

BIBB COUNTY SUPERIOR COURT

STATE OF GEORGIA

In re:

_____,
Petitioner.

Civil Action

Case Number _____

PETITION TO CORRECT A BIRTH CERTIFICATE

[You must check and complete one of the following, (a) or (b), but not both.]

☐ (a) I am filing this petition to ask the Court for an order to correct an error on my own birth certificate. In support of this petition, I state as follows:

☐ (b) My name is _____, and I am the minor child's parent listed on the child's birth certificate, or his or her legal guardian. I am filing this petition on behalf of the minor child named _____,
[print child's name exactly as it appears on birth certificate]
asking for an order to correct his/her birth certificate. In support of this petition, I state as follows:

1.

My name is _____, and I live in BIBB County, Georgia. Therefore, jurisdiction and venue are proper in this Court.

*[If you are filing this petition on behalf of a minor child,
you must also check one of the following, (a) or (b), but not both.]*

☐ (a) The minor child lives with me in BIBB County.

☐ (b) The minor child does not live with me. The minor child lives with _____
in _____ County, Georgia.

2.

[You must check and complete one of the following, (a), (b) or (c), but not more than one.]

☐ (a) I am over the age of eighteen and I wish to amend an error on my own birth certificate.

☐ (b) I am a parent listed on the minor child's birth certificate. I am the ☐ mother ☐ father.

☐ (c) I am the minor child's legal guardian.

3.

This petition is being served upon the State Registrar of Vital Records, at 1600 Skyland Dr. NE Atlanta, GA 30319, and upon the Commissioner for the Georgia Department of Human Resources at Suite 29-250, 2 Peachtree St. NW, Atlanta, GA 30303-3142.

*[If you are filing this petition on behalf of a minor child, you must **also** check & complete one or both of the following, (a) or (b), to list which people who will be served by the sheriff and which ones have signed an acknowledgment of service.]*

*[**Note:** if you do not know where the parent or guardian lives, you will need to consult with an attorney about how to proceed.]*

(a) ☐ In addition, the petition is also being served by the sheriff on the minor child's:

(i) ☐ Legal Guardian, whose name is _____ at the following address(es): _____

(ii) ☐ Mother, whose name is _____ at the following address: _____

(iii) ☐ Father, whose name is _____ at the following address: _____

(b) ☐ The minor child's guardian / mother / father (*circle all that apply*) has/have acknowledged service of process and consented to the jurisdiction and venue of this Court. Their acknowledgment is filed with this Complaint.

4.

I ask that this Court enter an Order to correct birth certificate because:

*[Check and complete **all that apply** in (a) through (g) of this paragraph.]*

☐ (a) The Department of Vital Records has informed me that I cannot change a given name after one year from the date of birth without a Court order.

☐ (b) The Department of Vital Records has informed me that I cannot amend an item on a birth certificate if it was previously amended without a Court order.

[Note: Paternity and legitimation affidavits are considered to be amendments to a birth certificate if they have been filed with the Vital Records Office.]

- ☐ (c) The Department of Vital Records has informed me that I cannot correct the year of birth by more than one year on a birth certificate without a court order.
- ☐ (d) The minor child was born at _____ (name of hospital), and the child's mother was admitted to the hospital under her maiden name of _____, rather than her married name of _____.

The hospital did not ask about her marital status or the name of the father. When Petitioner contacted the Department of Vital Records to straighten out the matter, Petitioner was told they needed to have a court order to correct the child's birth certificate.

Because the parents were married before the child's birth and continue to be married, this child is automatically presumed to be a child of the marriage and, but for the error on the part of the hospital, the child would have the father's surname and his name would be listed on the birth certificate. See Affidavit of _____.
(Name of Parent signing Affidavit)

- ☐ (e) The minor child is over one year old.
- ☐ (f) I do not speak English. I provided the correct information to the staff at the hospital where the minor child was born, but the hospital staff failed to correctly write down the information I provided to them.
- ☐ (g) The Department of Vital Records has informed me that a Court order is needed for the following reasons: _____

*[**Note:** If the Department of Vital Records has informed you that you must obtain a court order for a reason other than one listed above, you should consult a lawyer to see whether or not this form can assist you in filing your petition.]*

5.

*[You must check and file copies of **at least one** of the following documents, (a) through (h), to support your Petition.]*

I have checked below to show the documents I am filing with my petition to support the facts I have stated in my request:

- ☐ (a) Certified copy of the birth certificate that needs to be corrected
- ☐ (b) Birth certificate(s) of minor child's parent(s) who are listed on the birth certificate
-

- ☐ (c) Copy of court document showing I am the adoptive parent or legal guardian of the minor child
- ☐ (d) Original or certified copies of church, school, census, or hospital records
- ☐ (e) Copy of marriage certificate showing that I was already married to the minor child's other parent at the time the minor child was born.
- ☐ (f) Affidavit of _____.
(name of person signing Affidavit)
- ☐ (g) Other (describe): _____
- ☐ (h) Other (describe): _____

6.

[Check and complete all that apply in this paragraph.]

I am requesting that the birth certificate be corrected as follows:

- ☐ (a) Field # _____ which currently reads: _____
should read: _____
- ☐ (b) Field # _____ which currently reads: _____
should read: _____
- ☐ (c) Field # _____ which currently reads: _____
should read: _____
- ☐ (d) Field # _____ which currently reads: _____
should read: _____
- ☐ (e) Field # _____ which currently reads: _____
should read: _____

7.

To the best of my knowledge, the error(s) on the birth certificate occurred because: _____

8.

I do not intend to defraud or cheat anyone by this request.

THEREFORE, I ask that this Court enter an order to direct that this birth certificate be corrected.

