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**GENERAL**

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## **HISTORY OF VITAL RECORDS IN MAINE**

The history of vital records in Maine begins in the early days of Massachusetts. In 1639, the Clerk of Writs of the Colony of Massachusetts was charged with keeping records of “the days of every marriage, birth, and death of every person...” in addition to keeping records of wills, judgments, and evidence. Maine was a part of Massachusetts until we became a state under the Act of Separation between Maine and Massachusetts in 1820. Upon separation, the laws of Massachusetts were carried over verbatim as the laws of Maine, and keeping vital records had become the responsibility of municipal clerks.

The first attempt to establish a state-wide registry of vital records occurred in 1864 when the legislature enacted a law requiring each legal municipality to send an annual report to the Secretary of State listing all births, deaths, and marriages that occurred in the last year. There was little interest in the law from the Secretary of State and the municipal clerks, and many municipalities did not report. The Legislature repealed the law in 1886.

A new vital records law was proposed to the 64<sup>th</sup> legislature in 1888 and was passed into law in 1890 to become effective on January 1, 1892. Under the 1890 Act, the Secretary of the State Board of Health became the State Registrar of Vital Statistics and on January 1, 1892, an office was established to maintain a statewide vital statistics system. The new office took vigorous steps to implement the Act and established an effective registration system.

Between 1892 and 1955, the state-wide vital records file consisted of 3-1/2" X 8" card records which municipal clerks hand-copied from the original records. Municipal clerks also copied the records into ledger books, which they kept as permanent records. Often, the original records were destroyed.

In 1956, the paper 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 that provided for the original records 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 Model Vital Statistics Act into the laws of Maine. Much of the law, which this act replaced, had not been changed since its original enactment in 1820.

The vital statistics system has undergone many changes in its over 300-year history in Maine. While some municipalities have very good older records from their earliest settlement, many municipalities did not start to keep records until they were forced into doing so by the new vital statistics law in 1892.

In recent years, Maine’s vital statistics system has increasingly incorporated technological advances, both in the Department and in many municipal offices. The changes include online registration systems, such as the Database Application for Vital Records, known as DAVE, as well as the DocuWare system where original records have been scanned, stored, and may be issued electronically. Other changes such as the preparation of certified copies by photocopying original records rather than typing an abstract, as well as the use of personal computers (PCs) to review, file, register, and issue records by laser printing. Improvement measures are always ongoing.

Currently, most municipalities have a well-established vital statistics system, and the State file of current records is about 99 percent complete. The system stands ready to serve the inhabitants of the State by providing quantitative information on health status and health resources. These functions are accomplished through the development and implementation of data collection, data processing, and analytical activities.

## **DEPARTMENT LOCATION AND SERVICES PROVIDED**

<https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/order/index.shtml>

The Department wants to help municipalities maintain the best possible vital statistics system to serve its residents in the best possible manner. Please feel free to visit or call the Department with any questions, concerns, or training requests.

Department of Health and Human Services  
Maine Center for Disease Control and Prevention  
Data, Research, and Vital Statistics (DRVS)  
220 Capitol Street  
11 State House Station  
Augusta, Maine 04333-0011

Tel: (207) 287-3771 (Recording)  
Toll-Free 1-888-664-9491

Monday – Friday  
8:00 a.m. to 5:00 p.m.  
Lobby hours are 9:00 a.m. to 4:00 p.m.

Individuals needing a certified or non-certified copy of a vital record may come into the office anytime during normal lobby hours. Appointments are needed for other services due to staff availability. Some vital records staff work remotely two days per week. Please advise customers needing a correction to a vital record to call ahead or make an appointment.

### **Staff Listing**

Be sure to obtain the most updated staff listing with specific duties from the Department's website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>

## **DUTIES OF THE DEPARTMENT**

<https://legislature.maine.gov/legis/statutes/22/title22sec2701.html>

The Department of Health and Human Services established the office of Data, Research, and Vital Statistics (DRVS), which maintains the statewide system for the registration of vital statistics. The Commissioner of Health and Human Services appoints a State Registrar who has charge of the statewide system for the registration of vital statistics and is the custodian of its files and records. The State Registrar has the following responsibilities by law:

- Preserves all certificates, records, and other reports returned to the State Registrar
- Has general supervision and enforcement of the laws and regulations relating to vital statistics.
- Maintains a file of all vital events which occur in the State of Maine.
- 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 about the system of vital statistics.
- Monitor the accuracy, completeness, and validity of all information returned to the State Registrar.
- Prescribes and furnishes the forms for registering vital events such as births, marriages, deaths, fetal deaths, divorces, spontaneous miscarriages, induced abortions, acknowledgment of paternity, domestic partnerships, single status letters, and adoptions.
- Prepares and publishes annual reports on the vital statistics of the State.

Data, Research, and Vital Statistics (DRVS) have four (4) units within the office. Statistical Services, Cancer Registry, Electronic Data Modernization, and Vital Records.

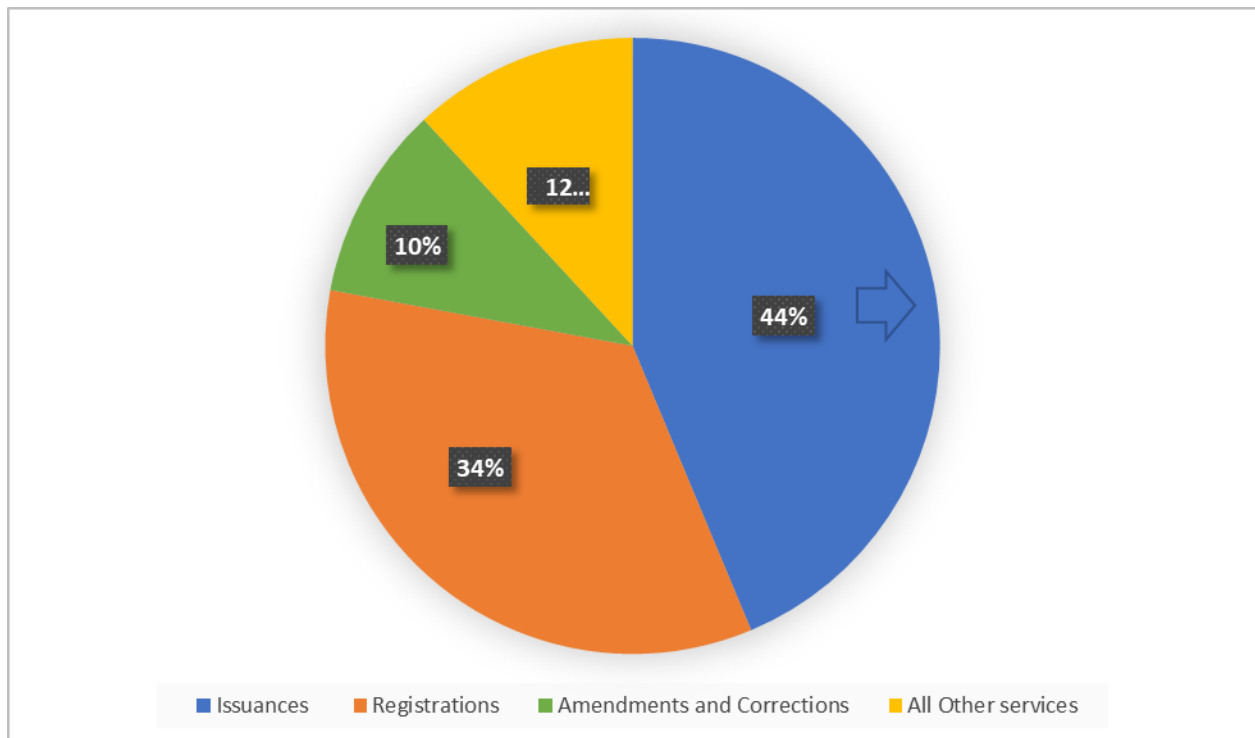
### **Vital Records Unit**

The Deputy State Registrar supervises the Vital Records unit and is directly in charge of the vital registration activities. The Deputy State Registrar has staff that process records provide vital registration services, and works with stakeholders (municipal clerks, funeral directors, medical certifiers, hospitals, midwives, courts, and the public) to assist them with vital statistics issues and problems. The functions of the Vital Records office are as follows:

- Receive, review, process, and file all certificates of birth, death, fetal death, marriage, divorce, acknowledgments of parentage, abortions, and miscarriage. Processing consists of examining records for omissions and obvious errors, statistical coding, and numbering. Additional processing steps include scanning the records and keying the data into an electronic registration system for statistical processing and issuance of records.

