



The Adoption Process


Center for Health Statistics and Informatics – California Vital Records
Effective October 2020

Introduction

The California Department of Public Health-Vital Records (CDPH-VR) registers adoptions for:

- Persons born in California, regardless of where the person was adopted
- Persons adopted in California who were born outside the United States, Territories of the United States, or Canada

Adoption paperwork received for a person born in another state, Territory of the United States, or Canada, will be forwarded to the vital records office in the jurisdiction where the child was born. Contact information for vital record offices can be found on the [Centers for Disease Control and Prevention's website](http://www.cdc.gov/nchs/w2w/index.htm) (www.cdc.gov/nchs/w2w/index.htm).

	<ul style="list-style-type: none">• Please see page 9 for a list of frequently asked questions and answers.• To request a copy of the original (sealed) birth certificate, please see page 7.• To obtain non-identifying information for the birth parents to the adoptee, or for resources in locating the birth parents to the adoptee, please see page 8.• For other amendment types, please visit the CDPH-VR website at www.cdph.ca.gov.
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What to Submit and Mailing Address

To register an adoption with CDPH-VR, please submit the following:

- **Certified Court Report of Adoption (VS 44) Form** (See *Form Guidelines* beginning on [page 3](#).)
- **Certified Adoption Order or Final Decree** (See *requirements* in middle section of [page 5](#).)
- **Notarized Sworn Statement** (Not required if a court clerk submits the request. See [page 6](#).)
- **Appropriate Fee** (See *requirements* on bottom section of [page 5](#).)

Mail your packet to the address below:

California Department of Public Health
Vital Records – Amendments – M.S. 5105
P.O. Box 997410
Sacramento, CA 95899-7410

	<ul style="list-style-type: none">• Amended certificates are returned via standard mail and do not contain a tracking number.• You may provide a prepaid self-addressed envelope with your request for CDPH-VR to use and mail the amended certificate back to you. (Not Required)
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VS 44 - Court Report of Adoption Checklist

To assist in the registration of your amendment, please submit the following:

Properly Completed VS 44 Form

- Part I contains the child's facts of birth, as listed on the original birth certificate.
- Part II is completed using the adoptive parent's birth information, as it should appear on the new birth certificate.
- Part II, items 14 and 15 each have one box checked.
- Part II, items 16 through 19B are filled out accordingly.
- Part III, items 20 through 25 are completed and certified by the Court Clerk.
- Part III contains the name, email address, mailing address, and phone number of the person receiving the amended birth certificate.
- The form does not contain conflicting information to the Adoption Order or Decree, (i.e., the child's date of birth and new name match on both documents).

Certified Copy of VS 44 and Adoption Order

- I have enclosed a certified copy of the VS 44 form.
Note: The VS 44 form contains an original court seal, not a photocopy.
- I have enclosed a certified copy of the Adoption Order or Adoption Decree.
Note: The Adoption Order or Decree contains an original court seal, not a photocopy.

Payment

The adoption was finalized in California.

- I would like the certified copy of the certificate that is issued, at no additional cost, with the registration of the adoption.
- I would like additional copies of the amended certificate and have enclosed a check/money order (*payable to CDPH Vital Records*) in the amount of twenty-five dollars (\$25) per additional copy requested.

The adoption was finalized outside of California.

- I have enclosed a check/money order (*payable to CDPH vital records*) in the amount of twenty dollars (\$20) to register the adoption, which includes one certified copy of the amended certificate.
- I would like additional copies of the amended certificate, and I have enclosed a check/money order (*payable to CDPH Vital Records*) in the amount of twenty-five dollars (\$25) per additional copy requested.

Notarized Sworn Statement

A notarized sworn statement is not required if a court clerk submits the request.

I am not a court clerk: I have requested copies of the amended certificate and would like the copies to be certified authorized copies.

- I am not a court clerk and have enclosed a notarized sworn statement.

Form Guidelines

Please adhere to the following guidelines on how to complete the *Court Report of Adoption* (VS 44) form to prevent delays in the processing of your request.

General Information

COURT REPORT OF ADOPTION		
NO ERASURES, WHITEOUTS, PHOTOCOPIES, OR ALTERATIONS		
STATE FILE NUMBER		LOCAL REGISTRATION NUMBER
TYPE OR PRINT CLEARLY IN BLACK INK ONLY		

The VS 44 form must:

- Be completed in **black ink**.
- **Not contain any** write-overs, alterations, drawings, accents, or other marks to indicate pronunciation or to distinguish letters in some way, such as è, ñ, or ç.

