Birth Records
Self-Help Kit

How Native American Adoptees Can Get Their Birth Records in California

California Indian Legal Services
Community Legal Education Self-Help Series
Disclaimer
This information is intended to assist you with your legal problem. Each area of the law is complex and changing. Your case may have special factors that could affect the applicability of this information. CILS does not guarantee that this information is sufficient to resolve your legal problem. If you have any questions, you should seek the advice and counsel of an attorney.

CILS Community Legal Education Self-Help Series
The Community Legal Education Self-Help Series is a project of CILS. The Series’ mission is to expand access to legal resources that increase Indian self-sufficiency. This guide is part of our Community Legal Education Self-Help Series, providing Indians and Indian tribes with user-friendly information and self-help assistance pertaining to their legal status and rights. Community Legal Education Self-Help guides, and more information about CILS and California Indian issues, are available on our website at www.calindian.org.

California Indian Legal Services
Principal Office:
609 South Escondido Blvd
Escondido, CA 92025
(760) 746-8941 (800) 743-8941

Do you have a legal problem? For assistance, contact your local CILS office:
Bishop: (760) 873-3581, or (800) 736-3582
Escondido: (760) 746-8941, or (800) 743-8941
Eureka: (707) 443-8397, or (800) 347-2402
Sacramento (916) 978-0960, or (800) 829-0284

This material is copyrighted by California Indian Legal Services, 2009. Black and white single page copies may be downloaded from our website at no cost at www.calindian.org.
## Table of Contents

- Introduction  
  Page 5
- Some Helpful Legal Terms  
  Page 7
- Section 1: Some Basic Things You Need to Know Before You Get Started  
  Page 9
- Section 2: What Do I Need to Know Before I File My Petition?  
  Page 19
- Section 3: How Do I Fill Out the Forms?  
  Page 33
- Section 4: What Do I Do After I Fill Out the Forms?  
  Page 45
- Section 5: What Happens After My Petition Has Been Accepted for Review?  
  Page 53
- Section 6: How Do I Apply to Enroll in My Tribe?  
  Page 61
- Section 7: Resources  
  Page 65
- Section 8: Forms
Introduction
What's in this guide?

This guide explains what you need to do if:

- you were adopted
- you think you are Native American
- you live in California and/or were born in California and
- you want to enroll in your tribe.

Why do I need my original birth certificate?

- To enroll in your tribe, you will need to get a certified copy of your original birth certificate (which lists your birth parents) to show to your tribe. Your tribe needs the original birth certificate to verify that you are the biological descendent of a tribal member or members.

What does that have to do with my birth records?

- When you are adopted, your birth records are “sealed,” to keep the information in them private. But if you can show that you may be Indian, a judge is allowed to look at the records and get you a copy of your original birth certificate so you can enroll in your tribe.

- To get your original birth certificate, you have to present evidence to a judge about why you think you are Native American. Based on what you tell the judge, he/she decides whether there is enough proof that you are Indian to open your birth records. By looking at your birth records, the judge will be able to get more information about who your parents are and what their background is. Then the judge will decide whether there is enough evidence that you are Indian to get you a copy of your original birth certificate.
Some Helpful Legal Terms

Some of the legal words you will see as you go through the process described in this kit are listed below, along with their meanings. Don’t worry about learning what all the terms mean now. We explain what legal terms mean when we use them in this kit, but if you need to, you can refer back to this section if you come across a legal term you don’t know. Please remember that Native American and American Indian are used interchangeably in this Guide.

- **Adoptees** are children who are adopted.

- **Adoption certificates** are one-page documents that look like a birth certificate, but they just list the names of the child and adoptive parents, the dates of the adoption, and whether the adoption was done through the county or a private agency.

- **Adoptive birth certificate** names your adoptive parents and the place where you were born. It is also called your amended birth certificate, because it lists your adoptive instead of your original parents. **Original birth certificate** names your birth parents and the place where you were born.

- **Adoption records** are the court files containing the papers that people involved in your adoption filed with the court when you were adopted. These include your adoption certificate and your adoptive birth certificate. Adoption records offer proof that you were adopted and explain the circumstances under which your adoption took place.

- **Birth records** are all the court files about your birth, your adoption process, and your final adoption. These include your original birth certificate and your adoption records.

- **Certified copy** is one that is issued directly by a government agency. It is printed on official government paper and has an official government seal.

- **Clerks** are the people at the court who receive petitions, stamp and file documents, assign a number to your case, etc. They are the people who do most of the administrative work for the court. There are different types of court clerks.

- **Conformed copies** are the official stamped and filed copies of the petitions, court orders, letters you write to the judge and/or preprinted forms that the court returns to you after you submit them to the court.

- **Court order** is an instruction given by a judge that commands (or “orders”) another government department or agency to take some specific action. This is also called an order.
● **Declaration** is a written statement where the person who signs it swears that the information on the form is true and correct to the best of their knowledge. It is also called a **sworn statement**, because the person who makes it promises that they are telling the truth under **penalty of perjury**. This means that if they knew they were lying, they could have to pay a fine or go to jail.

● **Department of Social Services** is the department in each state that handles adoption paperwork, conducts investigations, and stores old adoption files.

● **Exhibits** are documents that you attach to your petition that support your claim that you are Native American.

● **Fee Waiver** is an application to the court asking the court not to make you pay any fees for opening and filing a case.

● **File** means to submit documents to the court.

● **Filing Fees** are the amount you have to pay to file your paperwork with the court.

● **Granted** means that the court has agreed that the adoption record should be opened and given to the petitioner.

● **Minor** is a person under the age of 18.

● **Office of Vital Statistics** is the office within each states’ Department of Health that keeps the official birth, death, marriage, and divorce records for all the people who were born, died, married, or divorced in that state. It may be called something slightly different in different states.

● **Petition** is the application to the court that gives the court background information on your particular case. It also lets the judge know what laws give him or her the power to unseal the birth records.

● **Petitioner** is the person filing a petition with a court. In this case, it is the person asking the court to give them access to their adoption information.

● **Pleading** in your petition means to ask the court to unseal your birth records.

● **Pleading Paper** is white paper with the numbered lines running along the left side of the page. Documents that you submit to the court have to go on this paper. The most common type of request the court asks for is a **petition on pleading paper**.

● **Sealed** means that birth records, including adoption records, are closed to keep them private. **Unsealing** is the process of opening your birth records.
Section 1:
Some Basic Things to Know
Before You Get Started
Section 1: Some Basic Things to Know Before You Get Started

Summary

This section gives you:

- basic background information that will help you understand what the documents described in this kit are, and why you need them
- definitions of some legal terms you will see or hear during the process of getting these documents

Content

In this section, you will learn:

- what birth records are
- what adoption records are
- what “sealed” birth records are
- what a certified copy of your original birth certificate is
- why you are allowed to get your birth records “unsealed”
- why you need to start collecting as much information as possible about your Native American heritage
What are birth records?

Birth records are all the court files about:

- your birth
- your adoption process, and
- your final adoption

Your birth records include:

- your original birth certificate **and**
- your adoption records.

What are adoption records?

Adoption records are the court files containing the papers that people involved in your adoption filed with the court when you were adopted. Adoption records include:

- proof that you were adopted, and
- explain the circumstances under which your adoption took place
What are “sealed” birth records?

Birth records are “sealed” (closed) in adoptions to keep the information in them private. The process of getting your original birth records is known as:

- “opening sealed birth records” or
- “unsealing birth records.”

**TIP:** Since your birth records include your adoption records, when you unseal your birth records, you also unseal your adoption records.

**TIP:** You may hear the term “adoption records” used instead of “birth records.” For instance, you might hear someone talk about “unsealing adoption records.” Remember, they are probably talking about birth records. People mix these words up all the time -- will you?!

Who gets to see the birth records once they are unsealed?

- A judge may be allowed to see the birth records in order to see if there is evidence that you are Native American.
- You don’t get to see the birth records unless and until the court orders it.
What is my original birth certificate?

- An “original” birth certificate names your birth parents and the place where you were born.

- An “adoptive” or “amended” birth certificate names your adoptive parents and the place where you were born.

- It is called “adoptive” or “amended” instead of “original” because it lists your adoptive parents (not your birth parents).

- If you have not unsealed your birth records, you may have a copy of your birth certificate, but that is your adoptive birth certificate. It may even say CERTIFIED AMENDED BIRTH CERTIFICATE on it.

What is a certified copy?

A “certified copy” is one that is issued directly by a government or agency. It is printed on official government paper and has an official government seal.
If I was adopted, how can I get a certified copy of my original birth certificate?

If you were adopted in California when you were a “minor” (a person under the age of 18), three laws let you open your birth records and get your original birth certificate after you turn 18. These laws are:

- The Indian Child Welfare Act (ICWA) and
- California Family Code § 9209(a) and
- California Health & Safety Code § 102705

You need to know about these laws because they give you the legal right to ask the court to unseal your birth records.
What is ICWA?

- ICWA is the Indian Child Welfare Act. It is a federal law passed in 1978.
- There is a section in ICWA that gives adults over 18 years old the right to gain access to their original birth certificates so they can enroll in their tribe.

**TIP:** For more detailed information on ICWA, see the CILS Community Legal Education Self-Help Guide, “What is the Indian Child Welfare Act?”

What is California Family Code § 9209(a)?

- It is a section in the Family laws of California that copied, almost word-for-word, the ICWA language with regards to giving adults over 18 years old the right to gain access to their original birth certificates.

What is California Health & Safety Code § 102705?

This is a state law that lets a court unseal your birth records if you can show that there is information in the records that you have a legal right to.

**TIP:** California Health & Safety Code § 102705 also lets a court unseal your adoption records if you can show that you have a medical problem that is “genetic” (inherited from your ancestors). Non-Indians can also ask for their adoption records to be unsealed for medical reasons.
How do I get my birth records opened?

- You have to file a “petition” (a request to the court) to unseal birth records. This means you ask a judge to look at the original birth records and make a decision.
- You can file a petition without an attorney.

**TIP:** A person who was adopted is called an “adoptee.” The adoptee who files the petition is called the “petitioner.”

**Why do I have to go to court to have my birth records opened?**

Because the state court is the only agency that can:

- order the birth records to be opened for any reason **and**
- order that your get your original birth certificate
How does the court decide whether my birth records should be opened?

The judge decides whether there is enough convincing evidence that you are Native American to unseal your birth records and get your original birth certificate. The judge will also see whether you need the information, so you will need to convince the judge that you cannot enroll in your tribe and get tribal benefits without it. It is important that you collect as much information as possible about your Native American heritage before you submit your request to the court. You should start collecting as much evidence as you can find.

What kinds of evidence do I need?

Examples of evidence include:

- any information that you have about your birth parents’ Native American heritage
- sworn statements (also called “declarations”) from your birth parents, other relatives, or other people who know that you are Native American
- photographs showing your Native American relatives (parents, grandparents, aunts, uncles, etc.)
- BIA tribal information
- letters from your birth parents, social workers, and/or adoption agency that provide information about your Native American heritage

TIP: We talk about these examples in detail in Section 3, starting on Page 33. You should read through that entire section of this guide carefully so you know what types of evidence to collect and how to collect it.

If you don’t have a lot of evidence, don’t be discouraged. Just be sure to collect everything you can find!
Section 2:

What Do I Need to Know Before I Can File a Petition?
Section 2: What Do I Need to Know Before I Can File a Petition?

Summary

Courts in different counties have different forms, fees, procedures, and requirements that have to be followed when you file your petition. So, you’ll need to know:

- Which county to file your petition in
- What specific forms, fees, and procedures are required in the county where you’re filing your petition

How do I get this information?

To get the right information, you’ll need to read this section to find out what the different forms are, and then talk to the court clerk in the county where you’re filing your petition.

Contents

In this section, you will learn:

- How to figure out what county to file your petition in
- What the different forms are that you might have to file
- What fees you have to pay
- What you need to ask the court clerk
How do I know what county to file my petition in?

You can file your petition in:

- the county where you were adopted or
- the county where you live now

It might be easier to file your petition and gain access to your birth records in some counties than in others.

If you’re not sure which county to file your petition in, you can call your local CILS office to discuss your situation.

What do I do if I wasn’t born in California?