- Receive requests for certified copies and verification of vital records data, search files, and prepare copies.
- Review evidence submitted to correct errors on vital records, correct the errors on the State record when the evidence is satisfactory, and notify municipalities to correct their records.
- Review evidence submitted to file a delayed birth, record the evidence, approve the registration when the evidence is satisfactory, file and forward paper copies to municipalities
- Prepare and file new certificates of birth following adoption or legitimation and when applicable, forward paper copies to municipalities.
- Advise and assist stakeholders on problems related to vital statistics matters.
- Maintain the Adoption Reunion Registry to facilitate contact between adopted persons and their biological parents if both parties are seeking such contact.
- Maintain domestic partnerships and issue single status letters.
- Prepare and publish annual reports of the vital statistics of the state.

**VITAL RECORDS TOTALS BY SERVICE 2022**



<b>Front Desk Operations</b>	
Window requests (birth, death, marriage, divorce)	18,597
Vital Chek request (birth, death, marriage, divorce)	24,861
Mail requests (birth, death, marriage, divorce)	6,488
Genealogy requests (birth, death, marriage, divorce)	3,081
<b>Total Number of Requests 53,027</b>	
<b>Death Corrections</b>	
Administrative	322
Medical (SCODs)	2,780
Personal	3,174
<b>Total Death Corrections 6,276</b>	
<b>Birth Corrections</b>	
Administrative Correction	802
Adoption Annotated	45
Adoption Annulment	1
Adoption Non-Annotated	602
Court Determination of Parentage	487
Court Order - Annotated	39
Court Order - Non-Annotated	7
Denial of Parentage	183
Gender Changes	132
Hospital Correction - Medical	350
Hospital Correction - Personal	731
Legal Name Change	392
Legitimation	12
Legitimation Annulment	1
Remove Father No AOP	3
State Paternity	530
Surrogate non-annotated	21
VS-7 Annotated	184
VS-7 Non-Annotated	95
<b>Total Birth Corrections 4,617</b>	
<b>Marriage Corrections</b>	
Administrative Correction	1404
Court Order - Marriage	17
VS7 - After 90 days - Marriage	41
VS7 - Before 90 Days	47
<b>Total Marriage Corrections 1,509</b>	
<b>Registrations</b>	
Delayed Births	2
Births (84 homebirths, included in total)	11,715



Marriage	10,334
Death	17,115
Fetal Death	57
Abortions/Miscarriages	2,515
Domestic Partnerships	197
Genealogist Researcher Card	85
<b>Other</b>	
Adult Adoptee (Original Birth Certificate)	60
Out-of-State Adoptions	72
Foreign-Born Adoptions	9
Reunion Registry	6
Verifications (State agency and municipal clerk)	12,832
Temporary Non-Resident Officiant Certificates	68
Single Status Letters	71
Domestic Partner Terminations	17
Sub-registrar Applications	17
Disposition Permits (State issued)	1,257

### **Vital Record Forms**

10-146 Department Rule, Chapter 11 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>  
All forms, certificates, electronic data files, and reports used in the system of vital statistics are the property of the Department and must be surrendered to the State Registrar upon demand. The forms prescribed and distributed by the Department for reporting vital statistics must be used only for official purposes. Only those forms furnished or approved by the State Registrar must be used in the reporting of vital statistics or in making copies of records. Electronic data records will be accepted only when they have been produced by software provided or approved by the Department and when standards set by the State Registrar are met.

Forms and instructions available to the public are located on the Department’s website at: <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/forms/index.shtml>. The Database Application for Vital Events, known as DAVE, contains all vital records forms that are NOT accessible to the public under the Forms, Print Forms tab.

Municipal clerks must use the most updated version of any form related to vital records. Please do not print a paper supply to maintain in the municipality’s files. Always print any form needed from the Department’s public forms website or the DAVE system.

### **Access to the Database Application for Vital Events (DAVE) System**

[https://gateway.maine.gov/EVRS\\_PROD\\_WEB/Logon.aspx](https://gateway.maine.gov/EVRS_PROD_WEB/Logon.aspx)

DAVE consists of (3) three different modules. The Electronic Death Registration System (EDRS), the Electronic Birth Registration System (EBRS), and the Electronic Marriage Registration System. Records of death, birth, and marriage may be created, registered, and issued from the system. DAVE contains:

- Deaths from January 2011 to the Present
- Births from September 1995 to the Present
- Marriages from January 2017 to the Present

All municipalities should now be using the DAVE system to access and issue vital records during the timeframes indicated above. Each clerk that is authorized to issue vital records should have their username and password. Usernames and passwords should never be shared within a municipality. Please complete the DAVE user enrollment form located on the Department's website for clerks at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.

### **Website for Municipal Clerks**

The Department has developed a webpage for municipal clerks that provide instructions, training materials, as well as current practices and procedures related to vital records. Please take a minute to view what information is available on the website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.

### **Online Indexes Available to Municipal Clerks and Registered Genealogists**

<https://docuware.maine.gov/DocuWare>

The Department provides Maine death, marriage, and birth index portals to municipalities and genealogists who hold a valid genealogical researcher card. Municipal clerks may use the portal to search to see if a record exists and if the records should be on file in their municipality. The indexes contain the identifying information about the record and provide the State File Number (if applicable). The searchable ranges of vital records are as follows:

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

Please use the portal going forward when a State File Number (SFN) is requested to be added to the vital record rather than faxing a verification request. If the customer does not request that the SFN be added to the record, it is most likely not needed, and copies may be issued without it.

The search results in the portal display BIR, MAR, or DEA indicating the type of event with the year and certificate number. An example of an SFN (certificate number) search result from the portal will display as **BIR1995001234**.

When municipalities type or print the SFN on the record on file, please remember to write the SFN on the actual record, not the certified copy, in the top right-hand corner of the record. The SFN must display as provided in the example provided below:

#### **118-1995-001234**

118 = State of Maine Identification Number

YYYY- Year of Event

001234- Example of a certificate number (must be six digits)

Questions about how to access the indexes (username and password), as well as instructions on how to use the portal, may be directed to Melissa Boynton, Supervisor of Electronic Data Solutions. Melissa may be reached via e-mail at [Melissa.Boynton@maine.gov](mailto:Melissa.Boynton@maine.gov) or by phone at (207) 287-5451.

### **Faxing Vital Records**

Faxes are secure provided that the Department or municipal clerk has verified the agency, business, or institution to which they are faxing the information. One of the reasons for fax security as opposed to the security of other internet or mobile-based communications is that fax machines communicate via phone lines, not the internet. Phone lines are more difficult to compromise than public internet and Wi-Fi connections, although, the fax may be intercepted, and the record may not go where intended.

The Department does not normally permit or allow any records, whether certified or non-certified, to be faxed to any individual, business, or institution, but there may be occasions on a case-by-case basis when a customer needs a record faxed to the airport or cruise line for travel, a new job, or housing. Municipal clerks may use their discretion for these types of cases. Prior to faxing any information, please be sure that an application, identification, proof of lineage, or a direct and legitimate interest (if applicable) has been provided and payment has been arranged.

### **Verifications of Vital Records**

If a vital record is requested, and the municipality does not have the record on file or is questioning the information on a vital record, municipal clerks may fax a verification request to the Department. The verification process has been established to ensure municipal clerks receive the quickest response possible from vital records staff.

Examples of the times when a verification request should be faxed to the Department are when there is a missing file date, spelling of the registrant's (or parent's) names on a record if there has been an adoption, or to check if a correction or a legal name change has been applied to the record.

