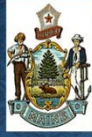


Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



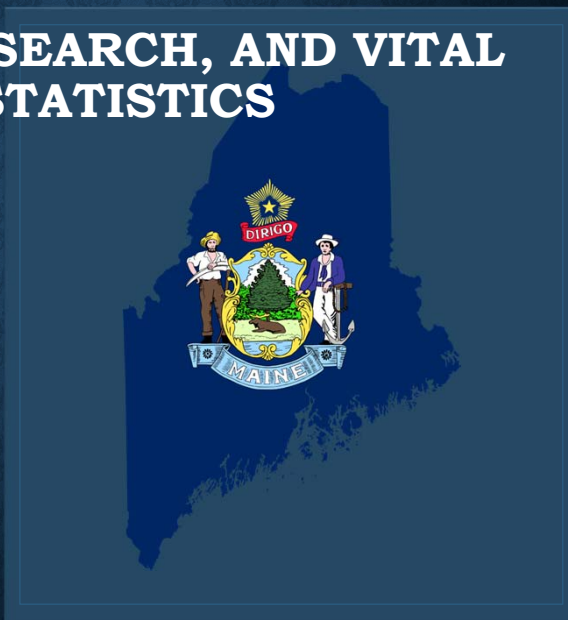
Maine Department of Health and Human Services
Maine Center for Disease Control and Prevention
11 State House Station
220 Capitol Street
Augusta, Maine 04333-0011
Tel: (207) 287-5500; Toll Free: (888) 664-9491
TTY: Dial 711 (Maine Relay); Fax (207) 287-5470

DATA, RESEARCH, AND VITAL STATISTICS (DRVS)

**THERESA ROBERTS, DEPUTY STATE REGISTRAR
MELISSA BOYNTON, DATA SOLUTIONS SUPERVISOR
DANIEL O'LEARY, APPLICATION SUPPORT**

DATA, RESEARCH, AND VITAL STATISTICS

DRVS is responsible for maintaining the statewide system for the registration of vital statistics.



Preserve all certificates, records and other reports returned to the state registrar; Has general supervision of this Title 22 part 6 and 10-146 Department rules relating to the registration of vital statistics; Has general supervision of [Title 19-A, chapter 23](#); Directs, supervises and controls the activities of all persons engaged in the operation of the system of vital statistics; Conducts training programs to promote uniformity of policy and procedures throughout the State in matters pertaining to the system of vital statistics; and monitors the accuracy, completeness and validity of all information returned to the state registrar under Title 22 part 6 and [Title 19-A, chapter 23](#). Prescribes and furnishes forms and issues instructions necessary to the administration of the vital statistics system or prescribe other means of transmission of data that accomplishes the purpose of complete and accurate reporting and registration.


REGISTRATION OF VITAL RECORDS

Records of birth, death, fetal death, marriages, domestic partnerships and divorces are filed and registered in the system of vital statistics.

✓ Vital Records serves as the custodian of all files and vital records from 1892 to present.



The clerk of each municipality in this State shall keep a chronological record of all live births, marriages, deaths and fetal deaths reported to the municipal clerk. Records are filed in the place of event and residence of the mother for births, residence of parties for marriages and residence of the decedent for deaths. Fetal deaths are only filed in the place of event.

<p>Janet T. Mills Governor</p> <p>Jaime M. Lashrew, Ph.D. Commissioner</p>		<p>Maine Department of Health and Human Services Maine Center for Disease Control and Prevention 11 State House Station 228 Capitol Street Augusta, Maine 04333-0011 Tel: (207) 287-5500; Toll Free: (800) 664-9491 TTY: Dial 711 (Maine Relay); Fax (207) 287-1093</p>
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Office of Vital Records Verification Request
(Municipal Clerks & Law Enforcement Only)

PLEASE FAX COMPLETED FORM TO (207) 287-1093

Date: _____

Name of Town Clerk or Officer: _____ Title: _____
City/Town: _____ Phone#: _____
E-Mail: _____

Vital Event Requested

Birth
Name of Child: _____ Date of Birth: _____
Father/Parent Name: _____
Mother/Parent Name: _____

Death
Name of Decedent: _____ Date of Death: _____

Marriage
Name of Party A: _____ Date of Marriage: _____
Name of Party B: _____

Divorce
Name of Party A: _____ Date of Divorce: _____
Name of Party B: _____ District Court: _____

Reason for verification request: _____

Is the customer waiting? Yes No Is an attested copy needed? Yes No

Revised 01/2020

VERIFICATION OF A VITAL RECORD

There may be occasions when a municipal clerk feels they should have a vital record on file in their municipality or are questioning the information on the record on file and need to contact DRVS to verify the information.

This may be done by faxing a verification form to DRVS. The verification form may be found under Forms/Print Forms in the Database Application for Vital Events (DAVE) system.

Please contact DRVS at (207) 287-5447 to obtain a username and password to access the system. In the event a municipal clerk is supposed to have the record on file, a true attested copy of the requested record will be mailed to the municipality. DRVS will not release the location of where the record is filed if the clerk requesting the verification is not entitled to receive the record. Individuals must obtain the records from DRVS. There also may be times when DRVS does not have the information on file and requests that the municipality send a true attested copy to DRVS. Missing file dates may be done by entering the month and year when possible.