If you weren’t born in California, but you were adopted in California, you can file your petition in the California county where you live now or where you were adopted. Before you do this though, you should call the Vital Records Office in the state where you were born, explain why you are calling, and ask if they will accept (“honor”) an order from a California court to amend your original birth record. Often, Vital Records Offices in other states will honor an order from a California court.

If they agree to accept an order from a California court, make sure you get the name of the person you spoke to in the Vital Records Office, the exact name of the department where they work, and the date you talked to them. You’ll need this information when you fill out your petition. Vital Records Offices in other states may also require additional information in the order. Be sure to listen carefully and include all the information they need in the order that you give to the California court.

TIP: You may want to read through both Sections 2 & 3 of this guide before you call the Vital Records Office. This will help you understand what you are asking the Vital Records Office to do and will help you explain your situation to them.

If the state where you were born will not accept a court order from California, call your local CILS office to discuss your situation. CILS may be able to provide you with a referral to a legal aid in the other state to assist you.

What is the Vital Records Office?

- The Vital Records Office is the department in each state that keeps the official birth, death, marriage, and divorce records for all the people who were born, died, married, or divorced in that state.

- The Vital Records Office is a department of the state government. Different states may call this department by a slightly different name. For example, they may call it the Recorder’s Office, the Vital Statistics Office, or the Department of Vital Statistics. Whatever it is called, you can usually find a listing in the phone book under the state’s Department of Health.
If you already have a copy of your adoptive (amended) birth certificate, you can skip this next section and go to Page 24.

**How do I find out where I was adopted?**

Your amended (sometimes called adoptive) birth certificate lists the county where you were born.

**What if I don’t have a copy of my amended birth certificate?**

- If you think you know where you were born, you can request a copy from that county’s Vital Records Office, or from the state Vital Records Office in Sacramento.
- If you don’t know the county where you were born, but you think you were born in California, you can request a copy from the state Vital Records Office in Sacramento.

**Will I have to pay if I need to get a copy of my amended birth certificate?**

Yes.

- If you get a copy from the state’s Vital Records Office, it will cost you $14.
- If you get a copy from the county Vital Records Office, you will have to pay a fee. The amount is different in different counties.
- It may be cheaper to get a copy of your birth certificate from the state than from the county, but it usually takes longer.

You can find out how much it will cost to get a copy of your amended birth certificate from a particular county by calling the County Recorder’s Office. Some County Recorder’s Offices also list their fees on their websites.

° See the list of California County Recorder’s Offices in this Kit — Section 7, Resource G.

You can also visit the California Department of Public Health’s website at: http://www.cdph.ca.gov and click on Quick links, Birth Certificates for more information. You can also download their booklet entitled, “How to Obtain Certified Copies of Birth and Death Records.”
How do I get a certified copy of my amended (adoptive) birth certificate from the state Vital Records Office?

- To get a certified copy of your amended birth certificate from the state Vital Records Office, you will have to fill out a Certified Birth Certificate Request Form (VS 111).

- You have to have the VS 111 form notarized. See the box below for more information on having a form notarized.

A blank Certified Birth Certificate Request Form (VS 111) can be found in Section 8: Forms (See Form F). Form F also includes instructions on how to fill out the form, and a Sworn Statement for you to bring to the notary public with your form.

**TIP:** The VS 111 is a standard form. Make more than one copy of the VS 111 so you have extra ones in case you need to request more than one certified copy of your birth certificate, or in case you make a mistake you can’t erase. (You may have to use the same form, and follow the same instructions, to get a certified copy of your original birth certificate later on.)

### How do I get the VS 111 form notarized?

- You will need to bring the form to a **notary public** and sign the Sworn Statement in front of them.

- You can find a notary public in the Yellow Pages.

- They will “**notarize**” the form. This means they confirm that you are the person who signed the form.

- You will also have to bring some kind of photo identification, such as your California driver’s license or identity card.

- The notary may charge you a small fee.

### What if I don’t have a California driver’s license or photo ID?

You can contact the notary you are going to sign the form in front of, and ask them what other forms of identification they will take. You can also ask them how much the fee will be.
What do I do once I know where I was adopted?

Once you know where you were adopted, look up that county on the list of Contact Information, California County Courthouses. Section 7 — Resource F.

What will Resource F tell me?

It will give you:

- A general phone number for the county courthouse, so you can call and get the court clerk’s name and phone number (there are often several court clerks, and you need to talk to the one who handles cases like yours).

- The address or addresses of the courthouse, where you file your request.

- In some cases, Resource F also includes more specific information, like the phone number of the clerk’s office and their hours of operation.
Why do I have to talk to the court clerk before I fill out the forms to unseal my birth records?

It is important to talk to the court clerk because different counties want you to ask the court for your records in different ways, using different kinds of forms. You have to call the court clerk before preparing your forms, because the court clerk is the person who:

- files documents (like your petition) with the court
- makes sure that you follow the proper procedures

Can the court clerk give me legal advice or tell me what to say in the forms?

No. The court clerk can only answer specific questions about the rules you have to follow for filing your request.

What will the court clerk tell me?

- What kind of forms you have to submit to unseal your birth records—specifically, whether that county requires additional forms than the ones in this packet

- Where to file your forms and

- How much it will cost
What kind of forms will I need to submit?

- There are several different forms that you might need to submit. It depends on the county.
- The court clerk will tell you which forms are required by the county where you are filing the petition.
- This section will explain what the different forms are, so that when you talk to the court clerk you’ll understand what they’re talking about.

Forms the clerk might tell you to submit are:

- A petition
- A court order
- A letter to the judge
- Special forms for the county

In most cases, you will have to submit a petition **and** two court orders.

**TIP:** This kit includes blank copies of the forms for you to fill out, and instructions on how to fill out the forms. These are discussed in detail in Section 3, which you’ll go through once you have talked to the court clerk and you know what forms are required by that county.

What is a petition?

The most common type of form that the court asks for is a “petition” written on special paper called “pleading paper.” The petition:

- is the application to the court that gives the judge background information on your case
- is the form where you will present the information you have about why you think you’re Native American, and the evidence you have that supports your claim
- is a “sworn statement” (also called a “declaration”)
- lets the judge know what laws give him or her the power to unseal your birth records and why you need to have a copy of your original birth certificate.
What is a sworn statement or declaration?

- It is a written statement where the person who signs it swears that the information on the form is true and correct to the best of their knowledge.

- Someone who makes a sworn statement promises that they are telling the truth under “penalty of perjury.” This means that if they knew they were lying, they could have to pay a fine or go to jail.

- Because you’re promising that you are telling the truth, saying that you are Native American in a declaration is evidence to present to a judge. (Other people can also make declarations that you are Native American. We explain this in more detail on Page 41.)

**TIP:** Sometimes petitions and declarations are filed separately, as two different documents. In this case, you will be filing both together, in the same document. This document is called a “petition and declaration on pleading paper.” Most of the time, we will just call it a “petition” in this guide — to keep it simple.

If a court clerk won’t accept the petition and declaration together, in one document, call your local CILS office to discuss your situation.

What does pleading mean?

In your petition, it means to ask the court for “relief.” In this case, “relief” means asking the court to unseal your birth records.

What is pleading paper?

- Pleading paper is special lined paper used by the courts.
- Each line on the paper is numbered.
- Each fact or piece of evidence that you present in your petition goes on a particular numbered line, or series of numbered lines.
What is a court order?

A “court order” is a form that is signed by a judge. In it, a judge commands (or “orders”) another government department or agency to take some specific action.

To get your original birth certificate, it will probably take two court orders:

- One so the judge can look at your birth records (this is called a “Department of Social Services order”) and
- One so the judge can get a certified copy of your original birth certificate to give to you (this is called a “Vital Records order”).
- You have to file the court orders at the same time that you file your petition.

What is the Department of Social Services?

The Department of Social Services (or DSS) is the department in each state that handles adoption paperwork, conducts investigations, and stores old adoption files.

What is the DSS Order?

- The DSS order tells the state’s Department of Social Services (DSS) to send the birth records to the court so the judge can look at them.
- The judge signs the DSS order, then gets the birth records and reviews them before deciding whether to sign the Vital Records Order.

What is the Vital Records Order?

- The Vital Records Order lets the judge get a certified copy of your original birth certificate to give to you.
- Usually, the Vital Records Office will send both the “adoption certificate” and the birth certificate together.

What is an adoption certificate?

- It’s a one-page document that looks like a birth certificate
- It just lists the names of the child and adoptive parents, the dates of the adoption, and whether the adoption was done through the county or a private agency.
**Do all counties require a petition or court order to unseal my birth records?**

No. Usually a petition and court orders are required, but some counties just ask you to write a letter to a judge. However, it is rarely done nowadays. A petition and court order is normally required.

**Do any counties require other forms, besides a petition or court order, to unseal my birth records?**

Yes. Some counties have their own pre-printed form that you have to fill out. Make sure to ask the court clerk if you have to file any specific county forms in addition to the petition. These pre-preprinted, county-specific forms are sometimes called “local forms.” If the court clerk will not send you copies of these local forms, you can check the county’s court website for their local forms. Most courts post their local forms on-line. For a listing of local court websites, visit: http://www.courtinfo.ca.gov/courts/find.htm

If you are asked to fill out a pre-printed form instead of the petition, call your local CILS office before filling out and submitting any forms.
Are there fees I have to pay to file the petition or other paperwork?

Sometimes. You’ll have to ask the court clerk how much they are (they are usually $350.00).

If there is a charge for filing the petition, you can apply for a “fee waiver.” A fee waiver is an application to the court asking the court not to charge you any fees for opening and filing a case. (You file the fee waiver application at the same time you file the rest of your documents with the court clerk.)

How do I apply for a fee waiver?

There are standard court forms that you have to fill out to request a fee waiver.

TIP: Filling out the fee waiver forms can be a complicated process. The court clerk can answer some of your questions. However, we recommend that you either visit the California court’s website for an explanation of the forms at: http://www.courtinfo.ca.gov/selfhelp or see the CILS Community Legal Education Self-Help Guide, “How Can I Get a Fee Waiver for My Court Fees & Costs?” to help you fill out the forms.

What does a fee waiver cover?

- A fee waiver covers the “filing fees” (the amount you have to pay to file your paperwork with the court).
- It does not cover the cost of making extra copies of the documents to submit to the court and to keep for your records.
- It does not cover costs for a certified copy of your birth certificate.

Will I qualify for a fee waiver?

Fee waivers are based on need. You may qualify for a fee waiver if you get financial assistance from one or more of the following programs:

- SSI (Supplemental Security Income)
- SSP (State Supplemental Payments Program)
- CalWORKS (California Work Opportunity and Responsibility to Kids Act) or Tribal TANF
- the Food Stamp Program
- County Relief, General Relief (G.R.), or General Assistance (G.A.)

You may also qualify for a fee waiver if you are low-income. The fee waiver application will tell you what amount of income is “low.”
What questions do I ask the court clerk?

You need to ask the court clerk:

- what forms you have to file
- how many copies of each petition or form you have to file
- whether you can file the petition by mail or whether you have to bring it to the court clerk in-person
- the address where you need to submit your petition (make sure you get the mailing address if you can submit by mail, and the physical address if you have to submit in person)
- how much the “filing fees” are (what it costs)
- to send you the special pre-printed forms for the county (local forms), if there are any
- make sure you ask the court clerk what his/her name is

When you talk to the court clerk, use all the information the clerk gives you to answer the questions in the box on the next page. You’ll be able to refer back to this box when you get ready to fill out the forms and submit your petition. It is always a good idea to write down exactly what any clerk tells you so that if a judge or somebody else tells you something different, you can show them what the clerk told you.
QUESTIONS FOR THE COURT CLERK

Instructions: When you talk to the court clerk, fill out this box with the information the clerk gives you. Keep this for your records, and refer back to it when you’re ready to send out your petition.

The clerk told me I have to submit:
• petition
• 2 blank court orders
• letter to the judge
• special forms for the county
• _______________________________________

Remember, if you are told to submit special county forms instead of a petition, call CILS.

Note any special instructions or requirements that the clerk gives you here: _______________
___________________________________________________________________________
___________________________________________________________________________

How many copies do I have to submit? __________

Do I need to include a Self-Addressed Stamped Envelope ☐ Yes ☐ No

If yes, how many? __________

! Make sure you include enough postage.

