

The background of the slide is a light gray gradient with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance. The main title is centered in the upper half of the slide.

# **FAMILY LAW: DELAYED BIRTH CERTIFICATES**

AGATA VANA  
ASSISTANT COUNTY ATTORNEY  
BURNET COUNTY

# TABLE OF CONTENTS

- **TIMELY FILING OF BIRTH CERTIFICATE**
- **DELAYED FILING OF BIRTH CERTIFICATE**
  - FILING PROCESS
  - VSS (VITAL STATISTICS SECTION) REVIEW OF APPLICATION AND SUPPORTING DOCUMENTS
  - AFTER COMPLETION OF REVIEW
  - SOME REASONS FOR REJECTION
  - REJECTION AND COURT REFERRAL LETTER
- **PETITION FOR A COURT-ORDERED DELAYED FILING OF BIRTH CERTIFICATE / REGISTRATION BY JUDICIAL ORDER**
  - WHEN TO FILE
  - WHERE TO FILE
  - STATUTORY PROBATE COURT VS. PROBATE COURT
  - VSS REJECTION AND REFERRAL LETTER ENCLOSURES
  - PETITION SAMPLE 1
  - PETITION SAMPLE 2
  - ATTACHMENTS TO THE PETITION FOR DELAYED CERTIFICATE OF BIRTH
- **COURT ORDER DELAYED CERTIFICATE OF BIRTH**
  - ORDER ESTABLISHING BIRTH FACTS
  - SAMPLE COURT ORDER DELAYED CERTIFICATES OF BIRTH

# TIMELY FILING OF BIRTH CERTIFICATE

- **When filed (properly) within 1 year of the date of birth.**
- **“Must” be filed within 5 days of live birth with the local registrar.**
  - Health and Safety Code (HSC) § 192.003(d), and
  - Texas Administrative Code (TAC) § 181.26.
- **Who must file the birth certificate with the local registrar?**
  - Physician, midwife, or person acting as a midwife in attendance at a birth (i.e. EMT or Parent).
    - HSC § 192.003(a); TAC § 181.26
  - Birthing center administrator, or designee of the appropriate administrator.

# DELAYED FILING OF BIRTH CERTIFICATE

- **A birth certificate not properly filed within 1 year of birth with the local registrar.**
  - HSC § 192.022; TAC § 181.60
- **Verification by State Registrar – Vital Statistics Section (VSS).**
  - TAC § 181.64
  - VSS must verify that no birth certificate is on file in Texas.
- **Application for Delayed Birth Certificate must be sent to VSS (HSC § 192.022; TAC § 181.61) with supporting documents (HSC § 192.025; TAC § 181.62) and the filing fee (TAC § 181.22(m)).**

# FILING PROCESS

- **Qualified Applicant**

- Person named on the birth record, if 18 years of age or older.
- Parent(s) named on the record, if child is under 18 years of age.
- Legal guardian(s), managing conservator(s), or other legal representative(s).

- **Request Certified Copy of Birth Certificate**

- Qualified Applicant must request a certified copy of the birth certificate to confirm that the birth record is not on file. (<https://www.dshs.texas.gov/vital-statistics/birth-records/delayed-birth-registration>)
- If the birth record is NOT found, then VSS will mail the qualified applicant forms and instructions on how to apply for a delayed birth certificate.

