

## Suggested Evidence

**Hospital Record:** The Medical Records Department at the hospital where the record was filed. A hospital certificate usually does not have all the information DHEC needs. It may be missing full names and dates of birth.

**School Record:** From the last school attended, or the county school administration office.

**Insurance Record:** A statement from the home office of the insurance company, or original policy.

**Census Record:** Found at [www.censusrecords.com](http://www.censusrecords.com). There is a fee for copies of documents. Send the documents you receive from the Census Bureau to DHEC. A response from the Census Bureau may take up to 10 weeks.

**Health Department Record:** The health department where services were given.

**Work Record:** It can be in the form of a signed letter on the company's letterhead.

**Driver's License Record:** From the Department of Motor Vehicles. SCDMV at [www.scdmvonline.com/DMVNew/default.aspx](http://www.scdmvonline.com/DMVNew/default.aspx). Under public services, one can order a copy of their driving record.

**Military Record:** Request the records from the National Personnel Records Center <http://www.archives.gov/st-louis/>. Use form DD214 to ask for the records.

**Doctor's Statement:** Information must come from medical records of your personal doctor.

**Voter Application:** Use your voter's registration card. If that does not work, contact the SC Election Commission for further evidence. <http://www.scvotes.org/>

**Parent's Marriage Record:** A certified copy from the Office of the Probate Judge in the county where your parents got their marriage license. Older children can get the marriage license when parents are dead. If the marriage license is not from South Carolina, check with that state to find out how to obtain a copy.

**Personal Marriage Record:** Office of the Probate Judge in the county where the couple got the marriage license. If the marriage license is not from South Carolina, check with that state to find out how to obtain a copy.

**Child's Birth Record:** Division of Vital Records in the state where the child was born.

**Parent's Birth Record:** Division of Vital Records in the state where your parents were born. If your parents were born outside the US, you may need an apostille for each birth certificate.

**Sibling's Birth Record:** Division of Vital Records in the state where the sibling's birth record was filed.

**Parent's Death Records:** Division of Vital Records in the state of death.



This brochure was produced by the South Carolina Appleseed Legal Justice Center. This brochure is for information only. If you think you need legal assistance, you may want to contact your local legal services program by calling Legal Assistance Telephone Intake Service for a referral at 744-9430 in Columbia or toll free at (888) 346-5592 from other places in the state.

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# How to Amend a Birth Certificate in South Carolina



## Birth Certificate Amendment In South Carolina

You may need to change a birth certificate. This is done to correct a name on the form or to correct small errors like spelling mistakes.

You may change a birth certificate with South Carolina Department of Health and Environmental Control (DHEC) or through a court hearing. Try to make the change through DHEC because the process is easier and costs less. DHEC needs lots of information to make the changes. They do this to prevent fraud and to make sure the information is true.

In cases that are harder to prove, you will have to go to the court to make the changes.

### How To Amend A Birth Certificate

To fix minor errors before a child turns one, a parent or guardian must contact DHEC and ask for the change.

To fix a name on a birth certificate during the child's first year, or to add a name to a child under seven years old, you must give a sworn statement to DHEC. This can be done by:

- Both parents,
- Mother if the child was born out of wedlock and paternity has not been proven or admitted,
- Father if the mother is dead or disabled,
- Mother if the father is dead or disabled, or
- Guardian or agency with legal custody of the child.

To fix the name of a child that is seven years old or older, DHEC needs a sworn statement from one of the following:

- Both parents,
- Mother if the child was born out of wedlock and paternity has not been proven or admitted,
- Father if the mother is dead or disabled,
- Mother if the father is dead or disabled, or
- Guardian or agency with legal custody of the child.

You have to prove birth facts. **A list of suggested evidence is on the back of this brochure.**

To make any other correction, a sworn statement is required from one of the parents, the legal guardian, or the person wanting to make the change if he is over 18 years old. In this case, the sworn statement must state:

- Information to identify the certificate,
- The incorrect data as it is listed on the certificate,
- The correct data as it should appear.

### How To Prove Birth Facts

Evidence must be given in the following form:

- The records must have been on file with the place for at least five years before the birth certificate amendment is asked for, or within seven years of the child's birth.
- The documents must contain correct information, and support the facts. All documents must be an original or certified copy. Certified means the copy is given by a court or government agency and they promise the document is a true and exact copy of the original.
- The record must show the name and address of the place where the record is filed.
- A statement on letterhead stationery of the company, agency, or institution that has the evidence stating the information is in their official records and signed by the official keeper of the record. The statement must have the following information:
  - Name
  - Sex
  - Date of birth, or age at time record was filed
  - Place of birth
  - Father's name
  - Mother's maiden name
  - Date information was recorded

### Foreign Birth Certificates

A person with a birth or marriage or death certificate from outside the US must prove it is accurate through an apostille. An apostille is a certified stamp that shows the document is from that country and is valid (real). The apostille is available through the country that issued (made) the document. The apostilles are for documents used in another country.

Documents issued by the foreign consulate in the US, should already have apostilles. Just to be safe, request an apostille for all documents you get from the consulate.

Many countries are part of an Apostille Convention. All the countries listed at this site are part of the Apostille Convention. The link tells you what office to contact to obtain an apostille. [http://www.hcch.net/index\\_en.php?act=conventions.authorities&cid=41](http://www.hcch.net/index_en.php?act=conventions.authorities&cid=41)

If your document is from a country without an Apostille Convention, then contact the Embassies or Consulates of (1) the country that made the document and/or (2) the country where you want to use the certificate. Ask them for advice on how to get an apostille.

Some countries issue apostilles in electronic form, called e-Apostilles. This makes it easier for the country that requires the apostille to look up the record. For more on e-Apostilles, go here <http://www.e-app.info/>

To understand more about apostilles, read "The ABCs of Apostilles" found at <http://www.hcch.net/upload/abc12e.pdf>

### Language Interpretation

DHEC's Division of Vital Records must give you translated materials and have an interpreter available.

### Questions?

If you have any questions, please contact DHEC's Division of Vital Records at (803) 898-3630 or <http://www.scdhec.gov/administration/vr/>