There are occasions, on a case by case basis, that a record may be faxed to a municipality upon the approval of the state registrar so they may type an abstract until the attested copy is filed in their municipality. Otherwise faxing a vital record is not permitted.

DEATH & MARRIAGE INDEX PORTAL

Data, Research, and Vital Statistics (DRVS) online indexes are intended to aid in locating the existence of a death or marriage record. This index is changing and expanding daily as DRVS staff use it and input more information into the expanded fields.

- Both portals can be accessed in one convenient location via the following URL: <https://docuware.maine.gov/DocuWare/Platform/WebClient/>
- A username and password may be provided to municipal clerks or genealogist who hold a valid genealogist registration card issued by DRVS. If you misplaced your username and password, please contact DRVS via email at VitalRecords.DHHS@maine.gov or by calling (207) 287-5451.

Municipal clerks may also use the portal to request an attested copy of a vital record they think they should have on file. The Death and Marriage Indexes Tip Sheet and Instructions may be found on DRVS website on how to use the portal. The Births portal should be available this coming summer. Copying and pasting the username and password into the boxes may result in errors; please type them individually into the portal page login boxes. Your computer may allow you to save the username and password.

HOW TO ISSUE A TRUE ATTEST COPY OF A VITAL RECORD

To process a true attested record, photocopy the entire original vital record (front and back if applies). On the back of the record, type the statement provided in the example below, or on the very bottom as far away from the information on the record as possible (if there is adequate space).

The municipal clerk or authorized staff (deputy or assistant clerk) must sign and embossed (municipal seal) the photocopy.

Example:	True Copy Attest
Signature	<i>Christine Wolfe</i>
Name and title	Christine Wolfe, Municipal Clerk
City/Town	Town of Freeport
Date:	05/19/2021

(Emboss or place municipal seal over the true attest statement)

- If issuing vital records from an attested copy, please be sure to cover the statement when issuing certified copies.
- *Please Note:* A true attested copy is never notarized; it is only signed by the municipal clerk, or the clerks authorized staff.

These instructions may be found on DRVS website.

FORMS & INSTRUCTIONS

As specified by Maine law, the state registrar prescribes and furnishes forms and instructions necessary to the administration of the vital statistics system or prescribe other means of transmission of data that accomplishes the purpose of complete and accurate reporting and registration.

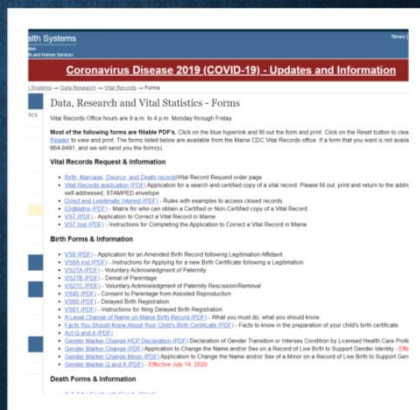
<http://www.mainelegislature.org/legis/statutes/22/title22sec2701.html>



The forms of certificates, records and other reports required by the laws governing the registration of vital statistics shall be designed with due consideration for national uniformity in vital statistics and record service.

PUBLIC FORMS & INSTRUCTIONS

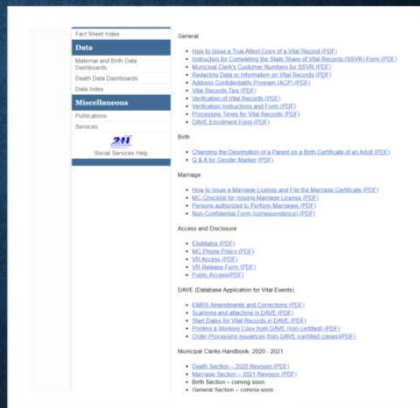
Public forms and instructions related to vital records may be found on DRVS website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/forms/index.shtml>.



Information on how to request a vital record with application, identification requirements, direct and legitimate interest pamphlet, eligibility matrix, correction form and instructions, birth, death marriage information and pamphlets, genealogist information and adult adoptee and adoption reunion registry information may be found on DRVS public website. Please refer individuals to the public website, when possible, to ensure the most current forms and process is being used.

MUNICIPAL CLERK FORMS & INSTRUCTIONS

DRVS has developed a webpage strictly for municipal clerks to access step by step instructions as well as current processes and procedures at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.



Please be sure to click on the box stating “information for municipal clerks and staff” to access the materials available to you. The webpage also contains the latest revision of the death and marriage portion of the municipal clerk's handbook. The birth and general section are currently under development but will also be posted here once finalized.

STATUTES, RULES & REGULATIONS

DRVS also provides a webpage for quick access to vital records
Statutes, Rules & Regulations at

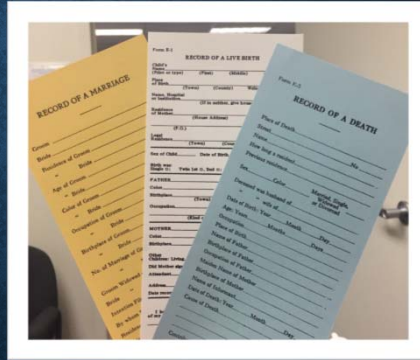
<https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/new-law.html>.

