**Section 500.40 Amendments, Additions or Corrections to Vital Records**

a) The State Registrar shall endorse on the record or certificate the following additions and/or minor corrections made within one year after the date of occurrence without the certificate being considered amended. Additions or minor corrections shall be made unless the change affects the integrity of the record (for example, a contradiction to existing documentation such as a hospital medical record). For purposes of this Section, singular terms should be read to include the plural and vice versa, unless the context clearly indicates otherwise.

1) Minor Birth Corrections include, but are not limited to:

A) Additions and/or changes of given names of the registered person;

B) Changes in the time of birth, if it does not change date of occurrence;

C) Changes in the sex designation of the registered person within one year after the date of birth, if justified by the given name or based on the newborn delivery records from the hospital;

D) Spelling errors or omissions of the parents' first or middle name;

E) Parents' ages, if within two years of the age shown;

F) Parents' places of birth, if the country is not different;

G) Mother's residence and/or mailing address at the time of occurrence; or

H) Spelling errors in the registered person's and/or parent's surname, if verified by a signature.

2) Minor Death Corrections include, but are not limited to:

A) Addition and/or changes of given names of the decedent;

B) Changes in the sex designation of the decedent, if justified by the given names or if supported by a notarized statement of a licensed physician;

C) Changes in ethnicity;

D) Changes in either the age or birth date of the decedent (not both);

E) Decedent's place of birth, if not a different country;

F) Spelling errors or omission of the given or middle names of the marital spouse;

G) Additions or changes in the social security number;

H) Additions or changes in occupation/industry;

I) Additions or changes in obvious errors of dates of service;

J) Decedent's resident address;

K) Spelling errors or omissions of the parents' first or middle names;

L) Relationship and/or mailing address of informant;

M) Date physician attended deceased;

N) Notification of coroner or medical examiner; or

O) Changes in hour of death, if date of death is not affected.

b) When such additions or minor corrections are made by the State Registrar, a notation as to the source of information, together with the date the change was made, and the initials of the authorized agent making the change, shall be made in the margin of the record in such a way as not to become a part of the certifiable record.

c) The State Registrar shall retain for six years, either in the original or microphotographic form, all source documents used as the basis for additions or minor corrections. The State Registrar shall also furnish a copy of the amended certificate or record to the custodian of any permanent local records, and the records shall be corrected accordingly.

d) Once an item on the record or certificate has been corrected as a minor correction, all future amendments made to the same item shall be completed in accordance with the major correction guidelines.

e) The State Registrar reserves the right to require proof to amend the record or certificate when the requested correction compromises the integrity of the vital record.

f) Certificates filed pursuant to the Act, including those filed at the time of occurrence or shortly thereafter, "delayed" certificates filed under Sections 14 and 19 of the Act, and "new" certificates filed under Section 17 of the Act shall be corrected or amended in accordance with this Section.

1) A request for a major administrative correction of a certificate filed on or after January 1, 1916 shall be made to the State Registrar. A request for a major administrative correction of a certificate filed prior to that date shall be made to the county clerk of the county in which the birth, death or fetal death occurred. The request shall identify the certificate to be corrected by stating whether it is a birth, death or fetal death record. In addition, the name of the registered person, the date and place of the event, the items that are omitted or in error, and the correct information for those items shall also be submitted.

2) After consulting the certificate in the files, the county clerk may initiate the correction form and send it to the applicant with instructions regarding who should sign and what documentary proof, if any, is required to support the correction sought.

3) The persons who shall sign the correction form in the indicated order of priority are:

A) To correct birth certificates: the mother or father of the registered person, if the registered person is a minor; the registered person, if the person is of legal age; other next of kin or legal guardian; authorized official of a hospital, if the hospital record was the source of the personal particulars.

B) To correct death or fetal death certificates: the signators of the original certificate, i.e., the informant, physician, coroner/medical examiner, funeral director, decedent's spouse, mother, father, or other next of kin.

i) The medical certification of death can be amended by the certifying physician, or the attending physician who was in charge of the patient's care for the illness or condition that resulted in death.

ii) (Exception: A correction to a Medical Examiner's/Coroner's Certificate of Death within one year after the initial registration of the death shall be accomplished by the Medical Examiner or Coroner filing an "Amended Certificate of Death.")

g) Each copy of the correction form shall be individually signed. The affiants should sign their given names and present legal surnames and fill in the present complete address. The correction forms shall be signed in the presence of a person authorized to administer oaths, who shall date the form, sign in ink, affix his or her seal or stamp, and enter the complete address.

1) Records created at or nearest following the date of birth provide the best proof to correct the child's given name or date of birth. Records created prior to the birth of the child are required to correct the given names of the parents, surname of the child and/or father, or mother's maiden name, color or race of parents, or age and birthplace of parents. Records created at or nearest following the decedent's birth provide the best proof to correct name, age, birth date, and birthplace. However, if such proof is not available, records created later in life may be accepted.