# FILING PROCESS CONTINUED

- **Qualified Applicant must apply for a Delayed Certificate of Birth by submitting:**
  - Delayed Certificate of Birth Application, which is mailed with the “Not Found Letter,”
  - The filing fee;
  - Supporting documents, which vary based on the age of the person needing the birth certificate.
    - Child between 1-4 years old (<https://www.dshs.texas.gov/vital-statistics/birth-records/delayed-birth-registration#group1>),
    - Child between 4-15 years old (<https://www.dshs.texas.gov/vital-statistics/birth-records/delayed-birth-registration#group2>), or
    - Individual 15 years old or older (<https://www.dshs.texas.gov/vital-statistics/birth-records/delayed-birth-registration#group3>).
  - Identification of Qualified Applicant
    - TAC 181.28

# VSS REVIEW OF APPLICATION AND SUPPORTING DOCUMENTS

- **VSS will review the application and supporting documents.**
  - Legibility
  - Completeness
  - Accuracy
  - Fee
  - Suspicious documents
  - Number of documents
  - Verify documents

# AFTER COMPLETION OF REVIEW

- **After VSS finishes reviewing the application for delayed birth certificate and supporting documents, VSS will either:**
  - request additional documentation,
  - approve the application and file the delayed birth certificate, or
  - reject the application and refer the qualified applicant to court.

# SOME REASONS FOR REJECTION

- **Required number of documents are not submitted.**
- **Out-of-state or foreign birth record is located.**
- **Contradictory documents were provided.**
- **Parentage document isn't provided.**
- **Supporting documents do not include**
  - birth name,
  - date of birth, and/or
  - place of birth.
- **Only affidavits of birth facts are submitted.**
- **No filing fee.**
- **Birth facts aren't supported by supporting documents.**
- **Documents are unverifiable.**
  - Hospital / Medical Records
  - School Records
  - Baptismal Records

# REJECTION AND COURT REFERRAL LETTER



TEXAS  
Health and Human  
Services

Texas Department of State Health Services

Jennifer A. Shuford, M.D., M.P.H.  
Interim Commissioner

NOVEMBER 15, 2022

RE: [REDACTED]  
Reported Date of Birth: [REDACTED]  
Reported Place of Birth: [REDACTED]  
REQ: [REDACTED]  
TRACKING #: [REDACTED]

Dear Customer,

We received the delayed birth application regarding the registrant's record identified above. We did not receive satisfactory supporting evidence to prove the applicant's statement of date and place of birth and/or parentage or we received contradictory documents and/or the birth facts were not supported by the supporting documents.

Texas Administrative Code (TAC) chapter 181 states that an applicant at least **one (1) but less than four (4) years** of age of filing must submit supporting documents that prove evidence of pregnancy, evidence the infant was born alive, evidence the birth occurred in Texas and evidence the birth occurred on the date stated. Pursuant to Health and Safety Code (HSC) 192.023, our office requires at least two (2) supporting documents to substantiate the facts of birth.

The delayed birth application for the registrant listed above is rejected and **below are the specific reason(s) why the Vital Statistics Section (VSS) may not register a delayed birth certificate for the applicant:**

- Required number of supporting documents were not submitted. Provide more details.
  - You did not submit at least three (2) supporting documents.

HSC Sec. 192.027 (a) states if a delayed birth certificate is not accepted for registration by the state registrar, the person may file a petition in the statutory probate court or district court in the county in which the birth occurred, or in the statutory probate court or district court in the county in

which the person resides, for an order establishing a record of the person's date of birth, place of birth, and parentage.

When you schedule a hearing with a court listed below to get a court ordered delayed birth certificate, **provide the court with the following:**

- A completed Petition for Delayed Certificate of Birth (VS-123.1) form; a blank form is attached.
- A copy of the documents you submitted to our office; all documents you submitted are attached to this letter or have already been returned to you.
- A copy of this letter.
- A complete set of the fingerprints for the person who signed the Petition for Delayed Certificate of Birth (VS-123.1) form. Our office does not provide fingerprinting services.