(The most current revision of the death and marriage portion of the municipal clerk's handbook also contains links to each section of Maine law for easy access under each title section.)

FORMATS OF VITAL RECORDS

Between 1892 and 1955, the state-wide vital statistics file consisted of 3-1/2" X 8" cards records (E1, E2 and E3) which municipal clerks hand copied (or typed) from the original certificates. The index cards are color formatted and are filed by year and father's first name to easily locate when a copy is requested.

During this time period, municipal clerks also copied the records into ledger books, which they kept as their own permanent records. Often the original certificates were destroyed. Municipal clerks most always have to type an abstract of the record when a copy is requested during this timeframe.



WHAT IS AN ABSTRACT?

Abstract means a document furnished by the State Registrar for the purpose of reporting vital statistics data, reports and vital records which may be retained on paper, digitally or electronically, that becomes official when issued by a municipal clerk or the Department. The information on the certified abstract shall be identical to that on the report or vital record.

There are three types of abstracts:

- ✓ VS-10 Certified Abstract for Certificate of Birth
- ✓ VS-20 Certified Abstract for Certificate of Marriage
- ✓ VS-30 Certified Abstract for Certificate of Death

Abstracts are form fillable and may be found under Forms/Print Forms in the DAVE system.

Click the link below to go from one field to the next.

Department of Health and Human Services
Certified Abstract of Live Birth

Child Full Name of Child Date of Birth
Sex Birth Place

Attendant Name and Title of Attendant Address

Mother Maiden Name of Mother Residence of Mother

Father Father's Name

Name of Clerk Recording Date Birth City or Town Date of Filing

Pre-printed abstracts on safety paper (usually half page) are no longer valid and may be shredded or returned to DRVS. Abstracts must now always be a full page and copied on safety paper if the applicant meets the eligibility requirements, which we will discuss more in tomorrow's webinar.

- When typing an abstract, please be sure to enter the data or information exactly as it appears on the original vital record. In the event an amendment or correction has been done to a vital record, please remember to include any amendments notations (or deceased watermarks) that appear on the original record as well.
- All certified copies of a vital record must include at a minimum the following information, if it appears on the original record.

Birth	Death	Marriage
Certificate or SFN number (if applicable)	Certificate or SFN number (if applicable)	Certificate or SFN number (if applicable)
Given name(s)	Given name(s)	Bride's given name(s) and maiden surname
Surname	Surname	Bride's state and municipality of residence
Generational identifier	Generational identifier	Bride's date of birth or age
Date of birth	Date of death	Groom's given name(s) and surname
Place of Birth	Date of birth or age	Groom's generational identifier
Sex	Place of death	Groom's state and municipality of residence
Date of filing	Sex	Groom's date of birth or age
	Date of filing	Date and place of marriage
		Date of filing

Try to avoid issuing abstracts when possible. Some agencies will not accept them. As stated in this slide, there is a place designated at the bottom on all abstracts for the purpose of recording corrections, amendments and legal name changes. Please enter the corrected information on the abstract and put an asterisk after each item corrected in order to adequately reference the correction, amendment or LNC made to the original record. Please remember, vital records from 1892 to 1955 were not assigned a SFN. If needed, DRVS has a letter that may be sent to individuals stating this. I would also like to take a minute to discuss deceased watermarks on a birth record. 10-146 CMR. 11 Department rules states to protect the integrity of vital records and to prevent the fraudulent use of birth certificates of deceased person, the state registrar must match birth and death records for person under 45 years of age and post the facts of death on the birth certificate by entering a notation or "died or deceased" and the date of death which must become a part of any copy issued. Records in DAVE match automatically. DRVS receives notification of death for persons born in the State of Maine to mark our records.

REDACTING DATA OR INFORMATION ON VITAL RECORDS


- On occasion, an applicant may ask to "leave off or mask" the cause of death section or the social security number on a death record or information on other vital records. These types of requests from entitled individuals are reviewed on a case by case basis and are done only by typing an abstract (VS-10, VS-20 or VS-30). Municipal clerks may provide this service to entitled individuals requesting the redaction of certain data or information provided the following regulations specified in 10-146 C.M.R. Chapter 11, Section 5 (E) are met:
- The data or information requested to be left off, masked or redacted on an *abstract* must contain chevrons <<<<<<<>>>>>>>> to be consistent with the electronic registration systems, if or when data on a vital record is missing. The abstract must then be copied onto safety paper (VS-31).
- Each certified copy issued shall be certified as a true copy or *abstract* by the officer in whose custody or possession the record is entrusted and shall include the date the copy is issued, the name (typewritten or printed) of the issuing officer, the issuing officer's signature or an authorized facsimile thereof, and the seal of the issuing office.