Can I file by mail? ☐ Yes ☐ No

County: ___________________________________________________________

Court Clerk name: _________________________________________________

Court Clerk phone #: _____________________________________________

Court physical address: _____________________________________________

Court mailing address: _____________________________________________

Date & time I spoke to Court Clerk: ________________________________
Section 3:
How Do I Fill Out the Forms?
Section 3: How Do I Fill Out the Forms?

Summary

This section explains how to fill out the forms. The Kit includes:

**Forms** that are left blank, for you to fill out. You type your answers on these forms and then submit them to the court. Make copies of the forms before you fill them out, so that you can start over if you make a mistake that you can’t erase. The forms can be found in Section 8: Forms.

**Resources** that provide information, instructions, or examples that will help you fill in the forms – the blank petitions and court orders – that you submit to the court. They can be found in Section 7, starting on Page 65.

Contents

In this section, you will learn:

- How to fill out a petition on pleading paper
- What kind of evidence you have to include in your petition
- How to have someone else make a declaration
- How to fill out a DSS order
- How to fill out a Vital Records Order
- What to do if you have to write a letter to the judge

Before you start to fill out the forms, remember to:

- Talk to the court clerk first so you know what to submit and you have all the information you need to file your petition, forms, letters, and/or court orders correctly
- Fill out the Checklist on Page 32 (“Questions for the Court Clerk”)
- Make copies of the forms, so that you can start over if you make a mistake that you can’t erase
Filling Out the Forms
Part One: General Information

How do I use the resources?

The instructions, information, samples, and examples in Section 7 — Resources tell you what to fill in on the blank forms. The instructions look like this:

[INSTRUCTIONS]

TIP: Do not be put off by the legal language in the forms. The courts have to use this language. After reading this section, you should be able to understand all the instructions that help you fill out the forms.
How should I fill out the forms?

- Fill out the forms as completely as you can.
- Include as many facts as possible that lead you to believe your birth parents were or are Native American.
- Generally, the courts find handwritten forms harder to process, so you should use a typewriter or computer to fill in the information.

If you do not have access to a computer or typewriter, call the court clerk’s office. Ask if they will accept a handwritten petition. If they won’t, check with your local public library – most provide typewriters either for free or for a small fee.

If you are allowed to fill out the forms by hand, be sure to

- write neatly
- use blue or black ink

**TIP:** Make more than one copy of each blank form before you start so you have extra ones in case you make a mistake that you can’t erase.

A blank petition and declaration on pleading paper (Form A), a blank DSS court order (Form B), a blank Vital Records court order (Form C), a third party’s blank declaration on pleading paper (Form D), and an extra sheet of blank pleading paper (Form E) are in Section 8: Forms.
Filling Out the Forms
Part Two: The Petition and Declaration on Pleading Paper

How do I fill out Form A, the blank petition and declaration on pleading paper?

- Make several copies of Form A before you start, in case you make a mistake that you can’t erase.
- Remember, each line on the pleading paper is numbered, and each fact or piece of evidence that you fill in on your petition goes on a particular numbered line, or series of numbered lines.

Look for Resource A in Section 7. It tells you what information to fill in on each blank numbered line or blank series of numbered lines on the petition on pleading paper.

As you fill out Form A, you’ll want to use both Resource A and the information below (Pages 37-42).

What kind of information about my birth parents should I include in the petition?
You should include as much information as you know about your birth parents. This includes:

- one or both of your parents’ names
- one or both of your parents’ dates of birth
- where one or both of your parents was born
- what tribe(s) one or both of your parents belong to

TIP: Put the information that you think is most important (most likely to convince the judge that you are Native American) near the beginning of your petition.

Remember, if you were not born in California, and the Vital Records Office in the state where you were born agreed to accept an order from a California court, you have to include a sentence in your petition stating:

- who you talked with
- the exact name of the department where they work and
- the fact they have agreed to honor an order from a California court

TIP: Since this sentence is not the most important piece of information in your petition, it should go somewhere in the middle or near the end.
Do I have to attach anything to my petition?

Yes. There are specific documents, or pieces of evidence, that you always have to include. These are:

- a copy of your Adoptive Birth Certificate and
- if you are a married woman, and you are using your husband’s last name, you also have to include a copy of your Marriage Certificate

**TIP:** The documents, or pieces of evidence, that you attach to your petition are called “exhibits.” You use letters of the alphabet to number your exhibits. For example, your first Exhibit is called “Exhibit A,” your second is called “Exhibit B,” your third is called “Exhibit C,” etc. (Your Adoptive Birth Certificate is usually your first exhibit, or “Exhibit A.”)
Do I have to attach anything else to my petition?

Yes. The judge decides whether there is enough evidence that you are Native American to open your birth records, so you should attach as much evidence about your Native American heritage as you can find.

What kind of evidence do I attach to my petition to prove that I’m Native American?

Examples of evidence that may help prove you’re Indian include:

- Any additional information you have about your birth parents’ Native heritage
- Declarations from your birth parents, other relatives, your spouse (husband or wife), your social worker, or any other person who knows that you are Native American
- Photographs showing your Native American relatives (parents, grandparents, aunts, uncles, etc.)
- BIA or tribal information
- Letters from your birth parents, social workers, and/or adoption agency that provide information about your Native American heritage

TIP: These examples of evidence are also called “exhibits.”

TIP: Remember, you want to include evidence that you are Native American — not that you were adopted. Evidence that you were adopted does not automatically prove that you’re Native American.

Do I have to say anything about the exhibits I attach to the petition?

Yes. In the petition, you should:

- describe each exhibit in a few words and
- tell the judge where to look for it, by writing, “See attached Exhibit ___.”

TIP: Make sure you staple your exhibits to your petition, so they don’t get lost. If an exhibit has more than one page, make sure you number every page. Also, you should type “Exhibit ___” in the bottom right corner of each page, so the judge knows which exhibit they’re looking at. And you should type your name in the bottom left corner, so the judge knows it’s yours.
What if there isn’t enough space on my petition to describe all of my evidence?

If you run out of space on your petition, you can use a blank piece of pleading paper to:

- describe the rest of your evidence
- tell the judge about other facts in your case

Extra pieces of blank pleading paper are attached for your use. See Form E.

Can I put anything else on this extra piece of blank pleading paper?

Yes. You should make more than one copy of this blank piece of pleading paper because it has many uses. You can:

- use it in case you make a mistake you can’t erase
- attach photographs to it

**TIP:** Remember to type your name in the bottom left corner of the page, so the judge knows it’s yours.

**TIP:** Don’t ever write on the back of any pleading paper. Always use an extra piece if you run out of space on one sheet.
Who else can make a sworn statement or declaration that I am Native American?

Any person who knows you are Native American. This might include:

- your birth parents
- other relatives
- your “spouse” (husband or wife)
- your social worker

**TIP:** Remember, a declaration is a written statement where the person who signs it swears that the information on the form is true and correct to the best of their knowledge. Someone who makes a sworn statement promises that they are telling the truth under penalty of perjury. This means that a declaration from another person who swears that you are Native American is more convincing to a judge than a plain statement that you are Native American.

A blank declaration on pleading paper for another person to fill out is attached for your use. See Form D.

**TIP:** Remember, the court calls you “the petitioner.” If someone besides yourself makes a declaration to the court, the court will call that person a “third party.”

**TIP:** It is important for the person writing the declaration to not only state that that you are Native American but discuss what facts they have to believe that you are Native American.
How do I fill in Form D, a third party’s blank declaration on pleading paper?

- Remember, this form is for someone else to fill out, not you.
- Make several copies of Form D before you give it to someone else, in case the other person makes a mistake that they can’t erase.
- Remember, each line on the pleading paper is numbered, and each fact or piece of evidence that you fill in on your petition goes on a particular numbered line, or series of numbered lines.

Look for Resource D in Section 7. It tells you what information to fill in on each blank numbered line or blank series of numbered lines on the declaration on pleading paper.

**TIP:** You can also give an extra copy of a blank piece of pleading paper (Form E) to any person who is writing you a declaration. They can use this extra piece of pleading paper if they run out of room when they’re filling out their declaration form.

You will have to contact the court clerk to find out if the declaration has to be typed, or if it can be handwritten. The court clerk may accept a handwritten declaration if it is written neatly and is in blue or black ink.
Filling Out the Forms  
Part Three: Court Orders

How do I fill out Form B, the blank DSS order?

- Make several copies of Form B before you start, in case you make a mistake you can’t erase.

Look for Resource B in Section 7. It tells you what information to fill in on the blank DSS order.

- **Do not** date or sign the order — the judge has to do that.

How do I fill out Form C, the blank Vital Records order?

- Make several copies of Form C before you start, in case you make a mistake you can’t erase.

Look for Resource C in Section 7. It tells you what information to fill in on the blank Vital Records order.

- **Do not** date or sign the order — the judge has to do that.

**TIP:** Remember, if you were not born in California, the Vital Records Office in the state where you were born may want you to add information to the Vital Records order before you submit it to the California court.
Filling Out the Forms
Part Four: Letter to the Judge

What if the court clerk says I have to write a letter to the judge? What do I put in the letter?

Your letter will be more informal than a petition. Be sure to include:

- As much information as you can about your birth parents – especially any and all facts that lead you to believe they were or are American Indian
- If possible, the sources of the information that leads you to believe that your birth parents are/were American Indian
- Any attachments and exhibits that provide evidence that you or your birth parents are/were American Indian

If you have to write a letter to the judge, you can call your local CILS office to discuss what to include.
Section 4:
What Do I Do After I Fill Out the Forms?
Section 4: What Do I Do After I Fill Out the Forms?

Summary

This section tells you how to submit the forms after you’ve filled them out.

Also, after you submit them, you:

- wait to see if you filled them out correctly
- wait to see if the court clerk sends them to the judge for review

Contents

In this section, you will learn:

- How to submit your forms
- What kind of copies you get back from the court
- How to know if the forms you submitted were filled out correctly
- How long you will have to wait before you find out if your petition has been sent to the judge for review
What should I do after I fill out all the forms?

Submission Checklist

Instructions: After you fill out the forms, check off the steps that are listed below. Keep this for your records.

Refer to the Checklist on Page 32 ("Questions for the Court Clerk") to complete this section.

- Do you have each of the forms the court clerk told you to file?
- Were there any special instructions the clerk gave you, and did you follow them?

Did you:
- Fill all the forms in completely?
- Sign and date the forms in all the places that asked for your signature?

After you signed the forms, did you make:
- at least one copy for the court
- one copy for your own records

With the petition, did you include:
- a copy of your adoptive birth certificate
- a copy of your marriage certificate (if you are a married woman, and you use your husband’s last name)
- copies of all evidence you have ("exhibits") about your Indian heritage

Did you:
- Include the required fees, or the completed fee waiver application forms?
- Include one or more self-addressed stamped envelopes if you submitted your forms by mail?
- Remember to put the right amount of postage on them?

Write the date you mailed your forms or brought them to the court clerk here: _____________
____________________________________________________________________________

Write the address you mailed or brought your forms to here: ___________________________
____________________________________________________________________________
____________________________________________________________________________
How do I submit the forms?

Follow the court clerk’s instructions. Either:

- Bring your forms to the court clerk/court house in person or
- Send them to the mailing address the court clerk gave you

**TIP:** Most counties accept forms in the mail, but you can always bring them into the court clerk in person.

Make sure to write a cover letter to the court clerk if you mail your documents.

You can find a sample cover letter in Section 7 — Resource E. You may have to change the wording so it matches the kind of forms, the number of copies, and the number of self-addressed stamped envelopes you are sending.
Do I get back official copies of the forms I submit to the court clerk?

Yes. You should get back official copies of the petitions, court orders, letters you write to the judge, and/or pre-printed forms you submit.

- You submit one original and one copy of each of your petitions, court orders, letters you write to the judge, and/or pre-printed forms to the court clerk.

- The court clerk stamps “filed” on the copy of the petition, letter to the judge, or pre-printed form and either gives it back to you in person when you submit it, or mails it to you in your self-addressed stamped envelope.

