

## **216-RICR-10-10-1.37 Requirements to Amend Vital Records**

### **A.**

A vital record may be amended only by the State Registrar, in accordance with R.I. Gen. Laws § 23-3-21 and these Regulations.

### **B.**

In order to preserve the integrity and accuracy of vital records, the State Registrar may initiate amendments to vital records. In such cases, the State Registrar may waive the requirements of § 1.37(E) of this Part.

### **C.**

The following person(s) may apply to the State Registrar for an amendment to a vital record: 1. The person(s) originally responsible for filing the certificate; or 2. The person(s) required to provide or complete the information thereon; or 3. The registrant, his/her parent(s), guardian, next of kin, or legal representative.

#### **1.**

The person(s) originally responsible for filing the certificate; or

#### **2.**

The person(s) required to provide or complete the information thereon; or

#### **3.**

The registrant, his/her parent(s), guardian, next of kin, or legal representative.

### **D.**

The person who applies for an amendment to a vital record must submit satisfactory evidentiary documentation to support the change(s), as required by § 1.37(E) of this Part. If the State Registrar deems the evidence is unsatisfactory, he/she shall notify the applicant that the registrar shall not amend the record unless so ordered by a court of competent jurisdiction.

**E.**

Evidentiary documentation to support an amendment to a vital record shall consist of the following: 1. An affidavit executed by the registrant(s) or his/her relative, or a person with knowledge of the correct information; and 2. At least one (1) original document supporting the amendment, or a certified copy thereof, signed by the custodian of the original document, provided that such document must have been established within seven (7) years of the fact or event that it substantiates. 3. For corrections of errors relating to race on a vital record, certified copies of the birth records of either the registrant(s), or his/her parent(s), identifying race or color; or documents of similar validity; 4. For corrections of errors in the given name of a registrant on a birth record, an affidavit executed only by the registrant, if of legal age, his/her parent(s) or his/her legal guardian(s), or his/her legal representative; and one (1) evidentiary document, except as provided in §§ 1.37(G) and 1.39 of this Part. 5. For corrections to sex on the birth certificate that differ from the sex on the original birth certificate, the State Registrar shall change the certificate of birth to reflect the new sex designation, without indicating such change, upon receipt of: a. An affidavit executed by: (1) The registrant if of legal age; or (2) The registrant's parent(s), legal guardian(s) or legal representative if not of legal age; and b. Correction requests regarding sex on a birth certificate that include a request for a legal name change will be marked as amended only with respect to the name change, pursuant to § 1.38 of

this Part.

**1.**

An affidavit executed by the registrant(s) or his/her relative, or a person with knowledge of the correct information; and

**2.**

At least one (1) original document supporting the amendment, or a certified copy thereof, signed by the custodian of the original document, provided that such document must have been established within seven (7) years of the fact or event that it substantiates.

**3.**

For corrections of errors relating to race on a vital record, certified copies of the birth records of either the registrant(s), or his/her parent(s), identifying race or color; or documents of similar validity;

**4.**

For corrections of errors in the given name of a registrant on a birth record, an affidavit executed only by the registrant, if of legal age, his/her parent(s) or his/her legal guardian(s), or his/her legal representative; and one (1) evidentiary document, except as provided in §§ 1.37(G) and 1.39 of this Part.

**5.**

For corrections to sex on the birth certificate that differ from the sex on the original birth certificate, the State Registrar shall change the certificate of birth to reflect the new sex designation, without indicating such change, upon receipt of: a. An affidavit executed by: (1) The registrant if of legal age; or (2) The registrant's parent(s), legal guardian(s) or legal representative if not of legal age; and b. Correction requests regarding sex on a birth certificate that include a request for a legal name change will be marked as amended only with respect to the name change, pursuant to § 1.38 of this

Part.

**a.**

An affidavit executed by: (1) The registrant if of legal age; or (2) The registrant's parent(s), legal guardian(s) or legal representative if not of legal age; and

**(1)**

The registrant if of legal age; or

**(2)**

The registrant's parent(s), legal guardian(s) or legal representative if not of legal age; and

**b.**

Correction requests regarding sex on a birth certificate that include a request for a legal name change will be marked as amended only with respect to the name change, pursuant to § 1.38 of this Part.

**F.**

Except for the medical certification section on a death record, once an item has been amended on a vital record in accordance with the evidentiary requirements of § 1.37(E) of this Part, such item shall not be amended again unless the State Registrar is ordered to do so by a court of competent jurisdiction.

**G.**

After thirty (30) days from registration in the Office, changes to the given name of the registrant on a birth certificate which reflect a new given name, rather than a minor correction in spelling, a variant form of the name, or a clerical error, shall be made only upon submission of an order to do so from a court of competent jurisdiction.