The chart on the previous slide included items that must appear on any certified copy issued, regardless if the applicant request the information to be left off. Title 22 §2706 provides the statutory authority to issue certified or noncertified copies of certificates or records, *or any parts thereof*, when satisfied that the applicant has a direct and legitimate interest in the matter recorded, and upon the decision of the state registrar or the clerk of a municipality

FORMATS OF VITAL RECORDS

- In **1956**, registration forms were changed to provide paper records suitable for filing as submitted, with a carbon copy for the state file.
- In **1957**, the Legislature enacted a new law which provided for the original certificates of births and deaths to be filed in the state file. This was part of a general revision of vital statistics laws, which incorporated much of the U.S. Model Vital Statistics Law into Maine law. Much of the law, which this act replaced, had not been changed since its original enactment in 1820.
- Although formats of vital records have changed throughout the years, the process for issuing a copy of a vital record (when requested) remained the same by making copies from the original record on file when possible.

Over the years the process for reporting and managing records along with the forms used for reporting events have changed. DRVS will notify clerks as processes or legislative changes occur, but it is the municipal clerks' responsibility to keep up-to-date of the changes and ensure they are providing the most recent version of forms. A supply of forms should not be kept "on hand" in the office as forms become outdated. Printing as you need them ensures the most recent form is used. DRVS often receives outdated correction forms and older versions of an acknowledgement of paternity form, and we must reject the outdated form which causes applicants to become upset since they received the form from a municipality.



FORMATS OF VITAL RECORDS

Issued as paper-based records:

- Births from 1892 to September of 1995
- Marriages from 1892 to January of 2017
- Deaths from 1892 to January of 2011
- Fetal deaths from 1892 to present

Paper based records within the above time frames must be issued by copying the original record, when possible.

Certificates and records of birth, marriage and death, including fetal death, created prior to 1892 must be issued on municipal letterhead (or a noncertified copy).

<http://www.mainelegislature.org/legis/statutes/22/title22sec2706.html>

DRVS and municipal clerks may need to reduce the percentage when photo-copying the original record to ensure all the information required fits on the copy requested.

How to Issue Vital Records prior to January 1st, 1892

Certificates and records of birth, marriage and death, including fetal death, created prior to 1892 are open to the public without restriction. All persons may purchase a copy on municipal letterhead or a noncertified copy of a vital created prior to 1892 as specified in Title 22 §2706(7).

Vital Records suggests that the template provided below or the template(s) provided in the DAVE application be used when preparing requests for non-certified copies.

HOW TO PREPARE A LEGAL COPY OF AN OLD BOOK RECORD

(Events prior to January 1, 1892)

City/Town Letterhead
(if no letterhead, type in the name of the city/town)

Address

Today's Date

The following information is found in _____
(adequately describe the old book so you may find it again) on page _____.

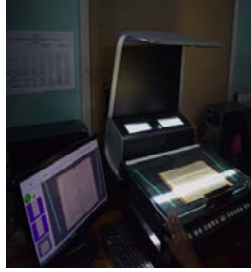
Family Name:
Given Name(s) Listed on Record:
Surname (if applicable):
Generational Identifier (if applicable):
Date of Event (or age):
Place of Event:
Sex:
Date of Filing:

This record appears in sequence with other vital records and was recorded by the city/town clerk whose handwriting and signature appear in other city/town records. This person, _____, was the city/town clerk of _____ from (date) _____ to (date) _____.

Dated: _____
Signature and Printed Name of city/town clerk: _____
City/Town of _____, Maine.
(Seal next to your signature on the record)

These instructions may be found on DRVS website.

DRVS IMAGING SYSTEM



In May of 2012, DRVS successfully scanned over 3.95 million documents from 1923 to 2012. 75,000 manhours were focused on the project to avoid the over handling of original records to ensure they were properly preserved. When a copy of a vital record is requested, they are now issued from the imaging system from the timeframes listed below:

- Births from 1892 to September of 1995
- Marriages from 1892 to January of 2017
- Deaths from 1892 to January of 2011

Preserve records by placing them in binders/containers made for that purpose. Keep your records in chronological order by type of record (date of filing or the event). Larger municipalities will probably want to number the records in sequence and index them; smaller municipalities may want to file records alphabetically. A 3" X 5" card index may be convenient for most municipalities with a sizable number of records. Index cards may only contain the name of the individual, date of event and certificate number if you are allowing access to them outside of the municipal clerk's staff. Personal information is not allowed on index cards if the public is allowed to access to them.

ELECTRONIC REGISTRATION SYSTEMS

The Database Application for Vital Events (DAVE) registers and contains three modules:

- ✓ Births from September of 1995 to present,
- ✓ Deaths from January of 2011 to present, and
- ✓ Marriages from January of 2017 to present.

The Department, as well as municipal clerks (place of event and residence of event) may issue certified or non-certified copies directly from the system.

Again, please contact DRVS for a username and password to access the system. Please do not share usernames with others in the office. Recordings on how to issue a vital record from DAVE will be posted on DRVS website in the near future.