2) To correct color or race on a death record, the best evidence is the decedent's birth or marriage record or birth certificate of a child of the decedent. To correct marital status, the best evidence is the decedent's marriage record, spouse's death record, or divorce decree, if any, or other court records. To correct a fetal death record, information on documents required for similar items on live birth and death certificates shall be furnished.

3) To correct other items on a certificate, such documentary evidence shall be required as is deemed necessary to preserve the integrity of the certificate. More than one document may be required in some instances. Some corrections may not require documentary proof, depending on the nature of the correction and the identity of the affiant in relation to the registrant. The burden of submitting proof is on the applicant. The State Registrar shall make the final determination of whether the document submitted satisfactorily proves the correction sought. Any documents submitted, whether accepted or rejected as proof, shall be returned to the applicant, or his or her representative. Examples of available documents that substantiate facts are:

A) Baptismal or confirmation records;

B) Cradle roll certificates;

C) 1st grade school records;

D) Applicant's marriage record;

E) Military records;

F) Social security records;

G) Child's birth record;

H) Parents' marriage record;

I) Parent's birth record(s);

J) Immunization or clinic records;

K) Insurance policies;

L) Parent's Naturalization certificate;

M) Census records; or

N) Other documents as deemed appropriate.

h) The original certificate of birth, death, or fetal death shall have the correction entered on its face by inter-lineation through the incorrect entries. The correct information is then typed or written above or near the incorrect information. A statement to the effect that the certificate has been amended, and the date, shall appear on the face of the certificate.

1) The Department shall permanently retain the original of the correction form, either as an original record or in microphotographic form. An approved copy of the correction form, or an official copy of the certificate as corrected, shall be sent to the county clerk and local registrar, as their authority to correct their file copies of the certificate.

2) The applicant shall be notified that the correction has been approved and made.

3) Certifications or certified copies of the certificates as corrected will be furnished upon the written request of an eligible applicant as provided in Section 25 of the Act. If the applicant desires certified copies that do not show the previous entries regarding the items that were corrected, the applicant should request a short form certification; however, a statement to the effect that the certificate had been amended, and the date amended, shall appear on the certified copy.

i) A correction form is not required to amend the surname on a birth certificate when the person has obtained a legal change of name from a court of competent jurisdiction. Legal name changes shall be reflected on a birth certificate if supported by a certified copy of the court decree. The new names will be entered on the original certificate in the files of the State Registrar by inter-lineation. The certificate shall be marked as having been amended and the decree number and the effective date entered. The State Registrar shall send the county clerk and local registrar official copies of the original certificate, as amended, to replace the copies in their files. Thereafter, any certifications or certified copies issued shall indicate that the certificate has been changed and the date of the amendment.

1) The addition of the father's identity on the child's birth certificate, at the request of the birth father and mother, does not permit the changing of the child's surname to that of the father.

2) Name Change Based on Naturalization

A) The name of the informant (if parent), the name of the child and the name of the mother and/or father may be amended on the child's birth certificate, based upon a change of name granted to the parents by a naturalization court or other court of competent jurisdiction. This applies only if the name change was granted while the child was a minor.

B) If the child is of legal age at the time of his/her parents' naturalization, the Division of Vital Records is authorized to amend only the informant's name (if parent) and/or the parents' names on the child's certificate of birth.

j) The State Registrar shall amend a delayed birth registration established by court order under the provisions of Section 15 of the Act only upon the basis of an order from the court that originally established the facts of birth. The procedure followed in amending the certificate and issuing copies is as described in subsection (i) regarding legal name changes.

k) To change the given name of a child on a new birth certificate filed under Section 17 of the Vital Records Act (if the applicant has knowledge of the adoption), a certified copy of an amended Adoption decree or an amended Certificate of Adoption will be required as proof.

l) A voluntary change of name, spelling of the given names or surname, or the order of the given names and/or surname as those names appear on the birth record shall not be reflected upon the birth record unless a request for the "correction" is accompanied by an appropriate court order.

m) When a request for a correction constitutes change in identity of the registrant or the father or mother, a court determination is required to reflect the change on the birth record.

n) The State Registrar shall not, at the request of any person, change a written signature on a record under the correction provisions. Such a change shall be reflected on the certificate only with a court determination.

o) The State Registrar shall not, at the request of any person, change a file date on a certificate; therefore, the integrity of the record is protected.

p) Provisions for the addition of the birth father's name and information to records:

1) When the parents are not married:

A) Both parents shall sign the major correction forms;

B) A court order is needed to change the child's surname; and

C) If either parent is deceased, a court determination shall be required to add the father's name and information to the record.

2) When parents are married at the time of the child's birth:

A) Both parents shall sign the major correction forms (the State Registrar will accept a certified copy of the divorce decree or death record and obituary notice in lieu of either parent's signature);

B) A court order is needed to change the child's surname;

C) The married name shall be added to the end of mother's name (if the mother is shown as an informant on record);

D) Legitimacy status shall be changed on the record.

(Source: Amended at 35 Ill. Reg. 16682, effective October 3, 2011)