In the event, a customer is waiting and needs immediate assistance, please indicate so on the verification form. If a response is not provided within a reasonable amount of time, please contact Kristin Sprague at (207) 287-3100 or [kristin.sprague@maine.gov](mailto:kristin.sprague@maine.gov).

The verification form will still need to be completed to account for services provided by the Department. Please do not leave voicemails for other vital records staff in Department for they will only be forwarded to Kristin for a response.

The verification form and instructions may be found on the Department's website for clerks at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.

## **True Attest Copies of Records**

Periodically, municipal clerks will be asked to mail a “true attest copy” or “attested” of a birth, marriage, or death record to either the Department or another municipality.

To make a true attest copy of the record, simply photocopy the record onto plain white paper and type or write the statement “True Attest Copy”. The issuing officer will need to print and sign their name and title under the statement and provide the date the copy was made. Place the municipal seal next to the issuing official’s signature. For records that are a full page, the statement and signature should be done on the back of the record where it will not become part of the record when issued onto safety paper.

### *Example of a True Attested Copy*

Signature	True Attest Copy <i>Christine Wolfe</i>
Name and title	Christine Wolfe, Municipal Clerk
City/Town	Town of Freeport
Date:	03/19/2023

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

When issuing vital records from an attested copy, please be sure to cover the statement before issuing certified copies. A true attested copy is never notarized, it is only signed by the municipal clerk or the clerk’s authorized staff.

## **Unincorporated Places**

<https://legislature.maine.gov/legis/statutes/22/title22sec2703.html>

When a birth, marriage, or death occurs in an unincorporated place, it must be reported to a municipal clerk as specified by the Department and must be recorded or registered in the electronic registration system. Typically, the municipality handling the voter registration and auto registration for the unincorporated place is the municipality that handles the registration for vital records. The Department has compiled a list of unincorporated places and municipalities where their vital records are registered. It is reviewed periodically, updated, and made available to those who need it.

## **United States Department of Veteran Affairs at Togus**

<https://legislature.maine.gov/legis/statutes/22/title22sec2704.html>

Certificates of live births, deaths, and fetal deaths occurring at the federal facility, known as Togus, are filed directly with the Department in the DAVE system. Prior to the DAVE system, the Department forwarded paper copies of all live births, deaths, and fetal deaths received, to the clerk of the municipality where the parents of the child resided or the municipality where the decedent resided.

## **Citizenship and Naturalization**

<https://www.uscis.gov/citizenship/learn-about-citizenship/citizenship-and-naturalization>

Deciding to become a U.S. citizen is one of the most important decisions an immigrant can make. United States citizenship is the status of being a citizen of the United States. It can be acquired through birth within the U.S. or its territories, or through a legal process known as naturalization. Being a U.S. citizen comes with many rights and responsibilities, including the right to vote, the ability to hold certain government jobs, and the ability to sponsor family members for immigration. Additionally, U.S. citizens are protected by the laws and government of the United States and can travel with a U.S. passport.

Depending on the situation, there may be different ways to obtain citizenship.

- **Naturalization** is the process by which U.S. citizenship is granted to a lawful permanent resident after meeting the requirements established by Congress in the [Immigration and Nationality Act \(INA\)](#).
- **Acquisition** of citizenship is obtained through U.S. citizenship parents either at birth or after birth, but before the age of 18.

For more information, see the [USCIS Policy Manual Citizenship and Naturalization Guidance](#).

## **U.S. Citizens Born Overseas**

<https://travel.state.gov/content/travel/en/international-travel/while-abroad/birth-abroad.html>

The birth of a child abroad to a U.S. citizen parent(s) should be reported to the nearest U.S. Consulate or Embassy as soon after the birth as possible.

The application must be supported by evidence to establish the child's U.S. citizenship. Usually, the following documents are needed:

1. The child's birth certificate.
2. Evidence of the U.S. citizenship of the parent(s) such as a certified copy of a birth certificate, U.S. passport, or Certificate of Naturalization or Citizenship.
3. Evidence of the parent's marriage, if applicable; and
4. Affidavit(s) of the physical presence of the parent(s) in the United States.

Each document should be certified as a true copy of the original by the registrar of the office that issued the document. Other documents may be needed in some cases. Contact the nearest U.S. Embassy or Consulate for details on what evidence is needed. An official list of embassies from the U.S. Department of State may be found at <https://www.usembassy.gov/>.

Department of State  
Passport Vital Records Section  
44132 Mercure Cir.  
PO Box 1213  
Sterling, VA 20166-1213

## **DUTIES OF MUNICIPAL CLERKS**

<https://legislature.maine.gov/statutes/22/title22sec2702.html>

One of the most important duties of a municipal clerk is maintaining the system of vital statistics in the municipality as well as the transmittal of records or certificates received in a municipality to the Department or to other municipalities. The clerk of each municipality in the State must keep a chronological record of all live births, marriages, deaths, and fetal deaths reported to the municipality as prescribed by the State Registrar.

Once elected or appointed as a municipal clerk, the former municipal clerk must turn over all municipal records. It is imperative to notify the Department of any new clerks, addresses, or e-mail changes or when a clerk is no longer working for the municipality to ensure users are added or end-dated in the electronic systems and communication efforts continue. Appointments of any deputy or assistant clerks, as well as sub-registrars, must also be done at this time.

### **Enforce Laws and Rules**

It is also the municipal clerk's responsibility to enforce all the laws and rules of the Department related to the registration of vital statistics. In general, this means that municipal clerks are responsible for ensuring that records are properly filed, issued, and preserved as required by law. If a municipal clerk becomes aware of any violations of the law, please notify the Department immediately. Most breaches of the law are not deliberate or willful, but due to ignorance or simple negligence. Persuasion and education will usually serve to correct most problems. However, municipal clerks may occasionally have a chronic problem or become aware of a serious breach of the law. The Department will help with enforcement problems and will file a complaint with the District Attorney or the appropriate State Licensing Board if necessary.

The intent of the vital statistics law must be scrupulously carried out so that persons who need records can depend upon the system to give them reliable service. The links below contain the most recent language in law and rule:

- ✓ Title 22: PART 6, BIRTHS, MARRIAGES, AND DEATHS  
<https://legislature.maine.gov/statutes/22/title22ch0sec0.html>
- ✓ Title 19-A: DOMESTIC RELATIONS, PART 2, MARRIED PERSONS  
<https://legislature.maine.gov/statutes/19-A/title19-Ach0sec0.html>
- ✓ Title 19-A: DOMESTIC RELATIONS, CHAPTER 61: MAINE PARENTAGE ACT  
<https://legislature.maine.gov/statutes/19-A/title19-Ach61sec0.html>
- ✓ DEPARTMENT RULES: 10-146 OFFICE OF DATA, RESEARCH AND VITAL STATISTICS  
(Chapter 1 through Chapter 16)  
<https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>

## **Formats of Vital Records (Paper Records versus Electronic Records)**

<https://legislature.maine.gov/legis/statutes/22/title22sec2701-A.html>

**Electronic records.** The Database Application for Vital Events, known as DAVE, contains 3 modules:

- Electronic Birth Registration System (EBRS)- Births from Sept of 1995 to Present
- Electronic Death Registration System (EDRS)- Deaths from Jan of 2011 to Present
- Electronic Marriage Registration System (EMRS)- Marriages from Jan of 2017 to Present

Any birth, death, or marriage record in the above timeframes must be issued directly from the system. All corrections/amendments done to vital records will be done electronically within the system. The most current version of the record must be issued.

***Paper Records.*** 1892 to DAVE (see above). Vital records from 1956 to DAVE must be issued from the original paper record on file, when possible (unless municipalities have scanned the originals). Please avoid issuing abstracts for vital records in this timeframe. Please see pages 28 - 31 for more information on issuing vital records and typing an abstract of a vital record.

***Records prior to 1892*** are located at the municipal level only. Records must be issued as a non-certified copy or recorded on municipal letterhead. Copies of records prior to 1892 must never be issued on safety paper. See an example of how to issue a copy of a record occurring prior to 1892 from an old book on page 31.