NON-CERTIFIED COPIES OF A VITAL RECORD

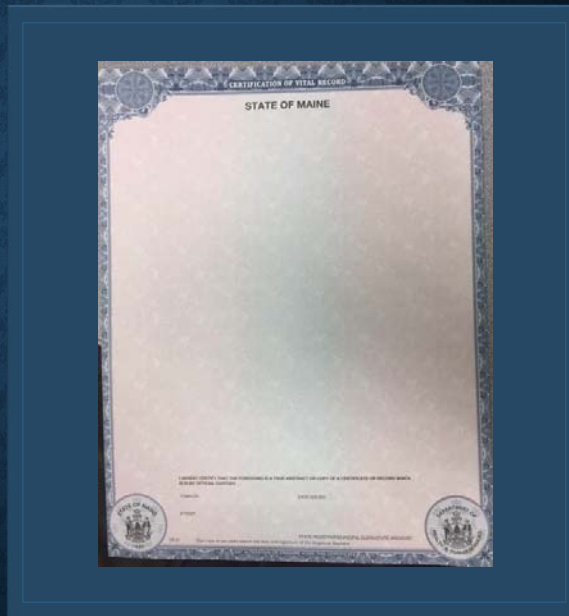
Non-certified copy means an informational copy of a vital record issued by a municipal clerk or the Department containing all or part of the exact data contained on the original vital record in which, when issued, shall be on white paper and shall be marked in a way to state the copy is not intended for legal purposes.

"NOT TO BE USED FOR LEGAL PURPOSES"

A non-certified copy of a record **MUST** not be used to establish legal identity or other legal purposes and shall be marked "not for legal purposes" as shown above. The working copy printed from DAVE is also considered a non-certified copy. The statement (or stamp) should be placed in the body of the record but not covering any of the information on the record. Generally, non-certified copies are used for investigative research, genealogical purposes only or for individuals that do not meet the eligibility requirements and the record is considered a public record. Individuals must still present a written application, identification and the required fee for a non-certified copy. Municipalities typically establish an office policy for the fee for non-certified copies since the fee is not mentioned in the clerk's fee schedule; 30-A MRS § 2652(3).

CERTIFIED COPIES OF A VITAL RECORD

Certified copy means the document created from paper or electronic format, issued by a municipal clerk or the Department containing all or a part of the exact data contained on the original vital record, and which, when issued by a municipal clerk or the Department, has the full force and effect of the original vital record.



A certified copy of a record, or any part thereof, must be considered for all purposes the same as the original record and is prima facie evidence of the facts stated in the record. A certified copy is always issued on safety paper (VS-31). Only individuals who submit a written application, identification, pay the required fee as well as present documentation of a direct and legitimate interest in the record, are eligible to receive a certified copy even if the record is considered a public record. Make sure to fill out the bottom of the safety paper completely by entering the city/town's name, date issued and signature and title of issuing official.

REMINDERS WHEN ISSUING CERTIFIED COPIES


Please remember to cover the mother's marital status as well as any "confidential information for medical and health use only" when issuing certified copies.

30a. Mother Married? (At birth or conception)

30b. Child Legitimate?

CONFIDENTIAL INFORMATION FOR MEDICAL AND HEALTH USE ONLY					
RACE-MOTHER (e.g. White, Black, American Indian, etc.) (Specify)	RACE-FATHER (e.g. White, Black, American Indian, etc.) (Specify)	BIRTH WEIGHT	THIS BIRTH (Single, twin, triplet, etc.) (Specify)	IF NOT SINGLE BIRTH-Born first, second, third, etc. (Specify)	IS MOTHER MARRIED? (Specify yes or no)
12	13	14	15a	15b	16

This information may show on a non-certified copy.



SAFETY PAPER

Every piece of safety paper used should be documented whether it was issuing certified copies to an entitled individual or voided copies due to a printing issue.

- When issuing a vital record from a paper-based record the safety paper numbers located on the back of the paper in red should be recorded on each application for a vital record.
- When issuing a vital record from the DAVE system, the safety paper numbers located on the back of the paper in red must be recorded in the system. Instructions on “Order-processing Issuances from DAVE” to ensure the safety paper numbers are correctly recorded and orders are complete may be found on DRVS webpage for municipal clerks at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.
- Instructions on “How to Assign Safety Paper Numbers in DAVE” may also be found on the webpage for clerks. (same as link above)

Maine safety paper has built in security features to prevent against fraud and must be kept under lock and key in each municipality. Standards are provided by the NCHS. Maine specifications and security features include:

1. High Resolution fine line Intaglio Printed Engraved Border Design and Security Style Watermark.
2. Color invisible fluorescent security fibers.
3. Toner Retention treatment to deter removal of laser image.
4. Optically dead, full family Chemical sensitivity to deter chemical alteration.
5. “Void” Copy Background.
6. Engraved state name and certification of vital record outline text. (True attested statement)

PUBLIC RECORDS

Title 22 §2706(7) specifies the length in time when a vital record becomes public. <http://www.mainelegislature.org/legis/statutes/22/title22sec2706.html>

After.....