**Below are the locations of the statutory probate court(s) and/or district court(s) that you may contact to file the Petition for Delayed Certificate of Birth (VS-123.1).**

DISTRICT CLERK  
Courthouse Annex North  
1701 E. Polk Street, Suite 90  
Burnet, Texas 78611  
Phone: (512) 756-5450  
Email: [district.clerk@burnetcountytexas.org](mailto:district.clerk@burnetcountytexas.org)

LAMPASAS DISTRICT CLERK  
409 South Pecan Street # 204  
Lampasas, TX 76550  
Phone: 512-556-8271  
Fax: 512-556-9463  
Email: [districtclerk@co.lampasas.tx.us](mailto:districtclerk@co.lampasas.tx.us)

The court will complete the Court Ordered Delayed Certificate of Birth (VS-123) if the court finds that the applicant was born in Texas; and not later than the seventh (7) day after the date on which the order is entered, the clerk of the court shall forward the completed VS-123 to our office, the Vital Statistics Section's Registration program area for the order to be registered (HSC Sec.192.027 (f)).

If you go to court and the judge approves the court ordered delayed birth record is received and filed by our office, please do the following in order to receive a certified copy of the Court Ordered Delayed Certificate of Birth.

Please email [VSSRegistration@dshs.texas.gov](mailto:VSSRegistration@dshs.texas.gov) or call 512-776-5600 if you have any questions. **Our office cannot provide legal advice and you may contact an attorney, or the judge may appoint attorney ad litem to represent you.**

Thanks in advance for your assistance and cooperation.

Sincerely,

Vital Statistics Section, Registration (LR)  
DSHS - VSS Registration (MC2096)  
1100 W. 49<sup>th</sup> Street  
Austin, TX 78756

Enclosures:

- 1) Texas Health and Safety Code, Section 192.027 Registration by Judicial Order
- 2) VS-123.1
- 3) Original Document ( s)

# REJECTION AND COURT REFERRAL LETTER CONTINUED

Texas Health and Safety Code

## Sec. 192.027. Registration by Judicial Order

(a) If a delayed birth certificate is not accepted for registration by the state registrar, the person may file a petition in the statutory probate court or district court in the county in which the birth occurred, or in the statutory probate court or district court in the county in which the person resides, for an order establishing a record of the person's date of birth, place of birth, and parentage.

(b) The petition must include:

(1) the petitioner's:

- (A) full name;
- (B) place of residence;
- (C) date of birth;
- (D) city or town, if applicable, and county of birth;
- (E) race or ethnicity; and
- (F) gender;

(2) the full name and county of birth of the petitioner's father;

(3) the full name, including any maiden name, and county of birth of the petitioner's mother;

(4) whether the petitioner has been the subject of a final felony conviction;

(5) whether the petitioner is subject to the registration requirements of

Chapter 62, Code of Criminal Procedure; and

(6) a legible and complete set of the petitioner's fingerprints on a fingerprint card format acceptable to the Department of Public Safety and the Federal Bureau of Investigation.

(c) The petition must be accompanied by:

(1) a statement of the state registrar issued under Section 192.026(b)(1);

and

(2) the documentary evidence submitted to the state registrar in support of the application.

(d) If, after a hearing, the court finds from the evidence submitted to the registrar and any other relevant evidence presented by the person that the person was born in this state, the court shall:

- (1) make findings as to the person's date and place of birth and parentage;
- (2) make other findings required by the case; and

(3) enter an order on a form prescribed and furnished by the department to establish a record of birth.

(e) An order under this section must include:

- (1) the birth data to be registered;
- (2) a description of the evidence presented; and
- (3) the date of the court's action.

(f) Not later than the seventh day after the date on which the order is entered, the clerk of the court shall forward the order to the state registrar. The state registrar shall register the order, which is the record of birth.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by: Acts 2015, 84th Leg., R.S., Ch. 1093 (H.B. 2794), Sec. 2, eff. September 1, 2015.

**WHEN**  
**TO FILE A PETITION FOR A COURT-ORDERED DELAYED**  
**FILING OF BIRTH CERTIFICATE**  
**/ REGISTRATION BY JUDICIAL ORDER**  
**HSC § 192.027**

- **When the Texas Department of State Health Services (DSHS) tells the Qualified Applicant to!**
  - A Qualified Applicant cannot get to court unless he/she has received the rejection letter, which is also the referral to court letter, from DSHS-VSS.

