



California Department of Public Health Logo

Affidavit To Amend A Marriage Record

Amending a Marriage Certificate

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Center for Health Statistics and Informatics – Vital Records

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

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

Amending a Marriage Certificate

What information can be changed with an amendment?

Amendments are used to correct **errors** on the marriage certificate; they may **not** be used to **change** information on the certificate. Documentation supporting the correction may be requested and not returned. Keep copies of documents submitted.

Amendments can be used to:

- Correct spelling errors.
- Add information to blank items.

Amendments cannot be used to:

- Completely change the first, middle, or last names of either party to the marriage.
- Add to or delete middle or last names of either party to the marriage.

The name information collected on a marriage certificate reflects the legal birth names used by the parties **prior to marriage**, as evidenced to the County Clerk prior to issuance of the marriage license. The marriage certificate cannot be amended to reflect the marital name intended to be used by either party after the marriage.

Common law recognizes the right of a person to change his or her name without the necessity of legal proceedings. Under common law, a party to the marriage can change his or her surname by non-fraudulent usage. However, a common law name change carries with it no mandate to those with whom one comes in contact to accept at face value the new name. Some ways to effectuate a common law name change is to change one's name on one's driver's license, social security card, and passport. Some agencies, such as the Department of Motor Vehicles and the Social Security Administration, may accept a certified marriage certificate as proof of identity to use your spouse's last name after marriage.

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I changed my name through the court process. How can I add my court order name change to the marriage certificate?

If the party receives a court order name change or changes their name through the naturalization process after the marriage, they may add that name as an AKA (“also known as”) with a VS 24(C) form, amending Items 1A-1D or 12A-12D at the top of the certificate – **NOT the new name fields at the bottom**. A sample AKA amendment is enclosed if you received this pamphlet in the mail.

- A certified copy of the court order changing the name of the party is required.
- If the party's name was changed through the Naturalization process, photocopies of the Petition for Name Change from U.S. Citizenship and Immigration Services and the Certificate of Naturalization with the Department of Homeland Security seal are required.

What do I submit to amend a marriage certificate?

You will need to complete an Affidavit to Amend a Marriage Record, VS 24(C) form. Please see later section for information on obtaining a form.

You must include a photocopy of the current marriage certificate with the local registration number on it. California Department of Public Health – Vital Records (CDPH-VR) needs the local registration number to identify the exact record to be amended.

If you are requesting a Certified Copy of the amended record, you **must** include a notarized Sworn Statement (see next section for more information).

Mail the following items to the CDPH-VR office using the address on the front of this pamphlet:

- Completed VS 24(C) form (including back side for copy requests).
- Appropriate fee.
- Notarized Sworn Statement (if copy of amended record is being issued).
- Photocopy of current marriage certificate (with local registration number).
- If any of the required items are not included, your request will be returned to you for correction.

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Amending Confidential Marriage

The CDPH-VR office **does not maintain** records of **confidential** marriages. To amend a confidential marriage record, you will need to submit your VS 24(C) form to the County Clerk's Office in the county where the marriage license was issued (contact their office for the appropriate fee). You can still use the information in this pamphlet to assist you in completing the VS 24(C) form.

Why do I need a Sworn Statement?

Effective January 1, 2010, the law requires that only an authorized person (as defined by Health and Safety Code 103526 (c)) may receive a Certified Copy of a marriage certificate. To help protect against identity theft, you must complete and submit a signed, notarized Sworn Statement declaring under penalty of perjury that you are authorized by law to receive an authorized Certified Copy. *The sworn statement form is available on the CDPH website.*

When do I need to submit a Sworn Statement?

If you are requesting an authorized Certified Copy of the amended record, you must complete and submit a notarized sworn statement.

What is the fee to amend a marriage certificate?

Within One Year of the Marriage:

- There is no fee to amend a record within one year of the date of the marriage (**but you do not get a copy of the amended record**).
- If you want a Certified Copy of the amended record, there is a \$15 fee for each copy.

If the Marriage Occurred More Than One Year Ago:

- There is a \$23 fee, which includes one Certified Copy of the amended record.
- Additional copies are \$15 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.

If you are not paying a fee to process the amendment (it is within the first year and you are not paying to get a Certified Copy of the amended record), you will not receive any contact from the CDPH-VR office – CDPH-VR will just amend the record and close the file.

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Fees Continued

Once CDPH-VR completes the amendment (information on the processing time is listed at the end of this pamphlet), CDPH-VR will send a copy of the amended record to the local county recorder so they can update their records.

Where can I get the VS 24(C) form?