Part I

PART I The information provided in this section must be the information as it was at birth. Without this data, it may be impossible to prepare a new Certificate of Birth.								
FACTS OF BIRTH	1A. NAME OF CHILD—FIRST			1B. MIDDLE		1C. LAST (BIRTH)		
	2. SEX	3. DATE OF BIRTH—MM/DD/CCYY		4. NAME OF PHYSICIAN (OR ATTENDANT, CERTIFIER, OR OTHER PERSON WHO ATTENDED THIS BIRTH)				
	5A. PLACE OF BIRTH—NAME OF HOSPITAL OR FACILITY			5B. CITY		5C. STATE OR COUNTRY		
PARENTS' DATA	6A. FULL NAME OF PARENT—FIRST			6B. MIDDLE		6C. LAST (BIRTH)		6D. RELATIONSHIP <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> PARENT
	7A. FULL NAME OF PARENT—FIRST			7B. MIDDLE		7C. LAST (BIRTH)		7D. RELATIONSHIP <input type="checkbox"/> MOTHER <input type="checkbox"/> FATHER <input type="checkbox"/> PARENT

Part I must list as much of the original record's information as is available to assist in locating the original record. If the original record cannot be located with the information provided, the request may be rejected.

Part II (Parent Information)

PART II Adoptive parents must furnish personal information about themselves as it was on the child's date of birth. This information is used to prepare the new Certificate of Birth.							
PARENT INFORMATION	CHECK THE APPROPRIATE BOX: ADOPTIVE PARENT <input type="checkbox"/> BIOLOGICAL PARENT <input type="checkbox"/>						
	8A. NAME OF PARENT—FIRST			8B. MIDDLE		8C. LAST (BIRTH)	
	9. STATE/FOREIGN COUNTRY OF BIRTH				10. DATE OF BIRTH—MM/DD/CCYY		
PARENT INFORMATION	CHECK THE APPROPRIATE BOX: ADOPTIVE PARENT <input type="checkbox"/> BIOLOGICAL PARENT <input type="checkbox"/>						
	11A. NAME OF PARENT—FIRST			11B. MIDDLE		11C. LAST (BIRTH)	
	12. STATE/FOREIGN COUNTRY OF BIRTH				13. DATE OF BIRTH—MM/DD/CCYY		

The parent information section(s) must be completely filled out and provide the parent's birth information to be listed on the new birth record.

Part II (Fields 14 and 15)

14. PLEASE CHECK ONE I want the original birth certificate sealed, and a new birth certificate established. <input type="checkbox"/> Pursuant to Health and Safety Code Section 102640, I choose not to have a new birth certificate established. <input type="checkbox"/>	15. Do you want the name and address of the hospital or other facility where the birth occurred omitted from the new birth certificate as provided for in Section 102645 of the Health and Safety Code? (PLEASE CHECK ONE) Yes <input type="checkbox"/> No <input type="checkbox"/>
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One checkmark is required for each of these fields. Select one box for field 14 and one box for field 15. Failure to make a selection may prevent CDPH-VR from registering the adoption.

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Part II (Verification of Part II)

VERIFICATION OF PART II	16. SIGNATURE OF PARENT VERIFYING DATA IN PART II	17. MAILING ADDRESS OF PARENT VERIFYING DATA IN PART II
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It is recommended that at least one parent review the data given in the parent information section of Part II. Any errors in the parent information section of Part II may require the VS 44 form to be amended and recertified.

Part II (Agency, Department, or Attorney Information)

AGENCY OR DEPARTMENT	18A. NAME OF AGENCY OR DEPARTMENT	18B. MAILING ADDRESS OF AGENCY/DEPARTMENT THAT INVESTIGATED/HANDLED THE ADOPTION
ATTORNEY	19A. SIGNATURE AND PRINTED NAME OF ATTORNEY	19B. MAILING ADDRESS OF ATTORNEY

The agency, department, or attorney that assisted with the adoption may enter contact information in this section.