- You also get copies of each court order you submit. However, you will have to wait until after the judge signs them to get the court orders back. The court clerk will stamp the orders “filed” and send them to you after the judge signs them.

TIP: These stamped, filed copies are called “conformed copies.” You should keep track of what you get back from the court, and when you get it. Since you get the documents back one by one, you may want to use the “Receipt Checklist” on Page 52 to help you keep track.
How do I find out if the forms I submitted were filled out right?

The court clerk will not accept the forms and give them to the judge to review unless they are filled out completely.

If you bring your forms to the courthouse in person:

- The court clerk will look at them right then and there and tell you if there are any problems.
- If there are no problems, the court clerk will hand you conformed copies of your forms.
- If there are problems, the court clerk will explain what you have to do to fix them. You will have to change the forms and submit them to the clerk again.

If the court clerk won’t accept your petition, but won’t explain what’s wrong with it, call your local CILS office.

If you mail your forms:

- and there are no problems, the court clerk should mail you conformed copies of your forms.
- and there are problems, the court clerk will call either call you and tell you to pick them up, or mail them back to you.
How long will I have to wait for the court clerk to call me or mail my forms back to me?

- Generally, if there is something wrong with your forms, the court clerk will call you or mail your forms back to you within two to three weeks. If you do not hear back from the court clerk, you should give the clerk a call to find out if the forms were mailed back to you.

- However, many court clerks do not have a lot of experience with unsealing birth records, so they may take long to process your forms. If you call and they say there is a delay in filing your forms, you should write down what they tell you and give them a call in a few days to see if they have fixed the delay.
## Receipt Checklist

I have received the following documents from the court:

<table>
<thead>
<tr>
<th>Document</th>
<th>YES</th>
<th>Date:</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee waiver application</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fee waiver order</td>
<td>YES</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Conformed copy of petition</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conformed copy of letter to judge</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conformed copy of pre-printed county form</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signed copy of DSS order</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signed copy of Vital Records order</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Certified copy of original birth certificate</td>
<td>YES</td>
<td>Date:</td>
<td>NO</td>
</tr>
</tbody>
</table>

N/A = not applicable (doesn’t apply to my situation)
Section 5:
What Happens After My Petition Has Been Accepted for Review?
Section 5: What Happens after My Petition Has Been Accepted for Review?

Summary

The clerk sends your petition to the judge for review. The judge either:

- Decides there is enough evidence that you’re Indian to go to the next step, and signs the DSS order
- Decides he/she needs more information
- Rejects your petition

Contents

In this section, you will learn:

- What happens after the court clerk sends your petition to the judge for review
- What happens if the judge thinks there’s evidence that you’re Indian
- What happens if the judge doesn’t think there’s evidence that you’re Indian
- What happens if you have to go for a hearing
- What happens after the judge signs your DSS order
- What happens after the judge decides you should get a copy of your original birth
I have my conformed copies of the petition. What happens next?

The court clerk sends your petition to the judge for review.

If the judge thinks that you may be Indian, he/she will:

- Sign the DSS order and send it to the Department of Social Services, asking to see your birth records so he or she can get more information
- Once the judge requests your birth records from DSS, you will get a signed copy of the DSS order in the mail

How long do I have to wait to find out if the judge has signed the DSS order?

Wait 30 days after you get the conformed copy of your petition from the court clerk to see if you get a signed copy of the DSS order from the judge.

What happens if I wait 30 days and I don’t get a conformed copy of the DSS order signed by the judge?

If you have not received a conformed copy of the signed DSS order after 30 days:

Call the court clerk and ask if the judge has signed the DSS order.

- If the court clerk says the judge has signed the DSS order, wait for it to arrive in the mail.
- If the court clerk says the judge hasn’t signed the DSS order yet, ask the court clerk to give you the phone number for the judge’s clerk.

What should I do once I get the number for the judge’s clerk?

Call the judge’s clerk and ask:

- what is happening with your case and why you haven’t received a copy of the signed DSS order

TIP: Calling the judge’s clerk usually gets the judge to look at your petition and decide whether or not to sign the DSS order.
What happens if the judge doesn’t think that I might be Native American?

The judge will either:

- send you a rejection notice or
- send you notice scheduling a hearing.

**TIP:** You will hear from the court right away if they schedule a hearing.

What does it mean if the court sends me a notice for a hearing?

This means the judge wants to see you in person and ask you some questions to get more information before making a decision.
What should I do if I have to go to court for a hearing?

- If you have any documents that show that the information you gave the judge is true, and you did not include this information when you submitted the forms, you should bring the information with you to the hearing.

- Make sure to bring one original and one copy of each document.

- Tell the court about these documents during the hearing.

- Be respectful and address the judge as “Your Honor.”

- Answer the judge’s questions as best you can.

- If someone filled out a declaration for you, bring them with you in case the judge wants to ask them more questions.

Will the judge decide whether to sign the DSS order at the hearing?

Sometimes. After the hearing, the judge will either:

- Tell you they have heard enough evidence, sign your DSS order and the judge’s clerk will give you a signed, confirmed copy or

- Tell you they have heard enough evidence and refuse to sign your DSS order or

- Tell you they need more time to decide whether they will sign your DSS order

How long will I have to wait for the judge to decide whether to sign my DSS order?

Within two weeks, you should either:

- Receive a rejection notice or

- Receive a signed, confirmed copy of the DSS order

If you don’t get a notice, and two weeks has passed since your hearing, call the judge’s clerk and ask if the judge has signed your DSS order.
What happens after the judge signs the DSS order?

- The DSS sends the judge your birth records.
- The judge looks at your birth records, and the other evidence you included in your petition to prove that you’re Native American.

What happens after the judge reviews my birth records and the evidence in my petition?

The judge either:

- decides there isn’t enough evidence to prove you are Native American and rejects your petition or
- decides there is enough evidence to prove you are Native American and decides you should get a copy of your original birth certificate.
What happens if the judge decides I should get a certified copy of my original birth certificate?

If the judge decides you should get a certified copy of your original birth certificate, this will happen in one of two ways, depending on which county you filed your petition in:

- In some counties, the judge will sign the Vital Records Order and send it directly to the State’s Vital Records Office in Sacramento. You will get a copy of the signed order in the mail and then, about 6 months later, you will get a certified copy of your original birth certificate. This won’t cost you anything.

- In some counties, the judge will sign the Vital Records Order and send the signed order to you. Then you will have to request a certified copy of your original birth certificate from the State’s Vital Records Office in Sacramento. In this case, you request a certified copy of your birth certificate directly with the Vital Records Office. This will cost you approximately $14.

**TIP:** If you have to request the birth certificate yourself, make a copy of the Vital Records Order signed by the judge for you to keep. You’ll have to send the original, signed by the judge, to the Vital Records Office.

A blank Certified Birth Certificate Request Form (VS 111) is attached for your use. You will need this form if you’re requesting the birth certificate yourself. See **Form F.** See Page 23 for more information on how to fill out the VS 111 form. If you need additional VS 111 forms, you can download them from the Department of Public Health’s website: http://www.cdph.ca.gov and click on Quick links, Birth Certificates, then look for the link to “Application for Certified Copy of Birth Certificate.”

**TIP:** Remember, you have to have the VS 111 form notarized. See Page 23 for more information on how to have the VS 111 form notarized.
What if my petition to unseal my birth records is rejected? Is there anything I can do?

You can call your local CILS office to discuss your situation.
Section 6: How Do I Apply to Enroll in My Tribe?
Section 6: How Do I Apply to Enroll in My Tribe?

Summary

After you get a certified copy of your original birth certificate, this section tells you how to go about getting the information you need to contact your tribe about enrollment.

Contents

In this section, you will learn:

- How to enroll in your tribe once you get a certified copy of your original birth certificate.
- How to do genealogical research if you need more information about your Native American heritage before you can enroll.
Once I get a certified copy of my original birth certificate, how do I enroll in my tribe?

It depends on what your birth certificate says.

- If your birth certificate confirms you’re Native American and gives you the name of your tribe or a particular tribe within a larger nation, such as “Standing Rock Sioux,” then you can:

  Call the Bureau of Indian Affairs (BIA), and ask them for the phone number and address for your tribe. For general BIA information, call (202) 208-3710 or email: OPA@bia.gov

  You can also look for your tribe’s contact information online at the BIA’s Tribal Leaders Directory:  http://www.doi.gov/bia/docs/TLD-Final.pdf

  Then call someone in the enrollment department of your tribe and ask what their enrollment requirements are and what the process is.

- If your birth certificate confirms you are Native American but just says “Indian,” “Native,” “American Indian” or gives you the name of a nation that is made up of many individual tribes (such as Sioux or Cherokee) then you will have do some genealogical research to find out which specific tribe you may belong to.

  **TIP:** You can trace your ancestry even if your original birth certificate just says “Indian” etc. because you will now have information about your birth parents, like their full names and where they were born.

How do I do genealogical research?

- You can call the BIA and request a copy of their handbook, “Guide to Tracing Your American Indian Ancestry.”

- You can call your local CILS office and discuss your situation.
Section 7:

Resources

Resources Revised 04/09
List of Resources

“Resources” are documents that provide information, instructions, or samples that will help you complete the process outlined in this guide

- **Resource A** gives you instructions for how to fill out Form A, a petition and declaration on pleading paper (which is also called a Verified Petition and Declaration to Unseal Birth Records and Adoption Information). All instructions are printed like this: [INSTRUCTIONS].

- **Resource B** gives you instructions for how to fill out Form B, an order to unseal birth records and adoption information to the Department of Social Services (which is also called a Department of Social Services Order to Unseal Birth Records and Adoption Information). All instructions are printed like this: [INSTRUCTIONS].

- **Resource C** gives you instructions for how to fill out Form C, an order to unseal birth records and adoption information to the State Office of Vital Records (which is also called a State Office of Vital Records Order to Unseal Birth Records and Adoption Information). All instructions are printed like this: [INSTRUCTIONS].

- **Resource D** gives you instructions on how to fill out Form D, a third party’s declaration on blank pleading paper. All instructions are printed like this: [INSTRUCTIONS].

- **Resource E** is a sample cover letter that you can use as a guide if you mail your petition to the court clerk. All instructions are printed like this: [INSTRUCTIONS].

- **Resource F** is a list of counties in California. It includes the division the court clerk works in; a general phone number for the county courthouse, so you can call and get the court clerk’s name and phone number; and the address(es) of the courthouse, where you file your request. It may also include more specific information, like the name of the court clerk, and the courthouse hours, if that’s available.

- **Resource G** is a list of all the County Recorders’ Offices in California.
Resource A

Instructions for
Verified Petition and Declaration to
Unseal Birth Records and Adoption Information
[YOUR NAME]  
[YOUR ADDRESS]  
[PHONE NUMBER]

In Propria Persona

Resource A
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF [COUNTY WHERE YOU ARE FILING]

In the Matter of
[YOUR NAME]

Case No. [ASSIGNED BY THE COURT]

VERIFIED PETITION
AND DECLARATION TO
UNSEAL BIRTH RECORDS
AND ADOPTION INFORMATION

TO THIS HONORABLE COURT:

Petitioner, [NAME], seeks an order from this Court granting petitioner’s access to petitioner’s birth records and adoption information for the purpose of determining in which Indian tribe petitioner’s birth parent claimed membership. Upon such determination, petitioner will pursue enrollment in that tribe as well as all rights flowing from that relationship.

I, [NAME], declare as follows:

1. On information and belief, I was born on [DATE] at [HOSPITAL] in [CITY, STATE, COUNTY]. My original birth name is [ORIGINAL BIRTH NAME]. [IF YOU DO NOT KNOW ANY OF THESE ITEMS OF INFORMATION - LEAVE THEM OUT]

2. On [DATE OF ADOPTION], this Court ordered my adoption to [NAMES OF]
ADOPTIVE PARENTS] under the name [ADOPTIVE NAME]. My Case File Number is [NUMBER – IF YOU HAVE IT].

3. Attached hereto as Exhibit A is a true and correct copy of my Adoptive Birth Certificate.

[THERESEPARAGRAPHSHOULDONLYBEINCLUDEDIFYOUAREAMARRIEDWOMAN,ANDYOUAREUSINGYOURHUSBAND’SLASTNAME]

4. On [DATE], I married [HUSBAND’S NAME]. My legal name is now [PRESENT LEGAL NAME]. Attached hereto as Exhibit B is a true and correct copy of the Marriage Certificate of [NAMES OF YOURSELF AND YOUR HUSBAND].