One VS 24(C) form is included if you receive this pamphlet by mail. If you need additional copies of the VS 24(C) form, or are accessing this pamphlet on the CDPH-VR website:

- [Download a fillable form](http://www.cdph.ca.gov/pubsforms/forms/CtrlDForms/vs24c.pdf) at: <http://www.cdph.ca.gov/pubsforms/forms/CtrlDForms/vs24c.pdf>. [Instructions](#) for completing the PDF fillable form can be found at the CDPH website.
- [Order paper forms](#) electronically to be mailed to you at: <https://apps.cdph.ca.gov/AutoForm2/default.aspx?af=1184>. Because of the volume of phone calls CDPH-VR receives, the Internet is usually a faster process for customers than calling the Customer Service Unit.
- Call the Customer Service Unit at (916) 445-2684.
- You can also get the form from the County Clerk or County Recorder in any California county.

How do I complete the VS 24(C) form?

A sample of what a completed form should look like is attached if you receive this pamphlet by mail.

- Check the type of marriage record to be amended: Public, Confidential, Declared, or Non-Clergy. (Remember that a confidential marriage amendment must be submitted to the County Clerk to process.)
- Do not write on the lines above Part I that are marked “State File Number” or “Local Registration Number.”

PART I:

- Complete the information **exactly** as it appears on the current marriage certificate.

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How do I complete the VS 24(C) form? (Continued)

Note: If you need a copy of the current marriage certificate to complete this section, you can get a copy by contacting the County Recorder's Office in the county where the marriage license was issued (you will need to contact the County Clerk's Office in the county where the license was issued to obtain a copy of a confidential marriage certificate). Due to the increased and urgent need for certified copies of birth certificates as proof of identity, CDPH-VR is experiencing lengthy delays in the processing time for marriage records. Since this processing time is quite lengthy and may exceed six months, you should submit your request for a marriage record to the County Recorder's Office in the county where the marriage license was issued.

PART II:

Item 5: Enter the item number from the current marriage certificate that needs to be corrected. List only one item per line.

Item 6: Enter the *incorrect* information *as it appears* on the current marriage certificate.

Item 7: Enter the *correct* information *as it should appear* on the marriage certificate.

Item 8: Briefly state the reason for the correction.

Who may sign supporting affidavits?

Items 9A and 10A on the VS 24(C) form:

- Two persons having knowledge of the facts must complete the supporting affidavits (e.g., a party to the marriage). See next section for additional information. The signed affidavits must be included on the bottom of the VS 24(C) form – and not as a separate document.
- ***Two signatures are required.***

Are there situations where specific persons must sign the affidavits?

Yes.

- If a new name field is being amended, one of the parties to the marriage and the county clerk must sign the affidavit stating it was a clerical error.
- If the date or place of marriage is being amended, the amendment must be signed by the marriage officiant. If the officiant is not available, a court order to amend is required.

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What makes a VS 24(C) form “acceptable?”

Important Information

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

Because the amendment you submit becomes an actual part of this legal document, it must adhere to strict guidelines:

- Every item on the amendment must be completed.
- The form must be completed using the 26 alphabetical characters of the English language.
- Appropriate punctuation includes: a hyphen such as in “Smith-Jones,” an apostrophe as in “O’Hare,” a period as used with “Jr.,” and a comma as with “Smith, Jr.”
- Unacceptable entries include: drawings, pictures, or symbols, or accents or marks added to a letter to indicate pronunciation or to distinguish it in some way, such as with è, ñ, ē, or ç.
- Because the amendment form becomes part of the official record, every word and letter must be extremely clear and legible. **Typing entries on the form ensures that the information is interpreted clearly.**
- If you are completing the downloadable amendment form, print on standard 8½” x 11” letter size, plain white paper, using black ink only, at 100% scale.
- If you are not able to type the amendment form, it is extremely important that you take the extra time to print **very clearly and legibly**. Documents that are not legible will be returned to you to complete again.
- **Only black ink is acceptable** (per Health and Safety Code Section 102125). There cannot be any erasures, whiteout, or alterations.

Once I file the amendment, what happens to the original record?

- The original record remains unchanged, and the amendment becomes page 2 of the marriage certificate – making it a two page document (per Health and Safety Code Sections 102140 and 103255).
- Anyone receiving a copy after the amendment is applied will receive a copy of both documents.

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How long will it take to process the amendment?

The [processing time](#) for marriage amendments can be located on the CDPH-VR website at:

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

What if I still have questions?

If you have read this pamphlet thoroughly and still have questions that were not answered, 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.