

Correcting a Birth Certificate

Use this packet if:

- ✓ You are asking the Court to correct errors on your birth certificate or your child's birth certificate (common errors are spelling errors and mistakenly recorded birth date(s) of the parents or the parent's place of birth on a child's birth certificate).
- X Do not use this packet to change a name (see the packet for Change of Name).
- X Do not use this packet while an adoption is pending.

Produced by the Suffolk Probate & Family Court Community Outreach Program—Richard Iannella, Register

READ THIS:

Information provided in this packet IS NOT LEGAL ADVICE. It is information. This information is not a substitute for a competent lawyer.

When you sign a legal document or file any papers in court, it can seriously affect you in the future. You should always try to get legal advice before filing documents.

Bar Association lawyer referral services are listed in our brochure "Legal Resources in and around Suffolk County." Also listed are free legal service providers. You may be eligible for help.

Instructions on filing a petition to correct a birth certificate.

Fill in the petition as shown on the sample form on the next page. Please print or type all information. On the back of the form, where it reads "For Petitioner," print your name and address.

When you have completed filling out, signing and dating the petition, file it with the assistant register. Then go to the cashier to pay the \$75 fee. If you believe that you may be eligible for a fee waiver, then ask the assistant register for an application and fee waiver. However you still must see the cashier.

After you file the petition with the assistant register, the court will mail you a citation. A citation is a legal notice to be served on the local city or town official where the birth certificate is recorded and any interested party. The citation tells you who to notify and how to notify them. If you do not get a citation within ten days, call: 617-788-8379. *It is your job - not the court's - to notify the city or town where the birth certificate is recorded and any interested party.*

If the birth is recorded in Boston, serve the citation on: Registrar, Registry Division, One City Hall Square, Room 213, Boston, Massachusetts 02201.

If the birth is recorded in Revere, then serve the citation on the Revere City Clerk, 281 Broadway, Revere, Massachusetts 02151.

If the birth is recorded in Chelsea, then serve the citation on the Chelsea City Clerk, Room 209, 500 Broadway, Chelsea, Massachusetts 02150.

If the birth is recorded in Winthrop, then serve the citation on the Winthrop Town Clerk, One Metcalf Square, Winthrop, Massachusetts 02152.

After you serve the citation on the city or town and any interested party, then you must tell the court when and how you did it by filling out the 'return of service', on the bottom of the citation. Bring or mail it here. Our address is: Suffolk Probate Registry, Att: Return of Service, 24 New Chardon Street-Box 9667, Boston, MA 02114-9667.

When you have returned the 'return of service' to the court and after the "return day", contact the court to find out if the petition was allowed or if you must schedule a hearing.

When the petition is allowed, you must obtain a certified copy of the decree from the court for a \$20 fee and serve it on the local city or town where you served the citation for the birth certificate to be corrected.

Every time a case is filed in court, a Docket Number is assigned. This is the number the court uses to identify your case and find your case file. Write this number on all your papers you file in court. Have the Docket Number handy when you come to the courthouse or call on the phone to ask about your case.

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No. _____

General Petition

Petition – Decree

Filed _____ 20

Citation Issued _____ 20

Returnable _____ 20

Allowed _____ 20

Recorded Vol. _____ Page _____

For Petitioner:

Put your name and address here

For Respondent: