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Statewide Registration System

1. What does the Statewide Registration System contain?

Starting July 1, 2019, the Statewide Registration System will contain all birth and death certificates from January 1, 1909 to present. Any town will be able to find, review and issue copies of any birth or death certificate from that period.

The public will be provided with an electronic method for searching the birth and death certificates from the Health Department's web site. This will allow the public to identify a specific town in which the paper version of certificate is stored and could be viewed. However, the search function will not provide the public with the ability to see all the information that is stored within the Statewide Registration System or that exists on the paper version.

2. Is there any charge to the towns to use the Statewide Registration System or a software purchase cost?

No. All towns (except those that choose to "opt out") will be given usernames and passwords to the VRIMS application for access to the Statewide Registration System.

3. Does any software need to be installed or downloaded to use the Vital Records Issuance Management System?

The Vital Records Issuance Management System (VRIMS) is a web-based application that requires Internet Explorer (versions 5-11) and Firefox 10 or greater. Adobe Acrobat Reader is required for printing certificates and can be downloaded at no charge:

https://acrobat.adobe.com/us/en/acrobat/pdf-reader.html.

4. Will Town Clerks be able to search for death certificates for deaths that occurred earlier than 30 days prior to the search?

Yes, the database contains all deaths going back to January 1, 1909. To print a certified copy, it is not limited to a one-month span. A user will enter a variety of information, but the date of death can be any date, and it searches the entire database. So, a person could request a death from two weeks ago or twenty years ago, and the search will return a list of the most likely matches.

5. What information will be needed to search for a death certificate?

Searches must be performed with both a name and date of death. Otherwise, the database will likely return hundreds or potential matches. For those records where the day of death is unknown, the user must search by first and last name or by last name and date of death range.

The new law specifies that an applicant must know and provide enough information to identify the requested certificate. This means the applicant must be able to provide the name and specific date. In other words, the statute doesn't allow for extensive searching based on limited information. If someone cannot identify the name and very close to an exact date, then there is no guarantee that the applicant has a legal right to the copy.

Vermont birth, marriage and death records from 1760-2008 are available through <u>Ancestry.com</u> which is a subscription service. Vermont residents can research and print Vermont vital records for free on Ancestry.com through an account on <u>MyVermont.gov</u>. For more information about accessing the records through MyVermont.gov, please see this <u>FAQ from VSARA</u>.

Certified Copy Requests

6. Will the Health Department's Office of Vital Records be creating and providing a template form to use for applications of certified copies of birth and death certificates?

Yes. The Vital Records Office will provide a template that all issuing offices may provide for applicants. The template will be available online and through printed copies.

7. Are Town Clerks required to use the template form provided by the Vital Records Office or can we use our own?

Yes, Town Clerks are required to use one of two template forms provided by the Vital Records Office – one with the Health Department logo and one with a space for their city or town logo.

8. Is the applicant required to sign the application form when requesting a certified copy of a birth or death certificate?

Yes. For security and legal purposes, the paper application form requires a signature and date by the applicant. If the applicant refuses or signs as a different person than what was shown on his/her identification, then the application is to be rejected and the applicant can be referred to the Vital Records Office with any questions or appeals.

Signature is only required for paper application forms. The public will continue to have the ability to submit applications online, which go directly to the State of Vermont for processing. The application

online will require the new items that are on the paper application form (e.g. type of identification, ID number, expiration date of ID).

9. What proof of relationship is necessary for an applicant to obtain a certified copy of a birth or death certificate?

Proof of relationship of the applicant to the person listed on the certificate is not required by the law. The applicant must indicate the type of relationship (e.g. parent, sibling, grandparent, legal guardian) on the application form, but there is no verification of that relationship. Issuing offices are not responsible for verifying the relationship stated on the application.

The issuing offices' responsibilities are limited to assuring that the application has been completed in full prior to acceptance and verifying some pieces of information.

10. What proof of identity is necessary for an applicant to obtain a certified copy of a birth or death certificate?

Applicants are required to provide a valid government-issued identification document to show they are the requestor. If unable to provide a valid government-issued ID, a minimum of two alternate pieces of identification must be provided. The acceptable forms of identification are listed on the application form and defined in the Vital Records Rule:

http://www.healthvermont.gov/sites/default/files/documents/pdf/Reg_Vital_Records.pdf

11. What are town clerks, VSARA and the Vital Records Office responsible for when gathering identification documents?

Town clerks, VSARA and the Vital Records Office are responsible for:

- 1. Confirming that the identification document has not expired;
- 2. Confirming that the name listed on the ID matches the name listed on the application form;
- 3. Confirming that the address on the ID matches the address provided on the application; and
- 4. Ensuring that the application form contains an ID number from the identification document, like a driver's license number

All four conditions must be met. If there is a dispute, the applicant may be referred to the Vital Records Office with any questions or appeals.

Town clerks, VSARA and the Vital Records Office are **not** responsible for confirming or validating the legitimacy of an identification document.

12. What should town clerks do if an applicant presents an ID that is obviously forged?

If an applicant presents an obvious forgery, the application should be rejected, and the applicant can be referred to the Vital Records Office with any questions or appeals.

13. What kind of identification is required for applications sent by mail?

Applications submitted by mail must be accompanied by a photocopy of the applicant's ID. If the photocopy is not provided, or if it doesn't match the information on the application, the application should be rejected. The applicant can be referred to the Vital Records Office with any questions or appeals.

14. Does everyone need to complete an application form, including funeral directors or other people that we know personally and can vouch for their identity and need for the certified copy?

Yes, everyone must complete an application form. All applicants must provide the same required information.

15. Can certified copies of birth and death certificates be obtained from any town clerk's office, regardless of whether that town was the town of residence or occurrence? (For example, the birth occurred in Burlington, and the residence town was Winooski. Could a certified copy be obtained from Williston?)

Yes. The law allows the applicant to obtain a certified copy of a birth or death certificate from any town, regardless of where the birth or death occurred, or where the person was a resident.

16. Can an executor or administrator designated by probate be an approved requestor?

Yes. The law specifically states that a person designated by the court can obtain a certified copy.

17. Can researchers obtain certified copies?

No. The generic category of "researchers" – such as genealogists – may only receive a certified copy of a birth or death certificate if they have a family relationship (e.g. parent, sibling, grandparent) or are acting as a court-appointed legal representative to act on behalf of the family. Questions can be referred to the Vital Records Office.

18. Are records kept of those who have requested and received certified copies?

Yes. A history will be stored of the application in the Statewide Registration System maintained by the State Registrar. This includes applications for pre-1909 records.

19. Is the application form required for requests of certified copies of a pre-1909 certificate?

Yes. The application is required for all certified copies of birth and death certificates, regardless of the original date.

20. Are town offices required to retain the application form after application information is entered into the Statewide Registration System?

Yes. The paper application form will need to be kept for a period of time. VSARA will issue a record schedule when the records appraisal and scheduling process is complete, and the Vital Records Office will incorporate the record schedule into its manual.

21. How much will certified copies cost?

The fee for certified copies remains unchanged.

22. Do towns get to keep the certified copy fees?

Yes.

23. With what title should a City or Town Clerk and Assistant City or Town Clerk sign a certified copy ("Town Clerk/Assistant Clerk" or "Registrar/Assistant Registrar")?

Beginning July 1, 2019, the new statutes clarify that there is only one "registrar" for the state, so when issuing certified copies of vital records, the "Town Clerk" or "Assistant Town Clerk" titles should be used depending on what seal is used (see Question 24).

24. What seal should be used on certified copies? The Town Seal, the Town Clerk Seal, or a State Seal?

Notary seals are never to be used on certified copies of vital records. If you use a town seal that does not include the Town Clerk's name, certified copies may be signed by the Town Clerk, Assistant Town Clerk or another designated assistant clerk per state statute. If you use a town seal that includes the Town Clerk's name, certified copies must be signed by the clerk whose name appears on the seal.

25. By law, Town Clerks must appoint "Deputy Registrars" for burial transit permits when our office is not open. Are Town Clerks "Registrars"?

Burial transit permits are not certificates. The burial transit permit serves a different purpose, and has its own requirements and procedures separate from that of certificates. A "Deputy Registrar" for a permit isn't the same as a registrar for Vital Records certificates.

Birth Certificate Changes

26. Will the birth certificate format, content or size be changing?

The layout of the birth certificate will be similar to that of the death certificate – more open with no gridlines or boxes, but the size will not change

27. Do Town Clerks register any type of births including home births?

No, towns will not register any birth certificates. An electronic notification will be sent to the town clerk's email to notify of a new birth or death, or of a correction or amendment of an existing birth or death certificate.

28. Will there be changes to the deadline for registering births?

The current law requires registration of a birth within five calendar days. The new law changes this to five business or working days. In other words, a weekend or holiday does not "count" when calculating the registration deadline.

Noncertified Copy Requests

29. What is a noncertified copy?

Noncertified copies, previously called "informational" copies, of birth and death certificates can only be issued from the Statewide Registration System and are printed on plain paper. They cannot be printed on security paper, cannot contain a raised seal and cannot be used for legal purposes.

30. Is an application be required to request a noncertified copy?

No. There are no limitations to who may obtain a noncertified copy. With the new Statewide Registration System, town clerks will be able to print noncertified copies of birth and death certificates without an application.

31. May a town clerk provide photocopies of paper birth or death certificates stored in vaults?

Yes. Photocopies of paper birth and death certificates stored in vaults can still be provided, and the requesting party does not need to complete an application form and information related to the request of the photocopy should not be entered into the Statewide Registration System. Photocopies have no legal purpose or benefit and should not be stamped by the Town Clerk.

Marriage Certificates

32. Since certified copies of marriage certificates are still issues from paper records, how will Town Clerks report the numbers from the security paper used?

Certified copies of marriage certificates will be reported using the Vital Records Issuance Management System (VRIMS).

33. Will the application form be required for the pre-paid marriage license copy when it's issued after the license is filed?

No. Requests for copies of marriage certificates will not be entered into the system. Town clerks' processes for handling marriage licenses and certificates will be unchanged except for the tracking of the security paper used to make copies.

Records of Divorce and Dissolution

34. What will happen with divorce certificates?

Records of divorce and dissolution continue to only be managed at the state level by VSARA and the Vital Records Office.

Storage and Vaults

35. Are the vaults or offices inspected by Vital Records Office staff?

The statutes allow for audits by the Vital Records Office to ensure compliance with the law and rules. However, there will not be any audits prior to July 1, 2019. After that date, an audit would happen only if the Vital Records Office had concerns about the integrity of the vital Records documents or the materials used to create copies, such as security paper. Such concerns would be discussed with the town before considering any on-site audit and advance notice would be provided.

36. Do Town Clerks keep the existing paper birth and death certificates from previous years?

Yes. All existing paper versions of birth and death certificates are required to be maintained for public inspection and copying. Transfers of the paper versions of town birth and death certificates into the state archives will require a discussion between the town and VSARA.

37. For new birth and death certificates that are created on or after July 1, 2019, must a paper copy be printed and kept in the vault?

There is no requirement for towns to keep paper copies of birth and death certificates created on or after July 1, 2019. It is up to town clerks to decide if they want to continue doing this as a service for the public. There is nothing in the new law that prohibits a town from doing so.

38. Our town doesn't have a vault. Will we be prohibited from the Statewide Registration System and making copies for the public?

If your town does not have a vault or fireproof safe per 18 V.S.A. § 5001(b) **then you will need to confirm in w**riting to the State Registrar that reasonable precautions and safeguards are in place. Refer to Vital Records Rule 8.2 for details on this process.