***Out-of-State Records.*** Vital records occurring outside of the State of Maine should never be filed within a municipality and a copy should never be issued. The law specifies which records the Department and municipalities are to keep. Other States and Foreign countries have their own vital statistics systems and laws. Municipalities should only have vital records that occurred in their municipality (place of event or residence):

- Births should be filed in the municipality where the birth occurred and the mother's residence at the time of birth.
- Deaths should be filed in the municipality where the death occurred and the decedents' residence at the time of death.
- Marriages should be filed in the place of marriage (there is a gap for some marriages) and one or both parties' residence(s) at the time of marriage.

The only exception to filing a record occurring outside of the State of Maine is when foreign-born children are adopted through a Maine court.

***Foreign Born.*** In the case of a Maine certificate of birth being established for a person born in a foreign country, a copy of the certificate must be provided to and must be maintained on file by the clerk of the municipality where the adoptive parents resided on the date of the adoption. Please refer to the birth portion of the municipal clerk's manual on adoptions for more information.

## Transmitting and Distribution of Paper Records

<https://legislature.maine.gov/legis/statutes/22/title22sec2702-B.html> (marriage)

<https://legislature.maine.gov/legis/statutes/22/title22sec2847.html> (death)

<https://legislature.maine.gov/legis/statutes/22/title22sec2761.html> (birth)

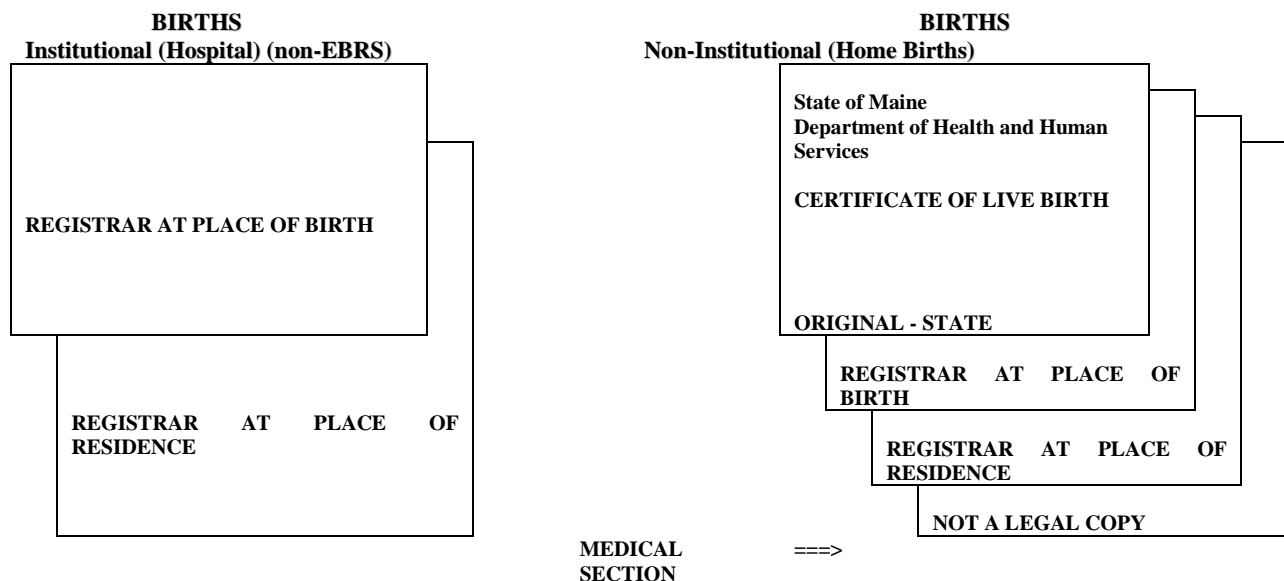
Prior to electronic registration systems, municipal clerks were required to make weekly reports or “returns” to the Department and residence municipality. The paper process for reviewing, accepting a record for filing, and forwarding a paper vital record occurring in a municipality to the State Registrar and the residence municipality has been discontinued. All registrations are now done electronically. There may be times when a homebirth or fetal death form is sent to the municipality, which should immediately be forwarded to the Department to be entered into the electronic system. Clerks may also find a paper vital record that was never forwarded to the Department or the residence municipality, which will need to be forwarded to the correct place of filing. Please see examples of the distribution of copies below.

Paper birth and death records may have multiple copies and each copy is marked to show to which location it belongs. The marriage record does NOT have multiple copies; therefore, the photocopied marriage record is to be filed in the municipality of issuance, along with the marriage intentions.

When issuing a Disposition of Human Remains Permit (disposition permit), hold the copy marked “Issuing Clerk-Retain Until Endorsement Received” in a separate folder until the “Place of Death or Place Permit Issued” is returned with all signature areas endorsed. File the endorsed copy with the municipality’s permanent public records.

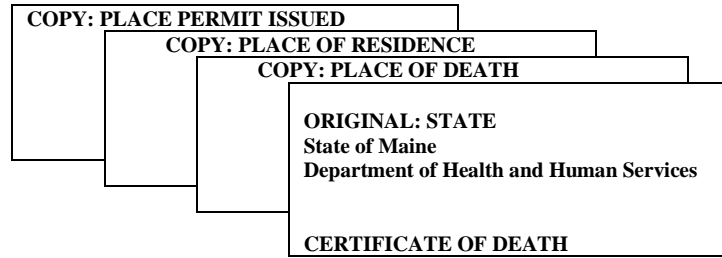
Copies of records marked “State Copy”, or “Residence Copy” (Maine residence only) must be forwarded to the State and/or municipality of residence. When registration was paper-based, records needed to be registered and filed within 5-7 days and forwarded to the State and resident municipality every week.

### *Examples of Distribution of Copies*

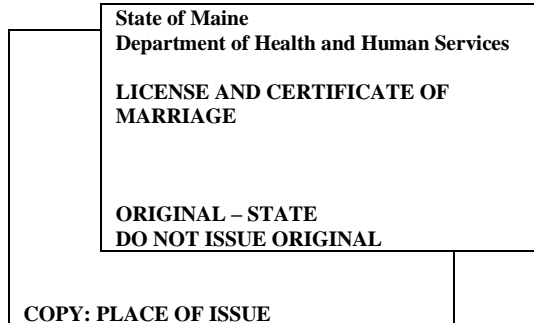




DEATHS



MARRIAGES



**Preservation and Conservation of Paper Records**

<https://legislature.maine.gov/legis/statutes/5/title5sec95-B.html>

Vital records are permanent records and must be preserved carefully. Original, paper records must be handled in accordance with guidelines designed to protect the physical integrity and condition of the records. Preserve records by placing them in binders or containers made for the purpose to protect and preserve the records from deterioration, mutilation, loss, or destruction. Keep paper records in chronological order by type of record and date of the event so they are easy to find when requested. File records back immediately after they have been issued to avoid any possible damage or misplacement of the record. "Hands-on" access or inspection of original, paper-based records or indexes should not be permitted to genealogists if there is an alternative method that may be used. Each municipality should have a dedicated storage area, or a fireproof safe/vault, to file and preserve all vital records. Access to the dedicated area or vault where vital records are stored should only be permitted to the municipal clerk, deputy clerk, or assistant clerk, who is authorized to issue vital records.

The ideal conditions for storing paper records that are in regular use are a constant temperature of about 65 degrees F and a relative humidity of about 40 percent. Average conditions for storing paper records are temperatures of 90 degrees with a relative humidity of 40 – 50%. Not many municipalities will have temperature and humidity-controlled storage space available. Although, all should be able to provide storage space which is adequate, if not ideal. Keep records out of hot attics, damp basements, and other dirty and dusty places. Watch for bookworms, silverfish, and other insects, which eat paper. The enemies of paper are heavy use, heat, moisture, dust, insects, and extrinsic acidity.

Vital records are permanent records, and municipal clerks should protect them from hazards as much as possible. Municipal clerks should not attempt to repair damaged records themselves. Above all, do not use cellophane tape to repair tears. It soon becomes brittle and peels off

leaving a permanent brown stain on the record. Minor tears may be repaired with mending tissue and library paste, only if it is possible to do so without covering information on the record, or with the special transparent book-mending tapes.

