, the full new name must be listed in the court order.

What makes a VS.21 form "acceptable?"

Important Information

Birth certificates are legal documents that must be able to hold up in any court, unchallenged as to their accuracy and reliability. To help CDPH-VR prepare the new birth certificate accurately:

- Every item on the amendment must be completed.
- The form must be completed using the 26 alphabetical characters of the English language.
- Appropriate punctuation includes: a hyphen such as in "Smith-Jones," an apostrophe as in "O'Hare," a period as used with "Jr.," and a comma as with "Smith, Jr."
- Unacceptable entries include: drawings, pictures, or symbols such as ☐, ♥, or ∞, and accents or marks added to a letter to indicate pronunciation or to distinguish it in some way, such as with è, ñ, ē, or ç.
- CDPH-VR must be able to read the information on the form. It is extremely important that the form be legible. ***Typing entries on the form ensures that the information is interpreted clearly.***
- If you are completing the downloadable amendment form, print on standard 8½" x 11" letter size, plain white paper, using black ink only, at 100% scale.
- If you are not able to type the amendment 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.

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What makes a VS 21 Form "Acceptable?" (Continued)

Only black ink is acceptable (per Health and Safety Code Section 102125).

There cannot be any erasures, whiteout, or alterations.

How long will it take to get my child's new birth certificate?

The [processing time](https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx) for adjudication documents can be located on the CDPH-VR website (<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>).

What happens to my child's original birth certificate after it has been amended by an adjudication?

When CDPH-VR receives the acceptable documents (and fee), CDPH-VR will seal your child's original birth certificate and replace the sealed record with a new birth certificate.

Once the original birth certificate has been sealed, it is available only through a court order (per Health and Safety Code Section 102730).

For possible future transactions with the Social Security Administration or the Department of Motor Vehicles, you should **keep copies** of all documents that you submit to the CDPH-VR office. Once your child's new birth certificate is prepared, all supporting documents are sealed by the CDPH-VR office and are not available to the public.

What if I still have questions?

If you have read this pamphlet thoroughly and still have questions that were not answered, please call the Customer Service Unit at (916) 445-2684. If you are checking the status of your request, please wait until after the processing time has passed before contacting CDPH-VR.

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In Summary, What Links to Forms and References May Be Required?

[California Department of Public Health home page](https://www.cdph.ca.gov/)

(<https://www.cdph.ca.gov/>)

[Judicial Branch home page](http://www.courts.ca.gov/) (<http://www.courts.ca.gov/>)

[Vital Record Applications \(forms\)](https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx) – VS 21 – Application to Amend a Birth Record – Adjudication of Facts of Parentage (<https://www.cdph.ca.gov/Programs/PSB/Pages/BirthDeathMarriageCertificates.aspx>)

[Processing Times](https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx)

(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>)

[Directory of County Vital Records Offices](https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx)

(<https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx>)