Dated: _____

Petitioner, *Pro se* (Signature)

Name: _____

Address: _____

Phone (daytime): _ () _____

STATE OF GEORGIA

COUNTY OF BIBB

VERIFICATION

Personally appeared before the undersigned officer authorizes by law to administer oaths, the deponent herein, who, an oath, deposes and says that the facts contained in the foregoing document are true and correct.

PLAINTIFF

Sworn to and subscribed before me

this ____ day of _____, 20____.

Notary Public

SUPERIOR COURT OF BIBB COUNTY
PARTIES INFORMATION SHEET
TO BE FILED WITH COMPLAINT/PETITION

Plaintiff's Contact Information:

Plaintiff's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

Defendant's Contact Information:

Defendant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Phone Number: _____

Cell Phone Number: _____

Email Address: _____

AFFIDAVIT FOR PERSON FILING CASE WITH NO ATTORNEY
(All questions must be answered.)

Plaintiff

vs.

Civil Action No. _____

Defendant

PERSONALLY appeared before me the undersigned officer, _____
(Affiant)

who after being duly sworn deposes and states under oath the following:

- (1) That affiant has this date filed a suit for divorce or other complaint in this County and does not have an attorney at law representing affiant.
- (2) (a) Affiant further states that the following person prepared the Complaint and/or other papers.

Name of Person (and business name) who prepared papers

Address of such person and business

Telephone number of such person and business

- (b) Affiant state that said person who prepared the paper (was/was not) paid to prepare the papers. The total amount paid \$_____.
- (3) Affiant further states that there (is/is not) any further money due anyone for assisting in the preparation of said papers. If affiant owes money to the preparer the amount is \$_____.
- (4) Affiant has not paid or given anyone any other consideration of money for helping in preparing the paper, except the following, _____.
- (5) Did the preparer of the papers tell you what information, or give you advice regarding the information to put in any of your paper? (YES / NO)
- (6) Did the preparer give you any advice about how to file your papers? (YES / NO)
- (7) Did the preparer give you any advice about how to present your case to the judge? (YES / NO)
- (8) Are you willing to discuss this matter with a State Bar or Georgia investigator? (YES / NO)

I have answered all the about questions truthfully, under criminal penalties of perjury.

Sworn to and subscribed before me
this _____ day of _____, 20____.

Affiant

Address

Notary Public

My Commission Expires _____

City State Zip

Phone No. (required): _____

General Civil and Domestic Relations Case Filing Information Form

☐ Superior or ☐ State Court of _____ County

For Clerk Use Only

Date Filed _____
MM-DD-YYYY

Case Number _____

Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

Defendant(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented ☐

Check One Case Type in One Box

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contract
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Dissolution/Divorce/Separate Maintenance
- ☐ Family Violence Petition
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

Post-Judgment – Check One Case Type

- ☐ Contempt
 - ☐ Non-payment of child support, medical support, or alimony
- ☐ Modification
- ☐ Other/Administrative

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☐ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

ATTACHMENTS

☐

Parenting Plan

☐

Child Support Order Addendum

☐

Case Disposition Form & 3907 Form

☐

Other

General Civil and Domestic Relations Case Disposition Information Form

☐ Superior or ☐ State Court of _____ County

For Clerk Use Only

Date Disposed _____
MM-DD-YYYY

Case Number _____

Case Style _____

Plaintiff(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

Defendant(s)

Last	First	Middle I.	Suffix	Prefix
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____
____	____	____	____	____

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented ☐

Defendant's Attorney _____

Bar Number _____

Self-Represented ☐

Manner of Disposition Check Only One

- ☐ Jury Trial
- ☐ Bench/Non-Jury Trial
- ☐ Non-Trial Disposition
- ☐ Alternative Dispute Resolution

- ☐ Check if any party was self-represented at any point during the life of the case.
- ☐ Check if the court ordered an interpreter for any party, witness, or other involved individual.
- ☐ Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?

eFile Registration & Quick Tips

Register to eFile at: <https://efilega.tylertech.cloud>

- Email: _____
- Address: _____
Address: _____
- Phone #: _____
- Password: Abcd1234
- Click on link sent to your email to activate your account.
- Separate, scan, and save your documents to your computer.
- Visit efilega.tylertech.cloud to start filing your case.

- File your case. For assistance visit: odysseyfileandservecloud.zendesk.com/hc/en-us
- All communication about your case will come to the email you provided above. You must file a 'Notice of Address Change' form with the Clerk's Office if you need to update your address or email. Add no-reply@efilingmail.tylertech.cloud to your email contact.
- To view your case, visit <https://researchga.tylerhost.net>. You will log-in using the same email and password you use for eFileGA.

Envelope # _____ Case # _____ (assigned when case is accepted)

- **Cases filed with Poverty Affidavit:** You must wait until the Judge makes a decision on your Poverty Order before moving on to the next steps. If your order is denied, you must pay the filing fee of \$ _____ to proceed with your case. If your Poverty Affidavit is accepted, please proceed to one of the below next steps that apply to the type of case you filed.
- **Cases filed with an agreement:** File your *Request Letter* 46 days after you receive notice that your case has been ACCEPTED. Notification will be sent to you via email.
- **Cases filed with Sheriff Service:** File your *Request Letter* 46 days after Defendant has been served. You will receive email notification once the Defendant has been served.
- **Adult Name Change:** From your email, print the electronic filed-stamped *Notice of Name Change* to The Telegraph. After your case is done running in the paper, request the *Publisher's Affidavit* from the Telegraph and eFile it into your case. File your *Request Letter* after you file the Publisher's Affidavit.
- **Minor Name Change:** File the *Request Letter* after you receive notice that your *Publisher's Affidavit* has been accepted into your case.

Clerk Assisted: _____
Date: _____