Very old books and records that are damaged should receive expert attention. Old records may be microfilmed, scanned, or photocopied to produce working copies that may be used while the originals are safely stored in the vault. Broken bindings can be replaced, and damaged sheets laminated. This is rather expensive work and will need to be considered in the municipalities budget. Please contact the State Archivist with any questions related to record conservation at:

Maine State Archives  
17 Elkins Ln, Augusta, ME 04333-0084  
(207) 287-5790  
[maine.archives@maine.gov](mailto:maine.archives@maine.gov)

### **Retention of Paper Records**

<https://legislature.maine.gov/legis/statutes/5/title5sec95-C.html>

Paper vital records may not be destroyed or otherwise disposed of by any local government official, except as provided by the records retention schedule established by the State Archivist. Records that have been determined to possess archival value must be preserved by the municipality. Contact the records management services at the Maine State Archives for guidance on the disposition of older ancillary records such as premarital medical examination forms, waivers of premarital medical examinations, and waivers of the 3-day waiting period between the filing of marriage intentions and the issue of license. It is recommended that a record be made, by year, of the items disposed of and the nature of the disposition.

Many municipalities are running out of room to store paper records and are thinking of alternate ways for storage or replication of records. Please contact the Department for more information about the approved electronic methods or systems. All methods or systems must be approved by the Department before implementation.

10-146 Department Rule, Chapter 11 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146> states “when an authorized reproduction of a vital record has been properly prepared, by photographic, electronic, or other processes, by the State Registrar and when all steps have been taken to ensure the continued preservation of the information, the record from which such authorized reproduction was made may be disposed of by the State Registrar. Such record may not be disposed of, however, until the quality of the authorized reproduction has been tested to ensure that acceptable certified copies can be issued and until a security copy of the document has been placed in a secure location and removed from the building where the authorized reproduction is housed. Such security copy shall be maintained in such a manner to ensure that it can replace the authorized reproduction should the authorized reproduction be lost or destroyed.”

### **The integrity of Vital Records**

<https://legislature.maine.gov/legis/statutes/22/title22sec2707.html>

Municipal clerks must prevent improper treatment or use of vital records to the best of their ability. Courts, governmental agencies, and others depend upon the integrity of vital records for important purposes. The law provides that these records are *prima facie* evidence, if not

amended or delayed. This means that the statements on the record can be accepted as correct by a court or other agency and they will stand unless they are challenged. Vital Records information is often used to determine legal or property rights and eligibility for other important benefits. It is essential that persons who make judgments that require reference to vital records data be able to trust them.

Do not permit any records to be altered in any way except by one of the methods specified in the law and as directed by the Department. Please call and verify with the Department, or refer to the other portions of the manual, to ensure the correction procedure was done by regulation and was not falsified or altered deceitfully.

### **Fraud**

<https://unstats.un.org/wiki/display/CRAVS/Birth+Certificate+Fraud+-+United+States>

Be alert for attempts to use vital records for fraudulent purposes. Unscrupulous people sometimes attempt to misuse vital records to falsely establish U.S. Citizenship, establish a false identity, or for other criminal purposes. A common method is to use the birth certificate of a deceased person or a certificate that has been altered or falsified, often with the assistance of other persons. It is not easy to identify this situation when it arises and no one expects municipal clerks to be a criminal investigator, but careful attention to the following may help to avoid problems with fraud:

- Follow the established disclosure of and access to records procedures.
- Require all applicants to complete a written application and provide identification when the applicant is requesting their record.
- Require applicants to complete a written application, provide identification, and proof of lineage or direct and legitimate interest in the record if the applicant is requesting someone else record.
- Do not permit any record to be altered in any way except by one of the means provided by law.
- Mark birth records “deceased” when a resident or a person born in the municipality has passed. The Department may verify or provide lists to municipalities for this purpose.
- Always use the procedures and standard formats established by the Department for issuing certified copies so that a genuine copy can be easily identified.
- Do not permit access to any blank safety paper supplies. Keep safety paper always secured and accounted for. Record safety paper numbers on applications or written requests when paper records are issued if the municipality is not using the DAVE system to track safety paper numbers as legacy records
- Maintain written applications for vital records for one year.
- Always print any public forms needed from the Department's website to ensure the most current version and instructions are provided at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/forms/index.shtml> Forms not available on the public website may be found in the DAVE system, under the Forms/Print Forms tab.
- Report any suspicious activity to the Department. The Department will investigate the matter and refer it to the District Attorney for prosecution, if necessary.

## **Penalties**

<https://legislature.maine.gov/legis/statutes/22/title22sec2708.html>

The law provides substantial penalties for falsification of information, illegal alteration of records or copies, fraudulent use of records or certificates, and use of false records or copies: fines of \$100 to \$1,000 and/or imprisonment.

There are also significant penalties for refusing to provide the information required for registration, for violating statutory provisions concerning the registration of vital statistics, and for neglecting or refusing to perform duties required by the vital statistics laws. Penalties for these offenses range from a maximum of \$500 on the first offense (Class E crime) to \$1,000 (Class D crime) on the second and subsequent offenses.

## **ACCESS TO AND DISCLOSURE OF VITAL RECORDS**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html>

When individuals request information about a vital record or a copy of a vital record, the first thing that municipal clerks should require is a completed application or a written request, and proof of identification from the applicant.

### **Applications or Written Requests**

10-146 Department Rule, Chapter 4 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>

Applications may be paper or electronic, and they are used to request copies of vital records as well as determine the applicant's eligibility to receive such data or vital records. Upon submission of any application requesting a vital record, the application is then considered part of that record. Municipal clerks must retain all approved applications for at least one year.

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 Department, such as the DAVE system. Municipal clerks should have applications available in the municipality by providing them on their counters and the municipalities website, if possible. Applications for a vital record may be found on the Department's public website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/order/index.shtml> and in the DAVE system under the Forms/Print Forms tab.

Written requests may be presented instead of an application. The written request should contain at a minimum:

- The applicant's full name, mailing address, telephone number, and email address, or the name of the organization or the official authorized to execute agreements, title, organizational affiliation, mailing address, telephone number, and email address.
- Applicant's relationship to the registrant.
- Registrant(s) listed on the record.

- Approximate date of the event (or three-year time frame to search).
- Place (city or town) of event, if known.
- Names of parents of registrant listed on the record, if known.

### **Acceptable Identification of Applicant**

10-146 Department Rule, Chapter 4 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>

All applicants must present identification documents at the time of application. 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 shall include:

- Government-issued identification that includes a photograph; or
- At least two alternate forms of identification; or
- An alternative electronic process.

The identification documents provided by the applicant must be notated on the application form or written request. The Department or municipal clerk may verify any identification documents presented with originating agencies if the validity of the identification presented is questionable.

A good resource to have on hand is the *U.S. ID Checking guide*. The guide helps make accurate, on-the-spot verification of driver's licenses and ID cards to protect against ID fraud. The ID Checking Guide, U.S. & Canada Edition shows every valid driver's license format in actual size and full color, so fake IDs get stopped cold. Details on territorial documents, federal and military issuance, and consular cards, are also included. For more information, please visit <https://www.driverslicenseguide.com/book-us.html>.

### **Public or Restricted Records**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 7

Once the application or written request has been completed, it is time to determine if the data or vital record requested is considered a public record or a restricted record and if the applicant is entitled to receive the data or record.

**Public records.** After 75 years from the date of birth for birth certificates, after 50 years from the date of death for fetal death certificates, after 25 years from the date of death for death certificates, after 50 years from the date of marriage for marriage certificates, and after 50 years from the registration of domestic partnerships, any person may obtain noncertified copies of these vital records in accordance with the department's rules. 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.

Births	Deaths	Fetal Deaths	Marriage	Marriage Intentions	Domestic Partnerships
After 75 years	After 25 years	After 50 years	After 50 years	After 50 years	After 50 years

If the date of the event on the completed application or written request falls in the timeline specified above as a public record, and the identification provided was acceptable, the applicant would be entitled to receive a non-certified copy of that vital record. If the applicant would like a certified copy, the applicant would need to provide a direct and legitimate interest in the record or proof of lineage or relationship.

