



California Department of Public Health Logo

The Adoption Process

Amending a Birth Certificate to Reflect Adoption

Revised January 2017

Center for Health Statistics and Informatics – Vital Records

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

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

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Court Report of Adoption / Adoption Decree

What is a Court Report of Adoption, and why do I need one to get a new birth certificate for my adopted child?

The ***Court Report of Adoption (VS 44)*** is the official form used by courts to report adoptions to vital records offices.

State Registrars cannot legally prepare a new birth certificate for an adopted child until they have received a certified Court Report of Adoption.

Who completes the Court Report of Adoption?

The clerk of the California Superior Court granting the adoption is required to complete the Court Report of Adoption and send it to the California Department of Public Health – Vital Records (CDPH-VR) office.

The new birth certificate will be prepared by the vital records office in the child's state of ***birth***.

If the child was born in another state, CDPH-VR will forward the Court Report of Adoption to the vital records office in the state of ***birth*** so they can prepare the new birth certificate.

In like manner, for a child born in California who was adopted in another state, the other state will forward their Court Report of Adoption to CDPH-VR to prepare the new birth certificate.

Note: CDPH-VR requires a \$20 registration fee for out-of-state adoptions. If CDPH-VR does not receive the fee from the court, CDPH-VR cannot create the new birth certificate.

What information is in the Court Report of Adoption, and how is it used?

The information provided in the Court Report of Adoption is used to locate and seal the original birth record of the adopted child and to prepare the new birth certificate.

The Court Report of Adoption contains the child's original birth name, sex, date and place of birth, physician's or attendant's name, and the natural parents' names, as well as the child's new name and information about the adoptive parents.

Court Report of Adoption / Adoption Decree

Can the Court Report of Adoption be changed if it is incorrect?

The Court Report of Adoption cannot contain any erasures, whiteout, or alterations.

What should I submit to get the new birth certificate?

You will need to provide a certified copy of the Court Report of Adoption (VS 44 form).

You must also include a certified copy of either the Adoption Order or of the Final Decree of Adoption (for verification purposes). See next section for explanation of “certified” copy.

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

The above documents will be kept with the sealed (original) birth record.

Mail the following items to the CDPH-VR office using the address on the front of this pamphlet (Attn: Adoption Unit):

- **Certified copy** of the Court Report of Adoption form (California form VS 44 or equivalent).
- \$ 20 fee (if adopted outside of California). Certified copy of the Adoption Order (or Final Decree).

If any of the required items are not included, the request will be returned for correction.

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

Court Report of Adoption / Adoption Decree

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

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

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

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

IMPORTANT:

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

Adoption - Fee / Processing Time

What is the fee for a new birth certificate?

California Birth / California Adoption (child is born *and* adopted in California):

- Upon receipt of the adoption papers, CDPH-VR will prepare the new birth certificate and provide one Certified Copy of the new certificate at no cost. (The Certified Copy fee is included in the court fee paid at the time the adoption petition is filed.)
- You can submit a separate request to CDPH-VR for additional copies of the new birth certificate *after* you have received the new birth certificate from CDPH-VR. An application form is available on the CDPH website.

Adoption Finalized in California Prior to 1972:

- \$20 – which includes one Certified Copy of the new birth certificate.
- Additional copies are \$25 each.

Adoption Finalized in Another State or Country (child is born in California):

- \$20 – which includes one Certified Copy of the new birth certificate.
- Additional copies are \$25 each.

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

How long will it take to get the new birth certificate?

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

Preparing a New Birth Certificate for a Child Born in California and Adopted in Another State or Country

How do I get a copy of the new birth certificate once it has been prepared?

For a child born in California, but adopted in another state or country, the Court Report of Adoption will be forwarded to the CDPH-VR office. CDPH-VR will prepare the new certificate and mail a Certified Copy to the address indicated in the Court Report of Adoption.

The adoptive parents do not have to apply to CDPH-VR unless they want additional copies. An application form is available on the CDPH website.

How long will it take to get the new birth certificate?

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

What happens to the original birth certificate?

When a new birth certificate is prepared after an adoption, CDPH-VR seals both the original record and the Court Report of Adoption.

No information, other than the new birth certificate, can be released from the CDPH-VR office except upon order of the Superior Court of the county of residence of the adopted child, or the Superior Court of the county that granted the order of adoption.

Preparing a New Birth Certificate for a Child Born in Another State or Country and Adopted in California

Can you prepare a new birth certificate for a child born in another state?

No. For a child born in another state, territories of the United States or Canada, the new birth certificate can only be prepared by the State Registrar where the child's original birth certificate is on file.

My adopted child was born in another state, but adopted in California. How can I get my child's new birth certificate?

CDPH-VR receives all Court Reports of Adoption that are filed in California (the California Superior Court granting the adoption is required to forward the Report to the CDPH-VR office), but CDPH-VR will forward the Court Report of Adoption to the appropriate state, territory of the United States or Canada (vital records office) to prepare the new birth certificate.

CDPH-VR does not keep any records of Court Reports of Adoption that CDPH-VR staff sends to other states for processing. If your child was not born in California, and you have questions about the birth certificate, you will need to contact the vital records office in the jurisdiction where your child was born.