# WHERE TO FILE A PETITION FOR A COURT-ORDERED DELAYED FILING OF BIRTH CERTIFICATE / REGISTRATION BY JUDICIAL ORDER, HSC § 192.027

- **Where the Texas Department of State Health Services (DSHS) tells the Qualified Applicant to!**
  - The rejection letter, which is also the referral to court letter, from DSHS-VSS will include a list of courts or a court with jurisdiction to hear a Petition for the Delayed Certificate of Birth.
    - Texas statutory probate court or district court in the county in which the person resides or the county in which the birth occurred.
- **Which courts have jurisdiction to hear a Petition for a Delayed Certificate of Birth?**
  - District Courts
    - 477 District Courts in Texas (at least 1 in each county)
  - Statutory Probate Courts
    - 10 Statutory Probate Courts in Texas
      - Bexar, Collin, Dallas, Denton, El Paso, Harris, Hidalgo, Galveston, Tarrant, and Travis Counties

# STATUTORY PROBATE COURT VS. PROBATE COURT

- **Statutory Probate Court**

- Has exclusive jurisdiction over probate proceedings.
- Statutory probate courts are located in large metropolitan areas and have jurisdiction over probate matters, guardianship cases, and mental health cases.

- **Probate Court**

- May have concurrent jurisdiction with other courts, such as district courts.
- Probate courts can include county courts exercising probate jurisdiction, district courts exercising probate jurisdiction in contested matters, or court created by statute (i.e. county courts at law).

# **VSS REJECTION AND REFERRAL LETTER ENCLOSURES**

- **Blank Petition for Delayed Certificate of Birth (VS-123.1)**
- **A Copy of the supporting documents submitted to DSHS – VSS**

The background features a light gray gradient with several realistic water droplets of various sizes scattered in the corners. The droplets have highlights and shadows, giving them a three-dimensional appearance. The text is centered in the middle of the page.

**PETITION FOR DELAYED CERTIFICATE OF BIRTH**

EX PARTE

No. \_\_\_\_\_ in the \_\_\_\_\_ court of  
\_\_\_\_\_ County, Texas

**PETITION FOR DELAYED CERTIFICATE OF BIRTH**

TO THE HONORABLE JUDGE OF SAID COURT:

Full Name of Petitioner			Date of Birth
Color or Race	Sex	City or Town of Birth	Country of Birth
Place of Residence			
Full Name of Parent Prior to First Marriage			Country of Birth
Full Name of Parent Prior to First Marriage			Country of Birth

requests of said court an order establishing a delayed certificate of birth for:

Full Name of Registrant			Date of Birth
Color or Race	Sex	City or Town of Birth	Country of Birth
Full Name of Parent Prior to First Marriage			Country of Birth
Full Name of Parent Prior to First Marriage			Country of Birth

As provided in Sec. 192.027 Texas Health and Safety Code, there are attached hereto (1) a statement setting forth reasons why the State Registrar refused to issue a delayed certificate of birth, and (2) the documentary evidence hereto submitted to the State Registrar. The petitioner must attach a legible and complete set of his or her fingerprints on a fingerprint card format acceptable to the Department of Public Safety and the Federal Bureau of Investigation.

- TRUE or  FALSE: I have not been the subject of a final felony conviction
- TRUE or  FALSE: I am not subject to the registration requirements of Chapter 62, Code of Criminal Procedure

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Petitioner)



# **ATTACHMENTS TO PETITION FOR DELAYED CERTIFICATE OF BIRTH HSC § 192.027(b)(6), (c)**

- **Required Attachments**

- Legible and complete set of the petitioner's fingerprints;
- A copy of the VSS court referral letter aka rejection letter, which states the reason for rejection; and
- All the documentary evidence submitted to VSS with the application for delayed birth certificate.