If the date of the event on the completed application or written request DOES NOT fall in the timeline specified above as a public record (or falls into the category as a restricted vital record specified below), regardless of if the identification provided was acceptable, or if the applicant wants a non-certified copy or a certified copy, the applicant must provide the direct and legitimate interest in the record or proof of lineage or relationship.

**Restricted Vital Records.** This means vital statistics data, reports, vital records, and reports of abortions, miscarriages, domestic partnerships, and marital intentions presented in conjunction with identifying data or with other information which may allow indirect identification of the registrant or other individuals named on the record. Restricted vital statistics data, reports and records are not public records.

Births	Deaths	Fetal Deaths	Marriage	Marriage Intentions	Domestic Partnerships	Abortions	Miscarriages
Before 75 years	Before 25 years	Before 50 years	Before 50 years	Before 50 years	Before 50 years	N/A	N/A

**Records Disclosed- Who Qualifies?**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 5

Certified or noncertified copies of vital records must be made available at any reasonable time to the following individuals:

Proof of identification is needed for the following applicants:

- ✓ Self/Registrant, the applicant's record
- ✓ Any person(s) listed on the record, either parent, informant, funeral establishment, witness, officiant, etc.

Proof of identification and proof of lineage or relationship is needed for the following applicants:

- ✓ Spouse, (must show marriage certificate)
- ✓ Registered Domestic Partner, (must show domestic partner certificate)
- ✓ Guardian, (must show court-issued guardianship papers)
- ✓ Family, (not on the record), grandparent, siblings, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law, father-in-law. (They must show proof of relationship).
- ✓ Attorney or agent for the person who is the subject of the record. (They must show a notarized statement from the person on record or his/her family and proof of relationship).
- ✓ A minor's living/surviving parent is entitled to obtain a death certificate. (Must show the minor's birth certificate or court order for parental rights and responsibilities).
- ✓ Genealogists, (must show ID and a valid genealogical researcher identification card).
- ✓ Others may be approved by the Department by providing supporting documents of eligibility to determine they are qualified to receive such data.

### **Eligibility Matrix**

Please visit the Department's website for more information on who can obtain a certified or non-certified copy of a vital record at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html> under the Access and Disclosure section. A matrix has been developed to assist municipal clerks in determining eligibility.

### **Direct and Legitimate Interest**

The Department has developed a pamphlet with rules and examples of demonstrating a direct and legitimate interest in avital records which is posted on the Department's public forms website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/forms/index.shtml> Please refer individuals to the website or print the pamphlet for them.

### **Documents to Demonstrate Lineage**

10-146 Department Rule, Chapter 4 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>

To protect the integrity of vital records, a municipal clerk or the Department must not permit inspection or disclosure of information contained in vital statistics records or issue a copy of all or part of any such record, unless the applicant (named above) has a direct and legitimate interest in the record.

*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 who 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.
- ✓ A U.S. Census enumeration record; or
- ✓ Other supporting documents approved by the State Registrar.

A municipal clerk or the Department may verify the authenticity of the documents presented in the event they have reasonable cause to question the validity or accuracy of the document.

### **Genealogical Research**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 8

Genealogical researchers who hold a valid genealogical researcher identification card are entitled to receive non-certified copies of vital records. A registered genealogist may request up to three (3) records per week at no cost from the Department. Information on how to obtain a genealogical researcher card, code of ethics, and paper-based researcher request forms are provided on the website.

Genealogical researchers who request a certified copy must present a completed and signed application or written request, identification, and payment as well as ***demonstrate a direct and legitimate interest (see pamphlet)*** in the data, reports, and vital records.

Records prior to 1820 do not reside in Maine, they reside in Massachusetts. Genealogical researchers looking for these records must contact the State in which the records are housed and comply with that State's laws, rules, and policies regarding accessing vital records. If a municipality house records prior to 1820 non-certified informational copies may be issued.

**Hours of Operation.** Municipalities may want to specify the specific hours during which genealogists may be physically present at the office to request records and the number of requests permitted per visit (e.g., two requests may be made at the counter; additional requests must be submitted in writing and include the appropriate payment; which may be submitted in person or by mail.)

Procedure suggestions from Maine Town and City Clerk's Association (MTCCA) regarding research during elections are as follows:



There may be no genealogical research two (2) weeks prior to any election (at the discretion of the municipality).

This is a sample notice for the posting of genealogical research hours:

The municipality of \_\_\_\_\_ will not permit genealogical research during the following:

\_\_\_\_\_ specific times (e.g., lunch)

\_\_\_\_\_ days of the week (e.g., if the office is open but not to the public)

\_\_\_\_\_ days prior to elections.

### *Resources for Genealogical Research*

Maine State Archives website at <http://www.maine.gov/sos/arc/research/>

Maine State Library website at <http://www.maine.gov/msl>

Local municipal libraries and historical societies (please see local municipal websites for links), most libraries have subscriptions to Ancestry.com as well as many other resources.

Latter Day Saints website is located at

[http://www.familysearch.org/eng/library/fhc/frameset\\_fhc.asp](http://www.familysearch.org/eng/library/fhc/frameset_fhc.asp)

The Maine Genealogical Society website is located at <http://www.rootsweb.ancestry.com>

### **Address Confidentiality Program**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 6

Secretary of State (SOS) rules, 29-250, Chapter 900, specify that an individual who is certified as a program participant in the Address Confidentiality Program is issued a program participant's authorization card. The authorization card includes their name, authorization code, designated address, certification expiration date, and voter code. The card is valid for four years.

Program participants can request (at the time of the creation of a new record) that an agency use the designated address assigned by the SOS as their residential or mailing address by showing the program participant authorization card.

Program participants who are planning to give birth must present the program participant's authorization card to the facility. The health and medical worksheets completed at the facility must match the designated address assigned on the program participant's authorization card.

Program participants who are planning to get married must present the program participant's authorization card to the municipality of residence designated on the authorization card. If the other party to the marriage resides in a different municipality, they may file their marriage intentions in that municipality upon presentation of the program participant's authorization card. The marriage intentions, marriage license, and certificate must match the designated address assigned on the program participant's authorization card.

The program participant's authorization card will always designate 48 State House Station, Augusta, Maine 04330 as the participant's legal residence, and access to vital records may be further restricted or put on hold to prevent issuance to anyone other than the participant.

Please reach out to Nicole Ladner, Special Project's Director with the Secretary of State's office at (207) 626-8407 or [nicole.ladner@maine.gov](mailto:nicole.ladner@maine.gov) with any questions related to the ACP program.

### **Annual Town Reports**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 4

It is unlawful for any employee of the State or of any municipality in the State to disclose data contained in such records, except as authorized in this section and 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 the birth occurred, deaths reported within the year covered by the report, by date of death, name, age, and location by city or town where the 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 public, except as specified in department rules.

### **Recommended Phone Policy**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 4

The Department highly recommends that municipalities adopt a phone policy. Information on a vital record should never be verbally disclosed over the phone, regardless of if the record is considered public or restricted. Individuals requesting the information must be deemed eligible prior to receiving any information about a vital record. Regulations require individuals to submit an application or a written request, identification, and when applicable, their direct and legitimate interest (or lineage) in the record requested.

- ✓ Individuals requesting data or information contained in the annual town report should be referred to the municipality's website 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 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 a such record for a proper purpose or is authorized to obtain such data.

## COPIES OF VITAL RECORDS

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html>

### Non-certified copies

10-146 Department Rule, Chapter 4 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>

A non-certified copy is a copy of a vital record issued onto blank white paper. The copy must be stamped or marked “**NOT TO BE USED AS A LEGAL DOCUMENT**”. Generally, non-certified copies are used for investigative research or genealogical purposes only.

- ✓ A non-certified copy of a public vital record may be issued to applicants who complete an application or written request, present identification, and pay the required fee.
- ✓ A non-certified copy of a restricted vital record may be issued to applicants who complete an application or written request, present identification, pay the required fee, and provide proof of lineage or their direct and legitimate interest in the record. Individuals named on the record need only to complete an application or written request and present identification.