5. On information and belief, my birth [MOTHER AND/OR FATHER WAS/WERE] born in [LOCATION] and [WAS/WERE] American Indian. I do not know my birth parents’ names, dates of birth or in which tribe [SHE/HE/THEY] held membership [IF YOU DO KNOW THIS INFORMATION FOR ONE OR BOTH PARENTS - STATE IT].

6. On information and belief, my birth [FATHER/MOTHER] was born in [LOCATION] [USE THIS PARAGRAPH IF ONE PARENT IS NOT AMERICAN INDIAN, TO IDENTIFY WHERE THAT PARENT WAS BORN].

7. On information and belief, [OTHER INFORMATION ABOUT YOUR BIRTH PARENTS IF YOU KNOW IT, ESPECIALLY ANY INFORMATION ABOUT THEIR AMERICAN INDIAN HERITAGE. USE AN EXTRA PIECE OF PLEADING PAPER IF YOU RUN OUT OF ROOM]. Also see [IF THERE IS ONE], Attachment/Declaration of [THIRD PARTY’S NAME], for additional detail.

8. I [NAME] petition as follows

9. On information and belief, I believe I am American Indian but I currently have little or
no legal proof of my Indian ancestry. Without legal proof, I am unable to enroll with a tribe or 
establish my status as an Indian person. As a result I am not able to access programs and funding 
available to Indian people.

10. California Family Code §9200 recognizes that the judge of the superior court may 
authorize inspection of documents filed in adoption proceedings in exceptional circumstances 
and for good cause approaching the necessitous. The documents which may be disclosed 
according to the discretion of the superior court are specified in §9200:

The petition, relinquishment or consent, agreement, order, report to the 
court from any investigating agency, and any power of attorney and 
deposition filed in the office of the county clerk pursuant to this part is 
not open to the inspection by any person other than the parties to the 
proceeding and their attorneys and the department, except upon the 
written authority of the judge of the superior court. A judge of the 
superior court may authorize anyone to inspect the petition, 
relinquishment or consent, agreement, order . . . except in exceptional 
circumstances and for good cause approaching the necessitous.

Family Code § 9209(a) and the California Health and Safety Code § 102705, provide the basis 
for this petition.

12. ICWA section 25. U.S.C. § 1917 specifically provides as follows:

Upon application by an Indian individual who has reached the age of 
eighteen and who was the subject of an adoptive placement, the court 
which entered the final decree shall inform such individual of the tribal 
affiliation, if any, of this individual’s biological parents and provide 
such other information as may be necessary to protect any rights flowing 
from the individual’s tribal relationship. 25 U.S.C. § 1917.

13. California Family Code § 9209(a) mirrors a similar language as follows:

Upon application by an Indian individual who has reached the age of 18 years 
and who was the subject of an adoptive placement, the court which entered the 
final decree of adoption shall inform that individual of the tribal affiliation, if 
any, of the individual's biological parents and provide any other information
as may be necessary to protect any rights flowing from the individual's tribal relationship, including, but not limited to, tribal membership rights or eligibility for federal or tribal programs or services available to Indians.

14. In order for a tribe to enroll a person who is eligible for enrollment but has been adopted, the adoptee must furnish the tribe with proof, among other things, that he/she is a descendant of a member of the tribe. Most tribes require a certified copy of an original birth certificate.

15. On information and belief, the applicable state law allows access to birth records when a petitioner files “a verified petition setting forth facts showing the necessity of such an order” granting access. Cal. Health and Safety Code § 102705 (formerly § 10439). On information and belief, a petitioner may determine the names and addresses of the birth parents if they “are necessary to assist . . . in establishing a legal right.” Cal. Health and Safety Code § 102705.

16. California Health and Safety Code § 102705 states as follows:

All records and information specified in this article, other than the newly issued birth certificate, shall be available only upon the order of the superior court of the county of residence of the adopted child or the superior court of the county granting the order of adoption. No such order shall be granted by the superior court unless a verified petition setting forth facts showing the necessity of the order has been presented to the court and good and compelling cause is shown for the granting of the order. The clerk of the superior court shall send a copy of the petition to the State department of Social Services and the department shall send a copy of all records and information it has concerning the adopted person with the name and address of the natural parents removed to the court. The court must review these records before making an order and the order should so state. If the petition is by or on behalf of an adopted child who has attained majority, these facts shall be given great weight, but the granting of any petition is solely within the sound discretion of the court. The name and address of the natural parents shall be given to the petitioner only if he or she can demonstrate
that the name and address, or either of them, are necessary to assist him or her in establishing a legal right.

17. I am currently seeking the identity of my birth [OTHER/FATHER/PARENTS] and my birth [MOTHER’S/FATHER’S/PARENTS’] tribe so that I can pursue enrollment as a member of that tribe. My claim to such membership is based upon my belief that my birth [MOTHER/FATHER/PARENTS WAS/WERE] an American Indian, and my relatives would presumably be registered members of that tribe. In order for a tribe to enroll me as a tribal member, I must furnish it with proof, among other things, that I am a descendant of a member of the tribe. On information and belief, I can satisfy a tribe’s enrollment requirements by providing a certified copy of my original birth certificate.

18. On information and belief, I state that the California Department of Social Services maintains files regarding my adoption.

19. On information and belief, I state that the California [OR OTHER STATE IF YOU WERE BORN IN ANOTHER STATE] Office of Vital Records keeps my original birth certificate under seal, and this seal can be broken only upon order of the court.

WHEREFORE, petitioner prays that the Court:

1. Order the California State Department of Social Services and/or any other state or local agency having custody of subject records, no later than two (2) months from the date of the order, to provide the Court with all records and information concerning petitioner pursuant to California Health and Safety Code § 102705 and California Family Code § 9209(a).

2. Order the [STATE WHERE YOU WERE BORN] State Office of Vital Records and/or any other state or local official having custody of subject records, no later than two (2) months from the date of the order, to permit petitioner to obtain and inspect said
records, including but not limited to a certified copy of petitioner’s original birth certificate.

3. Grant such other and further relief as the Court may deem just and proper.

DATED: [DATE] [SIGN YOUR NAME HERE]
VERIFICATION

I declare under penalty of perjury that I have personal knowledge of the foregoing allegations and that they are true and correct except where stated on information and belief, and as to those matters I believe them to be true.

Executed at [COUNTY AND STATE], on [DATE] 20[XX].

[SIGN YOUR NAME HERE]
Resource B

Instructions for
Order to Unseal Birth Records and Adoption Information
to the Department of Social Services
(DSS Order)
[YOUR NAME]  
[ADDRESS]  
[CITY, STATE ZIP]  
[PHONE]

In Propria Persona

Resource B

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF [COUNTY WHERE FILING]

In the Matter of     ) Case No.

[YOUR NAME]       )

DEPARTMENT OF SOCIALS  
SERVICE ORDER TO UNSEAL BIRTH  
RECORDS AND ADOPTION  
INFORMATION

_________________________________________________________________________

The Court, having received the petition of [YOUR NAME] requesting access to [PETITIONER'S] birth records and adoption information, including but not limited to the original birth certificate, and good cause having been found therefore, hereby ORDERS the CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES and/or any other state or local official having custody of subject records, no later than two (2) months from the date of this order, to provide this Court with all records and information concerning petitioner pursuant to California Health and Safety Code § 102705, California Family Code §9209(a) and the Indian Child Welfare Act.

Dated: __________________________

Superior Court Judge

Department of Social Services Order to Unseal Birth Record and Adoption Information
Resource C

Instructions for
Order to Unseal Birth Records and Adoption Information
to the State Office of Vital Records
(Vital Records Order)
Resource C

IN THE SUPERIOR COURT OF THE STATE OF (CALIFORNIA)
IN AND FOR THE COUNTY OF (COUNTY WHERE FILING)

In the matter of: [YOUR NAME]

Case No.: [CASE NUMBER]

STATE OFFICE OF VITAL RECORDS
ORDER TO UNSEAL BIRTH RECORDS
AND ADOPTION INFORMATION

The Court, having received the petition of [YOUR NAME] requesting access to [PETITIONER'S] birth records and adoption information, including but not limited to the original birth certificate, having reviewed the records of petitioner provided by the California State Department of Social Services, and good cause having been found therefore, hereby

ORDERS the [STATE WHERE BORN] STATE OFFICE OF VITAL RECORDS and/or any other state or local official having custody of subject records, no later than two (2) months from the date of this order, to provide this Court with such records and to permit petitioner to obtain and inspect said records, including but not limited to the UNREDACTED original birth certificate, and further

ORDERS that petitioner be allowed to obtain certified copies of said records as needed by petitioner.

Dated: ___________________________ Superior Court Judge

State Office of Vital Records Order to Unseal Birth Records and Adoption Information
Resource D

Instructions for
Third Party’s Declaration on Pleading Paper
I, [YOUR NAME], declare, under penalty of perjury, as follows:

1. I am a resident of [COUNTY] County, California.

2. I have known the Petitioner for [NUMBER OF] years.

3. Petitioner is my [STATE RELATIONSHIP].

4. On information and belief, I believe that the Petitioner has American Indian Ancestry because: [STATE REASONS FOR YOUR BELIEF].

5. I can be contacted to provide testimony, if needed.

///

Declaration of [3RD PARTY NAME] in Support of Petition to Unseal Birth Records and Adoption Information
VERIFICATION

I declare under penalty of perjury that I have personal knowledge of the foregoing allegations and that they are true and correct except where stated on information and belief, and as to those matters I believe them to be true.

Executed at [COUNTY AND STATE], on [DATE], 20[XX].

Signed: [SIGN YOUR NAME]
Declarant: [TYPE YOUR NAME]
Resource E

Sample Cover Letter (when submitting forms by mail)
[YOUR NAME]  
[YOUR MAILING ADDRESS]  
[CITY, STATE, ZIP]  
[YOUR PHONE #]  

[DATE]  

Resource E

---

[COURT NAME]  
CLERK OF THE COURT  
[ADDRESS]  
[CITY, CA ZIP]

Re: Petition and Declaration to Unseal Birth and Adoption Records

Dear Clerk of the Court:

Enclosed please find the following:

- an original and [NUMBER OF COPIES] copies of the verified Petition to Unseal Birth Records; and Adoption Information;
- proposed Department of Social Services Order;
- proposed State Office of Vital Records Order;

Please file these materials upon receipt, and return conformed copies of the petition to me in the enclosed self-addressed, stamped envelope. Based on the statute, Cal. Health & Safety Code § 102705, it is my understanding that there is a two-step process. First, based on good cause provided by the information in the petition, the judge will order the Department of Social Services (DSS) to send its files to the court for review. Under this statute, the court, not the petitioner, must mail the certified order to DSS at the following address:

Department of Social Services  
Adoptions  
744 P Street, MS 19-67  
Sacramento, CA 95814

DSS will return the order unprocessed if it is sent by the petitioner. DSS does not have the petitioner’s original birth certificate; it only has information relating to the adoption. Once the judge signs this order, please return a copy to me in the enclosed self-addressed, stamped envelope for my records.
Second, after the court receives the DSS information, it will inform the petitioner that he/she is allowed to inspect and make copies of the file. The judge will also review the DSS information, and again, based on good cause, order the Office of Vital Records (OVR), which does have the original birth certificate, to send a certified copy of that document to the court or directly to the petitioner. Some courts send the certified copy directly to the OVR and others send it back to the petitioner. If you wish to mail the certified order directly to the OVR, below is the mailing address:

Department of Health Services  
Office of Vital Records  
304 S Street  
P.O. Box 730241  
Sacramento, CA 94244-0241

However, if you mail the certified order to me, I can then file it with the OVR along with any filing fees. In any event, please return a copy of the order to me in the enclosed self-addressed, stamped envelope.

[IF YOU DID NOT ASK FOR A FEE WAIVER, YOU SHOULD INCLUDE THE FOLLOWING SENTENCE]: Enclosed is a check/money order for $ [AMOUNT OF THE FILING FEE].