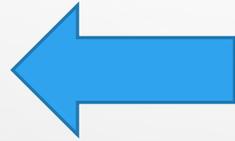


# VS-123

## COURT ORDER DELAYED CERTIFICATE OF BIRTH CONTINUED

- The VS-123 form is a **RESTRICTED** form, that can only be sent to the:

- \*\* **District Clerk,**
- \*\* **District Judge,** or
- \*\* **Statutory Probate Judge.**



**\*\* The VS-123 has to be requested from the VSS by a person allowed to handle the form.**

- The VS-123 is supposed to be filled out by the:
  - District Clerk's Office, or
  - District and/or Statutory Probate Judge's Office
- The Qualified Applicant/Petitioner/Registrant/Attorney **should not** have access to this form and should not be filling out this form.

# VS-123

## COURT ORDER DELAYED CERTIFICATE OF BIRTH CONTINUED

- The VS-123 will become the registrant's actual birth certificate.
- There can be NO mistakes, white outs, cross overs, or mark overs on the VS-123.
- Not all 4 supporting document spaces need to be filled out. The Judge can accept as many documents as he/she wants.
  - The only documents that should be used are ones that can prove the Registrant's
    - \*\* full name at birth,
    - \*\* full place of birth,
    - \*\* full date of birth, AND
    - \*\* the Registrant's parents' or mother's name(s).



**\*\* At least 1 document needs to have all of this information listed.**

# VS-123

## COURT ORDER DELAYED CERTIFICATE OF BIRTH CONTINUED

- What if Registrant doesn't have 1 document that lists the Registrant's
  - full name at birth,
  - full place of birth,
  - full date of birth, AND
  - the Registrant's parents' or mother's name(s)?
- The Judge may render and sign an Order Establishing Birth Facts that lists the Registrant's
  - full name at birth,
  - full place of birth,
  - full date of birth, AND
  - the Registrant's parents' or mother's name(s).

NOTICE: THIS DOCUMENT  
CONTAINS SENSITIVE DATA

CAUSE NO. [REDACTED]

EX PARTE

§  
§  
§  
§  
§

IN THE DISTRICT COURT  
424TH JUDICIAL DISTRICT  
BURNET COUNTY, TEXAS

**ORDER ESTABLISHING BIRTH FACTS**

On January 13, 2023, the Court heard this case.

**Appearances**

Petitioner, The Texas Department of Protective Services, on behalf of a child, [REDACTED], appeared through its representative, [REDACTED], and through attorney of record, Agata Vana, and announced ready.

[REDACTED], Attorney ad Litem for the child, [REDACTED], appeared and announced ready.

Also appearing: [REDACTED]  
[REDACTED] (Adoption Caseworker).

The parental rights of the adjudicated father, [REDACTED], have been previously terminated and, therefore, notice was not required.

The parental rights of the biological mother, [REDACTED] have been previously terminated and, therefore, notice was not required.

**Jurisdiction**

The Court, after examining the record and hearing the evidence and argument of counsel, finds that it has jurisdiction of this case and of all the parties and that no other court has continuing, exclusive jurisdiction of this case. All questions of fact and of law were submitted to the Court.

All persons entitled to citation were properly cited.

**Record**

The record of testimony was duly reported by the court reporter for the 424th Judicial District Court of Burnet County, Texas.

**Findings on Birth Facts**

The Court finds that a male child was born to [REDACTED] and [REDACTED] on [REDACTED] in [REDACTED] County, Texas.