My adopted child was born in another country, but adopted in California. How can I get my child's new birth certificate?

If your child was born in another country that is ***outside the United States, territories of the United States or Canada***, but was adopted in California, CDPH-VR will prepare (and issue a Certified Copy of) a Court Order Delayed Registration of Birth for your child – ***but CDPH-VR can only do this if the Court Report of Adoption contains a statement of the date and place of birth.***

If the Court Report of Adoption does not include the date and place of birth, CDPH-VR will return it to the court to correct.

The adoptive parents do not have to apply to CDPH-VR unless they want additional copies. An application form is available on the CDPH website.

Getting a Copy of the Original Sealed Birth Certificate After Adoption

I am adopted. Can I get a copy of my original birth certificate?

CDPH-VR cannot issue a copy of the original (sealed) birth certificate without a court order from the Superior Court of the county of residence of the adopted child, or the Superior Court of the county granting the order of adoption.

How do I file a petition to inspect my original birth certificate?

You must contact the appropriate Superior Court for information regarding the procedures for filing your petition (a sample petition is included in the paper version of this pamphlet).

Any order granted must refer to Health and Safety Code Section 102705 (formerly Section 10439), or contain a statement that the judge has reviewed the record.

After I get the court order, what do I submit to get my original birth certificate?

Once the court order has been granted, mail the following items to the CDPH-VR office using the address on the front of this pamphlet (Attn: Adoption Unit):

- Completed birth application (VS 111) – a form is available on the CDPH website (Sworn Statement is **not** needed since a court order is required)
- \$25 fee (per copy)
- **Certified** copy of the court order releasing the contents of the sealed record

See next section for explanation of “certified” copy.

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

If any of the required items are not included, your request will be returned to you for correction.

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

Getting a Copy of the Original Sealed Birth Certificate After Adoption

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

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

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

4. The photocopy that the court gives you must have:
 - An **original** court seal.
 - A signature (or signature stamp) of the judge.
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IMPORTANT:

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

What happens to the sealed record?

Although the court may order a viewing of the original sealed birth certificate, the original birth certificate will remain sealed and is not open for public inspection.

What if I still have questions?

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

Getting a Copy of the Original Sealed Birth Certificate After Adoption

Health and Safety Code Section 102705 states:

“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 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.”

“Setting Aside” (Reversing) an Adoption

Is it possible to reverse an adoption?

In rare cases, it is possible a Superior Court will “set aside” (reverse) an adoption that has already been finalized. This will “reactivate” the original birth certificate, which was previously sealed and replaced as a result of the adoption.

How do I do this?

CDPH-VR suggests you contact a family law attorney for legal advice on this process. CDPH-VR’s staff cannot provide legal advice, nor does CDPH-VR’s staff have information about the legal process.

Obtaining Non-Identifying Background Information On an Adoptee's Birth Parents

What kind of information is available?

You may be able to obtain some non-identifying background information about your birth parents from the California Department of Social Services (but only for adoptions that were finalized in California). The type of information available is:

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

Where can I get more information about this process?

- You can call (916) 651-8088 for prerecorded information.
- You can visit the [Department of Social Services' website](http://www.childsworld.ca.gov/PG1314.htm) (<http://www.childsworld.ca.gov/PG1314.htm>).

How can I request this information?

Requests for this information must be made in **writing** to:

California Department of Social Services
Adoptions Support Unit
744 P Street, M.S. 8-12-31
Sacramento, CA 95814

Requests must include your name, birth date, and the full names of both of your adoptive parents. Your signature must be notarized by a notary public.

You can also request this information through the licensed adoption agency (some agencies may charge a fee for this service).

Where to Get Help in the Hunt

Locating Adoptee's Biological Parents and Family Members

California has a Mutual Consent Program that is administered by either the California Department of Social Services or the licensed public or private adoption agency that handled the adoption. Contact may be arranged between adult adoptees and birth parents if each has completed a Consent for Contact form, and siblings separated by adoption if each has completed a Waiver of Rights to Confidentiality for Siblings form. You may contact the California Department of Social Services, Adoptions Support Unit, or the adoption agency that handled the adoption for information and/or to obtain the consent and waiver forms.

There are hundreds of search and support groups across the United States for the parties involved in adoptions. They can easily be located on the Internet by using the search words "adoption registries," "adoption support groups," "adoption reunion registries," or various other combinations.

For those who do not have access to the Internet, the following organizations may be able to provide some help:

- The American Adoption Congress (AAC) is a non-profit organization that provides a forum for search and support groups. AAC acts as an umbrella to individuals, search support groups and consultants, adoption agencies, social workers, and mental health professionals. To get the name of a group in your area, or more information about this agency, contact:

[American Adoption Congress](#)

P.O. Box 42730
Washington, DC 20015
(202) 483-3399
(<http://www.americanadoptioncongress.org/>)

- The International Soundex Reunion Registry (ISRR) is a mutual-consent, no-fee reunion registry. Parties who sign the registry must be 18 years of age or older. To request a registration form, submit a self-addressed, stamped, business-size envelope to the address below. For more information about this agency, contact:

[International Soundex Reunion Registry](#)

P.O. Box 371179
Las Vegas, NV 89137
(888) 886-4777
(<http://www.isrr.org/>)

This information is correct as of January 2015.