

## **Direct and Legitimate Interest**

Documents required for the release of a restricted vital record.

1. The applicant must present identification documents at the time of application. The identification documents presented by the applicant shall 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 shall include:

- ✓ Government issued identification that includes a photograph;
- ✓ or at least two alternate forms of identification

Documents accepted include a driver's license, a passport, or other government issued photo identification.

2. The applicant must supply a copy of the document that requires the vital record to be released; a court order, letter from attorney, letter from Social Security, letter on creditor letterhead or copy of credit agreement, insurance form or letter from insurance company, etc.

3. The current fee must be paid at the same time the above information is submitted for issuing a record.

## **Non-Discrimination Notice**

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To order additional copies of this publication or if you have questions about the content, please call: Maine CDC, Data, Research, and Vital Statistics at 207-287-3771. "TTY users call Maine relay 711".

**Data, Research, and Vital Statistics (DRVS)**  
**Vital Records office**  
**220 Capitol Street**  
**11 State House Station**  
**Augusta, Maine 04333-0011**  
**(207) 287-3771**  
**Fax : (207) 287-1093**  
**TTY Users: Dial 711 (Maine Relay)**

## **Maine Department of Health and Human Services (DHHS)**

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## **Data, Research, and Vital Statistics (DRVS)**

## **Accessing Restricted Vital Statistics Data, Reports and Vital Records in Maine**

# DIRECT AND LEGITIMATE INTEREST

The release of restricted vital statistics data, reports and vital records is regulated by 10-146 Department rules. The rules specify who may obtain a copy of a vital record (birth, death, fetal death, marriage, divorce or registered domestic partnership) by determining why the vital record is required.

Individuals with a direct and legitimate interest in the vital record may obtain a copy of the vital record if they meet the criteria of “direct and legitimate interest.”

The following applicants may obtain restricted vital statistics data contained in a vital reports or records by demonstrating that such information is needed for the determination or protection of personal property rights:

1. Registrant or related individuals;
2. A surviving parent acting on behalf of a child who is a minor shall be entitled to the deceased parent(s) death certificate if their parental rights have not been terminated.
3. Genealogical researchers who hold a valid genealogical researcher identification card from the Data, Research, and Vital Statistics (DRVS) office.
4. Others approved by the State Registrar who provide supporting documents of eligibility to determine they are qualified to receive such data.

Applicants demonstrating a direct and legitimate interest must present supporting documentation for the purposes of determining the applicant’s eligibility to receive the requested data or record.

## Examples of Direct and Legitimate Interest:

- An individual who needs a copy of a vital record for a law suit for protection of personal property rights.
- An individual who needs a copy of a vital record for a creditor; (mortgage lender, creditor holding a note, Social Security, insurance purposes, etc.)
- An individual who needs a copy of a vital record to clear a motor vehicle title, or to determine a personal property right of the vehicle.
- Federal or State agencies, Maine local government or Tribal agencies, Maine municipal governments and Maine public school districts, any of which may require such vital statistics data for statistical or administrative purposes in the conduct of their official duties.

*Media representatives or commercial firms other than those conducting health, medical or social research shall not be considered to have a direct and legitimate interest.*

A municipal clerk or DRVS will review the supporting documentation presented by the applicant. Such documentation must be an original document or a copy of the document that has been notarized.

## Examples of supporting documentation to demonstrate a direct and legitimate interest:

1. The registrant listed on birth records; the parties or officiant listed on a marriage record; the informant who provides information about a deceased person to the funeral establishment in order to file the death record, funeral director or authorized person listed on a death record; and the parents listed on a birth, death or marriage record must present identification.
2. Related individuals must present documentation to demonstrate lineage or relationship.

3. 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.
4. Genealogical researchers must present a valid genealogical researcher identification card issued from the DRVS.
5. 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 shall be presented in addition to supporting documentation that demonstrates lineage or relationship.
6. Federal, State, Maine local government including 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.
7. Individuals conducting health, medical and social research, including those who represent governmental agencies, must provide identification, the purpose of which the data will be used, a description of the procedures that will be used to maintain the confidentiality and security of identifying vital statistics data, and a signed confidentiality agreement.