The Court finds that the name of the male child is [REDACTED]

**Order Establishing Birth Facts**

The Court orders the establishment of the following birth facts:

**First Name on Record:**

**Last Name on Record:**

**Date of Birth:**

**Sex:**

**Color or Race:**

**City or Town of Birth:**

**County of Birth:**

**State of Birth:**

**First Name of Mother:**

**Middle Name of Mother:**

**Last Name of Mother:**

**First Name of Father:**

**Middle Name of Father:**

**Last Name of Father:** [REDACTED]

**Date of Order**

This order judicially PRONOUNCED AND RENDERED in court in Burnet County, Texas, on January 13, 2023 and further noted on the court's docket sheet on the same date, but signed on [REDACTED]

[REDACTED]  
JUDGE PRESIDING



# **VS-123**

## **COURT ORDER DELAYED CERTIFICATE OF BIRTH CONTINUED**

### **HSC § 192.027(d) – (e)**

- After the hearing, if the Court finds evidence that the person was born in Texas, the Court shall:
    - Make findings of date of birth, place of birth, and parentage;
    - Make other findings required by the case;
    - Complete VS-123 and include the description of the evidence presented, birth date, and Date of the Court's action.
- 

# VS-123

## COURT ORDER DELAYED CERTIFICATE OF BIRTH CONTINUED

- The **ORIGINAL** VS-123 form needs to be mailed to DSHS.
  - The original VS-123 form is on archival paper.
- Black durable ink pen should be used.
  - Light black and blue ink does not show up well on the certified paper.
  - Do not use marker.
- The form can be typed instead of handwritten.
- **HANDWRITING MUST BE NEAT AND LEGIBLE!!!**

**Not later than the seventh (7<sup>th</sup>) day after the date on which the order is entered, the clerk of the court shall forward the order to the state registrar. HSC § 192.027(f)**

STATE OF TEXAS

COURT ORDER DELAYED CERTIFICATE OF BIRTH

FILE NO.

BUREAU OF VITAL STATISTICS

REGISTRANT (Person whose birth is being registered)	1. NAME			2. DATE OF BIRTH
	[a] FIRST	[b] MIDDLE	[c] LAST	
FULL NAME OF PARENT	3. COLOR OR RACE		4. SEX	5b. COUNTY OF BIRTH
	5a. CITY OR TOWN OF BIRTH		COUNTY, TEXAS	
FULL NAME OF PARENT	6. (a) FIRST NAME		(b) MIDDLE NAME	(c) LAST NAME PRIOR TO FIRST MARRIAGE
	7. STATE OR COUNTRY OF PARENT'S BIRTH			
FULL NAME OF PARENT	8. (a) FIRST NAME		(b) MIDDLE NAME	(c) LAST NAME PRIOR TO FIRST MARRIAGE
	9. STATE OR COUNTRY OF PARENT'S BIRTH			

TEXAS DEPARTMENT OF STATE HEALTH SERVICES

SUPPORTING DOCUMENT 1.	TYPE OF DOCUMENT		BY WHOM ISSUED AND SIGNED	DATE ISSUED	DATE ORIGINAL ENTRY
	certified copy Original Petition for Protection of Child		District Clerk		
SUPPORTING DOCUMENT 2.	TYPE OF DOCUMENT		BY WHOM ISSUED AND SIGNED	DATE ISSUED	DATE ORIGINAL ENTRY
	Medical Records		Baylor Scott & White		
SUPPORTING DOCUMENT 3.	TYPE OF DOCUMENT		BY WHOM ISSUED AND SIGNED	DATE ISSUED	DATE ORIGINAL ENTRY
	certified copy Final Order in Suit Affecting Child Relation		District Clerk		
SUPPORTING DOCUMENT 4.	TYPE OF DOCUMENT		BY WHOM ISSUED AND SIGNED	DATE ISSUED	DATE ORIGINAL ENTRY
	Order Establishing Birth Facts		Judge		
QUALIFYING INFORMATION	sworn testimony of CPS caseworker				

VS-123 REV. 03/2017

COURT ORDER	No. _____ in the _____ <sup>116</sup> Court of _____ County, Texas
	On this day on to be heard the petition for a delayed certificate of birth for the above-named registrant and after considering the evidence submitted in support of such registration and finding that Sec. 192.027, Texas Health and Safety Code, has in all things been complied with, and that therefore such petition should be granted, it is the order of this Court that this delayed certificate of birth be and the same is hereby established for said registrant.
	_____ Presiding Judge
	Date _____ County, Texas

