



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

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CONNOR B. McCORMACK
REGISTRAR-RECORDER/COUNTY CLERK

June 27, 2003

TO: EACH SUPERVISOR

FROM: Conny B. McCormack
Registrar-Recorder/County Clerk

**NEW STATE LAW EFFECTIVE JULY 1 CHANGES PROCESS FOR OBTAINING
BIRTH AND DEATH CERTIFICATES**

The Legislature identified the release of birth and death records as a vulnerable point in the rise in identify theft and enacted new legislation (Senate Bill SB 247, Chapter 914) imposing stricter controls on who can obtain certified copies of birth and death records. As of July 1, 2003 the law requires the public seeking birth and death certificates, whether over the counter or through the mail, to provide proof of identify prior to receipt of copies of these vital records.

The Registrar-Recorder/County Clerk annually processes approximately 500,000 requests for birth and death records, 56% over the counter and 44% through the mail. While the impact will be minimal for those seeking over the counter service at the Department's offices, mail requestors (approximately 500 per day) will now be required to obtain a notarized statement of their identify and eligibility and include a copy with their mailed-in request. Additionally, the public will no longer be able to place orders immediately by credit card over the telephone due to the notarized statement requirement. At least initially and until the new requirements are widely known and accepted, the public seeking these services by mail will be frustrated by service delivery delays which are inevitable as we anticipate having to return hundreds of mail requests daily from individuals who did not include the notarized statement.

In order to inform the public of the requirements of the new law, we developed and carried out a comprehensive outreach campaign. In addition to posting the new requirements on our website, updating our automated telephone system, and posting signs at our offices, staff compiled an extensive list of private and public agencies that frequently use vital records. Over the past several months, 1,200 notices have been sent to governmental agencies, hospitals, travel agencies, libraries, passport acceptance centers, city clerks, funeral parlors, etc. Our Recorder management staff led the effort to plan consistent implementation of the law statewide. They coordinated numerous meetings with other Recorders, the State Office of Vital Records, local health officials and funeral directors. Additionally, Recorder management staff met with frequent user

County Departments including the Department of Public Social Services, Children and Family Services, the Public Administrator and Coroner. Individual meetings were also held with staff of each of your Board offices. Internally, all Registrar-Recorder/County Clerk Department staff who frequently interact with the public by phone and in person for over the counter requests have been trained.

Commencing July 1, 2003, each over the counter applicant must identify that he/she is an authorized person by completing a form signed under penalty of perjury. As mentioned above, written requests must include a notarized statement attesting to identity and eligibility. Authorized individuals include:

- (1) The registrant or a parent or legal guardian of the registrant.
- (2) A party entitled to receive the record as a result of a court order, or an attorney or a licensed adoption agency.
- (3) A member of a law enforcement agency or a representative of another governmental agency, as provided by law, who is conducting official business.
- (4) A child, grandparent, grandchild, sibling, spouse, or domestic partner of the registrant.
- (5) 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 or the registrant's estate.
- (6) Any funeral director who orders certified copies of a death certificate on behalf of any individual specified in paragraphs (1) to (5), inclusive.

A certified copy of a birth record is required to obtain a driver's license, passport, social security card and other services related to an individual's identify. A certified copy of a death record is required to receive death benefits, claim insurance proceeds, notify social security and obtain the services related to the decedent's identify. As California remains an open records state, the new law continues to allow persons outside of the above categories to obtain copies of birth and death records. However, such requestors are now only eligible to receive informational copies overlaid with the statement "Informational, Not a Valid Document to Establish Identify" imprinted on the face of the copy.

The new law also increased the fee for a copy of birth and death record by \$2 (effective January 1, 2003, the cost to obtain a certified copy of a birth record was raised to \$18 and the cost for a death record increased to \$13.). The additional fee is designated for use to enforce the provisions and defray the costs associated with security measures to protect against misuse of vital records.

Please contact me if you have additional questions.

c: CAO
Department Heads