- ✓ 75 years from the date of birth for birth certificates,
- ✓ 50 years from the date of death for fetal death certificates,
- ✓ 25 years from the date of death for death certificates,
- ✓ 50 years from the date of marriage for marriage intentions and marriage certificates, and
- ✓ 50 years from the registration of domestic partnerships.

All other vital records are considered restricted except Maine divorces and permits for disposition.

PUBLIC RECORDS

- Any person may obtain a non-certified copy of public vital record upon written application, identification and \$10.00 search fee.
- Certificates and records of birth, marriage and death, including fetal death, created prior to 1892 are open to the public without restriction. All persons may purchase a copy on municipal letterhead, or a noncertified copy of a vital record created prior to 1892.



10-146 CMR Chapter 4 Department rules regulates public and restricted records, application and identification requirements, and what is acceptable documentation for a direct and legitimate interest in the record. In yesterday's webinar, we discussed how to issue a copy of a vital record prior to 1892, as well as non-certified copies, and how the non-certified copies should be marked "not to be used as a legal document".



DIVORCE RECORDS

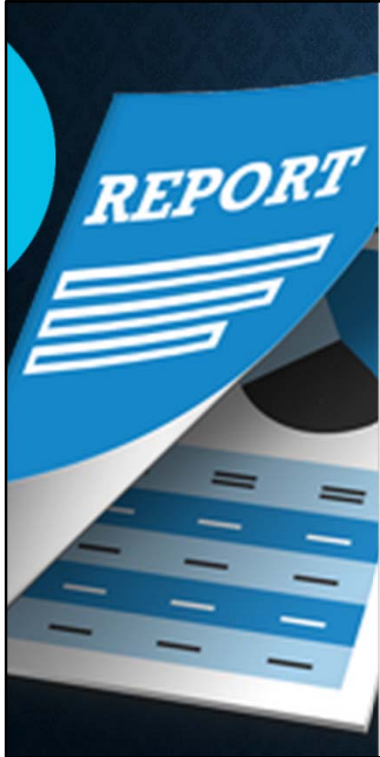
- Maine divorce records are public records. DRVS has no jurisdiction for making amendments to divorce records.
- Anyone requesting a non-certified or certified copy of a divorce is entitled, provided they submit a written application and the required fee.
- DRVS may verify information pertaining to a divorce record for municipal clerks, when needed.

DISPOSITION PERMITS

A copy of an endorsed permit must be made available to a member of the public upon a request made to the municipal clerk.

<http://www.mainelegislature.org/legis/statutes/22/title22sec2843.html>

Disposition permits must be retained permanently. As a reminder, each municipality must maintain a record of any endorsed permit received in the electronic death registration system effective in May of 2019. Clerks may attach copies of disposition permits to the death records in the EDRS starting as early as 2011.



ANNUAL TOWN REPORTS

It is unlawful for any employee of the State or of any municipality in the State to disclose data contained in such records, except that a clerk of a municipality may cause to be printed in the annual town report the births reported within the year covered by the report, by number of births and location by city or town where birth occurred, deaths reported within the year covered by the report, by date of death, name, age and location by city or town where death occurred, and marriages reported within the year covered by the report by names of parties and date of marriage. All other details of birth, marriage, divorce or death may not be available to the general public, except as specified in department rules.

<http://www.mainelegislature.org/legis/statutes/22/title22sec2706.html>

DISCLOSURE OF PUBLIC INFORMATION

Can I release public information to a customer over the phone?



NO

Although the law defines the length of time when a vital record is considered public, Department rules regulate how to request a record; whether the record is considered public or restricted. Both public and restricted vital records require individuals to complete an application (or written request), provide identification and payment of the fee for non-certified copies. Restricted records require additional information such as proof of lineage or the documentation of direct and legitimate interest in the record for certified copies. FOAA does not apply to Vital Records. All other information and certificates that clerks are forbidden to disclose or that do not become public records for many years could be considered “confidential” and therefore not subject to FOAA. DRVS is charged with controlling access to this information by making rules for such disclosures. This includes what access to non-public records to give to genealogists, interested individuals, and subjects of the records, as well as how that is done. Per AAG opinion.

RECOMMEND PHONE POLICY

DRVS highly encourages municipal clerks to adopt a policy within their municipality not to disclose any vital statistics data or information to any individual or organization verbally over the phone. The policy should reference the language in Title 22 §2706 and include the following scenarios:

- ❖ Individuals requesting data or information contained in the annual town report should be referred to the municipality's web-site or a printed version of the annual report.
- ❖ Individuals requesting data or information from a public vital record should be encouraged to complete an application to obtain a non-certified copy of the vital record in question.
- ❖ Researchers engaged in genealogical research who hold a valid researcher identification card should be encouraged to complete an application to obtain a non-certified copy of the vital record in question.

Municipal clerks may use their own discretion if or when verifying a vital record is filed within their municipality. A municipal clerk must not disclose personally identifiable information contained in vital records or issue a copy of all or part of any such record unless the applicant is authorized to obtain such record for a proper purpose or is authorized to obtain such data.

Please see DRVS website for clerks for the recommended phone policy at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>

WHO IS ENTITLED BY LAW?