## INSTRUCTIONS FOR FILING A COURT ORDER DELAYED CERTIFICATE OF BIRTH

### I. STATUTORY PROVISION, SEC 192.027, CHAPTER 678, HEALTH AND SAFETY CODE, REGISTRATION OF JUDICIAL ORDER

- (a) If a delayed certificate of birth is not accepted for registration by the state registrar, the person may file a petition in the statutory probate court or district court in the county in which the birth occurred, or in the statutory probate court or district court in the county in which the person resides, for an order establishing a record of the person's date of birth, place of birth, and parentage.
- (b) The petition must include:
  - (1) The petitioner's:
    - (a) Full name;
    - (b) Place of residence;
    - (c) Date of birth;
    - (d) City or town, if applicable, and county of birth;
    - (e) Race or ethnicity; and
    - (f) Gender;
  - (2) The full name and county of birth of the petitioner's father;
  - (3) The full name, including any maiden name, and county of birth of the petitioner's mother;
  - (4) Whether the petitioner has been the subject of a final felony conviction;
  - (5) Whether the petitioner is subject to the registration requirements of Chapter 62, Code of Criminal Procedure; and
  - (6) A legible and complete set of the petitioner's fingerprints on a fingerprint card format acceptable to the Department of Public Safety and the Federal Bureau of Investigation
- (c) The petition must be accompanied by:
  - (1) A statement of the state registrar issued under Section 192.026(b)(1); and
  - (2) The documentary evidence submitted to the state registrar in support of the application.
- (d) If, after a hearing, the court finds from the evidence submitted to the registrar and any other relevant evidence presented by the person that the person was born in this state, the court shall:
  - (1) Make findings as to the person's date and place of birth and parentage;
  - (2) Make other findings required by the case; and
  - (3) Enter an order on a form prescribed and furnished by the department to establish a record of birth.
- (e) An order under this section must include:
  - (1) The birth date to be registered
  - (2) A description of the evidence presented; and
  - (3) The date of the court's action.
- (f) Not later than the seventh day after the date on which the order is entered, the clerk of the court shall forward the order to the state registrar. The state registrar shall register the order, which is the record of birth.

### II. ABSTRACTING EVIDENCE

1. Type of document. The document abstracted must be clearly identified and its location (in the abstract, the location of an original document may be shown under either "Type of Document" or "By Whom Issued and Signed") stated:
  - Example 1. If a school record is submitted, show the name and location of the school which has the original record.
  - Example 2. If an original document, such as a baptismal certificate, is submitted, clearly identify the document and show the name and address of the person possessing such document.
  - Example 3. If a copy made from a private document, such as a family Bible, is submitted, show the name and address of the person possessing such document.
2. By Whom Issued and Signed. Identify fully the person, by name and title, who made the original record or who issued and signed a copy of the original record.
3. Date Issued (Or Date Examined). Enter the date on which the copy was prepared; or, if the original record is examined, the date on which it is examined by the court.
4. Date Original Entry. The date given in this entry will determine the age of the evidence. Do not enter in this space the date a copy of the original record was issued. Show the date the original record was made.
5. Information Concerning Registrant. Enter only the information actually contained in the documents. Each fact of birth must be abstracted exactly as it is shown in the document. Where no information is shown for a particular item, "unstated" should be entered. If a document shows "23 years old next birthday," the entry should be "23 yrs next birthday".



# **QUESTIONS?**

**AGATA VANA**

Assistant County Attorney

Burnet County Attorney's Office

220 S. Pierce St.

Burnet, Texas 78611

Tel. 512-756-5476

Email: [avana@burnetcountytexas.org](mailto:avana@burnetcountytexas.org)