### Certified copies

10-146 Department Rule, Chapter 4 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>

A certified copy is a copy of a vital record issued onto safety paper (VS-31). The safety paper is specially created with security measures with raised borders, prismatic type, and other safeguards against fraudulent copying.

Certified copies are considered for all purposes the same as the original and shall be prima facie evidence of the facts stated in the record.

- ✓ A certified copy of a public or restricted vital record may be issued to applicants who complete an application or written request, present identification, pay the required fee, and provide proof of lineage or their direct and legitimate interest in the record. Individuals named on the record need only to complete an application or written request and present identification.

### Safety Paper

The Department follows guidelines from the National Center of Health Statistics (NCHS) regarding the specifications for safety paper used to issue certified copies of vital records and the Department has established written procedures for the issuance, storage, and handling of all safety paper used for issuing vital records for State and municipal offices. Please ensure the following guidelines are met:

- ✓ When safety paper is delivered to a municipality from the Department, an authorized person from the municipality will verify that the number of documents received was the number of documents ordered and expected. Any discrepancies or evidence of damaged documents will be reported to the Department or voided in DAVE.
- ✓ All safety paper will be stored in a locked environment.

- ✓ Certification equipment items (e.g., embossers, signature stamps, etc.) will also be secured in a locked environment.
- ✓ Only designated personnel will have access to the locked environment containing safety paper and equipment items used to certify a document.
- ✓ Two authorized personnel will be present when safety paper and certification equipment items are removed from or returned to the locked environment.
- ✓ To the extent possible, all printing and copying of records will be done in a single secure location under the control of a supervisor or designated person.
- ✓ All voided certification of documents will be logged and crosschecked by a supervisor and destroyed by shredding or burning. A record of the serial numbers of voided documents will be saved for audit purposes or recorded in DAVE.
- ✓ All unused certification of documents will be unloaded from the printer or copier at the end of the day and returned to the locked environment.
- ✓ The usage of safety paper will be audited. Activity logs will be maintained until the audit is complete. Supervisors and managers will conduct random, unannounced audits of their staff and equipment to verify compliance.
- ✓ All safety numbers used to issue certified copies of vital records will be recorded on applications or written requests if the numbers are not recorded in the DAVE system. Applications or written requests must be retained for one year.

***Assigning Safety Paper in DAVE.*** The Department highly recommends that all safety paper received be entered into the DAVE system regardless of if the safety paper is used to issue paper vital records (legacy records) or vital records issued from the DAVE system. Any voided or misprinted records must be recorded in the DAVE system for consistency and security reasons. Please refer to the instructions on how to assign and void safety papers in the DAVE system on the Department's website for clerks at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.

***Legacy Records.*** (Non-DAVE records) Municipal clerks may use the DAVE system to record safety paper numbers for all records issued regardless of if the record is in DAVE or is paper-based. The DAVE system allows for records (1892 to events in DAVE) to be recorded as legacy records. Please see directions on how to issue a legacy record in the DAVE system on the Department's website for clerks at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.

***Ordering Safety Paper.*** It is the responsibility of the municipal clerk to ensure there is a stock of safety paper on hand to serve their residents. Orders for safety paper must be done by completing the Requisition for VS-31 Blank Safety Paper which may be found in the DAVE

system under the Forms/Print Forms tab. Completed forms may be e-mailed to [EDRS.DHHS@maine.gov](mailto:EDRS.DHHS@maine.gov) or faxed to (207) 287-2681.

### **Issuing Non-Certified or Certified Copies of Vital Records (1892 to Present)**

Preparing non-certified or certified copies should not be a complicated process. It simply involves locating the record either from the municipalities vault or in the DAVE system, masking or redacting the mother/parent marital status as well as any statistical, medical, or health information on any paper records (see masking information on paper records below) and photocopying or printing the record onto plain white paper (non-certified) or the official blank safety paper (VS-31, certified). Please see other portions (birth, death, and marriage) of the municipal clerk’s manual on how to issue a vault or certified copy from the DAVE system.

Each certified copy issued must 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. Please see the municipal seal placement and certification below.

Birth records for a foreign-born child may be copied onto blank safety paper (VS-31). Death certificates that have a Supplemental Cause of Death (SCOD) attached must have a copy of the SCOD issued on safety paper when copy of the death certificate is issued. This is considered part of the record and issued at no additional fee. The two pages will be photocopied onto blank safety paper (reduce the photocopy of the original document to fit on the page, 74% for letter size, 62% for legal size ).

### **Municipal Seal Placement and Certification**

The signature of the municipal clerk, appointed deputy or assistant clerk, and the municipal seal on a certified copy or abstract of a record is a guarantee that it is a correct and authentic copy. Proofread all copies carefully. If errors are made, destroy the copy, and start over. There must not be any strikeovers, erasures, correction fluid, or tape, on a certified copy.

Certify the copy with the issuing clerk’s signature and typewritten or printed name and title, the date the copy is issued, and the municipalities raised seal. Each municipality should have a municipal seal for use in making certifications. The municipal seal should be placed near the bottom of the certified copy but should not cover the signature or date issued to ensure the information completed by the issuing clerk is legible on any certified copy issued. An ink signature is preferable, but a facsimile signature (rubber stamp) may be used to facilitate the process in offices where the municipal clerk or deputy clerk may not always be present. In situations when a facsimile signature is used, the person issuing the copy should put their initials next to the stamped signature. Protect all municipal stamps and seals against unauthorized use by securing them in a locked location, along with safety paper.

### **Masking Information on Paper Records**

Certain paper-based records have a section marked “For Medical and Health Use Only”, “For Statistical Purposes Only”, “Confidential: This Information Will Not Appear on Certified Copies of the Record,” etc. Municipal clerks should always redact or mask this section before

photocopying the record. The data in this section is for statistical use only and must not appear on copies. Some records have a section marked “Confidential Medical Information”; this should be masked except when making copies for a person who can demonstrate a direct and legitimate interest in the record. The marital status of the mother on a birth certificate must be masked and must not appear on any copy (certified or non-certified).

**Abstracts**

Try to avoid issuing abstracts of vital records if the original record is available to be photocopied. Many Federal or State agencies will not accept abstracts. Abstracts will typically need to be issued for vital records occurring from 1892 to 1955 when clerks mostly recorded vital events in ledger books and before the Department changed the format and reporting process in 1956.

The process, paper, and approval of all forms, formats, and procedures used to issue certified copies or abstracts (VS-10, VS-20, or VS-30) must be provided and approved by the State Registrar. The approved forms are in the DAVE system under the Forms/Print Forms tab.

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/correction notations (or deceased watermarks) that appear on the original record. Please feel free to contact the Department with any questions.

**Redacting Information**

On occasion, a municipal clerk may be asked 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.

- ✓ 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).

The minimum content specified below must appear on all certified abstracts if the information is on the original record.

<b>Birth</b>	<b>Death</b>	<b>Marriage</b>
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

**Issuing Copies of Records Prior to 1892 (are not issued on safety paper)**

<https://legislature.maine.gov/legis/statutes/22/title22sec2706.html> Section 7

Certificates and records of birth, marriage, and death, including fetal death, created *prior to January 1, 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. "Hands-on" access or inspection of original, paper-based records or indexes shall not be permitted if there is an alternative method that may be used.

Older records prior to 1892 may have no date of filing and most times there is no indication as to whom entered the record in the ledger book. When duplicating a record from an old er book, please keep the following in mind:

- ✓ Copy the information verbatim as it appears on the record. Do not leave out or add a single letter even if there are obvious errors that anyone can recognize.
- ✓ Describe the book (title) which contains the record and give the page number of the record.
- ✓ If the record does not provide a date of filing, enter the month and year.
- ✓ Never issue records occurring before 1892 on safety paper or use the VS-10, VS-20, or VS-30 abstract form. Please see the example below for issuing records occurring prior to 1892.

**EXAMPLE: HOW TO PREPARE A CERTIFIED COPY  
OF AN OLD BOOK RECORD**

**(Events before January 1, 1892)**

Municipal Letterhead  
(If no letterhead type in name of the municipality)

Address

Today's Date

The following information is found in \_\_\_\_\_  
(adequately describe the old book so the entry can be easily found again). The below  
information is found on page \_\_\_\_\_.