Part III

PART III	The court clerk must obtain as much information as is available to complete Parts I and II before completing Part III and forwarding the record and Court Order/Final Decree to the State Registrar as required by law.		
COURT CLERK	20. I HEREBY CERTIFY THAT THE INDIVIDUAL DESCRIBED ABOVE WAS ADOPTED BY THE ABOVE NAMED ADOPTIVE PARENTS ON THE _____ DAY OF _____, 20____, AS SET FORTH IN THE DECREE OF ADOPTION MADE ON THAT DATE IN CASE NUMBER _____		
	21A. NEW NAME AS SET FORTH IN THE DECREE OF ADOPTION - FIRST	21B. MIDDLE	21C. LAST
	22. SIGNATURE AND SEAL OF COURT CLERK		BY:
	23. CLERK IN AND FOR THE COUNTY OF:	24. DATE SIGNED—MM/DD/CCYY	25. DATE PETITION FOR ADOPTION FILED—MM/DD/CCYY

Part III must be fully completed by the court clerk certifying the information entered in Parts I and II, which must correspond with the adoption order or final decree case listed in item 20.

NOTE: This section must contain a court certification. Please see certification requirements on top section of [page 5](#) for more information.

The adoptee’s new name listed in fields 21A-21C must match the new name listed on the adoption order or final decree.

Part III (Birth Record Recipient Data)

NAME AND MAILING ADDRESS OF PERSON TO WHOM CERTIFIED COPY IS TO BE SENT	NAME	EMAIL ADDRESS	
	ADDRESS—Street and Number	CITY, STATE, ZIP CODE	DAYTIME TELEPHONE NUMBER ()

Enter contact information for the birth certificate’s recipient, including:

- Name
- Email address
- Mailing address
- Telephone number

End of VS 44 Form Guidelines.

Certified Court Report of Adoption (VS 44) Form

A certified copy of the Court Report of Adoption (VS 44) form is required, as this certifies the VS 44 form submitted is a true copy of what the court has on file.

A “certified” copy of a VS 44 form is a photocopy of the original form, which contains a(n):

- Original court seal in Part III of the form and not on a blank sheet of paper.
- Signature or signature stamp of the court clerk’s signature.



- Court Report of Adoption forms from other states are accepted and must be certified by the issuing court.
- Court Report of Adoption forms must be translated to English, if necessary.

Certified Adoption Order or Final Decree

A certified copy of the Adoption Order or Final Decree is required, as this certifies the court order submitted is a true copy of what the court has on file.

A “certified” copy of a court order is a photocopy of the original order prepared by the court, which contains a(n):

- Original court seal on the front or back of the certified copy and not on a blank sheet of paper.
- Signature or signature stamp of the judge’s signature.
- Signature or signature stamp of the court clerk’s signature.



Adoption orders and decrees must be translated to English, if necessary.

Appropriate Fee

If the individual was both born and adopted in California:

- There is no fee to register the adoption and receive one (1) certified copy of the amended certificate.
- Additional certified copies are twenty-five dollars (\$25) each.

If the individual was born in California and adopted outside of California:

- There is a twenty dollar (\$20) registration fee, which includes one (1) certified copy of the amended certificate.
- Additional certified copies are twenty-five dollars (\$25) each.

If the individual was born outside of the United States, Territories of the United States, or Canada, and adopted in California:

- There is no fee to register the adoption and receive one (1) certified copy of a *Court Order Delayed Registration of Birth* certificate.
- Additional certified copies are twenty-five dollars (\$25) each.



- Checks or Money Orders must be made payable to *CDPH Vital Records*.
- International money orders must be payable in U.S. dollars.

Notarized Sworn Statement (Not required if a court clerk submits the request.)

An authorized person must submit a notarized [sworn statement](#) to receive a certified authorized copy of the amended certificate. Please see list of authorized persons below:

- ✓ Registrant (Name on Certificate)
- ✓ Grandparent/Grandchild of Registrant
- ✓ Authorized by Court Order (Include copy of court order.)
- ✓ Law Enforcement/Govt. Agency (Conducting Official Business)
- ✓ Parent/Legal Guardian of Registrant (Legal guardian must provide documentation.)
- ✓ Child/Sibling of Registrant
- ✓ Spouse/Registered Domestic Partner of Registrant
- ✓ Attorney Representing Registrant or Registrant's Estate
- ✓ Attorney/Licensed Adoption Agency (Under CA Family Code Section 3140 or 7603)
- ✓ Power of attorney/Executor of the registrant's Estate (Include a copy of the power of attorney or supporting documentation identifying you as executor.)