- A person's spouse, registered domestic partner, descendant, parent or guardian, grandparent, sibling, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law, father-in-law, personal representative or that person's duly designated attorney or agent, or attorney for an agent designated by that person, or by a court having jurisdiction over that person .

RESTRICTED VITAL RECORDS

Restricted vital statistics data, reports and vital records must be released to applicants who meet the criteria specified for non-restricted data, reports and vital records in addition to the following criteria:

- Those who demonstrate a direct and legitimate interest in the data, reports and vital records; or
- Related individuals; or
- Those requesting data for statistical or administrative research; or
- Those who present a valid genealogical researcher identification card.


Documentation provided to support the direct and legitimate interest in the record or proof of lineage should be noted on the application or written request and be returned to the applicant.

MORE RESTRICTIONS.....

Certified or noncertified copies of the death certificate of a minor's parent must be made available at any reasonable time upon the request of that minor's living parent, if the requester's parental rights with respect to that minor have not been terminated and the state registrar is satisfied as to the identity of the requester.

Most times individuals will have a court order stating they have custody of the child.

WHAT IF I AM LISTED ON THE VITAL RECORD?

- The child, parents or health care provider listed on the birth record.
 - The parties, parents, and marriage officiant listed on the marriage record.
 - The parents, spouse (or domestic partner), informant, funeral director and health care provider listed on a death or fetal death record.
 - The domestic partners listed on the domestic partnership record.
- 

Must provide written application and identification

APPLICATIONS

Application forms must be prescribed and furnished by the Department or a municipal clerk for the purpose of determining the applicant's eligibility to receive a copy of a vital record; whether the record itself is considered a public (non-restricted) or restricted vital record.

- Samples of DRVS application forms may be found in DAVE under Forms/Print Forms or on DRVS public website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/order/index.shtml>.
- Applications should be handled in the order in which they are received. When more than three applications are received from the same applicant, the additional applications may be accepted and processed at a later time.
- Applications may be presented in person, via mail, fax, and e-mail or electronically when they have been produced by software or the electronic system provided and approved by the State Registrar. (Examples-DAVE, VitalChek, verifications and faxed funeral home orders.)
- Approved applications and written requests submitted for the release, inspection or copying of a record shall be considered part of that record, subject to release in accordance with 10-146 CMR Ch. 4 Department rules.
- Approved applications must be retained by the municipality who issued the record for a period of one year and retained by the Department for a period of three years.

Identification of the applicant, the required fee and documentation of the direct and legitimate interest (including lineage) must be presented at the time the application is submitted and recorded on the application form itself.

ACCEPTABLE IDENTIFICATION OF APPLICANT

The identification documents presented by the applicant must be the original or a copy of a document that has been notarized. Such documentation must be acceptable by the municipal clerk or the Department and must include:

Government issued identification that includes a photograph; or

- At least two alternate forms of identification; or
- An alternative electronic process.

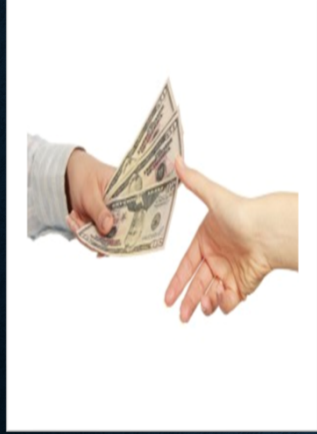
A municipal clerk or the Department may require a sworn statement in addition to the above identification documents in order to establish an applicant's eligibility.

A municipal clerk or the Department must review the identification documents presented by the applicant and may verify the identification documents with originating agencies when questionable.

Approved identification documents must be notated on the application form.

The Department's application form discussed in an earlier slide, contains the identification requirements making it easier for DRVS staff to simply check the boxes to ensure the criteria has been met.

FEES



All vital statistics data, reports and vital records released in response to approved requests/applications must be subject to set charges in accordance with 10-146 CMR chapter 7 Department rules. Municipal offices charge fees for certified copies as specified in 30-A MRS § 2652(3) and may charge fees for non-certified copies of records as specified in their municipal fee schedule. <http://www.mainelegislature.org/legis/statutes/30-A/title30-Asec2652.html>.

1. The applicable fees must be paid at the time of application. All fees are non-refundable.
2. The \$15.00 fee is for the record search of files for a time period of one year before and one year after the stated date of event and includes one certified copy of the record, if located.
3. The \$6.00 fee is for each additional certified copy of the same record requested at the time a search is made.
4. The \$10.00 fee for record search of files for a time period of one year before and one year after the stated date of event and one noncertified copy of the record if located. The fee is for each search conducted whether or not the record is located, or certificate number is provided. (Not a legal document.)

DIRECT AND LEGITIMATE INTEREST

- A surviving parent acting on behalf of a child who is a minor must present the birth certificate of the child naming the surviving parent or an order from a court of competent jurisdiction naming both the child and the surviving parent.
- Genealogical researchers must present a valid genealogical researcher identification card issued from the Department (non-certified copies only).
- Authorized representatives must present the written and notarized statement from the registrant as proof of contract. If the registrant is requesting a family member's record, the notarized statement or contract must be presented in addition to supporting documentation that demonstrates lineage or relationship.
- Federal, State, Maine local government or Tribal agencies, Maine municipal governments and Maine public school districts must present a written request on letterhead and provide documentation of identification of the applicant who signed the request.

