

10A NCAC 41H .0905 CORRECTING FALSIFIED BIRTH CERTIFICATES

(a) For cases in which the mother claims to have falsified information for the birth certificate regarding her marital status or the name of her husband, she shall be required to sign an affidavit to the effect that the original information given at birth was false and provide appropriate proof of the facts to be added to the record. The State Registrar reserves the right to withhold issuance of copies of records known to be falsified (except to a court or other official agency) until the necessary corrections have been made.

(b) If the mother alleges that she was not married at the time of conception or birth the marital status shall be changed, information regarding the father shall be lined through, and the child shall be given the established surname.

(c) If the mother alleges that she had a different husband from the one on the original birth certificate, and the whereabouts of the true husband is unknown or he is dead, the name of the husband shall be lined through and the child will be given the established surname, provided that the mother shows proof of the marriage and proof that the child has been using the surname to be added. The name of the alleged father may be added if his sworn statement that he was married to the mother at the time of conception or birth is furnished, and if no objection is raised by the man who was originally named as the father.

(d) A copy of all such corrected records will be forwarded to the register of deeds in the county of birth.

*History Note: Authority G.S. 130A-92(7);
Eff. February 1, 1976;
Amended Eff. October 1, 1977;
Readopted Eff. November 15, 1977;
Amended Eff. September 1, 1990; April 1, 1982;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 22, 2018.*