The notarized sworn statement must:

- Include a penalty of perjury statement
- Identify the applicant's relationship to the registrant
- Be signed in the presence of a notary public
- Contain the notary's official seal. (*NOTE: A sworn statement notarized by a foreign notary must have an apostille attached. Foreign notarizations obtained at a United States Embassy or Consulate do not require an apostille.*)

Please see sample sworn statement below. (The notary completes the Certificate of Acknowledgment section after the applicant's signature is witnessed.)

SWORN STATEMENT	
I, _____, declare under penalty of perjury under the laws of the State of California,	
(Applicant's Printed Name)	
that I am an authorized person, as defined in California Health and Safety Code Section 103526 (c), and am eligible to receive a certified copy of the birth, death, or marriage certificate of the following individual(s):	
Name of Person Listed on Certificate	Applicant's Relationship to Person Listed on Certificate
<small>(The remaining information must be completed in the presence of a Notary Public or CDPH Vital Records staff.)</small>	
Subscribed to this _____ day of _____, 20____, at _____.	
(Day)	(Month) (City) (State)
_____ (Applicant's Signature)	

CERTIFICATE OF ACKNOWLEDGMENT	
<small>A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.</small>	

Requesting a Copy of the Original Birth Certificate

A court order is required for CDPH-VR to release copies of original (sealed) birth records.

The court order submitted for this purpose must comply with all of the following:

- Be certified by the court issuing the order. See [certification requirements](#) below.
- Provide clear instruction on what CDPH-VR is to release and to whom.
- Be filed in the county of residence of the adopted child, or in the county granting the order of adoption, as described in Health and Safety Code 102705.



Copies of original (sealed) birth records issued by CDPH-VR indicate they are informational and cannot be used for identification purposes.

Court Order Certification Requirements

A certified copy of the court order instructing CDPH-VR to release original birth record information is required, which means it must contain a(n):

- Original court seal on the front or back of the certified copy and not on a blank sheet of paper.
- Signature or signature stamp of the judge's signature.
- Signature or signature stamp of the court clerk's signature.

What to Submit to CDPH-VR

To request a copy of the original (sealed) birth certificate, please submit the following:

- Certified copy of the court order instructing CDPH-VR to release the sealed record(s)
- [Application for a Certified Copy of Birth Record](#) (VS 111) form (Sworn statement not required)
- Twenty-five dollar (\$25) fee per copy of record requested



- Checks or Money Orders must be made payable to **CDPH Vital Records**
- International money orders must be payable in U.S. dollars
- CDPH-VR's mailing address is listed on [page 1](#) of this document

Status of Original (Sealed) Birth Records

Original records will remain sealed and continue to require a court order whenever a copy of the original (sealed) record is requested.



A superior court may grant a petition to **vacate or set aside** (reverse) a finalized adoption, which will result in the sealing of the current certificate and the **reactivation of the original record**.

If this is a process you are interested in, please contact the [superior court](#) in your county of residence for more information (www.courts.ca.gov).

Obtaining Birth Parents' Non-Identifying Information

If the adoption was finalized in California, the California Department of Social Services or the licensed California public or private adoption agency that handled the adoption can provide non-identifying background information about the birth parents to the adoptee.

The type of non-identifying information available may include:

- ✓ General facts (e.g., height, weight, ethnic background, education)
- ✓ Medical history



Some licensed California public or private adoption agencies may charge a fee for this service.

For more information, please contact the following:

- Licensed California public or private adoption agency that handled the adoption, or
- California Department of Social Services (CDSS) by calling 916-651-8089, or visiting the [CDSS website](http://www.cdss.ca.gov/benefits-services/adoption-services) (www.cdss.ca.gov/benefits-services/adoption-services).

Locating Biological Parents and Family Members

California has a Mutual Consent Registry Program that is administered by the California Department of Social Services or the licensed California public or private adoption agency that handled the adoption.

Contact may be arranged between the following individuals:

- ✓ Adult adoptees and birth parents
- ✓ Siblings separated by adoption

For more information, please contact the following:

- Licensed California public or private adoption agency that handled the adoption, or
- California Department of Social Services (CDSS) by calling 916-651-8089, or visiting the [CDSS website](http://www.cdss.ca.gov/benefits-services/adoption-services) (www.cdss.ca.gov/benefits-services/adoption-services).

Frequently Asked Questions

Q: Where can I find forms and pamphlets?

A: Please see links below.