DRVS provides a vital records release form on the website as well as a direct and legitimate interest pamphlet. Please refer individuals to the website or print the information for them. Public schools must submit application directly to DRVS.

DISCLOSURE OF RELEASED DATA

Direct and legitimate interest does not include access to or disclosure of information contained in vital statistics data, reports and vital records for sale or release to the public, for direct or indirect marketing of goods or services, for other non-research solicitation of registrants or families of registrants, or for other commercial or speculative purposes by media representatives and commercial firms other than those conducting health, medical or social research.

Registered genealogist who hold a valid genealogist researcher card who obtains non-certified copies may not share the information with other genealogical or historical societies.; only the family in which they are representing.

PROOF OF LINEAGE OR RELATIONSHIP

A related individual or the authorized representative of a related individual must present supporting documentation to demonstrate lineage or relationship to the registrant at the time of application and prior to the issuance or release of vital statistics data, reports and vital records.

- **Primary documents demonstrating lineage.** Certified copies of vital records presented to demonstrate lineage or relationship are considered the primary documents. The registrant who is 18 years of age or older may present a notarized report of results of DNA testing as an acceptable primary document to obtain a vital record of a parent that is not named on the registrant's birth certificate.
- **Secondary documents demonstrating lineage.** In the event the primary documents to demonstrate lineage or relationship to the registrant specified above are not available, then two documents as specified below shall be presented:

- ✓ A hospital or physician's record of birth or death;
 - ✓ A baptismal record;
 - ✓ School enrollment records;
 - ✓ Military records;
 - ✓ Court records;
 - ✓ U.S. Census enumeration record; or
- ✓ Other supporting documents approved by the State Registrar.

MATRIX

To assist the Department and municipal clerks for determining who can obtain a certified or non-certified copy of vital record a matrix was developed.



Let's take a look.....

<https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/documents/pdf-files/EligMatrix42017.pdf>

SCENARIOS & OPEN DISCUSSION

Please take a minute to answer a few polls related to access and disclosure of vital records. We will then open the session up for questions and answers.

	Job Responsibilities	E-mail	Phone Number
Sharon Wright	Adoption Reunion Registry, Foreign Born Adoptions, Adoptions, Adult Adoptees, Delayed Births, Legitimations and Legal Sex Changes.	Sharon.Wright@maine.gov	(207) 287-6048
Mary Motuzas	Front Desk Operations, Mail Requests, Vital Check Orders, Municipal Clerk Verifications and Funeral Home Orders (faxed).	Mary.Motuzas@maine.gov	(207) 287-1910
Rebecca Ashley	Marriage Registration, Marriage Training, VS-7 Marriage Corrections, Domestic Partnerships, Single Status Letters, Temporary Officiant Applications and Divorces.	Rebecca.Ashley@maine.gov	(207) 287-6480
Jessica Raven	Birth Registration, Hospital Corrections & Hospital Acknowledgment of Paternity (AOP), VS-7 Birth Corrections, Legal Name Changes, Denial of Parentage (DOP), Court Determinations, Gestational Carrier Agreements, Genetic/De Facto Parentage and Assisted Reproduction.	Jessica.Raven@maine.gov	(207) 287-5452
Anna York	Paper-based Acknowledgments of Paternity (AOP), Home Births, Federal and State Agency Verifications, Back-up to VitalCheck Orders, Attested Copies, Missing File Dates or Registrars and Out of State Deaths.	Anna.York@maine.gov	(207) 287-3148
Melissa Boynton	Death Registration, Fetal Deaths, Death Corrections, Authorized Persons, Disposition Permits, Sub-Registrar Applications, DAVE User Enrollments and Participant Listing, Death and Marriage Index Portal, Health Care Provider Training, ME Flag Words and Vital Records Forms.	Melissa.Boynton@maine.gov	(207) 287-6451
Donna Magras	Genealogist Researcher Requests and Researcher Card Applications.	Donna.Magras@maine.gov	(207) 287-4813
Cynthia Barna	FORTE/DocuWare Systems, Scanning, Back-up to Genealogist Requests, Authorization Forms, Voided Safety Paper and Special Projects.	Cynthia.Barna@maine.gov	(207) 287-5460
Dan O'Leary	DAVE Application Help Desk and Support, User Names and Passwords, Order Processing, Safety Paper Orders and Assignments in DAVE, Funeral Home Orders, Case Management, Dymo Listing and Queries to Stakeholders.	doh.ohbe@maine.gov Daniel.OLeary@maine.gov	1-888-664-9491 (Option 7) (207) 287-6447
Kristin Sprague	Receptionist, Back up to Front Desk Operations, VitalCheck Orders, Genealogist Researcher Request, Researcher Card Applications and Special Projects.	Kristin.Sprague@maine.gov	(207) 287-3181 (207) 287-1919

VITAL RECORDS STAFF LISTING