Family name:

Name of child:

Date of birth, marriage, or death:

Name of parents:

Place of event:

Place of residence:

The record is in sequence with other vital records and was recorded by the municipal clerk  
whose handwriting and signature appear on other municipal records from this timeframe.  
\_\_\_\_\_, was the Municipal Clerk of \_\_\_\_\_ from (date) to  
(date).

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_

Municipal Clerk of \_\_\_\_\_, Maine (Typed name of Municipal Clerk)

Municipal Seal

**Issuing Copies of Birth Records Marked Deceased**

10-146 Department Rule, Chapter 11 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>  
To protect the integrity of vital records and to prevent the fraudulent use of birth certificates of a  
deceased person, the DAVE system was developed to match birth and death certificates for  
persons less than 45 years of age and post the facts of death to the appropriate birth certificate.  
The notation "died or deceased" and the date of death must be entered on the certificate in such a  
way as to become a part of any copy issued.



Municipal clerks also have the option to prepare a birth abstract (VS-10). The VS-10 abstract is a form-fillable template and is located in the DAVE system under the Forms/Print Forms tab.

Municipal clerks must enter the birth certificate information on the VS-10 exactly how it appears on the birth record. The notation “died or deceased” and the date of death must be entered on the abstract. A fillable field has been added to the VS-10 for this purpose, as well as any amendments that may have been done to the record. Always double-check the typed abstract before copying the VS-10 onto blank safety paper (VS-31) when issuing certified copies.

### **Copies of Overseas Birth Records**

Requesting a Life Event Record as a U.S. Citizen

<https://travel.state.gov/content/travel/en/records-and-authentications/requesting-a-vital-record-as-a-u-s--citizen.html>



Photo of Consular Report of Birth Abroad

U.S. citizens may request copies of birth, death, and marriage records issued by the U.S. Department of State. These records include:

- [Consular Report of Birth Abroad](#)
- [Consular Report of Death Abroad](#)
- [Certificate of Witness to Marriage](#)
- [Panama Canal Zone Birth and Death Certificates](#)

### **Checklist to Request a Record**

1. Notarized, completed [Form DS-5542](#)
2. Applicants must photocopy the front and back of their valid photo ID.
3. Check or money order. The cost is \$50 for each record requested.
  - Make payable to the "U.S. Department of State"
  - Include a complete mailing address on the check.
  - Checks and money orders must be payable in U.S. dollars through a U.S. bank.
  - The Department is not responsible for cash lost in the mail.
4. Mail [Form DS-5542](#), a photocopy of the ID, and payment to :

U.S. Department of State  
Passport Vital Records Section  
44132 Mercure Cir.  
PO Box 1213  
Sterling, VA 20166-1213

### **Processing Times**

Documents will be processed within 4 to 8 weeks. Some documents may take longer than 8 weeks due to nationwide shipping delays.

## Shipping

First Class Mail or 1-2 Day Delivery:

- USPS First Class Mail: Takes one to two weeks. No additional charge.
- 1-2 Day Delivery Service: Add \$19.53 to the check or money order.

## Municipal Fees for Certified Copies

<https://legislature.maine.gov/legis/statutes/30-A/title30-Asec2652.html>

Title 30-A §2652 regulates the municipal fee schedule. The Department fees are set by regulation and may vary from the municipal clerk fees.

The fees that municipal clerks charge for locating and making certified copies of vital records are specified by the law.

- Certified copies of a vital record are \$15.00 for the first copy and \$6.00 for each additional copy provided at the same time.
- Permit for the disposition of human remains \$ 20.00, except that a fee is not owed if the disposition of human remains is paid for through the municipal general assistance program.
- Recording marriage intentions and issuing a marriage license, is \$40.00, except, when the laws of this State require 2 licenses, the fee is \$20.00 each.

***Municipal Policy.*** Since the municipal fee schedule does not specify the fee for issuing a non-certified copy of a vital record, the Department encourages municipalities to adopt a policy within their municipality for this purpose. The policy should also include the fee for replacement copies if an error was made by the municipality when issuing an abstract of a vital record or a marriage license or certificate, as well as any reports provided to other municipal officials to conduct their official duties.

***School Entry.*** At one time, it was general practice to provide free copies of birth certificates for school registration. This is not current law or policy. Municipal clerks must charge the regular fee for providing a certified copy. Please refer the school to the Department to obtain information about a list of children for school eligibility.

## Veterans Copies

<https://legislature.maine.gov/legis/statutes/37-B/title37-Bsec507-A.html>

Municipal clerks may provide free certified copies of a **public** birth, death, or marriage record (see below paragraph) to applicants who indicate the requested record is to be used in determining eligibility for Veterans Administration benefits. The statute does not limit the number of free copies to just one. All certified copies issued for VA benefits must be stamped "FOR VA BENEFITS ONLY". In the event the birth, death, or marriage is considered a restricted record, please refer applicants to the Department to obtain a fee copy.

Public Record Defined. <https://legislature.maine.gov/statutes/22/title22sec2706.html> Section 7  
After 75 years from the date of birth for birth certificates, after 50 years from the date of death for fetal death certificates, after 25 years from the date of death for death certificates, after 50

years from the date of marriage for marriage certificates, and after 50 years from the registration of domestic partnerships, any person may obtain noncertified copies of these vital records under the department's rules. Certificates and records of birth, marriage, and death, including fetal death, created before 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 before 1892.

DAVE does track when a free veteran's copy has been issued when the service (birth veteran, death veteran, and marriage veteran) is selected. Municipal clerks may need to save any overrides if another copy of the same record is requested for veterans' benefits.

## MISCELLANEOUS INFORMATION

### **Apostilles**

<https://www.maine.gov/sos/cec/apostilles/index.html>

An apostille is a form of authentication appropriate to countries that have consented to be bound by the 1961 Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents. Most foreign countries now require an apostille.

To request special certifications (Authentications or Apostilles) on notarized or vital record documents, please download, complete, and submit the following request form together with the notarized or vital record documents and the proper processing fee.

[Form Request for Authentications/Apostilles](#) (*Adobe .pdf format*)

**Fee:** The cost of a special certification is \$10 per signed document made payable to the Secretary of State in U.S. funds.

### **Single/Marital Status Letter**

Foreign countries may require a person to provide proof that they have never been married or they are free to marry. If the individual resides ( or has resided in Maine) this process may be completed by the completion of a “Single/Marital Status Letter” from the Department.

Appointments are suggested to process a single status letter. Please contact Rebecca Ashley at (207) 287-6490 or [rebecca.ashley@maine.gov](mailto:rebecca.ashley@maine.gov) with any questions or to make an appointment. The single/marital status form may be found on the Department’s public website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/forms/index.shtml>.

### **State Share of Vital Records**

10-146 Department Rule, Chapter 13 <https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146>  
The State Share of Vital Records (SSVR) fee is the amount to be paid by municipalities to the Department based upon (1) the actual number of certified copies and additional certified copies of the same records requested at the same time relating to birth, death and marriage records issued by a municipality; (2) the actual number of Disposition Permits of Human Remains issued by a municipality; (3) and the actual number of marriage licenses issued by a municipality.

The SSVR is assessed upon Maine municipalities by the Department for services including, but not limited to, services, supplies, technology, health data and vital statistics, and paper. The items are subject to the municipal service fee and the fees are as follows:

- Certified copies of birth, death, or marriage - \$5.00
- Additional certified copies of birth, death, or marriage - \$1.00
- Marriage Licenses - \$10.00
- Disposition of Human Remains Permits - \$15.00

Municipalities must submit their Municipal Revenue Reporting and the State Share of Vital Records Fee in a format and schedule as determined by the Department and a fillable form with calculations has been developed for this purpose.

The SSVR reporting form, instructions for completing the form, as well as the customer number list and reporting periods for municipal clerks, may be found in DAVE under the Forms/Print Forms tab. Please contact Sue Paradis at (207) 287-5471 or [susan.paradis@maine.gov](mailto:susan.paradis@maine.gov).