- [VS 44](https://www.cdph.ca.gov/CDPH%20Document%20Library/ControlledForms/VS44.pdf) – *Court Report of Adoption form*
(<https://www.cdph.ca.gov/CDPH%20Document%20Library/ControlledForms/VS44.pdf>)
- [VS 111](https://www.cdph.ca.gov/CDPH%20Document%20Library/ControlledForms/VS111.pdf) – *Birth certificate application form*
(<https://www.cdph.ca.gov/CDPH%20Document%20Library/ControlledForms/VS111.pdf>)
- [Sworn Statement Webpage](https://www.cdph.ca.gov/Programs/CHSI/Pages/Sworn-Statement.aspx) – *Sworn statement information*
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Sworn-Statement.aspx>)
- [CDPH Vital Records Website](https://www.cdph.ca.gov/Programs/CHSI/Pages/Correcting-or-Amending-Vital-Records.aspx) – *All other informational pamphlets and forms*
(<https://www.cdph.ca.gov/Programs/CHSI/Pages/Correcting-or-Amending-Vital-Records.aspx>)

Q: How do I petition an adoption (or other court order) with the courts?

A: CDPH-VR suggests you contact a family law attorney for legal advice regarding the court process. CDPH-VR staff cannot provide legal advice, nor does CDPH-VR have information about the legal process. You may find helpful court process information by visiting the [court website](http://www.courts.ca.gov/) (<http://www.courts.ca.gov/>).

Q: What is the current processing time?

A: Current processing times are listed on the [CDPH-VR website](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>)

Q: Once the adoption is registered, what happens to the birth certificate?

A: **For persons born in California:** CDPH-VR will create a replacement certificate, as requested on the VS 44 form.

A: **For persons born outside the United States, Territories of the United States, or Canada:** CDPH-VR will create a certificate titled *Court Order Delayed Registration of Birth*.

Q: Will my adoption order, VS 44 form, or court order be returned?

A: Any documents submitted, including the adoption order, VS 44 form, and notarized sworn statement, will not be returned once the amendment is registered. Please keep copies of all documents submitted.

Q: What if I still have questions?

A: Please contact the CDPH-VR Customer Service Unit by email at AmendVR@cdph.ca.gov or telephone at (916) 445-2684.

SWORN STATEMENT INSTRUCTIONS

- Only one sworn statement is required for multiple records.
- Sworn statements are not required for informational copy requests.
- Authorized individuals must complete the top portion of the sworn statement by signing and identifying their relationship to person listed on certificate.
- Sworn statements must be notarized for authorized copy requests. **Law enforcement, governmental agencies, and funeral establishments (death records only) are exempt from the notary requirement, but must complete the top portion of the sworn statement page.**
- A sworn statement notarized by a foreign notary must have an apostille attached. Foreign notarizations obtained by an Ambassador, Minister, Consul, Vice Consul or Consular Agent of the United States, or from a Judge of Court of record having a seal in a foreign county do not require an apostille.

RELATIONSHIP TO REGISTRANT

List of Authorized Persons:

- The registrant or a parent, legal guardian, child, grandparent, grandchild, sibling, spouse, or domestic partner of the registrant.
- A party entitled to receive the record as a result of court order or an attorney or licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code. (Please include a copy of the court order.)
- A member of a law enforcement agency or a representative of another governmental agency, as provided by law, who is conducting official business. (Companies representing a government agency must provide authorization from the government agency.)
- Any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or the registrant's estate (Include a copy of the power of attorney or documentation identifying you as executor.)
- An attorney representing the registrant or the registrant's estate.
- Any agent or employee of a funeral establishment who acts within the course and scope of employment and on behalf of persons specified in HSC § 7100 (a) (1)-(8).
- Surviving next of kin (As specified in HSC § 7100).

SWORN STATEMENT

I, _____, declare under penalty of perjury under the laws of the
 (Applicant’s Printed Name)

State of California, that I am an authorized person, as defined in California Health and Safety Code Section 103526 (c), and am eligible to receive a certified copy of the birth, death, or marriage certificate of the following individual(s):

Registrant (Name of person whose certificate you are requesting)	Applicant's Relationship to Registrant (Must be an authorized person)

(The remaining information must be completed in the presence of a Notary Public or CDPH Vital Records staff.)

Subscribed to this _____ day of _____, 20____, at _____, _____.
 (Day) (Month) (City) (State)

 (Applicant’s Signature)

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of _____

County of _____

On _____ before me, _____, personally appeared _____,
 (Insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.
 (SEAL)

 (SIGNATURE OF NOTARY PUBLIC)