[IF YOU FILLED OUT AN APPLICATION FOR A FEE WAIVER, YOU SHOULD INCLUDE THE FOLLOWING SENTENCE]: Enclosed is my fee waiver petition.

[IF YOU WERE TOLD THERE WAS NO FEE FOR FILING THIS PETITION, YOU SHOULD INCLUDE THE FOLLOWING SENTENCE]: I have not enclosed any payment as I am informed that there is no filing fee for this petition.

If there are any problems with this petition, please contact me at the above address or phone number. Thank you.

Sincerely,

[YOUR NAME]

Enclosures
Resource F

Contact Information, California County Courts
County: Alameda  
Division: Civil  
Address: Attention: “Civil Filings”  
1225 Fallen Street, Rm. 109  
Oakland, CA 94612  
Phone: (510) 272-6002  
Hours: 8:30 a.m.-4:30 p.m.

County: Alpine  
Division: Superior Court  
Address: PO Box 518  
Courthouse  
14777 State Route 89  
Markleeville, CA 96120  
Phone: (530) 694-2113  
Fax: (530) 694-2119

County: Amador  
Division: Superior Court  
Address: Courthouse  
500 Argonaut Lane  
Jackson, CA 95642  
Phone: (209) 257-2600

County: Butte  
Division: Superior Court  
Address: Butte County Courthouse  
#1 Court St.  
Oroville, CA 95965-3303  
Phone: (530) 532-7010

County: Calaveras  
Division: Family  
Address: Superior Court  
891 Mountain Ranch Road, Dept. 1  
San Andreas, CA 95249-9709  
Phone: (209) 754-9800

County: Colusa  
Division: Superior Court  
Address: Dept. 1  
532 Oak Street  
Colusa, CA 95932  
Phone: (530) 458-5149

County: Contra Costa  
Division: Family Law  
Address: Family Law Court  
751 Pine St.  
Martinez, CA 94553  
Phone: (925) 957-7950 (family law and adoption)  
Hours: 8:00 a.m.-4:00 p.m.

County: Del Norte  
Division: Superior Court  
Address: 450 “H” Street, Rm. 209  
Crescent City, CA 95531  
Phone: (707) 464-8115

County: El Dorado  
Division: Family Law  
Address: 495 Main Street  
Placerville, CA 95667  
Phone: (530) 621-6426

County: Fresno  
Division: Family Law  
Address: Dept. 23  
1100 Van Ness  
Fresno, CA 93724-0002  
Phone: (559) 488-3057  
Fax: (559) 488-1976 (fax filing)  
Hours: 8:00 a.m.-5:00 p.m.

County: Glenn  
Division: Civil  
Address: 526 W. Sycamore St.  
Willows, CA 95988  
Phone: (530) 934-6446 x 7004  
FAX: (530) 934-6449

County: Humboldt  
Division: Court Operations, Civil  
Address: 825 Fifth Street  
Eureka, CA 95501  
Phone: (707) 445-7256  
Hours: 8:30 a.m. – 3:00 p.m.
County: Imperial  
Division: Civil  
Address: 939 West Main Street  
El Centro, CA 92243  
Phone: (760) 482-4217

County: Inyo  
Division: Family Law  
Address: 168 N. Edwards St.  
P.O. Box U  
Independence, CA 93526  
Phone: (760) 878-0219

County: Kern  
Division: Family Law Court Services  
Address: 1215 Truxtun Ave., Third Floor  
Bakersfield, CA 93301  
Phone: (661) 868-4530  
Fax: (800) 322-4945 (fax filing)

County: Kings  
Division: Hanford Courthouse  
Address: Attn: Family Law Division  
1426 South Drive  
Hanford, CA 93230  
Phone: (559) 582-1010  
Hours: 8:00 a.m.-5:00 p.m.

County: Lake  
Division: Lakeport Division Civil and Family Law  
Address: 255 No. Forbes St.  
Lakeport, CA 95453  
Phone: (707) 263-2374

County: Lassen  
Division: Superior Court  
Address: 220 S. Lassen St., Suite #2  
Susanville, CA 96130  
Phone: (530) 251-8205

County: Los Angeles  
Division: Children’s Court, Adoptions Unit  
(contains all adoption records for Los Angeles County)  
Address: Edmund D. Edelman Children’s Court, Adoption Section  
201 Centre Plaza Drive, Dept. 413  
Monterey Park, CA 91754-2158  
Phone: (323) 526-6343

County: Madera  
Division: Family Law Center  
Address: 117 S. Lake Street  
Madera, CA 93638  
Phone: (559) 674-5671  
Fax: (550) 674-5674  
Hours: Monday – Friday 9:00 am – 4:00 pm

County: Marin  
Division: Superior Court  
Address: PO Box 4988  
3501 Civic Center Dr., Rm. 113  
San Rafael, CA 94903  
Phone: (415) 473-6407

County: Mariposa  
Division: Superior Court/Family Law  
Address: 5088 Bullion St.  
PO Box 28  
Mariposa, CA 95338  
Phone: (209) 966-2005

County: Mendocino  
Division: Civil  
Address: Ukiah Branch  
PO Box 996, 100 N. State Street, Room 107  
Ukiah, Ca 95482-4116  
Phone: (707) 468-2001  
Fax: (707) 463-6850  
Hours: 8:00 a.m.-4:00 p.m.

County: Merced  
Division: Superior Court/Family Law  
Address: 627 W. 21st St.  
Merced, CA 95340  
Phone: (209) 725-4117  
Fax: (209) 725-4118  
Hours: 8:00 a.m.-4:00 p.m.

County: Modoc  
Division: Superior Court  
Address: 205 South East St.  
Alturas, CA 96101  
Phone: (530) 233-6516;  
Fax: (530) 233-6500 (fax filing)
County: Mono  
Division: Superior Court  
Address: North County Branch  
PO Box 537  
Courthouse State Hwy 323  
North Bridgeport, CA 93517  
Or  
South County Branch  
PO Box 1037  
452 Old Mammoth Rd., 3rd Fl  
Mammoth Lakes, CA 93546  
Phone: (760) 932-5239 (North County); (760) 924-5444 (South County)  
You can file at either courthouse.

County: Monterey  
Division: Civil and Family Law  
Address: 1200 Aguajito Rd.  
PO Box 751  
Monterey, CA 93940  
Phone: (831) 647-5800

County: Napa  
Division: Civil  
Address: Historic Courthouse  
825 Brown St., 1st Street  
Napa, CA 94559  
Phone: (707) 299-1130

County: Nevada  
Division: Superior Court  
Address: 201 Church St., Suite 5  
Nevada City, CA 95959  
Phone: (530) 265-1293

County: Orange  
Division: Probate/ Lamoreaux Justice Center  
Address: 341 City Drive  
PO Box 14171  
Orange, CA 92863-1571  
Phone: (714) 935-6061

County: Placer  
Division: Civil  
Address: Historic Courthouse  
101 Maple Street  
Auburn, CA 95603  
Phone: (530) 889-6550

County: Plumas  
Division: Civil  
Address: Superior Court  
520 Main Street, Rm. 104  
Quincy, CA 95971  
Phone: (530) 283-6232

County: Riverside  
Division: Probate  
Address: 4050 Main St.  
Riverside, CA 92501  
Phone: (909) 955-1970

County: Sacramento  
Division: Family Law  
Address: Family Relations Courthouse  
Attention: Family Law Correspondence  
3441 Power Inn Road  
Sacramento, CA 95826  
Phone: (916) 875-3456

County: San Benito  
Division: Superior  
Address: 440 Fifth St.  
Hollister, CA 95023-3833  
Phone: (831) 636-4057

County: San Bernardino  
Division: Probate  
Address: Central District Court/ Probate Section  
351 N. Arrowhead Ave.  
San Bernardino, CA 92415-0240  
Phone: (909) 387-3952  
San Bernardino is divided into 5 districts, each with their own probate court. It may be easiest to find out in what district the adoption took place, and then file in that district court.

County: San Diego  
Division: Juvenile Court  
Address: Attn: Adoptions  
2851 Meadow Lark Dr., 2nd Floor  
San Diego, CA 92123  
Phone: (858) 634-1671  
Hours: 8:30 a.m.-3:30 p.m.
<table>
<thead>
<tr>
<th>County</th>
<th>Division</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Francisco</td>
<td>Family Law</td>
<td>400 McAllister St., Dept. 405</td>
<td>(415) 551-3900</td>
</tr>
<tr>
<td>San Joaquin</td>
<td>Probate</td>
<td>222 E. Weber, Rm. 303</td>
<td>(209) 468-2843</td>
</tr>
<tr>
<td>San Luis Obispo</td>
<td>Family Law &amp; Probate</td>
<td>1035 Palm Street, Rm. 385</td>
<td>(805) 781-5706</td>
</tr>
<tr>
<td>San Mateo</td>
<td>Juvenile Court</td>
<td>202 Paul Scannell Dr.</td>
<td>(650) 312-5395</td>
</tr>
<tr>
<td>Santa Barbara</td>
<td>Superior Court, Anacapa Division</td>
<td>1100 E. Anacapa St., 2nd Floor</td>
<td>(805) 882-4520</td>
</tr>
<tr>
<td>Santa Clara</td>
<td>Probate/Downtown Superior Court</td>
<td>191 N. First St.</td>
<td>(408) 882-2100, ext. 2654</td>
</tr>
<tr>
<td>Santa Cruz</td>
<td>Civil</td>
<td>701 Ocean St., Rm. 110</td>
<td>(831) 420-2200</td>
</tr>
<tr>
<td>Shasta</td>
<td>Juvenile</td>
<td>1500 Court St., Rm. 205</td>
<td>(530) 245-6761</td>
</tr>
<tr>
<td>Sierra</td>
<td>Superior Court</td>
<td>PO Box 476</td>
<td>(530) 289-3698</td>
</tr>
<tr>
<td>Siskiyou</td>
<td>Civil</td>
<td>311 4th St., Rm. 5</td>
<td>(530) 842-0164</td>
</tr>
<tr>
<td>Solano</td>
<td>Family &amp; Probate</td>
<td>600 Union Ave.</td>
<td>(707) 207-7341</td>
</tr>
<tr>
<td>Stanislaus</td>
<td>Probate</td>
<td>600 Administration Drive, Rm. 108-J</td>
<td>(707) 521-6500</td>
</tr>
<tr>
<td>Sutter</td>
<td>Superior Court</td>
<td>1100 “I” St</td>
<td>(209) 558-6000</td>
</tr>
<tr>
<td>Yuba City</td>
<td>Probate</td>
<td>1500 Court St., Rm. 205</td>
<td>(530) 822-3304</td>
</tr>
</tbody>
</table>
County: Tehama
Division: Civil
Address: 633 Washington St., Rm. 17
PO Box 310
Red Bluff, CA 96080
Phone: (530) 527-6441

County: Trinity
Division: Civil
Address: 11 Court Street
PO Box 1258
Weaverville, CA 96093
Phone: (530) 623-1208
Hours: 8:00 a.m.-5:00 p.m.

County: Tulare
Division: Civil
Address: Attn: Legal Filing, Rm. 201
Civil Division
County Civic Center 221 S. Mooney Blvd.
Visalia, CA 93291
Phone: (559) 730-5000
If you send your petition by mail, be sure to include the original, a copy, and a self-addressed, stamped envelope.

County: Tuolumne
Division: Family Law
Address: 41 W. Yaney Ave.
Sonora, CA 95370
Phone: (209) 533-5555

County: Ventura
Division: Family Law & Probate
Address: Attention: Adoptions
800 So. Victoria Ave
Ventura, CA 93009
Phone: (805) 654-2261
Hours: 8:00 a.m.-5:00 p.m.

County: Yolo
Division: Civil, Family & Probate
Address: 725 Court St., Rm. 103
Woodland, CA 95695
Phone: (530) 666-8171
Fax: 800-322-4946 (fax filing)
Resource G

Contact Information, California County Recorder’s Offices
Resource G: California County Recorder’s Offices

Alameda County
Phone: (510) 272-6362
Website: www.acgov.org

Alpine County
Phone: (530) 694-2286
Website: www.co.alpine.ca.us

Amador County
Phone: (209) 223-6468
Website: www.co.amador.ca.us

Butte County
Phone: (530) 538-7691
Website: http://clerk-recorder.buttecounty.net

Calaveras County
Phone: (209) 754-6372
Website: www.co.calaveras.ca.us

Colusa County
Phone: (530) 485-0500
Website: www.colusacountyclerk.com

Contra Costa County
Phone: (925) 335-7910
Website: www.co.contra-cost.ca.us

Del Norte County
Phone: (707) 465-0383 or 464-7216
Website: http://www.co.del-norte.ca.us

El Dorado County
Phone: (530) 621-5490
Website: www.co.el-dorado.ca.us

Fresno County
Phone: (559) 488-3476
Website: www.co.fresno.ca.us

Glenn County
Phone: (530) 934-6412
Website: www.countyofglenn.net

Humboldt County
Phone: (707) 445-7382
Website: www.co.humboldt.ca.us

Imperial County
Phone: (760) 482-4272
Website: www.co.imperial.ca.us

Inyo County
Phone: (760) 878-0222
Website: http://www.countyofinyo.org/Recorder/RecorderElectionsWebsite.htm

Kern County
Phone: (661) 868-6400
Website: www.recorder.co.kern.ca.us

Kings County
Phone: (559) 582-3211x 2470
Website: www.countyofkings.com

Lake County
Phone: (707) 263-2293
Website: www.co.lake.ca.us

Lassen County
Phone: (530) 251-8234
Website: clerk.lassencounty.org

Los Angeles County
Phone: (562) 462-2137
Website: www.lacounty.info

Madera County
Phone: (559) 675-7724
Website: www.madera-county.com/countyclerk/index.html

Resource G: California County Recorder’s Offices
Marin County
Phone: (415) 499-6094
Website: www.co.marin.ca.us/depts/AR/main/index.cfm

Mariposa County
Phone: (209) 966-2332
Website: www.mariposacounty.org

Mendocino County
Phone: (707) 463-4376
Website: www.co.mendocino.ca.us

Merced County
Phone: (209) 385-7627
Website: www.co.merced.ca.us

Modoc County
Phone: (530) 233-6205
Website: www.modoccounty.us

Mono County
Phone: (760) 932-5530
Website: www.monocounty.ca.gov

Monterey County
Phone: (831) 755-5041
Website: www.co.monterey.ca.us

Napa County
Phone: (707) 253-4246
Website: www.co.napa.ca.us

Nevada County
Phone: (530) 265-1221
Website: http://recorder.co.nevada.ca.us

Orange County
Phone: (714) 834-2500
Website: www.ocrecorder.com

Placer County
Phone: (530) 886-5600
Website: www.placer.ca.gov

Plumas County
Phone: (530) 283-6218
Website: www.countyofplumas.com

Riverside County
Phone: (951) 486-7000
Website: www.countyofriverside.us

Sacramento County
Phone: (916) 874-6334
Website: www.CCR.Saccounty.net

San Benito County
Phone: (831) 636-3786
Website: www.san-benito.ca.us

San Bernardino County
Phone: (909) 387-8314
Website: www.co.san-bernardino.ca.us

San Diego County
Phone: (619) 237-0502
Website: www.co.san-diego.ca.us

San Francisco County
Phone: (415) 554-4176
Website: www.ci.sf.ca.us

San Joaquin County
Phone: (209) 468-3939
Website: www.slocounty.ca.gov/clerk

San Luis Obispo County
Phone: (805) 781-5080
Website: www.slocounty.ca.gov/clerk

San Mateo County
Phone: (650) 363-4500
Website: www.co.sanmateo.ca.us

Santa Barbara County
Phone: (805) 568-2250
Website: www.co.santa-barbara.ca.us
<table>
<thead>
<tr>
<th>County</th>
<th>Phone</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Santa Clara County</td>
<td>(408) 299-2481</td>
<td><a href="http://www.santaclaracounty.org">www.santaclaracounty.org</a></td>
</tr>
<tr>
<td>Santa Cruz County</td>
<td>(831) 454-2800</td>
<td><a href="http://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a></td>
</tr>
<tr>
<td>Shasta County</td>
<td>(530) 225-5671</td>
<td><a href="http://www.co.shasta.ca.us">www.co.shasta.ca.us</a></td>
</tr>
<tr>
<td>Sierra County</td>
<td>(530) 289-3295</td>
<td><a href="http://www.sierracounty.ws">www.sierracounty.ws</a></td>
</tr>
<tr>
<td>Siskiyou County</td>
<td>(530) 842-8065 or (530)842-8066</td>
<td><a href="http://www.co.siskiyou.ca.us">www.co.siskiyou.ca.us</a></td>
</tr>
<tr>
<td>Solano County</td>
<td>(707) 784-6290</td>
<td><a href="http://www.co.solano.ca.us">www.co.solano.ca.us</a></td>
</tr>
<tr>
<td>Sonoma County</td>
<td>(707) 565-2645</td>
<td><a href="http://www.sonoma-county.org/clerk">www.sonoma-county.org/clerk</a></td>
</tr>
<tr>
<td>Stanislaus County</td>
<td>(209) 525-5251</td>
<td><a href="http://www.co.stanislaus.ca.us">www.co.stanislaus.ca.us</a></td>
</tr>
<tr>
<td>Sutter County</td>
<td>(530) 822-7134</td>
<td><a href="http://www.co.sutter.ca.us">www.co.sutter.ca.us</a></td>
</tr>
<tr>
<td>Tehama County</td>
<td>(530) 527-3350</td>
<td><a href="http://co.tehama.ca.us">http://co.tehama.ca.us</a></td>
</tr>
<tr>
<td>Trinity County</td>
<td>(530) 623-1215</td>
<td><a href="http://www.trinitycounty.org">www.trinitycounty.org</a></td>
</tr>
<tr>
<td>Tulare County</td>
<td>(559) 636-5050</td>
<td><a href="http://www.co.tulare.ca.us">www.co.tulare.ca.us</a></td>
</tr>
<tr>
<td>Tuolomne County</td>
<td>(209) 533-5531</td>
<td><a href="http://www.tuolumnecounty.ca.gov">www.tuolumnecounty.ca.gov</a></td>
</tr>
<tr>
<td>Ventura County</td>
<td>(805) 654-2295</td>
<td><a href="http://recorder.countyofventura.org">http://recorder.countyofventura.org</a></td>
</tr>
<tr>
<td>Yolo County</td>
<td>(530) 666-8130</td>
<td><a href="http://www.yolocounty.org">www.yolocounty.org</a></td>
</tr>
<tr>
<td>Yuba County</td>
<td>(530) 749-7850</td>
<td><a href="http://www.yuba.org">www.yuba.org</a></td>
</tr>
</tbody>
</table>
Section 8:

Forms

Forms Revised 04/09
List of Forms

“Forms” are blank documents that you fill out and submit to the court in order to complete the process outlined in this guide. You should make copies of all the forms you have to submit before you start filling them out, in case you make a mistake you can’t erase. We recommend that each form be printed out as a single page, eliminating any double-sided printing.

- **Form A** is a blank petition and declaration on pleading paper. This is also called a Verified Petition and Declaration to Unseal Birth Records and Adoption Information. You can copy this form and use a typewriter to fill in the information, following the instructions in Resource A.

- **Form B** is a blank order to unseal birth records and adoption information to the Department of Social Services. This is also called a Department of Social Services Order to Unseal Birth Records and Adoption Information. You can copy this form and use a typewriter to fill in the information, following the instructions on Resource B.

- **Form C** is a blank order to unseal birth records and adoption information to the California Office of Vital Records. This is also called a California Office of Vital Records Order to Unseal Birth Records and Adoption Information. You can copy this form and use a typewriter to fill in the information, following the instructions on Resource C.

- **Form D** is a third party’s blank declaration on pleading paper. You can copy this form and use a typewriter to fill in the information, following the instructions in Resource D.

- **Form E** is blank pleading paper. These extra pieces of pleading paper can be copied and used if you run out of room in your petition and want to write the judge about other facts in your case; if you want to attach photographs as evidence; and/or if your third party runs out of room in their declaration.

- **Form F** is a blank Certified Birth Certificate Request Form (VS 111). You can copy this application, and use a typewriter to fill in the information, following the instructions on Page 2 of the form. Page 3 of the form is a Sworn Statement. Bring this form with you to the notary public so you can sign it in front of them, and have it notarized. (Remember, you have to use the VS 111 form to get any certified copy of your birth certificate, whether it is your adoptive birth certificate or your original birth certificate.)
Form A

Verified Petition and Declaration to Unseal Birth Records and Adoption Information
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF

In the Matter of ) Case No.: (assigned by the court)

) VERIFIED PETITION AND
DECLARATION TO UNSEAL BIRTH
RECORDS AND ADOPTION
INFORMATION

TO THIS HONORABLE COURT:

Petitioner, , seeks an order from this Court granting petitioner’s access to petitioner’s birth records and adoption information for the purpose of determining in which Indian tribe petitioner’s birth parent claimed membership. Upon such determination, petitioner will pursue enrollment in that tribe as well as all rights flowing from that relationship.

I, , declare as follows:

1. On information and belief, I was born on at

in , , . My original birth name is .
2. On                                  , this Court ordered my adoption to  under

the name                                              . My Case File Number is                        .

3. Attached hereto as Exhibit A is a true and correct copy of my Adoptive Birth
Certificate.

4. On  , I married                                . My legal name is now

 Attached hereto as Exhibit B is a true and correct copy of the Marriage Certificate of

5. On information and belief, my birth                           was born in 

 and was American Indian. I do not know my birth parents’ names, dates of

 birth or in which tribe                              held membership     .

6. On information and belief, my birth                           was born in 

7. On information and belief,

 . Also see

 Attachment/Declaration of , for additional detail.

8. On information and belief, I believe I am American Indian. I
petition as follows.

9. On information and belief, I believe I am American Indian but I currently have little or
no legal proof of my Indian ancestry. Without legal proof, I am unable to enroll with a tribe or
establish my status as an Indian person. As a result I am not able to access programs and funding
available to Indian people.

10. California Family Code §9200 recognizes that the judge of the superior court may
authorize inspection of documents filed in adoption proceedings in exceptional circumstances
and for good cause approaching the necessitous. The documents which may be disclosed according to the discretion of the superior court are specified in §9200:

The petition, relinquishment or consent, agreement, order, report to the court from any investigating agency, and any power of attorney and deposition filed in the office of the county clerk pursuant to this part is not open to the inspection by any person other than the parties to the proceeding and their attorneys and the department, except upon the written authority of the judge of the superior court. A judge of the superior court may not authorize anyone to inspect the petition, relinquishment or consent, agreement, order . . . except in exceptional circumstances and for good cause approaching the necessitous.

11. The Indian Child Welfare Act ("ICWA"), 25 U.S.C. § 1901 et. seq., California Family Code § 9209(a) and the California Health and Safety Code § 102705, provide the basis for this petition.

12. ICWA section 25 U.S.C. § 1917 specifically provides as follows:

Upon application by an Indian individual who has reached the age of eighteen and who was the subject of an adoptive placement, the court which entered the final decree shall inform such individual of the tribal affiliation, if any, of this individual’s biological parents and provide such other information as may be necessary to protect any rights flowing from the individual’s tribal relationship. 25 U.S.C. § 1917.

13. California Family Code § 9209(a) mirrors a similar language as follows:

Upon application by an Indian individual who has reached the age of 18 years and who was the subject of an adoptive placement, the court which entered the final decree of adoption shall inform that individual of the tribal affiliation, if any, of the individual's biological parents and provide any other information
as may be necessary to protect any rights flowing from the individual's tribal relationship, including, but not limited to, tribal membership rights or eligibility for federal or tribal programs or services available to Indians.

14. In order for a tribe to enroll a person who is eligible for enrollment but has been adopted, the adoptee must furnish the tribe with proof, among other things, that he/she is a descendant of a member of the tribe. Most tribes require a certified copy of an original birth certificate.

15. On information and belief, the applicable state law allows access to birth records when a petitioner files “a verified petition setting forth facts showing the necessity of such an order” granting access. Cal. Health and Safety Code § 102705. On information and belief, a petitioner may determine the names and addresses of the birth parents if they “are necessary to assist . . . in establishing a legal right.” Cal. Health and Safety Code § 102705.

16. California Health and Safety Code § 102705 states as follows:

All records and information specified in this article, other than the newly issued birth certificate, shall be available only upon the order of the superior court of the county of residence of the adopted child or the superior court of the county granting the order of adoption.

No such order shall be granted by the superior court unless a verified petition setting forth facts showing the necessity of the order have been presented to the court and good and compelling cause is shown for the granting of the order. The clerk of the superior court shall send a copy of the petition to the State department of Social Services and the department shall send a copy of
all records and information it has concerning the adopted person with the
name and address of the natural parents removed to the court. The court
must review these records before making an order and the order should so
state. If the petition is by or on behalf of an adopted child who has attained
majority, these facts shall be given great weight, but the granting of any
petition is solely within the sound discretion of the court.

The name and address of the natural parents shall be given to the petitioner
only if he or she can demonstrate that the name and address, or either of
them, are necessary to assist him or her in establishing a legal right.

17. I am currently seeking the identity of my birth tribe so that I can pursue enrollment as a member of that tribe. My claim to such membership is
based upon my belief that my birth tribe was an American Indian, and my relatives
would presumably be registered members of that tribe. In order for a tribe to enroll me as a tribal
member, I must furnish it with proof, among other things, that I am a descendant of a member of
the tribe. On information and belief, I can satisfy a tribe’s enrollment requirements by providing
a certified copy of my original birth certificate.

18. On information and belief, I state that the California Department of Social Services
maintains files regarding my adoption.

19. On information and belief, I state that the California Office of Vital Records keeps
my original birth certificate under seal, and this seal can be broken only upon order of the court.

WHEREFORE, petitioner prays that the Court:

1. Order the California State Department of Social Services and/or any other state or
local agency having custody of subject records, no later than two (2) months from the date of the
order, to provide the Court with all records and information concerning petitioner pursuant to California Health and Safety Code § 102705 and California Family Code § 9209(a).

2. Order the State Office of Vital Records and/or any other state or local official having custody of subject records, no later than two (2) months from the date of the order, to permit petitioner to obtain and inspect said records, including but not limited to a certified copy of petitioner’s original birth certificate.

3. Grant such other and further relief as the Court may deem just and proper.

DATED: __________________________  SIGNED: __________________________

VERIFICATION

I declare under penalty of perjury that I have personal knowledge of the foregoing allegations and that they are true and correct except where stated on information and belief, and as to those matters I believe them to be true.

Executed at _________________, on _________________, 20___.

DATED: __________________________  SIGNED: __________________________
Form B

Order to Unseal Birth Records and Adoption Information to the Department of Social Services (DSS Order)
In Pro Pria Persona

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF

In the Matter of Case No.: (assigned by the court)

DEPARTMENT OF SOCIAL SERVICES
ORDER TO UNSEAL BIRTH RECORD
AND ADOPTION INFORMATION

The Court, having received the petition of requesting access to petitioner’s birth records and adoption information, including but not limited to the original birth certificate, and good cause having been found therefore, hereby

ORDERS the CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES and/or any other state or local official having custody of subject records, no later than two (2) months from the date of this order, to provide this Court with all records and information concerning petitioner pursuant to California Health and Safety Code § 102705, California Family Code § 9209(a) and the Indian Child Welfare Act.

DATED: __________________________ SIGNED: __________________________
Superior Court Judge

Department of Social Services Order to Unseal Birth Records and Adoption Information
Form C

Order to Unseal Birth Records and Adoption Information to the State Office of Vital Records (Vital Records Order)
State Office of Vital Records Order to Unseal Birth Records and Adoption Information

In Propria Persona

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF

In the Matter of

STATE OFFICE OF VITAL RECORDS
ORDER TO UNSEAL BIRTH RECORD AND ADOPTION INFORMATION

The Court, having received the petition of requesting access to petitioner’s birth records and adoption information, including but not limited to the original birth certificate, having reviewed the records of petitioner provided by the California State Department of Social Services and good cause having been found therefore, hereby

ORDERS the STATE DEPARTMENT OF PUBLIC HEALTH’S OFFICE OF VITAL RECORDS and/or any other state or local official having custody of subject records, no later than two (2) months from the date of this order, to provide this Court with such records and to permit petitioner to obtain and inspect said records, including

but not limited to the UNREDACTED original birth certificate, and further

///

State Office of Vital Records Order to Unseal Birth Records and Adoption Information
ORDERS that petitioner be allowed to obtain certified copies of said records as needed by petitioner.

DATED: __________________________  SIGNED: __________________________

Superior Court Judge
Form D

Third Party's Declaration on Pleading Paper
In Propria Persona

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF

In the Matter of

Case No.: (assigned by the court)

DECLARATION IN SUPPORT OF
PETITION TO UNSEAL BIRTH
RECORDS AND ADOPTION
INFORMATION

I, , declare, under penalty of perjury, as follows:

1. I am a resident of County, California.

2. I have known the Petitioner for years.

3. Petitioner is my .

4. On information and belief, I believe that the Petitioner has American Indian Ancestry because: ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________

5. I can be contacted to provide testimony, if needed.

///
///
VERIFICATION

I declare under penalty of perjury that I have personal knowledge of the foregoing allegations and that they are true and correct except where stated on information and belief, and as to those matters I believe them to be true.

Executed at ______________________, on ______________________, 20____.

Signed: _______________________
Declarant: _______________________

Declaration in Support of Petition to Unseal Birth Records and Adoption Information
Form E

Blank Pleading Paper
Form F

Application for Certified Copy of Birth Record
APPLICATION FOR CERTIFIED COPY OF BIRTH RECORD

DO NOT Complete This Application Before Reading the Instructions on Page 2

In an attempt to stop the illegal use of vital records, as part of statewide efforts to reduce identity theft, a new law (effective July 1, 2003) changed the way certified copies of birth certificates are issued. Certified Copies to establish the identity of a registrant can be issued only to authorized individuals, as indicated below. All others will be issued Certified Informational Copies that are not valid to establish identity.

Fee: $14 per copy (payable to the Office of Vital Records).

Please indicate the type of certified copy you are requesting:

- [ ] I would like a Certified Copy. This copy will establish the identity of the registrant. (To receive a Certified Copy you MUST INDICATE YOUR RELATIONSHIP TO THE REGISTRANT by selecting from the list below AND COMPLETE THE ATTACHED SWORN STATEMENT declaring that you are eligible to receive the Certified Copy. The Sworn Statement MUST BE NOTARIZED if the application is submitted by mail unless you are a law enforcement or local or state governmental agency.)
- [ ] I would like a Certified Informational Copy. This document will be printed with a legend on the face of the document that states, "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY."

(A Sworn Statement does not need to be provided.)

NOTE: Both documents are certified copies of the original document on file with our office. With the exception of the legend, the documents contain the exact same information.

To receive a Certified Copy I am:
- [ ] The registrant (person listed on the certificate) or a parent or legal guardian of the registrant.
- [ ] A party entitled to receive the record as a result of a court order, or an attorney or a licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code.
- [ ] 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.)
- [ ] A child, grandparent, grandchild, brother or sister, spouse, or domestic partner of the registrant.
- [ ] An attorney representing the registrant or the registrant’s estate, or any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or the registrant’s estate. (If you are requesting a Certified Copy under a power of attorney, please include a copy of the power of attorney with this application form.)

### APPLICANT INFORMATION (PLEASE PRINT OR TYPE)

<table>
<thead>
<tr>
<th>Agency Name (if appropriate)</th>
<th>Agency Case No. (if appropriate)</th>
<th>Purpose of Request</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Printed Name and Signature of Applicant</th>
<th>Number of Copies</th>
<th>Amount Enclosed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address – Number, Street</th>
<th>Name of Person Receiving Copies, if Different from Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State / Province</th>
<th>ZIP Code</th>
<th>Mailing Address for Copies, if Different from Applicant</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Daytime Telephone (include area code)</th>
<th>Country</th>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### BIRTH CERTIFICATE INFORMATION (PLEASE PRINT OR TYPE)

<table>
<thead>
<tr>
<th>BIRTH Name on Certificate (LAST)</th>
<th>FIRST Name on Certificate</th>
<th>MIDDLE Name on Certificate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City of Birth (must be in California)</th>
<th>County of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Birth – MM/DD/YYYY (If unknown, enter approximate date of birth)</th>
<th>Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BIRTH Name on Certificate – Father/Parent</th>
<th>FIRST Name on Certificate – Father/Parent</th>
<th>MIDDLE Name on Certificate – Father/Parent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BIRTH Name on Certificate – Mother/Parent</th>
<th>FIRST Name on Certificate – Mother/Parent</th>
<th>MIDDLE Name on Certificate – Mother/Parent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

VS 111 (April 2008)

Page 1 of 3
INFORMATION: Birth records have been maintained in the Office of the State Registrar of Vital Records since July 1, 1905.

The "Birth" name required on Vital Records (see Items 1C, 6C, 7C, 9C, and 12C) is the name given at birth, or a name received through adoption, court-ordered name change, or Naturalization. AKA's (Also Known As) and assumed names cannot be entered as the legal "Birth" name.

INSTRUCTIONS:

1. As of July 1, 2003, ONLY individuals who are authorized by Health and Safety Code Section 103526 can obtain a Certified Copy of a Birth Record to establish identity of the registrant (person listed on the certificate). (Page 1 identifies the individuals who are authorized to make the request.) All others may receive a Certified Informational Copy which will be marked, "Informational, Not a Valid Document to Establish Identity."

   Confidential Information on Birth Record: Some individuals have special needs for a birth certificate that contains the confidential information provided at the time the birth record was prepared. This confidential information may be used to establish ethnicity, to provide health background, or for other personal reasons. For information on how to obtain a birth certificate containing the confidential information, please refer to the Birth Certificate section of our website: www.cdph.ca.gov (then select "Services"). Only specific individuals may obtain confidential copies.

2. Complete a separate application for each birth record requested.

3. Complete the Applicant Information section on Page 1 and provide your signature where indicated. In the Birth Certificate Information section, provide all the information you have available to identify the birth record. If the information you furnish is incomplete or inaccurate, we may not be able to locate the record.

4. If the registrant has been adopted, make the request in the adopted name. (If you’re requesting a copy of the original birth certificate, you must provide a court order releasing the original sealed record.)

5. SWORN STATEMENT:

   • The authorized individual requesting the certified copy must sign the attached Sworn Statement, declaring under penalty of perjury that they are eligible to receive the certified copy of the birth record, and identify their relationship to the registrant – the relationship must be one of those identified on Page 1.

   • If the application is being submitted by mail, the Sworn Statement must be notarized by a Notary Public. (To find a Notary Public, see your local yellow pages or call your banking institution.) Law enforcement and local and state governmental agencies are exempt from the notary requirement.

   • You do not have to provide a Sworn Statement if you are requesting a Certified Informational Copy of the birth record.

6. Submit $14 for each copy requested. If no birth record is found, the $14 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 the Office of Vital Records. Mail this application with the fee(s) to the Office of Vital Records at the address below.

7. Returning Completed Certificates: Completed certificates are returned using the U.S. Postal Service.

Office of Vital Records - MS 5103
P.O. Box 997410
Sacramento, CA 95826-7410
(916) 445-2684

VS 111 (April 2008)
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 or death record of the following individual(s):

<table>
<thead>
<tr>
<th>Name of Person Listed on Certificate</th>
<th>Applicant’s Relationship to Person Listed on Certificate (Must Be a Relationship Listed on Page 1 of Application)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(The remaining information must be completed in the presence of a Notary Public or Office of Vital Records staff.)</td>
</tr>
</tbody>
</table>

Subscribed to this __________ day of __________, 20__, at __________, __________, __________, __________. (Applicant’s Signature)

(Day) (Month) (City) (State)

Note: If submitting your order by mail, you must have your Sworn Statement notarized using the Certificate of Acknowledgment below. The Certificate of Acknowledgment must be completed by a Notary Public. (Law enforcement and local and state governmental agencies are exempt from the notary requirement.)

CERTIFICATE OF ACKNOWLEDGMENT

State of ______________________
County of _____________________

On __________________, before me, ________________, personally appeared __________________, (here 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

VS 111 (April 2008)
Page 3 of 3